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No. 87

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of the people's House. Send Your Spirit of Wisdom as they face this day with difficult decisions to be made, work to be done, burdens to be carried. Might they work together with charity and join their efforts to accomplish what our Nation needs to live into a prosperous and secure future.

We pray especially this day for one of the House's own whom You have called beyond this life. We give You thanks for the life and service to this Nation and this House of Mr. John Patrick Murtha. May he and all those who have served in our military rest now in peace.

Please keep all the Members of this Congress, and all who work for the people's House, in good health, that they might faithfully fulfill the great responsibility given them by the people of this great Nation.

Bless us this day and every day. May all that is done here this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

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

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

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

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

Mr. WALZ of Minnesota led the Pledge of Allegiance as follows:

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

### ANNOUNCEMENT BY THE SPEAKER

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

"MR. PRESIDENT, BY WHAT AUTHORITY, SIR, DO YOU WAGE WAR?"

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

Mr. POE of Texas. Mr. Speaker, President Obama has unilaterally brought America into its third war—the war in Libya.

The Constitution provides that Congress, not the Executive, should decide to go to war with other nations. Even the War Powers Resolution does not give the President the omnipotent power to continue this war.

The resolution says that there must have been an attack on the United States or that the war is in the national security interest of the United States. Neither has occurred. Also, the War Powers Resolution requires a ceasing of hostility after 60 days unless there is congressional approval. Congress has not approved this war.

The President's new innovative argument for this war is that the United States is not really engaged in hostilities in Libya; therefore, we are not at war. I assume war is in the eyes of the beholder.

Mr. Speaker, throughout history, national executives have justified wars because, well, they've wanted to go to war. The Constitution and the law have been trampled on by this march to war. But we cannot let the Constitution get in the way of a "good war," can we?

And that's just the way it is.

### HONORING A BRAVE FALLEN HERO, SPECIALIST EMILIO CAMPO

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

Mr. WALZ of Minnesota. Madam Speaker, I rise today to honor a brave fallen hero from my district who was killed in Iraq last week. Specialist Emilio Campo, a remarkable young man from Madelia, Minnesota, gave his life for this Nation.

He joined the National Guard while he was still in high school, and his classmates remember him as a kind, fun-loving young man who had aspirations to attend college and to go into the medical field. He served his country bravely as an Army medic; but when he would come home to questions about his exciting and dangerous work, he would always shrug them off, shy away from the attention, and explain that he was just doing his job.

Earlier in the week, the Mankato Free Press reported that, in the 2009

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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graduation section of the Madelia Times Messenger, Emilio's favorite quote was listed as: "Dream as if you'll live forever. Live as if you'll die today."

By all accounts, Emilio did exactly that.

Tomorrow, his family, his friends and his community will gather together to honor his memory and to celebrate his life. We will remember his sacrifice to this Nation and how he died and gave the ultimate sacrifice; but we will also remember the kind of person he was—full of life, kind-hearted, a good friend, and a good son.

#### THE AMERICAN PEOPLE NEED JOBS

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

Ms. JENKINS. Madam Speaker, unemployment is over 9 percent. Americans are struggling. They need relief. They need certainty. They need jobs.

House Republicans have passed legislation aimed at removing barriers to job creation, including bills to rein in wasteful spending, end unnecessary regulation, decrease uncertainty, and ensure the survival of Medicare, Medicaid and Social Security.

One of the many pieces of legislation passed to spur job growth was our budget. My colleagues across the aisle can critique our plans, but it is unacceptable to demagogue it without having a plan of their own.

Law requires that Congress pass a budget; yet Democrats shirked that responsibility last year when they held the majority, and they have yet to propose an alternative this year. We have heard a few speeches but no honest plan that can be read, scored, compared, and negotiated.

The American people need jobs. Rather than engaging in demagoguery, I ask my colleagues to bring a plan to the negotiating table. Let's do our job so more Americans have one.

#### RECOGNIZING PRIDE MONTH

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

Mr. QUIGLEY. Madam Speaker, I rise in celebration of June as Pride Month.

Participating and supporting the lesbian, gay, bisexual, and transgender community is a way of life. At its core, this month stands to recognize a fundamental belief upon which this country is founded: equality.

The first pride parade took place in 1970 to commemorate the Stonewall riots in New York. Forty years later, the event has become much more than a parade; it has evolved into a month-long celebration of the LGBT community.

What was once a moment is now a movement, bringing people together to

fight for the rights and benefits granted to them by the Constitution, rights we should all fully support and fight for every day in Washington. We've got a few victories under our belt. Hate crimes legislation and the repeal of Don't Ask, Don't Tell have passed these Chambers, but there remains much to be done.

I look forward to celebrating equality for all this weekend at the Chicago Pride Parade and festival, and I am as emboldened as ever to continue this important work in Congress.

#### ECONOMIC NEWS

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

Mr. HARRIS. Madam Speaker, I rise to report some distressing economic news from my district.

To add to our country's rising unemployment, plummeting home values and a steep drop in retail sales last month, Allen Family Foods filed for bankruptcy last week. A well-known name in the poultry industry and a longstanding Delmarva family business, this closing could cost thousands of jobs.

The reason for Allen's collapse: soaring grain prices, energy costs and overbearing government regulations, especially from the EPA.

The chilling signal sent to potential job creators throughout America right now is that the bureaucrats in this administration are now the central planners of our economy—and they are not doing a very good job. We have tried to create jobs their way, and it hasn't worked. Overtaxing, overspending and overregulating cannot and will not create jobs.

It is time to head in a new direction. It is time for a new economic policy. If we stop the spending spree in Washington, businesses will, once again, create jobs in America. It is up to us to restore confidence and certainty and to send a signal to the private sector that the United States is, once again, open for business.

#### AMERICANS ARE OPPOSED TO ENDING MEDICARE

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

Mr. TONKO. Madam Speaker, the Republican majority seems to be using any route possible to hide the truth about its "road to ruin" budget and its plans to end Medicare. The Washington Post, the New York Times, the National Journal, and others recently reported that mass mailings sent from Democratic Members of Congress to their constituents have been heavily edited by majority leadership if they address the Republican plan to end Medicare.

But Americans know the truth, Madam Speaker. Every day, I hear

from many of my constituents in the Capital Region of upstate New York who tell me how much they rely on Medicare and how worried they are over the majority's plan to end the program. My constituents know that a voucher will not even come close to covering their rising prescription drug costs and doctors' visits. Our senior community is tremendously wise. They know that the risk associated with the Republican plan is shifted from our government to their pockets.

No matter how it is spun, Americans are opposed to ending Medicare. Let's instead work together to strengthen the program and ensure it remains on strong financial footing.

□ 0910

#### OBAMA ADMINISTRATION KILLS JOBS

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

Mr. WILSON of South Carolina. Madam Speaker, tomorrow the House Committee on Oversight and Government Reform, led by Chairman DARRELL ISSA, will conduct a field hearing at The Boeing Company's 1.1 million square-foot manufacturing plant in North Charleston, South Carolina. This will expose an outrage of Big Government killing jobs.

As the Seattle Times correctly editorialized Monday: "The NLRB is attempting to reverse a U.S. investment by the Nation's number one exporter 17 months after the company decided to make it—after the money's been spent, after the equipment is set up, and after 1,000 workers have been hired. For the government to demand now that the company move everything to another State shows no sense of practical reality."

South Carolina recruited this new second line of 787 Dreamliners through a competitive incentive package developed by Commerce Secretary Joe Taylor, which included a trained, world-class workforce, a welcoming pro-business climate, right-to-work laws, and pro-business local government of Republican and Democratic bipartisanship. The Boeing Company's decision was based on economics and sound business policy. The Obama administration should stop its attack on American jobs and American workers.

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

#### MEDICARE

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

Mrs. MALONEY. Madam Speaker, a close examination shows the changes that our Republican colleagues are proposing to Medicare would actually make things much worse, not better.

To begin with, the Republican proposal would add to the program's cost. Privatizing Medicare would cost 11 percent more than it would for providing exactly the same services under the current Medicare plan. And the additional cost for going private would just widen over time.

According to the nonpartisan politifact.org, under the Republican plan, those just becoming eligible for Medicare, those 55 years old and under 10 years from now, would have to pay a whopping \$6,400 more per year than they would under the current plan.

This kind of foreseeable increase in costs actually works just like a tax aimed squarely at our retiring seniors. The Republican plan would be a disaster for our seniors and our economy.

#### OUR NATION DESERVES BETTER

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

Mr. DEUTCH. Madam Speaker, today we will vote on a bill to deprive impoverished mothers and their children of nutritional assistance at a time when record numbers of Americans are unfortunately relying on these programs.

There is no better indication of the majority's misplaced priorities than when you examine their cuts to meals for low-income seniors and the cuts to our Nation's emergency food banks. My Republican colleagues love to say that these painful cuts are necessary to reduce the deficit. Don't believe it for a second. If we repeal the Bush tax cuts for millionaires for 1 day, just for 1 day, we could preserve every penny of the \$100 million in cuts to senior food, aid senior hungry and soup kitchens.

We're recovering from the worst economic disaster since the Great Depression. Poverty is on the rise across America. During these tough times, we could ask millionaires to go without their special tax cuts for 1 day. Instead, Republicans are asking some of America's poorest, most vulnerable seniors to go hungry for 1 day and more.

Madam Speaker, our Nation deserves better than that.

#### GENERAL LEAVE

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2112.

The SPEAKER pro tempore (Mr. CONAWAY). Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2112.

□ 0917

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO) had been postponed, and the bill had been read through page 80, line 2.

#### AMENDMENT NO. 38 OFFERED BY MR. HOLDEN

Mr. HOLDEN. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. \_\_\_\_ . Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5.88 percent and may not be used to carry out the limitations contained in paragraphs (1) through (8) of section 728.

The CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. HOLDEN. Madam Chair, what my amendment will do is restore the \$1 billion in cuts to mandatory conservation programs in the underlying bill. Almost half of the total cuts in this piece of legislation come from mandatory conservation programs. That's the largest cut in history.

Madam Chair, specifically in this bill there are \$210 million in cuts in the Conservation Steward Program; \$350 million in cuts in the Environmental Quality Incentives Program; \$50 million in cuts in Farmland Protection Program; 96,000 acres reduced in the Grassland Reserve Program; 64,200 acres reduced in the Wetland Reserve Program; and \$35 million of reductions in Wildlife Habitat Incentives Program.

Madam Chair, to make this budget-neutral as it is scored by the CBO, it is paid for with a 5.88 percent across-the-board cut in discretionary spending in the bill, including the \$102 million already reduced in discretionary conservation programs in the bill.

Madam Chair, this is shared sacrifice as opposed to not shared sacrifice in the overwhelming, significant reduction of \$1 billion in mandatory discretionary programs.

Madam Chair, in the farm bill we worked very hard in a bipartisan man-

ner to get the investment in conservation that our producers need all across the country, and they need it now more than ever as they are under significant danger and peril from regulatory agencies, particularly the EPA. They need these conservation programs so they can stay in compliance and they can do the job that they do so well in producing our agriculture all across the country.

□ 0920

This is a bipartisan bill. I am honored to be the ranking member on the Conservation Subcommittee and to be joined by the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. THOMPSON). And I urge adoption of the amendment.

I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Chair, as chairman of the House Agriculture Committee's Subcommittee on Conservation, Energy, and Forestry, I rise in strong support of this amendment offered by my friend from Pennsylvania and ranking member on the subcommittee, Mr. HOLDEN.

This amendment will restore limited mandatory funding for the conservation programs as defined under the current farm bill. I believe it's important to note that this amendment does not have any additional cost. We're still within the frame of the Appropriations Committee's allocation for the bill.

This amendment simply preserves critical conservation programs which remain important for many farms, ranches, and agricultural lands across the Nation in order to protect environmentally sensitive areas. The programs offer voluntary incentives for farmers and ranchers to enroll land into conservation areas. In my district, these programs are vital for water quality improvement on our local farms and throughout the region. And it's the same for many other States. In my area of Pennsylvania, this is vital to be able to deal with the mandates levied upon us by agencies such as the EPA. The programs are cost-effective and provide excellent returns on investment while utilizing local, State, and private funding so that everyone involved has skin in the game.

The amendment, again, does not increase the bill's cost by even one penny because it's fully offset by reducing the bill's discretionary funding by 5.88 percent. I commend the Appropriations subcommittee chair for his efforts to produce an overall bill that is fiscally responsible and reduces funding in total by 13 percent in comparison to previous fiscal years.

And as the chairman of the subcommittee with jurisdiction over these programs, I can say very frankly to my good friend from Georgia, I look forward to the next farm bill where the

authorizing committee can further explore making these programs even more efficient and even more cost-effective, more so than they already are.

However, changes to programs, as defined under the current farm bill, especially when it comes to the mandatory spending in this amendment, I believe should be handled by the Agriculture Committee, not the appropriations process. I fully support this amendment and request my colleagues to do the same.

I yield back the balance of my time. Mr. KINGSTON. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Madam Chair, I want to, first of all, thank my good friend from Pennsylvania for talking to me about this amendment. Earlier this week, I expressed my concerns at that time, which I still have with it, and want to make a number of points.

Number one, we're not 100 percent sure what this scores out in terms of budget authority. So there is that question over it. Number two, I want to say that while conservation funding is down, farmers still have access to \$5.8 billion in conservation funding. And that's for private landowners. Actually, it's \$5.868 billion, to be exact.

I also want to make sure that my friends know that even though there are CHIMPs in this, changes in mandatory programs, that no conservation contracts will have to be canceled because of these limitations. The Federal Government cannot and does not break farm commodity or conservation contracts without significant consequences. We are aware of that. So we have made sure that none of the conservation contracts would be abrogated.

And then finally I want to say to my friend the ranking member, just to underscore some of the sensitivities that we've been through in the last couple of days, that this actually does cut the WIC program, cuts the Commodity Supplemental Food Program, and it cuts the Conservation Reserve Program and a lot of the other programs about which there has been so much passion about on this floor in the last couple of days.

So with that, I do oppose the amendment, and I urge everyone to vote "no" on it.

Mr. FARR. I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, I rise with great concern for this amendment. It wants to reduce about 5.8 percent across the board. Our problem is that we have dealt a really bad deal. The bill that we brought to the floor—and we cut some last night across the board—is \$5 billion, or 23 percent below what the President requested. The President put together all of the asks, and as you know, OMB scrubs those things. And we're always very critical

of the President's requests, sometimes because they're so low. Nonetheless, this is 23 percent below what the President requested. It's 14 percent below what we enacted last year.

We in the committee last year, under ROSA DE LAURO, when we were in the majority, we didn't have the impact on farm programs, particularly the environmental programs, that the cuts do this year. It's below the 2010-enacted level, and it's actually below the 2008-enacted level.

You know, people use these terms very loosely, "below a level." But think of it in your own personal income. Think about what the costs of life were for you in 2008 versus now. And I would submit that almost in every case, your water bill, your cable bill, your garbage bill, your utility bill, certainly the price of gasoline now, is a lot higher than it was in 2008. Nonetheless, you've got the same amount of money. So it's going to have a draconian impact, this amendment and the underlying bill, on the Department of Agriculture and the Food and Drug Administration.

So I'm concerned. I think the gentleman is well intended to protect the programs that I care a great deal about. But I think the 5.8 percent across-the-board cut on top of what we've already cut is just too much.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. HOLDEN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HOLDEN. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before any short title), insert the following new section:

The amount otherwise provided by this Act for "Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses" is hereby reduced by \$11,000,000.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CAMPBELL. Madam Chair, this amendment really ought to be a no-brainer. It cuts \$11 million from the USDA Wildlife Services' livestock protection program. Let me give you four reasons why this should be a no-brainer.

First of all, it saves \$11 million. Not the end of the world, but it's a start. We all know we have to save a lot of money. We all know we have to spend less money, and this is a start for doing it. Now why does it do that? Why do we cut \$11 million from this? This program is taxpayer money used to kill poten-

tial predators that supposedly are threatening livestock. But this killing of predators is very indiscriminate. We're killing all kinds of wildlife out there, both predators and nonpredators, both threatening and nonthreatening. Third, less than 1 percent of livestock in America is killed by predators every year. So we're spending this money for a tiny, tiny portion of the livestock that is out there. And fourth—and this is almost the biggest reason—why are taxpayers paying this? Why is this a taxpayer responsibility? If ranchers want to protect their livestock, why don't they do it? Why don't they pay for it?

Madam Chair, there are so many ways to protect these livestock—with pens and with fencing, with lighting, with all kinds of things—without indiscriminately killing wildlife and without using taxpayer money to do it. Madam Chair, this is \$11 million we can save, should save, and will save if this amendment is approved.

I yield back the balance of my time. Mrs. LUMMIS. Madam Chairman, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Madam Chairman, the gentleman from California would be correct, that ranchers and farmers should be able to pay to deal with the predator situation. The problem is, they're not allowed to.

□ 0930

The Federal Government doesn't allow people to kill predators that are attacking their livestock. So consequently, here's another situation just like we discussed yesterday, where the government puts restrictions on ranchers and farmers so they cannot protect their own livestock. So the taxpayers—because of their demands that ranchers and farmers not protect their own livestock, the Federal Government steps in.

In addition, though, wildlife strikes on airplanes cost U.S. commercial aviation \$700 million a year. One part of Wildlife Services is when USDA works with 822 domestic airports, as well as Department of Defense air bases in the U.S. and in Iraq and in Afghanistan. So part of this is to assist with efforts to prevent conflict between wildlife and commercial aviation flights, some of which can be quite devastating and deadly.

Furthermore, there's been an \$18 million loss of sheep and lands to predators, or \$111 million when you add cattle and calf losses. Absent predator management, losses would explode, and that would drive family farms and ranchers out of business.

This is a very balanced program in terms of the approach it takes to shared responsibility between airport managers and Wildlife Services, ranchers and farmers and Wildlife Services. It requires a tremendous cost share or matching program at greater than 40 percent. The Wildlife Services Division

has more than 2,500 cooperative agreements in place across the United States.

Madam Chairman, I yield to the gentleman from Minnesota (Mr. PETERSON), former chairman of the Ag Committee.

Mr. PETERSON. The gentlewoman is exactly right. We would be happy to control the predators. The problem is they won't let us. And right now we're going through a delisting process in Minnesota on wolves. We just had a meeting a couple of nights ago, a big meeting up north. And part of the problem is, because of the budget situation and the pressure on that part of the budget, they don't even have the resources at this point, given the existing money, to be able to come in and help us control the wolves.

And they are going through a process where they're turning over the management to the local State DNR, and they're not allowing the farmers to go out there and control the predators, and they're eating their calves and their sheep. And there's even a program in Minnesota where they pay them because we can't control it. And we would be happy to, you know, we have been trying to get, we're happy they are finally being delisted. But the farmers would take care of this. But in this agreement it says that we can't do anything for 5 years. We can't hunt these wolves for 5 years.

We also have a problem in Minnesota and other States with cormorants. And we entered into an agreement with Mexico that we wouldn't shoot any black birds since 1973 under the Migratory Bird Act, and so we can't control cormorants. And Wildlife Services is the only way we can deal with that. And we've been making some progress on it. But prior to this treaty, we controlled these cormorants on these lakes by the local guys going out and hunting them.

So we would be happy, if we get the Federal Government to get out of this, to deal with it. We wouldn't need any money from the government. This is a problem caused by us, and that's why we need this money. And the last thing we need to do is reduce it. So I oppose this amendment.

Mrs. LUMMIS. Madam Chairman, I now yield to the gentleman from Oklahoma (Mr. LUCAS), the chairman of the Ag Committee.

Mr. LUCAS. I thank the gentlelady for yielding.

I too rise in opposition to this amendment. Let's face it. The Wildlife Services plays a critical role in protecting humans from dangers caused by wildlife. The Wildlife Services uses biologically sound and socially—

The CHAIR. The time of the gentlewoman from Wyoming has expired.

Mr. LUCAS. I move to strike the last word.

The CHAIR. The gentleman from Oklahoma is recognized.

Mr. DEFAZIO. Madam Chair, aren't you supposed to alternate sides? That was Republican time.

The CHAIR. The Chair may alternate sides.

Mr. DEFAZIO. I thought you usually did.

The CHAIR. The Chair intends to let the gentleman from Oklahoma finish his statement.

The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Madam Chair, the Wildlife Services' usual biologically sound and socially acceptable methods to resolve these issues when agriculture and industrial production are harmed by wildlife, or public safety is at risk from wildlife.

If you own a pet, you benefit from the Wildlife Services. They reduce rabies in wildlife populations which prevents the spread of that terrible disease to domestic animals and humans.

Every time you get in a car, you benefit from the Wildlife Services. They work to reduce automobile collisions with deer, which affect an average of 29,000 people each year, cause \$1 billion in damages.

Every time you fly on a plane, you benefit from the Wildlife Services. They have people working in all 50 States to prevent dangerous aircraft collisions with birds.

How can we forget Captain Sullenberger's heroic landing on the Hudson River after Flight 1549 hit a bird at takeoff? And while we applaud the captain's achievement, there is no question that reducing these dangerous collisions must be a priority in the future.

And the largest portion of the Wildlife Services' budget, 43 percent, is spent on protecting human health and safety. Often Wildlife Services is the first line of defense against health risks involving everything from West Nile virus to avian flu, to Lyme disease. They prevent disease exposure to humans, livestock and wildlife.

And what's more, Wildlife Services is one of the few Federal agencies that requires private sector matching funds on a 1-1 basis. It's unfortunate that there are not more Federal programs as fiscally responsible as the Wildlife Services.

Yet, every year, animal rights groups opposed to the predator control conducted by the joint USDA Wildlife Services programs attempt to eliminate the funding from this vital program. And every year Congress rejects these attempts. That's because the wildlife cause \$126 million in livestock losses for producers, field crop losses totaling \$619 million, specialty crop losses at \$146 million. All told, wildlife causes \$12.8 billion in damage every year to natural resources, public infrastructure, private property and agriculture.

Without the predatory management done by Wildlife Services, losses would explode, driving family farms and ranchers out of business. Cutting funding for the Wildlife Services would be both costly and dangerous. Doing so also ignores the proven science behind

Wildlife Services work, as well as their commitment to minimizing wildlife mortality.

This amendment's not scientifically sound, and it's certainly not economically minded. I urge my colleagues to oppose it, continue the funding for the Wildlife Services' efforts to protect you, your property, your pets.

Mr. DEFAZIO. I move to strike the requisite number of words.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Actually, I have experience with this. When I was a county commissioner and we were on some tough times, we said, we're not going to continue this program. We dropped our share. Heard all the same myths. Oh, my God, the deprivation. We're going to lose all our sheep; we're going to lose all our cattle. We're going to have these horrible things happen. Know what happened? Nothing. They took care of the problem themselves. A coyote comes on your property in proximity to your property, you can kill it. That's a myth. You can kill it. Sure you can. There's this limited exemption regarding endangered species which is apparently a problem in some States, not in ours. They just killed some wolves in eastern Oregon because they were concerned that they might have the caused predation.

Now, let's talk about this subsidy. It's unnecessary. It's ineffective. And it's a taxpayer subsidy. I mean, are you guys serious about cutting the deficit or not? Why give private ranching interests subsidies to do something they should do themselves?

□ 0940

There is no good reason to do that. Now you're going to say, oh, we're worried about aircraft. Well, no. We're only cutting in one budget, which is \$13.7 million, which is the Livestock Protection Program.

Now, of course he said it's incredibly cost effective. It's been about \$1 billion that's been spent on this program during its duration by the Federal Government, \$1 billion. And during that time—because they're not following biology or any sensibility—the coyote population has tripled despite the \$1 billion. In Colorado, they fly around in planes and shoot coyotes; it costs about 100 bucks a coyote. There are more coyotes now than there were when Animal Damage Control started these programs.

They don't understand pack behavior and what causes dispersion. They've got coyotes now in parts of the country where they haven't seen them for 100 years. It's a really effective program; it's working really well. It has nothing to do with geese or any of that. That's another part of Wildlife Services. That is not the subsidy to private ranching interests to conduct lethal predator control.

And then they do some other great things. They have these nifty little devices, they're called M-44s. It's basically a baited cyanide shot shell. Now,

it has sickened some humans—hasn't killed any yet. Has killed quite a number of domestic animals. Sooner or later it's going to kill a kid. Some kid is going to be pulling on that little string saying, gee, I wonder what this does—BAM, cyanide shot shell. Now, that's really discriminate. That's really effective. That's the same program that has helped triple the population of coyotes out there over the last 80 years since these programs have existed.

So you can come up with all sorts of whoo-ha and say, oh, it has to do with Captain Sullenberger. No. It has to do with we can't shoot these things ourselves, no. I mean, just face it, if you want to subsidize ranching interests, just be honest about it and say we want to borrow \$11 million in the name of the American taxpayers and give it to private ranching interests. That's it, plain and simple, yes or no.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CAMPBELL. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before any short title), insert the following new section:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to provide (or to pay the salaries and expenses of personnel to provide) to upland cotton producers counter-cyclical payments for upland cotton under section 1104 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714), repayment rates for marketing assistance loans under section 1204(b) of such Act (7 U.S.C. 8734(b)) at the prevailing world market price for upland cotton, cotton storage benefits under section 1204(g) of such Act (7 U.S.C. 8734(g)), or loan deficiency payments for upland cotton under section 1205 of such Act (7 U.S.C. 8735).

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Madam Chair, as I'm certain my colleagues are aware by now, in 2002 Brazil filed a complaint with the WTO accusing the U.S. of trade-distorting cotton subsidies that were inconsistent with our international trade obligations. The WTO sided with Brazil; and after years of debate, a WTO arbitration panel authorized Brazil to engage in retaliatory trade sanctions against the U.S. for more than \$800 million.

Instead of effectively reforming our programs, however, the administration agreed to pay \$147.3 million annually in technical assistance to Brazilian cotton farmers every year until the issues

of trade compliance in our cotton programs are resolved in the next farm bill's passage or a mutually agreed upon solution is reached. There is little chance that we're going to have reauthorization this year of the farm bill. I would suggest that it's probably not likely that we will do so next year either.

So here we are again. We've talked about this before: spending money, 147 million taxpayer dollars to the Brazilians, so that we can continue to subsidize our own cotton farmers. We simply shouldn't do that.

Now some will say, hey, if we do this, it will spark a trade war, if we get rid of this payment to Brazil. In my view, we dealt with that effectively in the Appropriations Committee. I offered an amendment saying if you want to pay the Brazilians off to not have them retaliate for our trade protections, then let's do that out of the money we're giving to our own cotton farmers. So take out of direct payments \$147 million and pay that. That amendment was adopted in the Appropriations Committee.

Well, guess what? A point of order was raised here and that amendment was stricken, so we couldn't do that. So all this concern—people say they're concerned about the taxpayer, well, we protected the taxpayer there by saying let's take the money out of the fund that we already pay our own farmers and pay off the Brazilians. That was rejected here. And so here we are again.

We have an amendment that will be voted on later, the Kind amendment, which will simply strike that payment. I plan to vote for that amendment; I hope we do that. But another way of approaching that as well is to simply go at our own cotton subsidies to ensure that we're not distorting the market by doing this program in the first place.

Now the Ag Committee will say, that's our expertise, let us deal with that; we'll deal with that in a new farm bill. Well, they dealt with that in the old farm bill, and many of us stood here and warned and said this is trade distorting; the WTO is going to rule against us and we're going to end up with retaliatory trade sanctions.

Well, the Ag Committee went ahead and did it anyway. It didn't fix the problem. They will say, well, we tried, we tried. But it's not the direct payments that are the problem. It's the countercyclical, it's the other programs that we have. And until that is dealt with, we're going to have these trade sanctions.

So when the Ag Committee stands up and says let us deal with that, I would remind people we have let them deal with that, and they haven't dealt with it. And so we have to go about it in another way.

I would simply say we cannot continue to subsidize our own ag interests this way, in particular this cotton program, when we know it's out of step with our international trade obligations.

So you can go about it in two ways. You can go ahead and say, hey, we're going to not pay Brazil this amount, this protection money—or whatever you want to call it, this tribute—and then that will force us to deal with our own cotton subsidies; or we can deal with the cotton subsidies ourselves with this amendment and simply say we aren't going to do these trade-distorting cotton subsidies anymore. Then there won't be a need to pay Brazil off.

So that's what this amendment does. I would urge adoption of it.

I yield back the balance of my time. Mr. CONAWAY. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Madam Chair, I'm going to oppose my good friend from Arizona's amendment. He tried this in the CR 1 and lost this vote. This is a bad way to attack this policy.

Quite frankly, the Ag Committee did a good-faith effort in addressing what we thought were the issues in 2008 with a farm bill by doing away with Step Two and other programs. Quite frankly, though, the Brazilians won't lay out for us exactly what it is about our policies that they don't like. We would be happy for the gentleman to elucidate that for us, if he can describe exactly what those policies are. It's not the countercyclical payments; it's not the marketing loan payments. It's other things that we've been trying to fix, and we will attempt again to fix those in 2012.

This safety net that he attacks with a meat cleaver instead of a scalpel is important to production agriculture in this country. As we've said over and over these microphones the last 3 days, America has always had an ag policy that attempts to put a safety net under production agriculture.

We enjoy the safest, most abundant, cheapest food and fiber supply in the world because of the hard work, the sweat equity, and the risk-taking of the American ag producer. They rely on this safety net that is intricate, it's complicated, it's interwoven, and it works.

We understand in 2012 we will have far fewer resources with which to work that safety net. And the Ag Committee is committed to getting that done; the chairman is committed to getting that done. We will then bring that work product to this floor. The gentleman from Arizona will then have the opportunity, if he doesn't think we've fixed the Brazilian problem, to present a solution at that time.

□ 0950

But at this stage, using an appropriations bill to rework the farm bill in this manner and ignoring the work of the Ag Committee in my view is wrong policy. We should defeat this amendment once again, as we did in the CR in February–March. I ask my colleagues to vote against the Flake amendment.

I yield back the balance of my time.

Mr. PETERSON. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. I also rise to oppose this amendment. As the gentleman from Texas has indicated, we have been trying to resolve this. We made significant changes already and there are some ongoing consultations or whatever you want to call them with the Brazilians. But he is right: They will not lay out what they actually want to resolve this situation, and frankly, from what I can see, I don't think there is anything that we can do that they will agree to. So we are trying to work through this.

But as I said when we had this discussion yesterday, it is very troubling to me that we are in this situation. With the way this WTO operates, the Brazilians have the most closed market in the world. You try to get any products into Brazil, and it is almost impossible. But do we care about that? No. They are spending I don't know how many billions of dollars of government money to increase production and increase agriculture in Brazil, way more than we are spending, and do we complain about that? No.

Some people say it is because of the agreements that we have entered into. Who knows exactly what it is. But the Brazilians are not lily white in all of this. They are utilizing some of the flaws in the WTO agreement to push this cause, and, frankly, we have let them do it.

So this needs to get dealt with in the regular order in the farm bill. This is not the place to do this on the floor of the House. We will deal with it. I think the chairman will back me up on that. We would love to have the Brazilians tell us what it is that they will agree to so we can resolve this. These discussions are ongoing. Hopefully they will be more forthcoming and we can get an answer to what it is that will solve this problem. Frankly, from my experience, I wouldn't hold my breath. So we will see.

So I oppose this amendment and I ask my colleagues to oppose it. This is the wrong place to do it.

I yield back the balance of my time.

Mr. LUCAS. Madam Chairman, I move to strike the last word.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Madam Chairman, I really kind of thought we were working on the annual agriculture appropriations bill, with the discretionary money, the programs that are handled on a year-to-year basis, but it seems we are going to debate the farm bill. I guess if that is the case, I should be managing it and let me just do it a year early.

The short statement is, like my colleagues Mr. CONAWAY and Mr. PETERSON, I rise in strong opposition to this amendment. This amendment would turn an industry on its head. It would do no good.

My good friend from Arizona has come to the floor and implied this would solve the trade dispute between the United States and Brazil. It would do no such thing. Mr. FLAKE has called this the Brazilian cotton problem, but the dispute is much more complicated than just cotton and actually involves export programs. This amendment wipes out the safety net established in 2008. For what reason? This is the kind of amendment you get when you have so-called experts offering amendments in areas outside their field of expertise.

This is a devastating amendment. This would throw the cotton market into disarray. We have no assurance, as the ranking member and the General Farm Commodities Subcommittee chairman have noted, no assurance from the Brazilians that if we eliminated the cotton program, as this amendment basically does, that it would make any difference to them.

As my colleagues have noted, we made huge changes in the 2008 farm bill, eliminating step two, changing the GSM program in a way we thought would satisfy the Brazilians. This amendment would circumvent the legislative process in what can only be described as a haphazard way.

Honestly, I really expected this amendment to be thrown out on a point of order because it clearly, clearly would end the countercyclical program for cotton, significantly changes how the repayment program works, eliminates the loan deficiency payments, and eliminates the cotton storage program. Those are major policy changes.

Again, this appropriation bill is 13 percent down. We are almost back to 2006 levels. Anyone who is concerned about what is being spent on the production of agriculture in rural America, take note; we are doing our part today under Mr. KINGSTON's bill. And when we get to the farm bill, be it next summer in regular order, be it this fall as part of some grandiose budget deficit-debt ceiling agreement, we will make incredibly tough decisions, because we will have to be a big part of addressing the national budgetary issue.

But let us do it in regular order. Let us do it in the farm bill process. Speaker BOEHNER has said time and time again, a more open process. Look at the appropriations process. We are going to do a farm bill under this open process. All of my good friends here will get to use all of their agricultural expertise in every conceivable way they can. But let's do it in regular order, in the proper fashion, in the proper way.

Again, Madam Chairman, I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Mr. FARR. Madam Chairman, I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I rise with great concerns about this amendment, because I don't

think it does what the author intends it to do. All it does is say none of the funds made available in this act—this act, not other acts, not other bills that the chair and ranking member pass in their committees—can be used for countercyclical payments to upland cotton producers. There is nothing in here about Brazil. This doesn't affect Brazil. But this does affect a lot of cotton growers in a lot of States, including the State of California, which is one of the leading cotton-producing States.

If this amendment was constructive, I think you would find a lot more support for it, but I don't find it being very constructive because it only limits it to cuts in this bill and not to what the underlying problems are all about, which is covered in many other acts than this one.

Mr. FLAKE. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Arizona.

Mr. FLAKE. I thank the gentleman.

I recognize the appropriations process isn't the best way to legislate, it really isn't, and this is a clumsy way. This only applies to this act, and you have to do it in strange ways. I understand that.

But we are told that we ought to rely on the expertise of the Ag Committee. Well, the expertise of the Ag Committee is what got us into this problem in the first place. It is what got us into the problem of having to pay Brazil in order to continue to subsidize our own farmers. That is what we are dealing with here.

I recognize this is clumsy. I recognize this is uncomfortable. But we have got to do this some way, and we can't rely on just waiting until the next farm bill is passed. It may not be this year, or likely won't be. It won't be next year, or likely won't yet. So we could be doing this for years. So I recognize it is clumsy, I apologize for that, but we have to do something at some point.

Mr. FARR. Reclaiming my time, with all due respect, I don't think the Agriculture Committee created the Brazilian problem. It was not the committee's act that created it. It was what the Brazilians did in their ability to become a major agricultural production country. And they are going after production in other countries. They have got connections with their government much closer between producers and government than we have here. They are buying out companies. They are going to really try to affect farm prices in the United States. I will tell you, the next place they are going to go after is specialty crops.

So I am not a big fan, as you know. I spoke last night with concerns about getting these payment limitations down and to essentially trying to find a better program that is not so costly to the taxpayers. But you don't do anything beneficial with this money, you just cut it. And I am here to do things using money, taxpayers' money, to do the wise thing.



□ 1000

It doesn't affect the outcome at all. It just penalizes certain people that happen to be in the cotton business. And I don't think that I want to support an amendment that isn't constructive.

I yield back the balance of my time.

Mr. NEUGEBAUER. I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. NEUGEBAUER. Thank you, Madam Chairman.

American farmers and ranchers are citizens, too. I represent West Texas District 19 in Texas; 29,000 square miles, 27 counties, made up of a lot of farmers and ranchers and farm families and ranch families. They're concerned about the deficit as well. They're concerned about the growing debt and the legacy that that will leave for our children and our grandchildren. They're willing to step up and take their share of the burden of being able to get our country headed back on the right track again. In fact, that process started in the 2008 farm bill, where a lot of these farm programs were reduced. And for the last few years, for example, countercyclical payments have been nearly nil in many of those commodities because the program was operating the way it was designed.

So I appreciate my colleague's efforts to be a budget hawk and in many ways and at many times I have supported a lot of his amendments and ideas, but today I come to the floor saying that this is not the place to write the farm bill; that we have that process coming up next year. Farm families are stepping up in this particular appropriation bill. As the chairman so appropriately pointed out, major cuts to agricultural programs occur in the bill that we're considering today.

So I'm going to urge my colleagues, let's write the farm bill when it's time to write the farm bill. Let's put together programs that are good for production agriculture. I would remind a lot of folks that when we look at this farm bill, a lot of people don't understand all of the things that are in this. And it's called a farm bill, an appropriation bill. But quite honestly, a majority of this bill is about food stamps, it's about nutrition programs, and a very smaller percentage of this bill really has anything to do with production agriculture. And I think one of the things that we have to be extremely careful about here, and that's the reason we need to get this right and that's the reason we need to do it in regular order, is today America is dependent on 70 percent of its oil in this country. In other words, every day we get up, 70 percent of our oil has to be imported in this country. And just recently, the United States of America, half of its credit is due to foreign countries.

And so today we are importing oil. Today, we have to import money to finance our deficits. And what we want to be extremely careful about is that in

the future Americans don't have to wake up and determine who's going to feed them because we have eliminated the farm industry in this country. And so I think that's the reason it's important to do this carefully. It's important to do it right. And I look forward as a member of the Ag Committee, as we move into 2012, sitting down with my colleagues and writing farm policy that will be good for America, be good for our budget long term, and that's the appropriate time to do that. So I'm going to urge my colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. BLUMENAUER. I move to strike the last word.

The CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I rise in support of the amendment from my good friend from Arizona. I appreciate his work over the years as we've tried to refocus attention and our resources in areas that are more productive for most American farmers and ranchers, for the taxpayer, and for the general economy.

I just heard my good friend talk about his concern about who's going to feed America in the future. Well, the issue of having these lavish agricultural subsidies that are concentrated three-quarters in the top 10 producers, and they are not people who are in the main producing food, the fruits and vegetables that people care about that would add to nutrition. The people that are in my agricultural community in Oregon are basically shut out. 87% don't receive it. They are not getting support for some of the things that are market neutral in terms of marketing, in terms of research that's being slashed, in terms of commonsense support for meeting their environmental objectives to protect clean water and habitat.

Being able to start tamping this down is essential. The AGI limitation, the one that I had on the floor last night that would limit the total amount of payment, these are things that there's never a good time to deal with them. I've been through three farm bill cycles. I've heard the body express itself in terms of instructions to the conferees and watched them disregard it when it came, for example, to limitation of payment.

I would like to turn to my friend from Arizona to yield some time. Before I do, I just want to correct one misapprehension that is floating around about the amendment that we had on the floor last night that limited title 1 payments to \$125,000 per entity.

Now, some people are pretending that this would somehow affect disaster payments or crop insurance. No. It is just title 1 payments. It's very simple. It's set forth in the bill. Anybody can read it. And it's not going to deal, for example, with disaster payments. But on this note, I would like to yield to my good friend from Arizona, thanking him for his continued partnership and advocacy in this area.

Mr. FLAKE. I thank the gentleman. I want to thank the gentleman for his work in this area for a long time over the years to try to end these out-of-step programs that we have in the agricultural field. Let me just correct something that was said before. It was said that we're in this position because of Brazil, because of the practices that they're doing. No. It's because our own agricultural policy—in this case, our cotton subsidies—is trade distorting. Nobody can stand up in this body or on this floor and make a case otherwise. Nobody can stand up with a straight face and say that our cotton program that we have is not trade distorting. That's why we're in this problem. That's why Brazil was able to take this case to the WTO, and the WTO ruled in their favor—because we have trade distorting farm policies. That's what we need to fix. That's the intent of this amendment.

There was an amendment last night by Congressman KIND that will be voted on later today. I may not and likely will not call for a rollcall on this one so that people can focus on that one. The Kind amendment limits payments to Brazil. If we do that, then we can force a change in our own policy, and we can force that issue better than perhaps any other amendment right now. So that's what I would encourage people to vote for, is the Kind amendment, when it comes to a rollcall later. If you do not believe that it's proper to be sending money to Brazil to address our own trade distorting cotton policy, then vote for the Kind amendment later today.

I thank the gentleman for yielding.

Mr. BLUMENAUER. I appreciate his clarification. I agree wholeheartedly with his sentiment. It's insane that instead of changing our trade-distorting, unjustified subsidies, that we're instead going to subsidize the cotton industry both in the United States and in Brazil. It's certainly not the approach that we should be taking at a time when we're going to have to do business differently. We talk about people getting economic haircuts. What happens today is that 31 congressional districts get more than half of all the subsidies. They, not coincidentally, are districts that are concentrated on the Ag Committee and have a different perspective than the majority of the people in the House.

I'm hopeful we can work our will with these amendments.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. LUJÁN

Mr. LUJÁN. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:



SEC. \_\_\_\_ . None of the fund made available by this Act may be used by the Under Secretary of Agriculture for Marketing and Regulatory Programs to provide any marketing funds to any entity that advertises, describes, labels, or offers for sale chile peppers (also known as capsicum annuum) as New Mexico chile unless such chile peppers were grown in New Mexico.

□ 1010

Mrs. LUMMIS. Madam Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from New Mexico is recognized for 5 minutes.

Mr. LUJÁN. Thank you, Madam Chair.

I rise today to offer an amendment that will protect New Mexico chile farmers from unfair marketing practices. Lately we've seen a disturbing trend where marketers and retailers falsely use the unique quality and brand of New Mexico chile to misleadingly advertise their products. New Mexico is a special place where we take pride in our agricultural products. In particular, we take pride in our chile. We even spell it differently, Madam Chair. We spell it C-H-I-L-E, contrary to the more popular spelling C-H-I-L-I most associated with Texas style chili. Traveling around New Mexico, I've heard the plight of New Mexico farmers. There is concern with the importation of peppers, of chili powders from out of State and even from other countries that are hurting our producers in New Mexico. It's a concern that they may be put out of business, and it's a concern that is attacking the authentic New Mexico chile brand.

This unfair practice has led to decreased revenues for New Mexico chile farmers, who work all summer and diligently to raise their crops for harvest in the fall months and whose prices are undercut by imported products that falsely advertise as New Mexico chile.

Madam Chair, my amendment is simple and would not impose any costs on the Federal Government. My amendment would prevent any funds from this bill from being used to advertise, describe, label or offer for sale chile peppers as New Mexico chile, unless the chile peppers used are grown in New Mexico.

This amendment is important to the protection of New Mexico's local chile producers, and I urge my colleagues to support this amendment and protect this unique agricultural product. As we know, Madam Chair, anyone who's tried it loves it.

I yield back the balance of my time.

POINT OF ORDER

Mrs. LUMMIS. Madam Chairman, I make a point of order against the amendment. It is violative of clause 2 of rule XXI because it proposes changes that require a new determination that is not within the purview and scope of the current bill.

I respectfully ask for a ruling from the Chair.

The CHAIR. Does any other Member wish to be heard on the point of order?

The gentleman from New Mexico is recognized.

Mr. LUJÁN. Madam Chair, on the point of order, sadly, I think this may be ruled out of order, but I would ask that maybe there is an opportunity for the committee to work with myself not only as we get to the farm bill but also with the Ag Committee as we talk about the importance of this important product in New Mexico and its impact there, and I would certainly respectfully request from our friends on the other side of the aisle that maybe we can get a chance to work with one another.

I would be happy to yield, Madam Chair.

The CHAIR. The gentlewoman from Wyoming is recognized on the point of order.

Mrs. LUMMIS. Madam Chair, the committee would be very pleased to work with the gentleman from New Mexico and myself in particular since my daughter is a new resident of your State.

The CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Secretary, specifically a duty to determine the activities of entities receiving certain funds in the bill. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5 percent.

The CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Thank you, Madam Chairman.

As you can see, this is a very simple bill. My amendment would require every single agency covered in this Ag appropriations bill to be accountable to the taxpayers by reducing one nickel out of a dollar for what they have been given to spend. It requires all accounts to absorb that equally, that 5 percent reduction, and it will keep the bureaucracy from picking winners and losers or choosing to fund their pet programs. Certainly the amendment will save the taxpayers money, but this is also a stand for good government. It's about taking responsibility, not torturing the American taxpayer with excuses for ineffective and inefficient bureaucracies.

There are a lot of people that say the Appropriations Committee deserves a pat on the back for decreasing discretionary spending by 4.7 percent below the 2008 levels, and I agree with that. I

think they are to be commended. Certainly off the President's request, the 13 percent reduction that they have made. I'm part of that effort that has pushed to return our spending to the pre-stimulus, pre-bailout levels, but there is more that must be done. We have to make our government leaner. We have to make it more effective. Every day, Americans are tightening their belts. They're asking government to do the very same thing. Tennesseans keep saying, why is it that government keeps asking us to sacrifice for it when government should be sacrificing for us? Every Federal program needs to be held accountable, and this is a way to do it. Our States have done across-the-board cuts. Our city governments have done across-the-board cuts. Even history will show you that twice before, our Presidents have pushed for across-the-board cuts: World War II, Korean Conflict, there were 28 percent and 30 percent across-the-board cuts in discretionary spending. The reason they did this, Madam Chairman, is because there was a crisis, there was a war, there was a need to restructure, to re-order and to address the priorities of the day.

One of my constituents came up to me recently—this is someone who is active in the ag community in our State—and she said, "It is time that the bureaucracies get their house in order. It is time that you all in Congress stop spending money you don't have on programs we don't want."

So as we do our due diligence on the spending process, as we act responsibly to our constituents and to the taxpayer, it is time for us to turn to the bureaucracies, the rank-and-file Federal employees who put the pen to the paper on how this money gets spent, and say to them, "Find another nickel on a dollar." We're doing it for the children, we are doing it for our grandchildren, we're doing it to make certain that we stop borrowing 40 cents of every dollar that is spent.

This amendment would reduce the budget authority by \$951 million. It would reduce the current outlays by \$675 million. That would be spread equally at a 5 percent rate across every single agency. It can be done, and, Madam Chairman, in these times of crisis, it should be done as we seek to return this Nation to fiscal stability and to responsibility.

I yield back the balance of my time.

Mr. KINGSTON. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. First of all, I want to thank my good friend from Tennessee for offering this amendment and her tireless work to try to reduce spending in our country, and I absolutely agree with all the statements that she has made.

I do want to point out, though, that the only budget that has passed either body is the Ryan budget. I supported, as I know she did, the RSC budget,

which is actually more conservative, but it did not pass. At least we did get a budget passed on the House floor. The Senate was unable to do that. Even though the Democrats are the majority party over there, the Senate rejected the President's budget 97-0, and apparently now they've given up and they're not going to try to pass a budget. The only bill that we have an opportunity to move is under the Ryan budget, which is what this bill reflects. It is a 13.4—actually it's higher than that because we cut it last night a little bit more, or we did some across-the-boards, but it's about a 13.4 percent cut already.

□ 1020

Where the big money is—and I know my friend from Tennessee is as frustrated about this as I am—is in the mandatory spending. In fact, I have a chart over there. We don't have any pages or I'd bring it up here on the floor; but 86 percent of this budget is mandatory spending, and I use the word "mandatory" loosely because it's really on automatic spending. That's where the big money is. Unfortunately, we can't get to it. This portion that we do have control over used to be \$23 billion; and right now, under our budget, it's \$17.2 billion.

Let me show my friend this because I think it's very important. The blue line is the mandatory spending of the Agriculture budget, and the red line is the discretionary spending. The point is that this committee has jurisdiction over the red line. We do not on this committee have jurisdiction over the blue line. Yet you can see the blue line is the one that's going up and that the red line is the one that's actually going down.

So that's one of my frustrations about the entire process and about the rules which we're governed by; but I want to make sure that my friend knows, under the portion we do control, that we did cut it 13.4 percent.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I rise in opposition to this amendment.

It doesn't do any of the things that the author talked about. It's a one-sentence bill. This is a legal bill. We are here as lawmakers. It says that each amount made available by this act other than the amount required to be made available by provision of law, which is the one part that Mr. KINGSTON just talked about, is hereby reduced by 5 percent.

That's all it says. There is nothing about accountability. The accountability goes on before our committee. That's what we do. We go over every item in the USDA's and FDA's budgets and in a public process where there is input and give-and-take. We do the scrutiny every year. That's what the Appropriations Committee is all about.

It makes good press releases to get up here and say that, if you cut, squeeze and trim, government is going to get a lot better; but then they don't practice it in their own offices or in their own lifestyles. They just demand that, by just cutting out money, people who give services to people can't give those services.

So this amendment doesn't do anything that the author talks about except to whack a budget that was already whacked. It was whacked by the allocation given to us. As I pointed out, it's \$5 billion less. It's almost 23 percent less than what the President requested. It's 14 percent below what Congress enacted last year. It's 26 percent below what we enacted in 2010. It's even below what we enacted in 2008. Last night, we cut across the board. We did what this amendment does, in a very small proportion; but we used that money beneficially to adjust for the WIC program. So just whacking it across the board by 5 percent isn't going to cause any good for anybody, and I oppose the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

#### AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used for the construction of an ethanol blender pump or an ethanol storage facility.

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. This is a rather straightforward amendment. I should say, before I start, that an identical amendment to this was approved when we voted on H.R. 1 earlier this year by a vote of 261-158.

Mr. KINGSTON. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Georgia.

Mr. KINGSTON. I supported this when you offered it on the continuing resolution, and I plan to support it today.

Mr. FLAKE. Okay. Then, reclaiming my time, I will be very brief.

The ethanol industry, as we all know, receives a trifecta of government support. Its use is mandated by law. It is protected by a prohibitive import tariff on imported ethanol; and it receives

billions in subsidies, effectively paying them to follow the law.

Everyone knows that ethanol subsidies are going to go away. Thirty years is enough. I mean, even Al Gore and others who supported them in the beginning said, no, that was a mistake, and we're going the other direction now. So ethanol supports—or direct subsidies or the import tariffs—are going to go.

The industry is asking, How can we keep these subsidies going? The effort now is to pay for infrastructure, so the Secretary of Agriculture, Secretary Vilsack, has indicated that he wants the USDA to determine how it can potentially use programs to promote the distribution and storage—blender pumps—and how to put money into infrastructure. As we all know, once you start putting money into infrastructure, then you say, well, we've already put some money in, and we've got to continue to do it, so those subsidies will continue and continue and continue.

We cannot continue to do this, Madam Chair. We cannot continue to fund this, particularly when we are borrowing 40 cents on the dollar. I would urge the adoption of the amendment, and I am glad that the chairman supports it.

I yield back the balance of my time. Mr. PETERSON. I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. I rise in opposition to the amendment. We are, once again, debating ethanol. There is so much misrepresentation and misunderstanding of what's going on.

The ethanol industry has been one of the best things that has happened in rural America. We have created a tremendous amount of jobs in small towns that otherwise get bypassed, and they've been very successful. The way we've been able to do it up to this point is through the blend, by having people blend 10 percent ethanol. The EPA is approving going to 15 percent ethanol, but the industry has hit what they call a "blend wall."

Now, the blend was basically driven by the fact that the refineries and oil companies needed octane. Gasoline is low in octane and high in Btus. Ethanol is high in octane and low in Btus. Back in the old days, we used lead to raise the octane level. Then when lead was banned, the oil companies decided to create MTBE. We warned them against that, but they went ahead and built the MTBE plants, which, it turned out, poisoned the water in a number of cities in the United States. Then the oil companies and refineries went to the ethanol blend, which they should have done in the first place. That's working, but we're at a limit now.

If we're going to move ahead, we have to have access to the marketplace. The problem that we have is that we don't have the cars like Brazil

has which can burn different levels of ethanol, and we don't have the pumps in the gas stations so that people can have access to ethanol. If we're going to get rid of the VTAC and the other programs that we have in ethanol, we're okay with that as long as the consumers have the ability to make the choice at the station. If they want to burn ethanol, they've got to have the ability to be able to do that.

So we need to get the pumps in the station. We need to get the car companies to start building vehicles like they do in Brazil, which run a 25-30 percent blend. The American companies are building these cars in Brazil. Every gas station in Brazil has ethanol as opposed to those in the United States. That's one of the reasons they have been so successful and why they are now completely independent from any foreign sources of fuel for their vehicles.

What we're trying to do here is eventually eliminate the subsidies that people have complained about—the VTAC and other things.

□ 1030

But in order for us to be able to maintain this industry and maintain these jobs in rural America, we have to be able to have the infrastructure. We have to have the blended pumps. We have to have the cars. The right blend is 25/30 percent. You will get the best performance, the best mileage. Brazil has figured this out. They've been doing this for a long time. Their blend is 26 percent. We have people that have put in amendments that say we can't blend above 10 percent. We have this foolishness about how it is going to ruin small engines and so forth. This argument has been going on since 1975, and you know, we've been blending ethanol, we haven't ruined any engines yet.

So we need to defeat this amendment because this goes in the wrong direction. If you want a market that's open and lets consumers have a choice, the way to do it is to get the infrastructure in place. I ask my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. WELCH. I move to strike the last word.

The CHAIR. The gentleman from Vermont is recognized for 5 minutes.

Mr. WELCH. Madam Chairman, I rise in support of the amendment, and I do it with great deference and respect to my leader, the ranking member of the Agriculture Committee.

But here's the issue. One, at what point do we have taxpayers given relief from these \$6 billion subsidies to an industry? The ethanol industry gets 45 cents a gallon. They get the benefit of 54 cents as a protective tariff against the import of, among others, Brazilian ethanol, and then they get a mandate requiring that they put ethanol in their vehicles. Now, as Mr. FLAKE mentioned, that's a trifecta: subsidy, protective tariff, and a mandate. No other

industry has that level of Federal taxpayer and legislative benefit. We just don't have it.

Second, this is helping parts of rural America. I listened carefully to what Mr. PETERSON said, but it is causing significant difficulties in my State for our dairy farmers who purchase grain. One of the rising costs for them is the cost of grain, and one of the factors in that are these tariff barriers and mandates that are pushing up their costs. So it's making life on the dairy farm pretty tough.

Now, the final thing is that folks who use small engines like chainsaws or weed whackers or lawn mowers or boats where they don't run that engine continuously as we do our cars are complaining—and mechanics are backing them up—that the ethanol is doing real damage to those engines.

So it's time, I think, for this Congress to step back and give the taxpayer some relief. Ethanol, if it's going to sink or swim, it should be doing it on its own merits at this point.

I yield to my friend from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman and thank him for his articulate remarks on this.

I failed to mention the breadth of support for this amendment in the outside community. Let me just read some of these names.

The CHAIR. The time of the gentleman has expired.

Mr. KINGSTON. I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I yield to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman.

Suffice it to say, there's a long list of organizations supporting this. Everyone on the right from Americans for Limited Government, Americans for Prosperity; on the left, Freedom Action, Friends of the Earth, Greenpeace; then everyone in the middle, the Grocery Manufacturers Association, Milk Producers Council, National Chicken Council, National Council of Chain Restaurants, National Meat Association, National Turkey Federation, National Wildlife Federation, and on and on and on.

This is a great amendment and I urge its adoption.

This amendment is supported by the following organizations:

Action Aid USA; American Frozen Food Institute; American Meat Institute; Americans for Limited Government; Americans for Prosperity; California Dairies, Inc.; Clean Air Task Force; Competitive Enterprise Institute; Environmental Working Group; Friends of the Earth; Freedom Action; Greenpeace USA; Grocery Manufacturers Association; Milk Producers Council; National Chicken Council; National Council of Chain Restaurants; National Meat Association; National Restaurant Association; National Turkey Federation; National Wildlife Federation; Oxfam America; Southeast Milk, Inc.; Taxpayers for Common Sense.

Mr. KINGSTON. Madam Chair, I yield to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. I appreciate the gentleman for yielding.

Madam Chair, we talk a lot on the House floor recently about agriculture and about the fact that agriculture needs a haircut and that people are concerned about agriculture getting too many benefits provided by the taxpayers. I would certainly say that in the past, in the most recent, agriculture has been significantly cut, and under this bill here before us today, we also see significant cuts.

I rise in strong opposition to this amendment offered by the gentleman from Arizona because this amendment is an attack on consumer choice, on the free market access, and on home grown American energy. He's trying to provide technology that would allow consumers to decide if they want to use an ethanol blend. We've seen the reports out there that have indicated that ethanol has reduced the price of gasoline up to 89 cents a gallon, and across this country consumers don't even have the option to purchase that right now if they would like to.

I have a plan that would modernize ethanol policy. It would send over a billion dollars to deficit reduction. It would make sure that we have infrastructure in place so that consumers can have relief from these high gas prices.

With everything that has been going on in the country today, one of the top two issues that I hear about every day in South Dakota and across this country is high gas prices. If we can reduce those high gas prices for people at home struggling with that today, the best thing we can do is give them a flex pump in their community where they can access that. Right now they have no choice if they want to use an American, domestically grown, renewable energy source which they can use to reduce their dependence on foreign sources of oil.

I'm a strong supporter of an all-of-the-above American energy plan, and that's truly what we need. We need to put Americans first. We need to stop relying on the Middle East to fuel our vehicles. We can grow that product right here in our country. We can provide the taxpayers with lower priced gasoline. We can renewably do that over and over and over again and give them that choice and that option. We just need to give them a pump. We need to give them a pump in their community so they have that option, and that's what this country is about is flexibility, by giving those people back home options.

That's why I am not a supporter of this amendment. I think that that is certainly a wise place for us to invest in making sure that we rely upon ourselves, that we use our own sources and we provide exactly what the American people need today.

The CHAIR. The time of the gentlelady has expired.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I also rise in opposition to this amendment, and I associate myself with the remarks of the gentlelady from South Dakota.

I believe that with the economic challenges that our country has felt, much of which is related to the cost of fuel, this is an amendment that I think undermines our ability to recover and to create jobs.

In our rural community down in Mitchell County, Georgia, we have an ethanol facility there which contributes a tremendous amount to the local economy. It hires people and it is, I think, the example of how we grow our rural economy. In fact, this amendment would stop that kind of job growth. It would not allow this facility to expand and to be prosperous, and I just think that it's the wrong way to go.

When America and the American economy gets sick and gets a cold, the rural economy has pneumonia and it's on life support, and we need to make sure that—we had some 30, 40, 50, 60 individuals in rural Georgia who decided that they wanted to invest their own money in a home grown industry for renewable energy, so that we would be in a position to contribute to our own energy self-sufficiency and we would be able to do it in a way where our local individuals would be able to create jobs and to increase the economy there in our local rural community. It has worked very well except for the fact that they don't have the facilities, don't have the pumps, and we need to make sure that they do.

This amendment I think is pennywise and pound foolish, and I think that we need to go ahead and move ahead to help our country become energy self-sufficient. How do we do that? By making sure that consumers do have access to the blends so that we will not continually have to fight with the Middle East for the cost of fuel. Oil prices really are battering our economy. Energy costs are battering our economy. It's also battering our national security. When you look at how many billions of gallons of fuel are spent for our national security with our military vehicles, our weapons, we need to have alternative energy sources, and I think this amendment undermines that.

I oppose it and I associate myself with all those who oppose this amendment. I think that we need to move forward with energy self-sufficiency, energy independence for our country.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1040

AMENDMENT OFFERED BY MR. GARDNER

Mr. GARDNER. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. \_\_\_\_ . The amount otherwise provided by this Act for "Integrated Activities" is hereby increased by, and the amount otherwise provided by this Act for "National Institute of Food and Agriculture-research and education activities" is hereby reduced (to be derived from amounts for competitive grants (7 U.S.C. 22 450i(b))) by, \$4,400,000, respectively.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Madam Chair, this amendment moves funding over to the integrated activities account. I am very concerned about our work when it comes to animal disease and food safety issues, especially when it relates to issues like FMD, chronic waste and disease, mad cow disease, other infectious animal diseases, prion-based diseases.

I want to make sure that we are not imperiling the U.S. livestock industry, especially when it comes to our livestock exports. If we were to delay even just 3 to 4 days in terms of finding or responding to an outbreak of FMD, it could cost our country \$135 billion in agriculture and possibly destroy our export markets.

Madam Chair, I would just ask for a "yes" vote on the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. GARDNER).

The amendment was agreed to.

AMENDMENT NO. 26 OFFERED BY MR. FLORES

Mr. FLORES. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 4 \_\_\_\_ . None of the funds made available by this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. I rise to offer my amendment, which would address another restrictive and misguided Federal regulation.

Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of an alternative fuel unless its "lifecycle greenhouse gas emissions" are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. Simply put, my amendment would stop the government from enforcing the ban on the U.S. Department of Agriculture and all other Federal agencies funded by the Ag appropriations bill.

The initial purpose of section 526 was to stifle the Defense Department's plans to buy and develop coal-based, or coal-to-liquids, jet fuels, based on the opinion of environmentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum. Earlier this week, I offered my similar amendment to the MILCON-VA approps bill, and it passed this House by a voice vote.

My friend from Texas (Mr. CONAWAY) also had language added to the defense authorization bill to exempt the Defense Department from this burdensome regulation. We must ensure that our military becomes energy independent and can efficiently rely on domestic and more stable sources of fuel. But section 526's ban on fuel choice applies to all Federal agencies, not just the Defense Department. This is why I am offering this amendment again today.

While we hope the USDA is not going to be fueling up any jets any time soon, the underlying bill does allow for the purchase of more than 400 new passenger vehicles. The Department of Agriculture's choice on fuel to power these vehicles to provide service to our Nation's farmers and agricultural producers will be limited without my amendment.

The USDA should not be burdened with wasting its time studying fuel emissions when there's a simple fix, and that's not to restrict their fuel choices based on extreme environmental views, policies, and regulations like section 526.

Madam Chairman, section 526 makes our Nation more dependent on Middle Eastern oil. And stopping the impact of section 526 would help us promote American energy, improve the American economy, and create American jobs. I urge my colleagues to support the passage of this commonsense amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment, Madam Chair.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Madam Chair, look, if you like dirty air, you will love this amendment. If you like dirty fuel, you will love this amendment.

What this provision does is it strikes the requirement in law that says to the government, which is a big purchaser of fuel, look, don't buy dirty fuel. Buy something that is clean. I mean, that's what we're trying to do is stimulate clean air, fuel efficiency, alternative fuels. This strikes us down. This is going back to the old smokestack, fill the air full of dirty air. This goes back to all the traditional people that just don't like the fact that there's competition out there and that the Federal Government has to purchase that competition. I don't understand why in a competitive world, where fuel and efficiency and engine development, where we're going to have to lead that or have our clock cleaned, this is exactly what creates markets for that.

You look at venture capital, you look at all these people that go in and put private risk capital out. Then they have got to have a market. And fortunately, the government tries to be that market, whether we're buying healthy foods for children, whether we're buying food for our troops, whether we're trying to encourage alternative fuels, as we have under this program where the Navy planes have found a proven alternative to traditional aviation fuel that they've tested in supersonic speed jets.

This is a program that tells the American ingenuity. Get out there and invent something. Because guess what, if you invent it, we, as a purchaser of cleaner and better standards, are going to be your market. And this amendment just wipes that all out. It's really back to dirty smokestacks, dirty air, and no competition and no ability for America to succeed in the future.

I yield back the balance of my time.  
Mr. KINGSTON. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. For clarification purposes, I yield to my friend from Texas (Mr. FLORES).

Mr. FLORES. I thank the gentleman for yielding to me.

Let me correct some of the comments made by my friend from California. First of all, this is a typical example of the way that the Federal Government operates, where the left hand does something that's entirely different from the right hand. On one hand, the left hand says, We want to have alternative fuel sources available for our economy. The right hand says, But we can do it for everybody, except the agencies of the Federal Government.

Let me give you an example. Oil sands from Canada. Production of oil from oil sands in Canada could completely displace our use of Middle Eastern oil. And yet, we're trying to block in this bill the use of oil sands from Canada. Virtually all the fuel in the United States has oil from some oil sands in Canada blended in as fuel. That would mean all that fuel is off limits to the United States Government and, in particular with this bill, to the United States Department of Agriculture.

We should reduce our dependence on Middle Eastern oil, not increase our dependence on Middle Eastern oil. And my amendment to eliminate the impact of section 526 reduces that dependence on Middle Eastern oil. Remember also, Madam Chairman, this amendment was passed by a voice vote for the MILCON-VA bill.

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

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before any short title), insert the following new section:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds \$250,000.

Mr. FLAKE (during the reading). I ask unanimous consent that the amendment be considered as read.

The CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Madam Chair, much attention has been paid to making significant cuts in Federal spending. The first step in addressing the massive public debt that has accumulated, I would submit, is that all areas of spending need to be on the table. This includes spending on farm subsidies. We've already talked a lot about this today.

Over the last 15 years, almost three-quarters of farm payments have gone to just 10 percent of producers. The bottom 80 percent of recipients account for slightly more than a tenth of that money. Under current law, recipients are entitled to receive farm subsidies so long as their adjusted gross income, or AGI, is less than \$500,000 in nonfarm AGI and \$750,000 in farm AGI.

□ 1050

Thus, you can have an adjusted gross income of slightly less than \$1.25 million and still ask taxpayers to foot the bill for your Federal agriculture payment. Let me say that again. You can have an adjusted gross income of \$1.25 million, adjusted gross income, and still go to the trough here and ask the taxpayers for farm subsidy payments. I would ask anyone, how can they explain why a family earning more than \$1 million a year needs to receive a check from the government?

This amendment would lower that income limit to be eligible to receive farm payments from \$1.25 million to \$250,000 in adjusted gross income. I think a farmer has done well if they clear \$250,000. I think it's wonderful if they do that. They should try to take a day off from their hard work if they do. But don't come back to the Federal Government and say, we need more farm subsidy payments. Let's have some sanity in this program here.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I couldn't agree more with the gentleman from

Arizona when he says that we've got to put everything on the table in order to eliminate this deficit and to put us on a path toward balancing our budget. We've got a fiscal crisis.

But at the same time, we need to make smart choices. We need to establish priorities. We don't need to cut off our feet or cut off our hands. We need to empower ourselves and have the tools that we need. And I think that if we're going to have a strong agricultural community, if we're going to have American farmers be able to produce high quality, safe, economical food for the people of this country and for export, and to be able to compete in the global marketplace, we are going to have to have reasonable and smart farm support.

Our authorizing committee has done a great job. And Members of this body have done a tremendous job in trying to review over the years what we need to do to tighten up and make more efficient our farm support programs. And we've got to do that. And of course they do have to be on the table. But let's be smart. Let's not take a meat ax to it when we need to take a scalpel approach.

An individual or a legal entity must be actively engaged in farming rules that are administered by USDA in order to participate in farm programs. To receive the payments when they are available, individuals or legal entities determined to be actively engaged in farming must prove their average adjusted gross farm and nonfarm income are below the levels that are set by the statute. If an individual is determined to be eligible, the total benefits for all crops are limited to a specific amount as dictated by the statute.

Now, we can't have a cookie-cutter approach to this. Our farmers in the Midwest and other parts of the country other than the Southeast have a different need in terms of farm support and farm support programs. We have a diversity of crops. We have a multitude of crops in our portfolio in the Southeast, from Virginia all the way to Texas. And in order to be able to grow those crops effectively, a producer has to have versatile equipment. For example, if you grow cotton you've got to have a certain kind of equipment for cotton. If you grow corn and grain, you've got to have a different piece of equipment for that. There are three different kinds of equipment. And peanut growers, cotton growers, and grain growers all in the Southeast have to finance those various kinds of equipment.

Now, the 2008 farm law made the most comprehensive and far-reaching reforms of eligibility and limitations on farm programs in 20 years. It substantially reduced the level of the income test that was established in the 2002 farm bill by creating two new tests to determine eligibility. Individuals or entities with a 3-year average adjusted gross nonfarm income exceeding \$500,000 are not eligible for any commodity program benefits. Individuals

with a 3-year average adjusted gross farm income exceeding \$750,000 are ineligible for direct benefits.

While this amount may seem generous, the gross income is calculated before debt servicing and other expenses are met. Since a new cotton harvester can cost upwards of \$750,000, and investments in land and crop input such as fuel are escalating, you've still got to take into account the cost of the irrigation system, the labor cost, the rent on the land, the ad valorem taxes, and health insurance for the farmers and for their families. So you've really got a lot of expenses that are not taken into account when this statutory limitation on income is calculated.

It also, in '08, eliminated the three entity rule and replaced it with the direct attribution rule, which provides that each payment is attributed to a specific individual. That reduced the payment, since prior to 2008, individuals could participate in three entities receiving payments.

Congress thoroughly debated the level of income tax when we developed the 2008 farm bill so that the tests for farm income and the tests for nonfarm income were appropriate. The tests are administered by USDA, and the documents submitted to USDA by program participants are subject to rigorous review by USDA and IRS.

This is a bad, bad thing, and I suggest that we ought to let the authorizing committee do this in the farm bill and not do it now.

I yield back the balance of my time.

Mr. LUCAS. Madam Chairman, I move to strike the last word.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Madam Chairman, I rise in opposition to this amendment. This is clearly an attempt to legislate policy through an appropriation bill, contrary to the intent of regular order, and this is not the way that we should do business.

Arbitrarily changing eligibility requirements for farm programs outside of the farm bill is irresponsible. It seriously undermines farmers' ability to make long-term plans and investments, and it adds a dangerous element of uncertainty to the market. The result would be a reluctance to make investments in equipment and practices that increase productivity.

The process of developing the 2012 farm bill would begin in the Agriculture Committee next week. Our first step will be a comprehensive audit of current farm programs to determine which are working, which are not, and how to best insure that America's farmers and ranchers remain competitive and productive into the 21st century.

Our farm program audits are just the beginning of what will be a very transparent, inclusive, thorough process of developing the 2012 farm bill. During that process, we will be careful to consider how best to stabilize, how to provide stability and certainty to farmers

during lean years. Without appropriate risk management tools in place, a few bad seasons could put farming operations out of business permanently.

Proponents of this amendment makes it sound like the Agriculture Committee has done nothing on this issue. That couldn't be farther from the truth. As my colleague has just alluded, in 2008, the Agriculture Committee, under the leadership of my colleague, then-chairman PETERSON, meticulously debated the appropriate levels for farm program eligibility. The results were some of the most aggressive reforms in AGI in 2 decades.

Not only did we tighten eligibility, but in the implementation of those rules, USDA allows IRS to verify a farmer's AGI.

In 2012, we will once again review how to efficiently and effectively target farm policy. America's farmers, ranchers and taxpayers deserve an open and accountable policymaking process. This amendment not only precludes a transparent process, but it silences the voices of Americans who would like to contribute to comprehensive discussion of farm policy.

I urge you to oppose this amendment to prevent policy discussions from being shortchanged. Allow us to work through regular order in the open process that will be used in the coming year.

Once again, I oppose the amendment.

I yield back the balance of my time, Madam Chairman.

Mr. PETERSON. I move to strike the last word.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. PETERSON. I rise in opposition to this amendment.

As Chairman LUCAS just indicated, we spent a lot of time working through this. This has a much bigger impact on my friends in the South than it does in our part of the world, although it does affect some of our folks. But one of the reasons is the way they finance and operate in the South, where they have a lot of shared rent. We are pretty much cash renting up in our part of the world now.

□ 1100

But you've got folks that have land that get caught up in this AGI, and it causes problems in terms of financing their operations and the way that they have structured agriculture in the South.

When I've been down there in Arkansas and other places—Mississippi, Georgia—the people that have been the most opposed to this are the bankers. And if you're concerned about having family farmers and keeping as many people on the land as possible, this is exactly the wrong way to go about it. You're going to upset the whole apple cart in doing this.

Having said that, why do we have an adjusted gross income limit on farmers? Why don't we have it on everybody? If this is such a good idea, why

don't we have anybody that gets any money from the government be subject to this AGI? If it's good enough for farmers, then anybody that makes \$250,000 doesn't get anything from the government, period, just like farmers. That's how much sense this makes.

The other thing that everybody talks about is that 80 percent of the people only get 10 percent of the payments. Well, people need to understand that we have a definition of "farmer" that is flawed and we should get rid of. They claim that we have 2 million farmers in this country. But do you know what it takes to be a farmer, the definition? If you could produce \$1,000 of farm income—you don't have to, just if you could produce \$1,000, you're considered a farmer. The true reality is we have 350,000 commercial farmers that produce over 90 percent of the food, and obviously they're going to get the payments because that's the way the system works.

We have worked through this on the committee. I didn't agree with these AGI limits and payment limits that we put in the bill, but it was something we had to work out and we worked it out. This should not be dealt with on the floor. Once again, people who have made decisions based on the 5-year farm bill—they've made a lot of investments, they've put a lot of money into their operations based on how this thing is structured—we should not come in and pull the rug out in the middle of the deal here. And we should do this in the regular order in the farm bill. That's where it needs to be done.

This is a bad amendment. I urge my colleagues to oppose it.

I yield back the balance of my time.

Mr. CONAWAY. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Madam Chair, I want to make a couple of quick points.

The ranking member, the former chairman of the Ag Committee, made a good point, which is the percentages that get bandied about in this regard that seem to make the arguments a little more inflammatory are based on a skewed definition. You don't live on a farm that makes only \$1,000 of gross revenue. That's not a farmer who's in the business of farming, and that's who these Ag support safety nets should support.

I would like to make one comment about why the Ag Committee is the one that ought to be making these kinds of things. If you will read the gentleman's amendment, it says, "to a person, legal entity, if the average adjusted gross income of the person or legal entity is \$250,000." Average of what, Madam Chairman? Average of 1 year? Average of 5 years? Average of a lifetime? Average of what? And so a poorly crafted amendment—I know the gentleman is working in good faith, he has been at this for a long time, I don't have any problem with that, but this is an example of a hastily drawn, poorly



drafted amendment that is unenforceable in effect and it skews up. So in addition to all the other things we have said about letting the Ag Committee do it, here's a good example of why.

Madam Chair, I yield back the balance of my time.

Mr. CRAWFORD. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. CRAWFORD. Madam Chair, I also rise today because I strongly oppose this amendment.

As I've listened to the debate, I think some folks are missing some fundamental principles of where our Nation's food supply comes from. I've seen many Members come to the floor to defend funding our nutrition programs—which is obviously a worthy cause—but at the same time many of those Members come down here and attempt to pull the rug out from under farmers by scrapping programs that provide an important safety net to our producers.

We have to be clear: We can't have a stable food supply for recipients of nutrition programs and all Americans unless our commodity producers have some stability. Through a deliberate and balanced approach, the Ag Committee has brought reform to the AGI means test by further targeting program benefits to those individuals that depend on farming for their livelihood. By setting the income level at an appropriate level, the committee recognized the production costs and the economies of scale that are necessary to be competitive in today's agriculture. An overly restrictive AGI ceiling disregards the financial reality of commercially viable farms.

Let's be clear about this: A farmer's AGI is not profit. There are still a number of expenses that must be covered. In addition to personal expenses, farmers must service the debt that, given the cost of today's machinery and land, can easily reach into the millions of dollars.

At a time when more and more people have to rely on the productivity and stability of American agriculture, now is not the time to pose a threat to the very food source on which they rely.

Madam Chair, I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Madam Chair, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Madam Chair, I know that \$250,000 sounds like a lot of money. It will buy you a third of a new John Deere cotton picker.

From our standpoint as a country, agriculture and manufacturing have been the foundations of our economy. The things that we need to get our economy back on track are access to capital and regulatory certainty. And when you make changes that are this drastic on the floor through an amend-

ment process instead of going through the committee process where it should be done, then you hinder those two things. Farmers lose confidence, and their lenders lose confidence in Federal policy, and that does away with the stability and predictability that some of these issues are designed to provide. The loans necessary to operate the business may become harder to come by if we start to make amendments like this and allow amendments like this on the floor.

I simply rise to say this: Agriculture has been strong. It's been one of the bright spots in America, and it will continue to be one of the bright spots in America because of the work ethic of the people involved in the agricultural industry.

I would ask my colleagues to oppose this amendment and allow us to deal with this in the Agriculture Committee in the farm bill that we will be starting over the next couple of weeks.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds made available by this Act may be used to alter contract no. GS-35F-4076D with respect to the location of data storage.

Mr. KINGSTON. Madam Chair, I reserve a point of order on the gentleman's amendment.

The CHAIR. A point of order is reserved.

The gentleman from Illinois is recognized for 5 minutes.

Mr. LIPINSKI. Madam Chair, I applaud the administration's leadership in looking for ways to save money and simplify our Federal IT infrastructure by moving data to storage in cloud computing, but the critical question is where will this data actually be stored?

There is no reason for essential government data to be stored in offshore facilities, and the USDA has recognized that fact. In cloud computing contracts signed by the USDA, Secretary Vilsack and CIO Chris Smith have insisted that all data must be stored in the United States. This amendment seeks to reinforce and codify USDA contracts' terms specifically regarding where the data is stored. That is all that this speaks to. It says that this contract, in

regards to where the data is stored, will be codified with this amendment.

Now, why is this important? It's critical for security reasons. We shouldn't have to worry about another nation seizing the infrastructure where our data is stored. It's critical for reliability reasons. We don't want another country, either intentionally or accidentally, disconnecting us from the servers we need to run our government.

□ 1110

And it is critical because building, operating, and safeguarding this infrastructure here in the United States also means more American jobs.

So what this amendment seeks to do, as I said, is just look at this one part of the contract and say this data must be stored here in the United States, that this cannot be changed.

I ask my colleagues to support this amendment. It is budget neutral. It supports the efforts of the USDA and keeps our data secure and accessible and supports American jobs.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I withdraw my reservation—as I read the amendment, it looks like it is in order—and I move to strike the last word.

The Acting CHAIR (Mr. BISHOP of Utah). The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I oppose the amendment, and do so out of caution.

What I want to say to my friend, who knows a lot about this and I know is a very careful steward of tax dollars and very deliberative in his legislation in general, I am not that familiar with the issue. I am not certain why location is that important, and I am very reluctant to tie the hands of the USDA in seeking the best contract. I want them to do what a business would do and be free from micromanagement by the U.S. Congress. If the location is outside of the United States or the location is in Illinois or in Georgia or in California, I want them to do what is best for the USDA and the best for the taxpayers. As I understand this amendment, it would limit that sort of flexibility.

So I oppose the amendment; but I want to say to the gentleman from Illinois, I certainly will continue a dialogue with you on this, because I do realize I need to learn more about it. But on that basis, I do not want to tie their hands based on location.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank the ranking member very much for yielding.

I thank the chairman for his comments, but I think there has been a little bit of confusion, and I just want to clear this up. This speaks specifically



to a contract that the USDA has already entered into, and essentially it is just looking at that one piece of that contract that says all data must be stored in the United States and codifying that to say that that part cannot be changed.

This is one contract that has already been signed. It is not speaking to anything else in the future. But I think that it is important for security that I think this is a good move that the USDA made. So I just want to speak to that in this amendment specifically, and it is not in any way tying the hands of the USDA or any other agency in the future.

I would hope that the other agencies, USDA and other agencies, follow this lead in the future because I think it is good for the United States. But it doesn't any further tie the hands of the USDA. I just wanted to clear that up.

Mr. FARR. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. LIPINSKI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. \_\_\_\_ . None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel to carry out a market access program under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623).

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, administered by the USDA's Foreign Agricultural Service, the MAP program uses funds from the Commodity Credit Corporation to aid the development, expansion and maintenance of foreign markets for U.S. agricultural commodities and products. It does so by forming partnerships with nonprofit trade organizations and cooperatives, nonprofit State regional trade groups, small businesses and others to market our products overseas.

In a perfect world, if there is a lot of money hanging around to do something, this might be a good thing to do to help these small companies market their products overseas. I would argue that is really not the proper role and function of government, but people could argue when times are good, let's do that. But we are borrowing 40 cents on the dollar. Every dollar that we

spend on this kind of thing is borrowed. And we are borrowing money to subsidize companies, small and large, to market their products overseas.

A while ago, The New York Times shined some light on this program. They spotlighted the ridiculousness of a fashion show in India put on with taxpayer money in partnership with the cotton industry's Cotton Council International. Here we are subsidizing a fashion show in India in partnership with the Cotton Council International.

The article notes that "over the last decade, the program has provided nearly \$2 billion in taxpayer money to agricultural trade associations and farmer cooperatives. These promotions are as varied as a manual for pet owners in Japan and a class at a Mexican culinary school to teach aspiring chefs how to cook rice for Mexican customers." Come on. We are spending money that we are borrowing for this kind of activity.

You will hear arguments for every dollar we spend in this, it yields \$20 in returned income or whatever else. You always hear that when you hear about government spending that people want to protect. But let me say, when we are running debt and deficits like we are today, we shouldn't be running programs like this. We ought to save money where we can.

Time magazine also noted here that a lot of the money goes to large farmer-owned cooperatives. It will be portrayed it is just helping small businesses, that there have been reforms to make sure it doesn't go to corporations like McDonald's or whatever else.

But this article noted that corporations like Sunkist, Welch's and Blue Diamond, which grows and sells almonds, combined these three companies had over \$2 billion in sales in 2009. These aren't small companies, yet we are subsidizing them. We are subsidizing the promotion of their products overseas. I am glad they are exporting. I hope they continue to export. But they don't need to do it with taxpayer money.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, this is the kind of program that I think Mr. FLAKE pointed out that you wonder why we use taxpayer moneys to market American agriculture abroad, and you say, well, we don't need to do that. As he pointed out, he pointed out a couple of great big companies that take advantage of it.

But guess what? In this legislation we carve out so that the small businesses can take advantage of this. And why do we do that? I don't know how much you see in the advertising that goes on to buy products from other countries, but remember the Juan Valdez coffee ad for Colombian coffee,

"Wake up and smell the coffee"? Guess what? That was subsidized by the Colombian Government. It was very, very effective. Coffee prices actually went down and they lost their ability because it cost them about \$40 million a year to do that advertising.

What we have created in the United States is a matching program saying, you put up your money first, put up the private sector money, and we will match it, and we carve out and protect it.

□ 1120

And I'm just looking. California has a lot of congressional districts. You wouldn't think that districts in San Francisco or Los Angeles—we have 53 Members of Congress from California. There's only four congressional districts in California that don't take advantage of this program. I would imagine those are in the middle of Los Angeles. Because there are companies in it—and I can go through all of them. A lot of them are very small. In my county alone, we have Soy Vay, for example. Soy Vay, the sauce. That's a husband and wife company. They take advantage by putting some of their money up and then they get to advertise. I don't know what countries they choose to advertise in. They can't advertise their product per se. They have to advertise the generic of it. So you don't sell Sunkist oranges, you sell: You should buy more California oranges.

It's an easy program to attack, but when you get down to managing in a global market and world competition, this stuff makes sense. As long as other countries are going to do it to us to stay competitive, we've got to do it to them. I think our way of doing it protects the small producer, more than anybody else, and allows them to get—we do this in tourism promotion all the time. We just passed a bill to advertise United States abroad. We have a Tourism Promotion Board to do that. We're going to have to be globally competitive. And this is one of the programs that allows us to be globally competitive.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Georgia.

Mr. BISHOP of Georgia. Thank you very much.

I couldn't agree with Mr. FARR more. The one thing that I think we need to understand that this program enhances is our trade deficit. We have been suffering with a global economy over the years. But the one aspect of the American economy in terms of our trade deficit that has kept us afloat has been agricultural exports. And it's programs like the Market Access Program that has allowed us to maintain a trade balance with our global competitors.

So I would think that this is a program that we ought to carefully protect. It's a program that works. And it's what has kept our trade deficit at

the level that it is. If we should take this away, we can look to have more products from China, fewer of our exports going overseas, and fewer of the smaller companies that benefit from this carve-out, being able to utilize the Internet marketing and to sell their products overseas. So I would think that this is, again, penny-wise, pound-foolish, and it should be defeated.

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

Mr. LUCAS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Let me ever so briefly say that I oppose the amendment. It, once again, is the process of cutting funding for the Market Access Program, in effect legislating farm policy through the appropriations process. It is not appropriate under regular order. It should not be occurring. We will consider this, along with other programs, in the 2012 Farm Bill program.

Let me note, I agree with my colleagues. Over the last 25 years MAP has boosted agriculture exports, it has increased American jobs, it has added to rural income. I know we have a lot of discussion these days on creation of jobs, and rightly so. Exports are one of the most surefire ways to increase American jobs. In fact, for every billion dollars in exports, approximately 8,400 jobs are created here at home. In 2010, agricultural exports alone supported nearly 1 million American jobs.

Please oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Ms. SEWELL. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Alabama is recognized for 5 minutes.

Ms. SEWELL. I would have offered an amendment to actually control the cormorants, which are an invasive species that affect the catfish farmers. I understand that due to technical reasons, I can't. But I was hoping the chairman would allow me to engage in a colloquy regarding it.

The Animal and Plant Health Inspection Services, APHIS as it's known, is an agency within the USDA which plays a critical role in helping farmers to handle losses as a result of wolves, coyotes, birds, and other invasive species. This agency is especially important to our catfish farmers because it helps to protect and control the livestock from cormorants, which are birds that prey upon catfish.

In the South, especially in Alabama, the southern catfish production has seen phenomenal growth over the last 30 years. The continued growth of the catfish industry has really been limited by the growth of these cormorants and other invasive species that feed upon the livestock.

The State of Alabama has roughly 22,000 water acres of fish farms where nearly 200 commercial farmers produce 25 different species, most of which are catfish. In Alabama, farmers are quite concerned that in the committee record it looked as if the control of these invasive species would be limited only to the Southeast. I don't think that was the original intent of the committee report.

I really was hoping the chairman would address that issue and just clarify, if he would, whether or not the cormorants funding would be limited.

Mr. KINGSTON. Will the gentlewoman yield?

Ms. SEWELL. I yield to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentlewoman for yielding, and also to bring up the fact that the cormorants are a problem all over the country. And certainly, as one from Georgia, I know exactly that you in Alabama are having the problems that they have in the Northeast and in Mississippi and all the other places. I will absolutely work with the gentlewoman from Alabama to make sure that the USDA is addressing your cormorant problems. And I will work with the ranking member from California to make sure that it does not get forgotten.

I also appreciate your diligence on the cormorant issue. Realizing that the report is a little bit misleading as we have written it, I think you have underscored something that we all are behind you on. So we will work with you on it.

Ms. SEWELL. Thank you, Mr. Chairman.

Mr. PETERSON. Will the gentlewoman yield?

Ms. SEWELL. I yield to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. I'm sorry, I was out of the Chamber. As I understand it, you're trying to get the cormorant animal damage extended to other parts of the country.

Ms. SEWELL. To make sure on the clarification of the language.

Mr. PETERSON. That is a very important thing. This is getting to be a bigger and bigger problem. We've had the problem in the Midwest. They have had the problem in the Northeast. But there's a lot of problems I know in Alabama and Mississippi and some of those States as well because these birds migrate.

As I said earlier, the reason we got into this problem is because we entered into this migratory bird treaty with Mexico and Canada back in 1973. In Mexico, blackbirds are sacred as part of their culture down there. And so

there's a prohibition in that treaty against any hunting of any blackbirds, whether it be crows or cormorant or whatever it is. So that has tied our hands in terms of trying to deal with these issues.

We've been able to make changes on kind of a pilot basis in certain areas, but we need to do this all over the country because these birds migrate. They go all the way from Canada, down to Mexico, and back and forth. They cause a lot of damage to fish farms. In my part of the world, it's sport fishing lakes. A cormorant will eat three times its weight in fish a day. They do tremendous damage when they get in there.

So I support the gentlewoman and hope we can extend this program around the country.

Ms. SEWELL. I yield back the balance of my time.

□ 1130

Mr. KINGSTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to thank the ranking member for working with us on this bill. I want to thank all the minority and the majority staff for all their fine work. We would not be here today without them. At their request and because the hour is late and Members are eager to vote on this bill, I will submit the names of all the hard-working people who made this thing happen, but I wanted to say thank you on behalf of both of us.

I yield to my friend from California.

Mr. FARR. Thank you very much, Mr. Chairman.

I know we've been here almost 25 hours of debate. I appreciate the open rule and the fact that we've had a huge debate. I personally would like to thank you and all the staff. I wore my Father's Day tie for you because I know your children are in town and you've been spending a lot of time here on the floor, and I'd like to wish you a happy Father's Day.

Mr. KINGSTON. The same to you. I wore my organic cotton tie on your behalf. Thank you very much.

This legislation would not be possible without the great working relationship I enjoy with our ranking member Mr. FARR. Again, we don't always agree but we do try to communicate and put together a sound product. I also thank all the staffers who have averaged about 50-60 hours a week since December to make this happen. Matt Smith and Martha Foley with the Minority, and Rochelle Dornatt and Troy Phillips with Ranking Member FARR's office, our majority staff clerk of many years Martin Delgado and his team Tom O'Brien, Betsy Bina, and Andrew Cooper. From my personal office, Allie Thigpen, Michael Donnal, Adam Sullivan, Chris Crawford, Caroline Black, and Mary Carpenter. You might not see them on the House floor, but their fingerprints are all over the bill.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will

now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Ms. PINGREE of Maine.

Amendment No. 1 by Ms. FOXX of North Carolina.

Amendment No. 25 by Mr. KIND of Wisconsin.

An amendment by Mr. DINGELL of Michigan.

An amendment by Ms. JACKSON LEE of Texas.

Amendment No. 23 by Mr. GIBSON of New York.

Amendment No. 3 by Mr. BLUMENAUER of Oregon.

Amendment No. 1 by Mr. KING of Iowa.

Amendment No. 2 by Mr. KING of Iowa.

Amendment No. 22 by Mr. GARRETT of New Jersey.

Amendment No. 29 by Ms. JACKSON LEE of Texas.

An amendment by Mr. SCALISE of Louisiana.

Amendment No. 28 by Ms. JACKSON LEE of Texas.

An amendment by Ms. HIRONO of Hawaii.

Amendment No. 38 by Mr. HOLDEN of Pennsylvania.

An amendment by Mr. CAMPBELL of California.

An amendment by Mrs. BLACKBURN of Tennessee.

Amendment No. 1 by Mr. FLAKE of Arizona.

Amendment No. 2 by Mr. FLAKE of Arizona.

An amendment by Mr. LIPINSKI of Illinois.

Amendment No. 3 by Mr. FLAKE of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. PINGREE OF MAINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Maine (Ms. PINGREE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

The vote was taken by electronic device, and there were—ayes 170, noes 238, not voting 24, as follows:

[Roll No. 437]

AYES—170

Ackerman	Barrow	Berkley
Andrews	Bass (CA)	Berman
Baldwin	Becerra	Bishop (GA)

Bishop (NY)	Gutierrez
Blumenauer	Hanabusa
Boswell	Hanna
Brady (PA)	Hastings (FL)
Braley (IA)	Heinrich
Brown (FL)	Higgins
Butterfield	Himes
Capps	Hinchee
Capuano	Hirono
Cardoza	Hochul
Carnahan	Holden
Carney	Holt
Carson (IN)	Honda
Castor (FL)	Hoyer
Chandler	Israel
Chu	Jackson (IL)
Ciциlline	Jackson Lee
Clarke (MI)	(TX)
Clarke (NY)	Johnson (GA)
Clay	Johnson, E. B.
Clyburn	Kaptur
Coffman (CO)	Keating
Cohen	Kildee
Connolly (VA)	Kind
Conyers	Kissell
Cooper	Kucinich
Costa	Langevin
Costello	Larsen (WA)
Courtney	Lee (CA)
Crowley	Levin
Cuellar	Lewis (GA)
Cummings	Lipinski
Davis (CA)	Loebback
Davis (IL)	Loftgren, Zoe
DeFazio	Lowe
DeGette	Lujan
DeLauro	Lynch
Deutch	Maloney
Dicks	Markey
Dingell	Matsui
Doggett	McCarthy (NY)
Doyle	McCollum
Edwards	McDermott
Ellison	McGovern
Engel	McNerney
Farr	Meeks
Fattah	Michaud
Filner	Miller (NC)
Fortenberry	Miller, George
Fudge	Moore
Garamendi	Moran
Gibson	Murphy (CT)
Gonzalez	Nadler
Green, Al	Owens
Grijalva	Pallone

NOES—238

Adams	Cleaver
Aderholt	Granger
Akin	Graves (GA)
Alexander	Graves (MO)
Altmire	Griffin (AR)
Amash	Griffith (VA)
Austria	Grimm
Baca	Guinta
Bachmann	Guthrie
Bachus	Hall
Barletta	Harper
Bartlett	Harris
Barton (TX)	Hartzler
Bass (NH)	Hastings (WA)
Benishek	Hayworth
Berg	Heck
Biggert	Hensarling
Bishop (UT)	Heger
Black	Herrera Beutler
Blackburn	Hinojosa
Bonner	Huelskamp
Bono Mack	Huizenga (MI)
Boren	Hultgren
Boustany	Hunter
Brady (TX)	Hurt
Brooks	Issa
Broun (GA)	Jenkins
Buchanan	Johnson (IL)
Bucshon	Johnson (OH)
Buerkle	Johnson, Sam
Burgess	Jones
Burton (IN)	Jordan
Calvert	Kelly
Camp	King (IA)
Campbell	King (NY)
Canseco	Kingston
Cantor	Kinzinger (IL)
Capito	Kline
Carter	Labrador
Cassidy	Lamborn
Chabot	Lance
Chaffetz	Goodlatte
	Gossar
	Gowdy

Pascrell	Latham
Pastor (AZ)	LaTourette
Payne	Latta
Pelosi	Lewis (CA)
Perlmutter	LoBiondo
Peters	Long
Peterson	Lucas
Pingree (ME)	Luetkemeyer
Price (NC)	Lummis
Quigley	Lungren, Daniel
Rahall	E.
Reyes	Mack
Richmond	Manzullo
Rothman (NJ)	Marchant
Roybal-Allard	Marino
Runyan	Matheson
Ruppersberger	McCarthy (CA)
Ryan (OH)	McCaul
Sanchez, Linda	McClintock
T.	McHenry
Sanchez, Loretta	McIntyre
Sarbanes	McKeon
Schakowsky	McKinley
Schiff	McMorris
Schrader	Rodgers
Schwartz	Meehan
Scott (VA)	Mica
Serrano	Miller (FL)
Sewell	Miller (MI)
Sherman	Miller, Gary
Shuler	Mulvaney
Smith (WA)	Murphy (PA)
Speier	Myrick
Stark	Napolitano
Sutton	Neugebauer
Thompson (CA)	Noem
Thompson (MS)	Nugent
Tierney	Nunes
Tonko	
Towns	
Van Hollen	
Velázquez	
Visclosky	
Walz (MN)	
Wasserman	
Schultz	
Waters	
Watt	
Waxman	
Welch	
Wilson (FL)	
Woolsey	
Wu	
Yarmuth	

Nunnelee	Scott (SC)
Palazzo	Scott, Austin
Paul	Scott, David
Paulsen	Sensenbrenner
Pearce	Sessions
Pence	Shimkus
Petri	Shuster
Pitts	Simpson
Platts	Sires
Pompeo	Smith (NE)
Posey	Smith (NJ)
Price (GA)	Smith (TX)
Quayle	Southerland
Reed	Stearns
Rehberg	Stutzman
Reichert	Sullivan
Renacci	Terry
Ribble	Thompson (PA)
Richardson	Thornberry
Rigell	Tiberi
Rivera	Tipton
Roby	Turner
Roe (TN)	Upton
Ros (AL)	Walberg
Rogers (KY)	Walden
Rogers (MI)	Walsh (IL)
Rohrabacher	Webster
Rooney	West
Ros-Lehtinen	Westmoreland
Roskam	Wilson (SC)
Ross (AR)	Wittman
Ross (FL)	Wolf
Royce	Womack
Ryan (WI)	Woodall
Scalise	Yoder
Schilling	Young (AK)
Schmidt	Young (FL)
Schock	Young (IN)

NOT VOTING—24

Bilbray	Larson (CT)	Rokita
Bilirakis	McCotter	Rush
Denham	Neal	Schweikert
Eshoo	Olson	Slaughter
Frank (MA)	Olver	Stivers
Giffords	Poe (TX)	Tsongas
Green, Gene	Polis	Weiner
Inslee	Rangel	Whitfield

□ 1158

Messrs. AUSTIN SCOTT of Georgia, WEST, YOUNG of Indiana, HALL, and CULBERSON changed their vote from “aye” to “no.”

Messrs. JACKSON of Illinois, GUTIERREZ, CUMMINGS, COFFMAN of Colorado, Ms. BASS of California, Messrs. WELCH and COSTA changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chair, on rollcall No. 437, I missed the vote due to a hearing on Pipeline Safety in Energy & Commerce Subcommittee. Had I been present, I would have voted “aye.”

Stated against:

Mr. BILIRAKIS. Mr. Chair, on rollcall No. 437, had I been present, I would have voted “no.”

AMENDMENT NO. 1 OFFERED BY MS. FOXX

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 201, not voting 19, as follows:

[Roll No. 438]

AYES—212

Adams	Gohmert	Noem
Aderholt	Goodlatte	Nugent
Akin	Gosar	Nunes
Alexander	Gowdy	Nunnelee
Amash	Granger	Palazzo
Austria	Graves (GA)	Paul
Bachmann	Graves (MO)	Paulsen
Bachus	Griffin (AR)	Pearce
Bartlett	Griffith (VA)	Pence
Benishek	Grimm	Petri
Berg	Guinta	Platts
Biggert	Guthrie	Pompeo
Bilbray	Hall	Posey
Bishop (UT)	Harper	Price (GA)
Black	Harris	Quayle
Blackburn	Hartzler	Reed
Bonner	Hastings (WA)	Rehberg
Bono Mack	Hayworth	Reichert
Boren	Heck	Renacci
Boustany	Hensarling	Rigell
Brady (TX)	Hergers	Rivera
Brooks	Huelskamp	Robby
Broun (GA)	Huelskamp	Rogers (AL)
Buchanan	Hultgren	Rogers (KY)
Bucshon	Hunter	Rogers (MI)
Buerkle	Hurt	Rohrabacher
Burgess	Issa	Rooney
Burton (IN)	Jenkins	Ros-Lehtinen
Calvert	Johnson (OH)	Roskam
Camp	Johnson, Sam	Ross (FL)
Campbell	Jones	Royce
Canseco	Jordan	Ryan (WI)
Capito	Kelly	Scalise
Carney	King (IA)	Schmidt
Carter	King (NY)	Schock
Cassidy	Kingston	Schweikert
Chabot	Kinzingers (IL)	Scott (SC)
Chaffetz	Kline	Scott, Austin
Coble	Labrador	Sensenbrenner
Coffman (CO)	Lamborn	Sessions
Cole	Lance	Shimkus
Conaway	Landry	Shuster
Cravaack	Lankford	Simpson
Crawford	Latham	Smith (NE)
Crenshaw	LaTourette	Smith (NJ)
Culberson	Latta	Smith (TX)
Davis (KY)	Lewis (CA)	Southerland
Denham	Long	Stearns
DesJarlais	Lucas	Stutzman
Diaz-Balart	Luetkemeyer	Sullivan
Dold	Lummis	Terry
Dreier	Lungren, Daniel	Thompson (PA)
Duncan (SC)	E.	Thornberry
Ellmers	Mack	Tiberi
Emerson	Manzullo	Tipton
Farenthold	Marchant	Turner
Fincher	Marino	Upton
Fitzpatrick	McCarthy (CA)	Walden
Flake	McCauley	Walsh (IL)
Fleischmann	McClintock	Webster
Fleming	McHenry	West
Flores	McKeon	Westmoreland
Forbes	McKinley	Wilson (SC)
Foxx	Mica	Wittman
Franks (AZ)	Miller (FL)	Wolf
Frelinghuysen	Miller (MI)	Womack
Galleghy	Miller, Gary	Woodall
Gardner	Mulvaney	Yoder
Garrett	Murphy (PA)	Young (AK)
Gibbs	Myrick	Young (FL)
Gingrey (GA)	Neugebauer	Young (IN)

NOES—201

Ackerman	Blumenauer	Clarke (MI)
Altmire	Boswell	Clarke (NY)
Andrews	Brady (PA)	Clay
Baca	Braley (IA)	Clyburn
Baldwin	Brown (FL)	Cohen
Barletta	Butterfield	Connolly (VA)
Barrow	Cantor	Conyers
Barton (TX)	Capps	Cooper
Bass (CA)	Capuano	Costa
Bass (NH)	Cardoza	Costello
Becerra	Carnahan	Courtney
Berkley	Carson (IN)	Critz
Berman	Castor (FL)	Crowley
Bilirakis	Chandler	Cuellar
Bishop (GA)	Chu	Cummings
Bishop (NY)	Cicilline	Davis (CA)

Davis (IL)	Kaptur	Reyes
DeFazio	Keating	Ribble
DeGette	Kildee	Richardson
DeLauro	Kind	Richmond
Dent	Kissell	Roe (TN)
Deutch	Kucinich	Ross (AR)
Dicks	Langevin	Rothman (NJ)
Dingell	Larsen (WA)	Roybal-Allard
Doggett	Lee (CA)	Runyan
Donnelly (IN)	Levin	Ruppersberger
Doyle	Lewis (GA)	Rush
Duffy	Lipinski	Ryan (OH)
Duncan (TN)	LoBiondo	Sanchez, Linda
Edwards	Loebsock	T.
Ellison	Lofgren, Zoe	Sanchez, Loretta
Engel	Lowey	Sarbanes
Farr	Lujan	Schakowsky
Fattah	Lynch	Schiff
Filner	Maloney	Schilling
Fortenberry	Markey	Schrader
Frank (MA)	Matheson	Blumenauer
Fudge	Matsui	Brady (PA)
Garamendi	McCarthy (NY)	Broun (GA)
Gerlach	McCollum	Scott, David
Gibson	McDermott	Serrano
Gonzalez	McGovern	Sewell
Green, Al	McIntyre	Sherman
Green, Gene	McMorris	Shuler
Grijalva	Rodgers	Sires
Gutierrez	McNerney	Smith (WA)
Hanabusa	Meehan	Speier
Hanna	Meeks	Stark
Hastings (FL)	Michaud	Sutton
Heinrich	Miller (NC)	Thompson (CA)
Herrera Beutler	Miller, George	Thompson (MS)
Higgins	Moore	Tierney
Himes	Moran	Tonko
Hinchey	Murphy (CT)	Towns
Hinojosa	Nadler	Van Hollen
Hirono	Napolitano	Velázquez
Hochul	Owens	Visclosky
Holden	Pallone	Walz (MN)
Holt	Pascarell	Wasserman
Honda	Pastor (AZ)	Schultz
Hoyer	Payne	Waters
Inslere	Perlmutter	Watt
Israel	Peters	Waxman
Jackson (IL)	Peterson	Welch
Jackson Lee	Pingree (ME)	Wilson (FL)
(TX)	Polis	Woolsey
Johnson (GA)	Price (NC)	Wu
Johnson (IL)	Quigley	Yarmuth
Johnson, E. B.	Rahall	

NOT VOTING—19

Cleaver	Olver	Stivers
Eshoo	Pelosi	Tsongas
Giffords	Pitts	Walberg
Larson (CT)	Poe (TX)	Weiner
McCotter	Rangel	Whitfield
Neal	Rokita	
Olson	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute left in this vote.

□ 1203

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. KIND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. KIND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 197, not voting 12, as follows:

[Roll No. 439]

AYES—223

Adams	Ackerman	Gibson	Nugent
Amash	Adams	Gingrey (GA)	Pallone
Austria	Altmire	Gohmert	Pascrell
Bachmann	Amash	Gowdy	Paul
Bachus	Andrews	Graves (GA)	Payne
Baldwin	Baca	Graves (MO)	Pelosi
Barletta	Bachmann	Green, Al	Pence
Barrow	Baldwin	Green, Gene	Peters
Bartlett	Bass (CA)	Grimm	Petri
Barton (TX)	Bass (NH)	Guinta	Pingree (ME)
Bass (CA)	Becerra	Gutierrez	Platts
Bass (NH)	Benishek	Hall	Posey
Becerra	Berkley	Hanabusa	Price (GA)
Berkley	Bilbray	Harris	Price (NC)
Berman	Bilirakis	Heinrich	Quayle
Bilirakis	Bishop (NY)	Herrera Beutler	Quigley
Bishop (GA)	Bishop (UT)	Higgins	Rahall
Bishop (NY)	Blumenauer	Himes	Rehberg
	Brady (PA)	Hinchey	Richardson
	Broun (GA)	Hirono	Rogers (MI)
	Buerkle	Hochul	Rohrabacher
	Burton (IN)	Holt	Ross (FL)
	Campbell	Honda	Rothman (NJ)
	Capps	Hunter	Roybal-Allard
	Capuano	Inslee	Royce
	Carnahan	Israel	Rush
	Carney	Jackson (IL)	Ryan (OH)
	Cassidy	Jackson Lee	Ryan (WI)
	Castor (FL)	(TX)	Sanchez, Linda
	Chabot	Johnson, E. B.	T.
	Chaffetz	Johnson, Sam	Sanchez, Loretta
	Chandler	Jordan	Sarbanes
	Chu	Kaptur	Scalise
	Cicilline	Keating	Schakowsky
	Clarke (MI)	Kildee	Schiff
	Clarke (NY)	Kind	Schrader
	Clay	King (NY)	Schweikert
	Cleaver	Kucinich	Scott (SC)
	Coble	Labrador	Sensenbrenner
	Coffman (CO)	Lamborn	Serrano
	Cohen	Landry	Sherman
	Connolly (VA)	Langevin	Shuster
	Conyers	Larsen (WA)	Sires
	Cooper	LaTourette	Smith (NJ)
	Crowley	Lee (CA)	Smith (WA)
	Cummings	Lewis (GA)	Speier
	Davis (CA)	Lipinski	Stark
	DeFazio	LoBiondo	Stearns
	DeGette	Lujan	Stutzman
	DeLauro	Lummis	Sutton
	Dent	Lynch	Terry
	Deutch	Maloney	Tiberi
	Dingell	Manzullo	Tierney
	Doggett	Marino	Tonko
	Donnelly (IN)	Markey	Towns
	Doyle	Matheson	Turner
	Dreier	McClintock	Upton
	Duffy	McCollum	Van Hollen
	Duncan (SC)	McDermott	Velázquez
	Duncan (TN)	McGovern	Visclosky
	Edwards	McKinley	Walberg
	Ellison	Meehan	Walsh (IL)
	Engel	Meeks	Waters
	Farr	Michaud	Watt
	Fattah	Miller (FL)	Webster
	Filner	Miller (MI)	Westmoreland
	Fitzpatrick	Miller, Gary	Whitfield
	Flake	Miller, George	Wilson (SC)
	Frank (MA)	Moore	Wolf
	Franks (AZ)	Moran	Woodall
	Frelinghuysen	Mulvaney	Woolsey
	Fudge	Murphy (CT)	Wu
	Garamendi	Murphy (PA)	Yarmuth
	Garrett	Nadler	Yoder
	Gerlach	Napolitano	Young (AK)

NOES—197

Aderholt	Boustany	Conaway
Akin	Brady (TX)	Costa
Alexander	Braley (IA)	Costello
Austria	Brooks	Courtney
Bachus	Brown (FL)	Cravaack
Barletta	Buchanan	Crawford
Barrow	Bucshon	Crenshaw
Bartlett	Burgess	Critz
Barton (TX)	Butterfield	Cuellar
Berg	Calvert	Culberson
Berman	Camp	Davis (IL)
Biggert	Canseco	Davis (KY)
Bishop (GA)	Cantor	Denham
Black	Capito	DesJarlais
Blackburn	Cardoza	Diaz-Balart
Bonner	Carson (IN)	Dicks
Bono Mack	Carter	Dold
Boren	Clyburn	Ellmers
Boswell	Cole	Emerson

Farenthold	Lankford	Ribble	[Roll No. 440]	Hayworth	McHenry	Ros-Lehtinen
Fincher	Latham	Richmond		Heck	McKeon	Roskam
Fleischmann	Latta	Rigell	AYES—178	Hensarling	McKinley	Ross (AR)
Fleming	Levin	Rivera		Herger	McMorris	Ross (FL)
Flores	Lewis (CA)	Roby	Ackerman	Herrera Beutler	Rodgers	Royce
Forbes	Loeb sack	Roe (TN)	Altmore	Holden	Mica	Ryunan
Fortenberry	Lofgren, Zoe	Rogers (AL)	Andrews	Huelskamp	Michaud	Ryan (WI)
Fox	Long	Rogers (KY)	Baca	Huizenga (MI)	Miller (FL)	Scalise
Gallely	Lowe y	Rooney	Baldwin	Hultgren	Miller (MI)	Schilling
Gardner	Lucas	Ros-Lehtinen	Barrow	Hunter	Miller, Gary	Schmidt
Gibbs	Luetkemeyer	Roskam	Bass (CA)	Hurt	Mulvaney	Schock
Gonzalez	Lungren, Daniel	Ros (AR)	Becerra	Issa	Myrick	Schweikert
Goodlatte	E.	Runyan	Berkley	Jenkins	Neugebauer	Scott (SC)
Gosar	Mack	Ruppersberger	Berman	Johnson (IL)	Noem	Scott, Austin
Granger	Marchant	Biggert	Heinrich	Johnson (OH)	Nugent	Sensenbrenner
Griffin (AR)	Matsui	Schilling	Higgins	Johnson, Sam	Nunes	Sessions
Griffith (VA)	McCarthy (CA)	Schmidt	Himes	Jones	Nunnelee	Shuster
Grijalva	McCarthy (NY)	Schock	Hinche y	Jordan	Olson	Simpson
Guthrie	McCaul	Schwartz	Hinojosa	Kelly	Owens	Smith (NE)
Hanna	McHenry	Scott (VA)	Hirono	King (IA)	Palazzo	Smith (NJ)
Harper	McIntyre	Scott, Austin	Hochul	King (NY)	Paul	Smith (TX)
Hartzler	McKeon	Scott, David	Holt	Roybal-Allard	Paulsen	Southerlander
Hastings (FL)	McMorris	Sessions	Hond a	Ruppersberger	Pearce	Stearns
Hastings (WA)	Rodgers	Sewell	Hoyer	Rush	Pence	Stutzman
Hayworth	McNerney	Shimkus	Inslee	Ryan (OH)	Labrador	Sullivan
Heck	Mica	Shuler	Israel	Sánchez, Linda	Lamborn	Terry
Hensarling	Miller (NC)	Simpson	Jackson (IL)	T.	Lance	Petri
Herger	Myrick	Smith (NE)	Capuano	Sanchez, Loretta	Lance	Pitts
Hinojosa	Neugebauer	Smith (TX)	Carmahan	Sarbanes	Landry	Platts
Holden	Noem	Southerland	Carney	Schakowsky	Lankford	Poe (TX)
Hoyer	Nunes	Sullivan	Carson (IN)	Schiff	Latham	Polis
Huelskamp	Nunnelee	Thompson (CA)	Castor (FL)	Schrader	LaTourette	Pompeo
Huizenga (MI)	Olson	Thompson (MS)	Chu	Schwartz	Latta	Posey
Hultgren	Owens	Thompson (PA)	Cicilline	Scott (VA)	Lewis (CA)	Price (GA)
Hurt	Palazzo	Thornberry	Clarke (MI)	Scott, David	LoBiondo	Quayle
Issa	Pastor (AZ)	Tipton	Clarke (NY)	Serrano	Long	Reed
Jenkins	Paulsen	Walden	Clay	Sewell	Lucas	Rehberg
Johnson (GA)	Pearce	Walz (MN)	Cleaver	Sherman	Luetkemeyer	Reichert
Johnson (IL)	Perlmutter	Wasserman	Clyburn	Shimkus	Lummis	Renacci
Johnson (OH)	Peterson	Schultz	Cohen	Shuler	Lungren, Daniel	Ribble
Jones	Pitts	Waxman	Connelly (VA)	Sires	E.	Rigell
Kelly	Poe (TX)	Welch	Conyers	Smith (WA)	Mack	Rivera
King (IA)	Polis	West	Cooper	Speier	Manzullo	Roby
Kingston	Pompeo	Wilson (FL)	Courtney	Stark	Marchant	Roe (TN)
Kinzinger (IL)	Reed	Wittman	Crowley	Sutton	Marino	Rogers (AL)
Kissell	Reichert	Davis (CA)	Cummings	Thompson (CA)	Matheson	Rogers (KY)
Kline	Renacci	Womack	Davis (IL)	Thompson (MS)	McCarthy (CA)	Rogers (MI)
Lance	Reyes	Young (FL)	DeFazio	Tierney	McCaul	Rohrabacher
		Young (IN)	DeGette	Tonko	McClintock	Rooney
			DeLauro	Towns		
			Deutch	Van Hollen		
			Dicks	Velázquez		
			Dingell	Visclosky		
			Doggett	Walz (MN)		
			Dold	Wasserman		
			Donnelly (IN)	Schultz		
			Doyle	Waters		
			Edwards	Watt		
			Ellison	Waxman		
			Engel	Welch		
			Farr	Wilson (FL)		
			Fattah	Woolsey		
			Filner	Wu		
			Frank (MA)	Yarmuth		
			Fudge			

## NOT VOTING—12

Eshoo  
Giffords  
Larson (CT)  
McCotter

Neal  
Oliver  
Rangel  
Rokita

Slaughter  
Stivers  
Tsongas  
Weiner

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute left in this vote.

□ 1214

Mr. WITTMAN, Mrs. BONO MACK,  
and Mr. POE of Texas changed their  
vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MR. DINGELL

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Michigan (Mr. DIN-  
GELL) on which further proceedings  
were postponed and on which the noes  
prevailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 178, noes 241,  
not voting 13, as follows:

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachmann  
Bachus  
Barietta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Billbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco

Altmore  
Andrews  
Baca  
Baldwin  
Barrow  
Bass (CA)  
Becerra  
Berkley  
Berman  
Biggert  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Burgess  
Butterfield  
Capps  
Capuano  
Carmahan  
Carney  
Carson (IN)  
Castor (FL)  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connelly (VA)  
Conyers  
Cooper  
Courtney  
Crowley  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge

Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Grimm  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinche y  
Hinojosa  
Hirono  
Hochul  
Holt  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez, Linda  
Jackson Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowe y  
Luján  
Lynch  
Maloney  
Markey  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meehan  
Meeke s  
Miller (NC)  
Miller, George  
Moore  
Moran  
Murphy (CT)  
Murphy (PA)  
Nadler

Napolitano  
Pallone  
Pascrell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree (ME)  
Price (NC)  
Quigley  
Rahall  
Reyes  
Richardson  
Richmond  
Rothman (NJ)  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
Matheson  
McCarthy (CA)  
McCaul  
McClintock

Costello  
Eshoo  
Giffords  
Larson (CT)  
McCotter

Neal  
Oliver  
Rangel  
Rokita  
Slaughter

Stivers  
Tsongas  
Weiner

NOT VOTING—13

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this  
vote.

□ 1218

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentlewoman from Texas (Ms. JACKSON  
LEE) on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 167, noes 252,  
not voting 13, as follows:

Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallely  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Critz  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Dent  
Graves (MO)  
Diaz-Balart  
Griffin (AR)  
Griffith (VA)  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)

[Roll No. 441]

AYES—167

Ackerman Green, Al Pastor (AZ)  
 Andrews Green, Gene Payne  
 Baca Griffith (VA) Pelosi  
 Baldwin Grijalva Peters  
 Bass (CA) Gutierrez Petri  
 Becerra Hanabusa Pingree (ME)  
 Berkley Hastings (FL) Polis  
 Berman Heinrich Price (NC)  
 Bishop (GA) Higgins Quigley  
 Bishop (NY) Himes Reyes  
 Blumenauer Hinojosa Richardson  
 Boswell Hirono Richmond  
 Brady (PA) Hochul Rothman (NJ)  
 Braley (IA) Holden Roybal-Allard  
 Brown (FL) Holt Ruppertsberger  
 Butterfield Honda Rush  
 Capps Hoyer Ryan (OH)  
 Capuano Inslee Sánchez, Linda  
 Cardoza Israel T.  
 Carnahan Jackson (IL) Sanchez, Loretta  
 Carney Jackson Lee Sarbanes  
 Carson (IN) (TX) Schakowsky  
 Castor (FL) Johnson (GA) Schiff  
 Chu Johnson, E. B. Schwartz  
 Cicilline Kaptur Scott (VA)  
 Clarke (MI) Kildee Scott, David  
 Clarke (NY) Kind Sensenbrenner  
 Clay Kissell Serrano  
 Cleaver Kucinich Sewell  
 Cohen Langevin Sherman  
 Conyers Larsen (WA) Shuler  
 Cooper Lee (CA) Sires  
 Costello Levin Smith (WA)  
 Courtney Lewis (GA) Speier  
 Critz Lipinski Stark  
 Crowley Loeb sack Sutton  
 Cummings Lofgren, Zoe Thompson (CA)  
 Davis (CA) Lowey Thompson (MS)  
 Davis (IL) Luján Tierney  
 DeFazio Lynch Tonko  
 DeGette Maloney Towns  
 DeLauro Markey Van Hollen  
 Deutch Matsui Velázquez  
 Dicks McCarthy (NY) Vislosky  
 Dingell McDermott Walz (MN)  
 Doggett McGovern Wasserman  
 Donnelly (IN) McNerney Schultz  
 Doyle Meeks Waters  
 Edwards Michaud Miller (NC)  
 Ellison Miller (NC) Watt  
 Fattah Miller, George Waxman  
 Filner Moran Welch  
 Fitzpatrick Murphy (CT) West  
 Frank (MA) Nadler Wilson (FL)  
 Fudge Napolitano Woolsey  
 Garamendi Pallone Wu  
 Gonzalez Pascrell Yarmuth

NOES—252

Adams Canseco Fleischmann  
 Aderholt Cantor Fleming  
 Akin Capito Flores  
 Alexander Carter Forbes  
 Altmire Cassidy Fortenberry  
 Amash Chabot Foy  
 Austria Chaffetz Franks (AZ)  
 Bachmann Chandler Frelinghuysen  
 Bachus Galleghy Gallegly  
 Barletta Coble Gardner  
 Barrow Coffman (CO) Garrett  
 Bartlett Cole Gerlach  
 Barton (TX) Conaway Gibbs  
 Bass (NH) Connolly (VA) Gibson  
 Benishek Costa Gingrey (GA)  
 Berg Cravaack Gohmert  
 Biggert Crawford Goodlatte  
 Bilbray Crenshaw Gosar  
 Bilirakis Cuellar Gowdy  
 Bishop (UT) Culberson Granger  
 Black Davis (KY) Graves (GA)  
 Blackburn Denham Graves (MO)  
 Bonner Dent Griffin (AR)  
 Bono Mack DesJarlais Grimm  
 Boren Diaz-Balart Guinta  
 Boustany Diaz Guthrie  
 Brady (TX) Dreier Hall  
 Brooks Duffy Hanna  
 Broun (GA) Duncan (SC) Harper  
 Buchanan Duncan (TN) Harris  
 Bucshon Ellmers Hartzler  
 Buerkle Emerson Hastings (WA)  
 Burgess Engel Hayworth  
 Burton (IN) Farenthold Heck  
 Camp Farr Hensarling  
 Campbell Fincher Herger  
 Flake Herrera Beutler

Hinchey McKinley Roskam  
 Huelskamp McMorris Ross (AR)  
 Huizenga (MI) Rodgers Ross (FL)  
 Hultgren Meehan Royce  
 Hunter Mica Runyan  
 Hurt Miller (FL) Ryan (WI)  
 Issa Miller (MI) Scalise  
 Jenkins Miller, Gary Schilling  
 Johnson (IL) Moore Schmidt  
 Johnson (OH) Mulvaney Schock  
 Johnson, Sam Murphy (PA) Schrader  
 Jones Myrick Schweikert  
 Jordan Neugebauer Scott (SC)  
 Keating Noem Scott, Austin  
 Kelly Nunes Sessions  
 King (IA) Nunnelee Shimkus  
 King (NY) Olson Shuster  
 Kingston Owens Simpson  
 Kinzinger (IL) Palazzo Smith (NE)  
 Kline Paul Smith (NJ)  
 Labrador Paulsen Smith (TX)  
 Lamborn Pearce Southerland  
 Lance Pence Stearns  
 Landry Perlmutter Stutzman  
 Lankford Peterson Sullivan  
 Latham Pitts Terry  
 LaTourette Platts Thompson (PA)  
 Latta Poe (TX) Thornberry  
 Lewis (CA) Pompeo Tiberi  
 LoBiondo Posey Tipton  
 Long Price (GA) Turner  
 Lucas Quayle Upton  
 Luetkemeyer Rahall Walden  
 Lummis Reed Walsh (IL)  
 Lungren, Daniel Rehberg Webster  
 E. Reichert Westmoreland  
 Mack Renacci Whitfield  
 Manzullo Ribble Rigell  
 Marchant Rigell  
 Marino Rivera  
 Matheson Roby Wilson (SC)  
 McCarthy (CA) Roe (TN) Wittman  
 McCaul Rogers (AL) Wolf  
 McClintock Rogers (KY) Womack  
 McCollum Rogers (MI) Woodall  
 McHenry Rohrabacher Yoder  
 McIntyre Rooney Young (AK)  
 McKeon Ros-Lehtinen Young (FL)  
 Young (IN)

NOT VOTING—13

Eshoo Nugent Stivers  
 Giffords Oliver Tsongas  
 Larson (CT) Rangel Weiner  
 McCotter Rokita  
 Neal Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1222

So the amendment was rejected.  
 The result of the vote was announced as above recorded.  
 Stated against:  
 Mr. NUGENT. Mr. Chair, on rollcall No. 441 I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 23 OFFERED BY MR. GIBSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GIBSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 198, not voting 13, as follows:

[Roll No. 442]

AYES—221

Ackerman Gibson Murphy (PA)  
 Aderholt Gohmert Nadler  
 Akin Gonzalez Napolitano  
 Alexander Goodlatte Noem  
 Altmire Gosar Nugent  
 Austria Graves (MO) Nunes  
 Baca Green, Al Owens  
 Bachus Green, Gene Pastor (AZ)  
 Baldwin Griffin (AR) Pelosi  
 Bishop (VA) Griffith (VA) Petri  
 Grijalva Pingree (ME)  
 Hanabusa Hanabusa Polis  
 Hanna Pompeo  
 Harris Price (NC)  
 Hartzler Rahall  
 Hastings (FL) Reed  
 Heck Rehberg  
 Heinrich Renacci  
 Herrera Beutler Reyes  
 Higgins Hinchey Richardson  
 Hirono Hirono Richmond  
 Hochul Hochul Rigell  
 Holden Holden Rogers (AL)  
 Honda Rogers (MI)  
 Hoyer Ross (AR)  
 Huelskamp Ruppertsberger  
 Hurt Rush  
 Inslee Ryan (OH)  
 Issa Sanchez, Loretta  
 Jackson (IL) Schakowsky  
 Jackson Lee Schiff  
 (TX) Schilling  
 Jenkins Schock  
 Johnson (GA) Johnson (GA) Schrader  
 Johnson (IL) Johnson (IL) Scott (SC)  
 Johnson, E. B. Johnson, E. B. Scott (VA)  
 Jones Jones Scott, Austin  
 Jordan Jordan Scott, David  
 Keating Keating Serrano  
 Kind Kind Sessions  
 King (IA) King (IA) Sewell  
 Costello Kinzinger (IL) Sherman  
 Crawford Kucinich Shuler  
 Critz Labrador Shuster  
 Crowley Landry Simpson  
 Cuellar Langevin Sires  
 Cummings LaTourette Smith (NE)  
 Davis (CA) Lee (CA) Smith (TX)  
 Davis (IL) Lewis (CA) Smith (WA)  
 DeFazio Lewis (GA) Southerland  
 DeLauro Loeb sack Speier  
 Denham Lowey Sutton  
 DesJarlais Luetkemeyer Thompson (CA)  
 Deutch Luján Thompson (MS)  
 Dicks Lummis Tonko  
 Donnelly (IN) Lynch Towns  
 Doyle Maloney Van Hollen  
 Duffy Manzullo Vislosky  
 Edwards Markey Walden  
 Ellison Emerson Walz (MN)  
 Emerson Emerson Wasserman  
 Farr Farr Schultz  
 Fattah Filner Watt  
 Filner Filner Welch  
 Fitzpatrick McHenry Wilson (FL)  
 Frank (MA) Forbes Wittman  
 Fudge Forbes McKeon  
 Garamendi Frank (AZ) McNerney  
 Gardner Franks (AR) Meeks  
 Gibbs Gibbs Mica  
 Adams Broun (GA) Conaway  
 Amash Buchanan Conyers  
 Andrews Bucshon Cooper  
 Bachmann Buerkle Costa  
 Barrow Burton (IN) Courtney  
 Bartlett Butterfield Cravaack  
 Becerra Camp Crenshaw  
 Biggert Campbell Culberson  
 Bilbray Canseco Davis (KY)  
 Bilirakis Cantor DeGette  
 Bishop (NY) Cardoza Dent  
 Black Carter Diaz-Balart  
 Blackburn Chabot Dingell  
 Blumenauer Chaffetz Doggett  
 Bonner Bonner Clay  
 Bono Mack Cleaver Dreier  
 Boren Brady (PA) Duncan (SC)  
 Boustany Coffman (CO) Duncan (TN)  
 Brady (TX) Cole Ellmers

NOES—198

Adams Broun (GA) Conaway  
 Amash Buchanan Conyers  
 Andrews Bucshon Cooper  
 Bachmann Buerkle Costa  
 Barrow Burton (IN) Courtney  
 Bartlett Butterfield Cravaack  
 Becerra Camp Crenshaw  
 Biggert Campbell Culberson  
 Bilbray Canseco Davis (KY)  
 Bilirakis Cantor DeGette  
 Bishop (NY) Cardoza Dent  
 Black Carter Diaz-Balart  
 Blackburn Chabot Dingell  
 Blumenauer Chaffetz Doggett  
 Bonner Bonner Clay  
 Bono Mack Cleaver Dreier  
 Boren Brady (PA) Duncan (SC)  
 Boustany Coffman (CO) Duncan (TN)  
 Brady (TX) Cole Ellmers

Engel  
Farenthold  
Fincher  
Flake  
Fleischmann  
Fleming  
Flores  
Fortenberry  
Frelinghuysen  
Garrett  
Gerlach  
Gingrey (GA)  
Gowdy  
Granger  
Graves (GA)  
Grimm  
Guinta  
Guthrie  
Gutierrez  
Hall  
Harper  
Hastings (WA)  
Hayworth  
Hensarling  
Herger  
Himes  
Holt  
Huizenga (MI)  
Hultgren  
Hunter  
Israel  
Johnson (OH)  
Johnson, Sam  
Kaptur  
Kelly  
Kildee  
King (NY)  
Kingston  
Kissell  
Kline  
Lamborn  
Lance  
Lankford  
Larsen (WA)  
Latham  
Latta  
Levin  
Lipinski

LoBiondo  
Lofgren, Zoe  
Long  
Lucas  
Lungren, Daniel  
E.  
Mack  
Marchant  
Marino  
Matheson  
Matsui  
McCarthy (CA)  
McCaul  
McClintock  
McMorris  
Rodgers  
Meehan  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Moore  
Murphy (CT)  
Myrick  
Neugebauer  
Nunnelee  
Olson  
Palazzo  
Pallone  
Pascrell  
Paul  
Paulsen  
Payne  
Pearce  
Pence  
Perlmutter  
Peters  
Peterson  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Quayle  
Reichert  
Ribble  
Rivera

Roby  
Roe (TN)  
Rogers (KY)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Rothman (NJ)  
Roybal-Allard  
Royce  
Runyan  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Scalise  
Schmidt  
Schwartz  
Schweikert  
Sensenbrenner  
Shimkus  
Smith (NJ)  
Stark  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tierney  
Tipton  
Turner  
Upton  
Velázquez  
Walberg  
Walsh (IL)  
Waters  
Waxman  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wolf  
Woodall  
Yoder

## NOT VOTING—13

Eshoo  
Giffords  
Hinojosa  
Larson (CT)  
McCotter

Neal  
Oliver  
Rangel  
Rokita  
Slaughter

Stivers  
Tsongas  
Weiner

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining on this vote.

□ 1227

Mrs. SCHMIDT changed her vote from “aye” to “no.”

Messrs. CLARKE of Michigan and LANDRY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 442, had I been present, I would have voted “aye.”

## AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 154, noes 262, not voting 16, as follows:

[Roll No. 443]

## AYES—154

Ackerman  
Amash  
Andrews  
Bachmann  
Baldwin  
Bass (CA)  
Bass (NH)  
Becerra  
Berkley  
Berman  
Biggart  
Bishop (NY)  
Himes  
Hinchev  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Kildee  
Kind  
King (NY)  
Kucinich  
Langevin  
Larsen (WA)  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
LoFazio  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Maloney  
Markey  
Matheson  
Doyle  
Dreier  
Duncan (SC)  
Duncan (TN)  
Ellison  
Fattah  
Filner  
Fitzpatrick  
Flake  
Frank (MA)  
Franks (AZ)  
Garamendi  
Garrett

Graves (GA)  
Green, Al  
Green, Gene  
Grijalva  
Grimm  
Gutierrez  
Hanabusa  
Heinrich  
Hensarling  
Herrera Beutler  
Higgins  
Hinchey  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Kildee  
Kind  
King (NY)  
Kucinich  
Langevin  
Larsen (WA)  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
LoFazio  
Lofgren, Zoe  
Lowey  
Luján  
Lynch  
Maloney  
Markey  
Matheson  
Doyle  
Dreier  
Duncan (SC)  
Duncan (TN)  
Ellison  
Fattah  
Filner  
Fitzpatrick  
Flake  
Frank (MA)  
Franks (AZ)  
Garamendi  
Garrett

Pallone  
Pascrell  
Paul  
Paulsen  
Payne  
Pelosi  
Peters  
Petri  
Pingree (ME)  
Polis  
Posey  
Price (GA)  
Quayle  
Quigley  
Rahall  
Reichert  
Rothman (NJ)  
Roybal-Allard  
Royce  
Runyan  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Sensenbrenner  
Sherman  
Sires  
Smith (WA)  
Speier  
Stark  
Sutton  
Tierney  
Tonko  
Towns  
Van Hollen  
Walsh (IL)  
Wasserman  
Schultz  
Waters  
Waxman  
Wilson (FL)  
Woodall  
Wu  
Yarmuth  
Young (IN)

## NOES—262

Burton (IN)  
Butterfield  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Chaffetz  
Chandler  
Clarke (NY)  
Clever  
Clyburn  
Cole  
Conaway  
Costa  
Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Cuellar  
Culberson  
Cummings  
Davis (KY)  
DeLauro  
Denham  
DesJarlais

Dicks  
Donnelly (IN)  
Duffy  
Edwards  
Eilmers  
Emerson  
Engel  
Farenthold  
Farr  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Frelinghuysen  
Fudge  
Gallegly  
Gardner  
Gerlach  
Gibbs  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Critz  
Gowdy  
Granger  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Guinta  
Guthrie

Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Heck  
Herger  
Hinojosa  
Hirono  
Hochul  
Holden  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jackson Lee  
(TX)  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Keating  
Kelly  
King (IA)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Labrador  
Lamborn  
Lance  
Lankford  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lewis (CA)  
Loeb sack  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino

Matsui  
McCarthy (CA)  
McCaul  
McCollum  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meehan  
Meeks  
Mica  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Murphy (CT)  
Murphy (PA)  
Myrick  
Neugebauer  
Noem  
Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Pastor (AZ)  
Pearce  
Pence  
Perlmutter  
Peterson  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Price (NC)  
Reed  
Rehberg  
Renacci  
Reyes  
Ribble  
Richardson  
Richmond  
Rigell  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam

Ross (AR)  
Ross (FL)  
Scalise  
Schilling  
Schmidt  
Schock  
Schradler  
Schweikert  
Scott (SC)  
Scott (VA)  
Scott, Austin  
Scott, David  
Serrano  
Sessions  
Sewell  
Shimkus  
Shuler  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stutzman  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Velázquez  
Visclosky  
Walberg  
Walden  
Walz (MN)  
Watt  
Webster  
Welch  
West  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woolsey  
Yoder  
Young (AK)  
Young (FL)

## NOT VOTING—16

Diaz-Balart  
Eshoo  
Gibson  
Giffords  
Landry  
Larson (CT)

McCotter  
Neal  
Oliver  
Rangel  
Rokita  
Slaughter

Stivers  
Sullivan  
Tsongas  
Weiner

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining in this vote.

□ 1230

So the amendment was rejected.  
The result of the vote was announced as above recorded.

Stated against:  
Mr. GIBSON. Mr. Chair, on rollcall No. 443, I would have voted “no.”

## AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.



The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 155, noes 262, not voting 15, as follows:

[Roll No. 444]

AYES—155

Adams	Gingrey (GA)	Olson
Akin	Gohmert	Palazzo
Bachmann	Goodlatte	Paul
Bartlett	Gosar	Paulsen
Barton (TX)	Gowdy	Pence
Benishkek	Granger	Petri
Berg	Graves (GA)	Graves (MO)
Bilbray	Graves (MO)	Platts
Bilirakis	Griffith (VA)	Pompeo
Bishop (UT)	Grimm	Posey
Black	Guinta	Price (GA)
Blackburn	Hall	Quayle
Bono Mack	Harris	Reed
Brady (TX)	Hartzler	Reichert
Brooks	Hastings (WA)	Ribble
Broun (GA)	Hensarling	Roe (TN)
Buerkle	Herger	Rogers (KY)
Burgess	Huelskamp	Rogers (MI)
Burton (IN)	Hultgren	Rohrabacher
Camp	Hunter	Roskam
Campbell	Hurt	Ross (FL)
Canseco	Jenkins	Royce
Cantor	Jordan	Ryan (WI)
Carter	Kelly	Scalise
Chaffetz	King (IA)	Schilling
Coble	King (NY)	Schmidt
Coffman (CO)	Kingston	Schock
Conaway	Lamborn	Schweikert
Crenshaw	Lankford	Scott (SC)
Culberson	Latham	Sensenbrenner
Davis (KY)	Latta	Sessions
Denham	LoBiondo	Shuster
Dent	Lucas	Smith (NE)
DesJarlais	Luetkemeyer	Smith (NJ)
Duffy	Lummis	Smith (TX)
Duncan (SC)	Mack	Southerland
Duncan (TN)	Manzullo	Stearns
Ellmers	Marchant	Stutzman
Farenthold	McCarthy (CA)	Sullivan
Fincher	McCaul	Thornberry
Fitzpatrick	McClintock	Tipton
Flake	McHenry	Upton
Fleischmann	McKinley	Walberg
Fleming	Mica	Walden
Flores	Miller (FL)	Walsh (IL)
Foxx	Miller (MI)	Webster
Franks (AZ)	Miller, Gary	Westmoreland
Frelinghuysen	Mulvaney	Wolf
Gardner	Myrick	Womack
Garrett	Neugebauer	Young (AK)
Gerlach	Nugent	Young (FL)
Gibbs	Nunnelee	

NOES—262

Ackerman	Cardoza	Diaz-Balart
Aderholt	Carnahan	Dicks
Alexander	Carney	Dingell
Altmire	Carson (IN)	Doggett
Amash	Cassidy	Dold
Andrews	Castor (FL)	Donnelly (IN)
Austria	Chabot	Doyle
Baca	Chandler	Dreier
Bachus	Chu	Edwards
Baldwin	Cicilline	Ellison
Barletta	Clarke (MI)	Emerson
Barrow	Clarke (NY)	Engel
Bass (CA)	Clay	Farr
Bass (NH)	Cleaver	Fattah
Becerra	Clyburn	Filner
Berkley	Cohen	Forbes
Berman	Cole	Fortenberry
Biggart	Connolly (VA)	Frank (MA)
Bishop (GA)	Conyers	Fudge
Bishop (NY)	Cooper	Galleghy
Blumenauer	Costa	Garamendi
Bonner	Costello	Gibson
Boren	Courtney	Gonzalez
Boswell	Cravaack	Green, Al
Boustany	Crawford	Green, Gene
Brady (PA)	Critz	Griffin (AR)
Braley (IA)	Crowley	Grijalva
Brown (FL)	Cuellar	Guthrie
Buchanan	Cummings	Gutierrez
Buchon	Davis (CA)	Hanabusa
Butterfield	Davis (IL)	Harper
Calvert	DeFazio	Hastings (FL)
Capito	DeGette	Hayworth
Capps	DeLauro	Heck
Capuano	Deutch	Heinrich

Herrera Beutler	McCarthy (NY)	Rush
Higgins	McCollum	Ryan (OH)
Himes	McDermott	Sanchez, Linda
Hinchev	McGovern	T.
Hinojosa	McIntyre	Sanchez, Loretta
Hirono	McKeon	Sarbanes
Hochul	McMorris	Schakowsky
Holden	Rodgers	Schiff
Holt	McNerney	Schrader
Honda	Meehan	Schwartz
Hoyer	Meeks	Scott (VA)
Huizenga (MI)	Michaud	Scott, Austin
Inslee	Miller (NC)	Scott, David
Israel	Miller, George	Serrano
Issa	Moore	Sewell
Jackson (IL)	Moran	Sherman
Jackson Lee	Murphy (CT)	Shimkus
(TX)	Murphy (PA)	Shuler
Johnson (GA)	Nadler	Simpson
Johnson (OH)	Napolitano	Sires
Johnson, E. B.	Noem	Smith (WA)
Johnson, Sam	Nunes	Speier
Jones	Owens	Stark
Kaptur	Pallone	Sutton
Keating	Pascrell	Terry
Kildee	Pastor (AZ)	Thompson (CA)
Kind	Payne	Thompson (MS)
Kinzinger (IL)	Pearce	Thompson (PA)
Kissell	Pelosi	Tiberi
Kline	Perlmutter	Tierney
Kucinich	Peters	Tonko
Lance	Peterson	Towns
Landry	Pingree (ME)	Turner
Langevin	Poe (TX)	Van Hollen
Larsen (WA)	Polis	Velazquez
LaTourette	Price (NC)	Visclosky
Lee (CA)	Quigley	Walz (MN)
Levin	Rahall	Wasserman
Lewis (CA)	Rehberg	Schultz
Lewis (GA)	Renacci	Waters
Lipinski	Reyes	Watt
Loeb sack	Richardson	Waxman
Lofgren, Zoe	Richardson	Welch
Long	Rigell	West
Lowey	Rivera	Whitfield
Lujan	Roby	Wilson (FL)
Lungren, Daniel	Rogers (AL)	Wilson (SC)
E.	Rooney	Wittman
Lynch	Ros-Lehtinen	Woodall
Maloney	Ross (AR)	Woolsey
Marino	Rothman (NJ)	Wu
Markey	Roybal-Allard	Yarmuth
Matheson	Runyan	Yoder
Matsui	Ruppersberger	Young (IN)

NOT VOTING—15

Eshoo	Larson (CT)	Rokita
Giffords	McCotter	Slaughter
Hanna	Neal	Stivers
Johnson (IL)	Olver	Tsongas
Labrador	Rangel	Weiner

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
One minute remains in this vote.

□ 1235

Mrs. SCHMIDT changed her vote from “no” to “aye.”

So the amendment was rejected.  
The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Chair, on roll-call No. 444, I was taken from the floor by Agricultural staff to analyze certain issues, and inadvertently missed the first King amendment. I have been a strong supporter of ranch justice, including in the farm arena. However, the process of dealing with claims, and the fiscal impact, necessitate a “present” vote. Had I been present, I would have voted “present.”

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 176, not voting 16, as follows:

[Roll No. 445]

AYES—240

Adams	Gosar	Nunnelee
Aderholt	Gowdy	Olson
Akin	Granger	Palazzo
Alexander	Graves (GA)	Paul
Amash	Graves (MO)	Paulsen
Austria	Griffin (AR)	Pearce
Bachmann	Griffith (VA)	Pence
Bachus	Grimm	Peterson
Barletta	Guinta	Petri
Bartlett	Guthrie	Pitts
Barton (TX)	Hall	Platts
Benishkek	Harper	Poe (TX)
Berg	Harris	Pompeo
Bilirakis	Hartzler	Posey
Bishop (UT)	Hastings (WA)	Price (GA)
Black	Heck	Quayle
Blackburn	Hensarling	Rahall
Bonner	Herger	Reed
Bono Mack	Herrera Beutler	Rehberg
Boren	Holden	Reichert
Boustany	Huelskamp	Renacci
Brady (TX)	Huizenga (MI)	Ribble
Brooks	Hultgren	Rigell
Broun (GA)	Hunter	Rivera
Buchanan	Hurt	Roby
Buchon	Issa	Roe (TN)
Buerkle	Jenkins	Rogers (AL)
Burgess	Johnson (OH)	Rogers (KY)
Burton (IN)	Johnson, Sam	Rogers (MI)
Calvert	Jones	Rohrabacher
Camp	Jordan	Rooney
Campbell	Kaptur	Ros-Lehtinen
Canseco	Kelly	Roskam
Cantor	King (IA)	Ross (AR)
Carter	King (NY)	Ross (FL)
Cassidy	Kingston	Royce
Chabot	Kinzinger (IL)	Runyan
Chaffetz	Kline	Ryan (WI)
Coble	Labrador	Scalise
Coffman (CO)	Lamborn	Schilling
Cole	Lance	Schmidt
Conaway	Landry	Schock
Costello	Langevin	Schweikert
Cravaack	Lankford	Scott (SC)
Crawford	Latham	Scott, Austin
Crenshaw	LaTourette	Sensenbrenner
Critz	Latta	Sessions
Cuellar	Lewis (CA)	Shimkus
Culberson	Lipinski	Shuler
Davis (KY)	LoBiondo	Shuster
Denham	Long	Simpson
DesJarlais	Lucas	Smith (NE)
Diaz-Balart	Luetkemeyer	Smith (NJ)
Donnelly (IN)	Lummis	Smith (TX)
Dreier	Lungren, Daniel	Southerland
Duffy	E.	Stearns
Duncan (SC)	Mack	Stutzman
Duncan (TN)	Manzullo	Sullivan
Ellmers	Marchant	Terry
Emerson	Marino	Thompson (PA)
Farenthold	McCarthy (CA)	Thornberry
Fincher	McCaul	Tiberi
Fitzpatrick	McClintock	Tipton
Flake	McHenry	Turner
Fleischmann	McIntyre	Walberg
Fleming	McKeon	Walden
Flores	McKinley	Walsh (IL)
Forbes	McMorris	Webster
Fortenberry	Rodgers	West
Foxx	Meehan	Westmoreland
Franks (AZ)	Mica	Whitfield
Frelinghuysen	Miller (FL)	Wilson (SC)
Galleghy	Miller (MI)	Wittman
Gardner	Miller, Gary	Wolf
Garrett	Mulvaney	Womack
Gerlach	Murphy (PA)	Woodall
Gibbs	Myrick	Yoder
Gibson	Neugebauer	Noem
Gingrey (GA)	Nugent	Young (AK)
Gohmert	Nunes	Young (FL)
Goodlatte		Young (IN)

NOES—176

Ackerman	Fattah	Napolitano
Altmire	Filner	Owens
Andrews	Frank (MA)	Pallone
Baca	Fudge	Pascrell
Baldwin	Garamendi	Pastor (AZ)
Barrow	Gonzalez	Payne
Bass (CA)	Green, Al	Pelosi
Bass (NH)	Green, Gene	Perlmutter
Becerra	Grijalva	Peters
Berkley	Gutierrez	Pingree (ME)
Berman	Hanabusa	Polis
Biggert	Hanna	Price (NC)
Bilbray	Hastings (FL)	Quigley
Bishop (GA)	Hayworth	Reyes
Bishop (NY)	Heinrich	Richardson
Blumenauer	Higgins	Richmond
Boswell	Himes	Rothman (NJ)
Brady (PA)	Hinchee	Roybal-Allard
Braley (IA)	Hinojosa	Ruppersberger
Brown (FL)	Hirono	Rush
Butterfield	Hochul	Ryan (OH)
Capito	Holt	Sánchez, Linda
Capps	Honda	T.
Capuano	Hoyer	Sanchez, Loretta
Cardoza	Inslee	Sarbanes
Carnahan	Israel	Schakowsky
Carney	Jackson (IL)	Schiff
Carson (IN)	Jackson Lee	Schrader
Castor (FL)	(TX)	Schwartz
Chandler	Johnson (GA)	Scott (VA)
Chu	Johnson, E. B.	Scott, David
Ciilline	Keating	Serrano
Clarke (MI)	Kildee	Sewell
Clarke (NY)	Kind	Sherman
Clay	Kissell	Sires
Cleaver	Kucinich	Smith (WA)
Clyburn	Larsen (WA)	Speier
Cohen	Lee (CA)	Stark
Connolly (VA)	Levin	Sutton
Conyers	Lewis (GA)	Thompson (CA)
Cooper	Loeback	Thompson (MS)
Costa	Lofgren, Zoe	Tierney
Courtney	Lowey	Tonko
Crowley	Luján	Towns
Cummings	Lynch	Upton
Davis (CA)	Maloney	Van Hollen
Davis (IL)	Markey	Velázquez
DeFazio	Matheson	Visclosky
DeGette	Matsui	Walz (MN)
DeLauro	McCarthy (NY)	Wasserman
Dent	McCollum	Schultz
Deutch	McDermott	Waters
Dicks	McGovern	Watt
Dingell	McNerney	Waxman
Doggett	Michaud	Welch
Dold	Miller (NC)	Wilson (FL)
Doyle	Moore	Woolsey
Edwards	Moran	Wu
Engel	Murphy (CT)	Yarmuth
Farr	Nadler	

NOT VOTING—16

Ellison	Meeks	Slaughter
Eshoo	Miller, George	Stivers
Giffords	Neal	Tsongas
Johnson (IL)	Olver	Weiner
Larson (CT)	Rangel	
McCotter	Rokita	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1238

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Chair, on June 16, 2011, I inadvertently missed rollcall No. 445, and would have voted “no” on that rollcall vote.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Chair, on rollcall No. 445, I was taken off the floor by agricultural staff to analyze certain agricultural issues, and inadvertently missed the vote. I am a strong pro-life Member, but this amendment addresses an issue simply not a part of the bill. Had I been present, I would have voted “present.”

AMENDMENT NO. 22 OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 189, not voting 12, as follows:

[Roll No. 446]

AYES—231

Adams	Garrett	Mica
Aderholt	Gerlach	Miller (FL)
Akin	Gibbs	Miller (MI)
Alexander	Gingrey (GA)	Miller, Gary
Amash	Gohmert	Mulvaney
Austria	Goodlatte	Murphy (PA)
Bachmann	Gosar	Myrick
Bachus	Gowdy	Neugebauer
Barletta	Granger	Noem
Bartlett	Graves (GA)	Nugent
Barton (TX)	Graves (MO)	Nunes
Bass (NH)	Griffin (AR)	Nunnelee
Benishek	Griffith (VA)	Olson
Berg	Grimm	Palazzo
Biggert	Guinta	Paul
Bilbray	Guthrie	Paulsen
Bilirakis	Hall	Pearce
Bishop (UT)	Hanna	Pence
Black	Harper	Petri
Blackburn	Harris	Pitts
Bonner	Hartzler	Platts
Bono Mack	Hastings (WA)	Poe (TX)
Boren	Hayworth	Pompeo
Boustany	Heck	Posey
Brady (TX)	Hensarling	Price (GA)
Brooks	Henger	Quayle
Broun (GA)	Herrera Beutler	Reed
Buchanan	Huelskamp	Rehberg
Bucshon	Huizenga (MI)	Reichert
Buerkle	Hultgren	Renacci
Burton (IN)	Hunter	Ribble
Calvert	Hurt	Rigell
Issa	Issa	Rivera
Jenkins	Jenkins	Roby
Johnson (IL)	Johnson (IL)	Roe (TN)
Johnson (OH)	Johnson (OH)	Rogers (AL)
Johnson, Sam	Johnson, Sam	Rogers (KY)
Jordan	Jordan	Rogers (MI)
Kelly	Kelly	Rohrabacher
King (IA)	King (IA)	Rooney
King (NY)	King (NY)	Ros-Lehtinen
Kingston	Kingston	Roskam
Kinzinger (IL)	Kinzinger (IL)	Ross (FL)
Kline	Kline	Royce
Labrador	Labrador	Runyan
Lamborn	Lamborn	Ryan (WI)
Lance	Lance	Scalise
Landry	Landry	Schilling
Lankford	Lankford	Schmidt
Latham	Latham	Schock
Latta	Latta	Schweikert
Lewis (CA)	Lewis (CA)	Scott (SC)
LoBiondo	LoBiondo	Scott, Austin
Long	Long	Sensenbrenner
Lucas	Lucas	Sessions
Luetkemeyer	Luetkemeyer	Shimkus
Lummis	Lummis	Shuster
Lungren, Daniel	Lungren, Daniel	Simpson
E.	E.	Smith (NE)
Mack	Mack	Smith (NJ)
Manzullo	Manzullo	Southerland
Marchant	Marchant	Stearns
Marino	Marino	Stutzman
McCarthy (CA)	McCarthy (CA)	Sullivan
McCaul	McCaul	Terry
McClintock	McClintock	Thompson (PA)
McHenry	McHenry	Thornberry
McIntyre	McIntyre	Tiberi
McKeon	McKeon	Tipton
McKinley	McKinley	Turner
McMorris	McMorris	Upton
Rodgers	Rodgers	Walberg
Meehan	Meehan	Walden

Walsh (IL)  
Webster  
West  
Westmoreland  
Whitfield

Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall

Yoder  
Young (AK)  
Young (FL)  
Young (IN)

NOES—189

Ackerman	Frank (MA)	Nadler
Altmire	Fudge	Napolitano
Andrews	Garamendi	Owens
Baca	Gibson	Pallone
Baldwin	Gonzalez	Pascrell
Barrow	Green, Al	Pastor (AZ)
Bass (CA)	Green, Gene	Payne
Becerra	Grijalva	Pelosi
Berkley	Gutierrez	Perlmutter
Berman	Hanabusa	Peters
Bishop (GA)	Hastings (FL)	Peterson
Bishop (NY)	Heinrich	Pingree (ME)
Blumenauer	Higgins	Polis
Boswell	Himes	Price (NC)
Brady (PA)	Hinchee	Quigley
Braley (IA)	Hinojosa	Rahall
Brown (FL)	Hirono	Reyes
Burgess	Hochul	Richardson
Butterfield	Holden	Richmond
Campbell	Holt	Ross (AR)
Capps	Honda	Rothman (NJ)
Capuano	Hoyer	Roybal-Allard
Cardoza	Inslee	Ruppersberger
Carnahan	Israel	Rush
Carney	Jackson (IL)	Ryan (OH)
Carson (IN)	Jackson Lee	Sánchez, Linda
Castor (FL)	(TX)	T.
Chandler	Johnson (GA)	Sanchez, Loretta
Chu	Johnson, E. B.	Sarbanes
Ciilline	Jones	Schakowsky
Clarke (MI)	Kaptur	Schiff
Clarke (NY)	Keating	Schrader
Clay	Kildee	Schwartz
Cleaver	Kind	Scott (VA)
Clyburn	Kissell	Scott, David
Cohen	Kucinich	Serrano
Connolly (VA)	Langevin	Sewell
Conyers	Larsen (WA)	Sherman
Cooper	LaTourette	Shuler
Costa	Lee (CA)	Sires
Costello	Levin	Smith (TX)
Courtney	Lewis (GA)	Smith (WA)
Critz	Lipinski	Speier
Crowley	Loeback	Stark
Cuellar	Lofgren, Zoe	Sutton
Cummings	Lowey	Thompson (CA)
Davis (CA)	Luján	Thompson (MS)
Davis (IL)	Lynch	Tierney
DeFazio	Maloney	Tonko
DeGette	Markey	Towns
DeLauro	Matheson	Van Hollen
Deutch	Matsui	Velázquez
Dicks	McCarthy (NY)	Visclosky
Dingell	McCollum	Walz (MN)
Doggett	McDermott	Wasserman
Donnelly (IN)	McGovern	Schultz
Doyle	McNerney	Waters
Edwards	Meeks	Watt
Ellison	Michaud	Waxman
Engel	Miller (NC)	Welch
Farr	Miller, George	Wilson (FL)
Fattah	Moore	Woolsey
Filner	Moran	Wu
Fortenberry	Murphy (CT)	Yarmuth

NOT VOTING—12

Eshoo	Neal	Slaughter
Giffords	Olver	Stivers
Larson (CT)	Rangel	Tsongas
McCotter	Rokita	Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1242

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 29 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 237, not voting 14, as follows:

[Roll No. 447]

AYES—181

Ackerman	Frank (MA)	Murphy (CT)
Altmire	Fudge	Nadler
Andrews	Garamendi	Napolitano
Baca	Gonzalez	Pallone
Baldwin	Green, Al	Pascarell
Barrow	Green, Gene	Pastor (AZ)
Bass (CA)	Grijalva	Payne
Becerra	Gutierrez	Pelosi
Berkley	Hanabusa	Peters
Berman	Hastings (FL)	Polis
Biggert	Heinrich	Price (NC)
Bishop (GA)	Higgins	Quigley
Bishop (NY)	Himes	Rahall
Blumenauer	Hinchev	Reyes
Boren	Hinojosa	Richardson
Boswell	Hirono	Richmond
Brady (PA)	Hochul	Rohrabacher
Braley (IA)	Holden	Ross (AR)
Brown (FL)	Holt	Rothman (NJ)
Butterfield	Honda	Roybal-Allard
Capps	Hoyer	Rush
Capuano	Insee	Ryan (OH)
Carnahan	Israel	Sánchez, Linda
Carney	Jackson (IL)	T.
Carson (IN)	Jackson Lee	Sanchez, Loretta
Castor (FL)	(TX)	Sarbanes
Chandler	Johnson (GA)	Schakowsky
Chu	Johnson (IL)	Schiff
Cicilline	Johnson, E. B.	Schrader
Clarke (MI)	Kaptur	Harris
Clarke (NY)	Keating	Schwartz
Clay	Kildee	Scott (VA)
Cleaver	Kind	Scott, David
Clyburn	Kissell	Serrano
Cohen	Kucinich	Sewell
Connolly (VA)	Langevin	Sherman
Conyers	Larsen (WA)	Shuler
Cooper	Lee (CA)	Sires
Costello	Levin	Smith (WA)
Courtney	Lewis (GA)	Speier
Critz	Lipinski	Stark
Crowley	Loeb sack	Sutton
Cuellar	Lofgren, Zoe	Thompson (CA)
Cummings	Lowey	Thompson (MS)
Davis (CA)	Lujan	Tierney
Davis (IL)	Lynch	Tonko
DeFazio	Maloney	Towns
DeGette	Markey	Van Hollen
DeLauro	Matheson	Velázquez
Deutch	Matsui	Visclosky
Dicks	McCarthy (NY)	Walz (MN)
Dingell	McCollum	Wasserman
Doggett	McDermott	Schultz
Dold	McGovern	Waters
Donnelly (IN)	McIntyre	Watt
Doyle	McNerney	Waxman
Edwards	Meehan	Welch
Ellison	Meeks	Wilson (FL)
Engel	Michaud	Woolsey
Farr	Miller (NC)	Wu
Fattah	Moore	Yarmuth
Filner	Moran	

NOES—237

Adams	Bilirakis	Calvert
Aderholt	Bishop (UT)	Camp
Akin	Black	Campbell
Alexander	Blackburn	Canseco
Amash	Bonner	Cantor
Austria	Bono Mack	Capito
Bachmann	Boustany	Cardoza
Bachus	Brady (TX)	Carter
Barletta	Brooks	Cassidy
Bartlett	Broun (GA)	Chabot
Barton (TX)	Buchanan	Chaffetz
Bass (NH)	Bucshon	Coble
Benishek	Buerkle	Coffman (CO)
Berg	Burgess	Cole
Bilbray	Burton (IN)	Conaway

Costa	Johnson (OH)	Price (GA)
Cravaack	Johnson, Sam	Quayle
Crawford	Jones	Reed
Crenshaw	Jordan	Rehberg
Culberson	Kelly	Reichert
Davis (KY)	King (IA)	Renacci
Denham	King (NY)	Ribble
Dent	Kingston	Rigell
DesJarlais	Kinzinger (IL)	Rivera
Diaz-Balart	Kline	Roby
Dreier	Labrador	Roe (TN)
Duffy	Lamborn	Rogers (AL)
Duncan (SC)	Lance	Rogers (KY)
Duncan (TN)	Landry	Rogers (MI)
Ellmers	Lankford	Rooney
Emerson	Latham	Ros-Lehtinen
Farenthold	LaTourette	Roskam
Fincher	Latta	Ross (FL)
Fitzpatrick	Lewis (CA)	Royce
Flake	LoBiondo	Runyan
Fleischmann	Long	Ruppersberger
Fleming	Lucas	Ryan (WI)
Flores	Luetkemeyer	Scalise
Forbes	Lummis	Schilling
Fortenberry	Lungren, Daniel	Schmidt
Fox	E.	Schock
Franks (AZ)	Mack	Schweikert
Frelinghuysen	Manzullo	Scott (SC)
Galley	Marchant	Scott, Austin
Gardner	Marino	Sensenbrenner
Garrett	McCarthy (CA)	Sessions
Gerlach	McCaul	Shimkus
Gibbs	McClintock	Shuster
Gibson	McHenry	Simpson
Gingrey (GA)	McKeon	Smith (NE)
Gohmert	McKinley	Smith (NJ)
Goodlatte	McMorris	Smith (TX)
Gosar	Rodgers	Southerland
Gowdy	Mica	Stearns
Granger	Miller (FL)	Stutzman
Graves (GA)	Miller (MI)	Sullivan
Graves (MO)	Miller, Gary	Terry
Griffin (AR)	Mulvaney	Thompson (PA)
Griffith (VA)	Murphy (PA)	Thornberry
Grimm	Myrick	Tiberi
Guinta	Neugebauer	Tipton
Guthrie	Noem	Turner
Hall	Nugent	Upton
Hanna	Nunes	Walberg
Harper	Olson	Walden
Harris	Owens	Walsh (IL)
Hartzer	Palazzo	Walsh (IL)
Hastings (WA)	Paul	Webster
Hayworth	Paulsen	West
Heck	Pearce	Westmoreland
Hensarling	Pence	Whitfield
Herger	Perlmutter	Wilson (SC)
Herrera Beutler	Peterson	Wittman
Huelskamp	Petri	Wolf
Huizenga (MI)	Pingree (ME)	Womack
Hultgren	Pitts	Woodall
Hunter	Platts	Yoder
Hurt	Poe (TX)	Young (AK)
Issa	Pompeo	Young (FL)
Jenkins	Posey	Young (IN)

NOT VOTING—14

Eshoo	Neal	Slaughter
Giffords	Nunnelee	Stivers
Larson (CT)	Olver	Tsongas
McCotter	Rangel	Weiner
Miller, George	Rokita	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1245

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCALISE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. SCALISE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 179, not voting 15, as follows:

[Roll No. 448]

AYES—238

Adams	Gibson	Nunes
Aderholt	Gingrey (GA)	Nunnelee
Alexander	Gohmert	Olson
Altmire	Goodlatte	Palazzo
Amash	Gosar	Paul
Austria	Gowdy	Paulsen
Bachmann	Granger	Pearce
Bachus	Graves (GA)	Pence
Barletta	Graves (MO)	Peterson
Bartlett	Green, Gene	Petri
Barton (TX)	Griffin (AR)	Pitts
Benishek	Griffith (VA)	Platts
Berg	Grimm	Poe (TX)
Biggert	Guinta	Pompeo
Bilirakis	Guthrie	Posey
Bishop (UT)	Hall	Price (GA)
Black	Harper	Quayle
Blackburn	Harris	Rahall
Bonner	Hartzler	Reed
Bono Mack	Hastings (WA)	Rehberg
Boren	Heck	Renacci
Boswell	Hensarling	Ribble
Boustany	Herger	Rigell
Brady (TX)	Herrera Beutler	Rivera
Brooks	Holden	Roby
Broun (GA)	Huelskamp	Roe (TN)
Buchanan	Huizenga (MI)	Rogers (AL)
Bucshon	Hultgren	Rogers (KY)
Buerkle	Hunter	Rogers (MI)
Burgess	Hurt	Rohrabacher
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Campbell	Johnson, Sam	Ross (AR)
Canseco	Jones	Ross (FL)
Cantor	Jordan	Royce
Capito	Kelly	Runyan
Carter	King (IA)	Ryan (WI)
Cassidy	King (NY)	Scalise
Chabot	Kingston	Schilling
Chaffetz	Kinzinger (IL)	Schmidt
Coble	Kline	Schock
Coffman (CO)	Labrador	Schweikert
Cole	Lamborn	Scott (SC)
Conaway	Lance	Scott, Austin
Costello	Landry	Sensenbrenner
Cravaack	Lankford	Sessions
Crawford	Latham	Shimkus
Crenshaw	LaTourette	Shuster
Critz	Latta	Simpson
Culberson	Lewis (CA)	Smith (NE)
Davis (KY)	LoBiondo	Smith (NJ)
Denham	Long	Smith (TX)
Dent	Lucas	Southerland
DesJarlais	Luetkemeyer	Stearns
Diaz-Balart	Lummis	Stutzman
Dold	Lungren, Daniel	Sullivan
Dreier	E.	Terry
Duffy	Mack	Thompson (PA)
Duncan (SC)	Manzullo	Thornberry
Duncan (TN)	Marchant	Tiberi
Ellmers	Marino	Tipton
Emerson	McCarthy (CA)	Turner
Farenthold	McCaul	Upton
Fincher	McClintock	Walberg
Fitzpatrick	McHenry	Walden
Flake	McKeon	Walsh (IL)
Fleischmann	McKinley	Webster
Fleming	McMorris	West
Flores	Rodgers	Westmoreland
Forbes	Meehan	Whitfield
Fortenberry	Mica	Wilson (SC)
Fox	Miller (FL)	Wittman
Franks (AZ)	Miller (MI)	Wolf
Frelinghuysen	Miller, Gary	Womack
Galley	Mulvaney	Woodall
Gardner	Murphy (PA)	Yoder
Garrett	Myrick	Young (AK)
Gerlach	Neugebauer	Young (FL)
Gibbs	Noem	Young (IN)

NOES—179

Ackerman	Baca	Barrow
Andrews	Baldwin	Bass (CA)

Bass (NH) Hanabusa  
 Becerra Hanna  
 Berkley Hastings (FL)  
 Berman Hayworth  
 Bishop (GA) Heinrich  
 Bishop (NY) Higgins  
 Blumenauer Himes  
 Brady (PA) Hinchey  
 Braley (IA) Hinojosa  
 Brown (FL) Hirono  
 Butterfield Hochul  
 Capps Holt  
 Capuano Honda  
 Cardoza Hoyer  
 Carnahan Inslee  
 Carney Israel  
 Carson (IN) Issa  
 Castor (FL) Jackson (IL)  
 Chandler Jackson Lee  
 Chu (TX)  
 Cicilline Johnson (GA)  
 Clarke (MI) Johnson, E. B.  
 Clarke (NY) Kaptur  
 Clay Keating  
 Cleaver Kildee  
 Clyburn Kind  
 Cohen Kissell  
 Connolly (VA) Kucinich  
 Conyers Langevin  
 Cooper Larsen (WA)  
 Costa Lee (CA)  
 Courtney Levin  
 Crowley Lewis (GA)  
 Cuellar Lipinski  
 Cummings Loeb sack  
 Davis (CA) Lofgren, Zoe  
 Davis (IL) Lowey  
 DeFazio Luján  
 DeGette Lynch  
 DeLauro Maloney  
 Deutch Markey  
 Dicks Matheson  
 Dingell Matsui  
 Doggett McCarthy (NY)  
 Donnelly (IN) McCollum  
 Doyle McDermott  
 Edwards McGovern  
 Ellison McIntyre  
 Engel McNeerney  
 Farr Meeks  
 Fattah Michaud  
 Filner Miller (NC)  
 Frank (MA) Miller, George  
 Fudge Moore  
 Garamendi Moran  
 Gonzalez Murphy (CT)  
 Green, Al Nadler  
 Grijalva Napolitano  
 Gutierrez Owens

Pallone  
 Pascrell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Perlmutter  
 Peters  
 Pingree (ME)  
 Polis  
 Price (NC)  
 Quigley  
 Reichert  
 Reyes  
 Richardson  
 Richmond  
 Rothman (NJ)  
 Roybal-Allard  
 Ruppenger  
 Rush  
 Ryan (OH)  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell  
 Sherman  
 Shuler  
 Sires  
 Smith (WA)  
 Speier  
 Stark  
 Sutton  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Tonko  
 Towns  
 Van Hollen  
 Velázquez  
 Vislosky  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Welch  
 Wilson (FL)  
 Woolsey  
 Wu  
 Yarmuth

RECORDED VOTE  
 The Acting CHAIR. A recorded vote has been demanded.  
 A recorded vote was ordered.  
 The Acting CHAIR. This is a 2-minute vote.  
 The vote was taken by electronic device, and there were—ayes 182, noes 235, not voting 15, as follows:

[Roll No. 449]  
 AYES—182

Ackerman  
 Andrews  
 Baca  
 Baldwin  
 Barrow  
 Green, Al  
 Green, Gene  
 Grijalva  
 Gutierrez  
 Hanabusa  
 Hastings (FL)  
 Heinrich  
 Higgs  
 Himes  
 Hinchey  
 Hirono  
 Hochul  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 T.  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Kaptur  
 Kildee  
 Kind  
 Kissell  
 Kucinich  
 Langevin  
 Connelly (VA)  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Loeb sack  
 Crtiz  
 Crowley  
 Cuellar  
 Cummings  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 Markey  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McNeerney  
 Meeks  
 Michaud  
 Miller (NC)  
 Miller, George  
 Moore  
 Moran  
 Murphy (CT)

Emerson  
 Farenthold  
 Fincher  
 Fitzpatrick  
 Flake  
 Fleischmann  
 Fleming  
 Flores  
 Fortenberry  
 Foyx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gibson  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler  
 Hastings (WA)  
 Hayworth  
 Heck  
 Hensarling  
 Herger  
 Herrera Beutler  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Keating  
 Kelly  
 King (IA)  
 King (NY)  
 Kingston  
 Kinzinger (IL)  
 Kline  
 Lamborn  
 Lance  
 Landry  
 Lankford  
 Latham  
 LaTourette  
 Latta  
 Lewis (CA)  
 Lipinski  
 LoBiondo  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manzullo  
 Marino  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meehan  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nugent  
 Nunes  
 Nunnelee  
 Olson  
 Owens  
 Palazzo  
 Paulsen  
 Pearce  
 Pence  
 Perlmutter  
 Peterson  
 Petri  
 Pitts  
 Platts  
 Poe (TX)  
 Pompeo  
 Posey  
 Price (GA)  
 Quayle  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Ribble  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt  
 Schock  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Souterland  
 Stearns  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner  
 Upton  
 Walberg  
 Walden  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Whitfield  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

NOT VOTING—15

Akin  
 Bilbray  
 Eshoo  
 Giffords  
 Larson (CT)  
 McCotter  
 Neal  
 Nugent  
 Olver  
 Rangel  
 Rokita  
 Slaughter  
 Stivers  
 Tsongas  
 Weiner

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1248

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

Stated for:  
 Mr. AKIN. Mr. Chair, on rollcall No. 448, had I been present, I would have voted “aye.”  
 Mr. NUGENT. Mr. Chair, on rollcall No. 448, had I been present, I would have voted “aye.”

AMENDMENT NO. 28 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

NOES—235

Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Austria  
 Bachmann  
 Bachus  
 Barletta  
 Barton (TX)  
 Bass (NH)  
 Benishek  
 Berg  
 Bilirakis  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Boswell  
 Boustany  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Bucshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Calvert  
 Camp  
 Campbell  
 Canseco  
 Cantor  
 Capito  
 Cardoza  
 Carter  
 Cassidy  
 Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Costa  
 Cravaack  
 Crawford  
 Crenshaw  
 Culberson  
 Davis (KY)  
 Denham  
 Dent  
 DesJarlais  
 Diaz-Balart  
 Dold  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)

NOT VOTING—15

Eshoo  
 Giffords  
 Labrador  
 Larson (CT)  
 McCotter  
 Nadler  
 Neal  
 Olver  
 Rangel  
 Rokita  
 Slaughter  
 Stivers  
 Tsongas  
 Weiner  
 Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1251

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HIRONO  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
 The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 288, noes 132, not voting 12, as follows:

[Roll No. 450]

AYES—288

Ackerman Fudge McDermott  
 Alexander Gallegly McGovern  
 Altmire Garamendi McIntyre  
 Andrews Garrett McKeon  
 Baca Gerlach McKinley  
 Bachus Gibson McNeerney  
 Baldwin Gingrey (GA) Meehan  
 Barletta Gohmert Meeks  
 Bartlett Gonzalez Mica  
 Barton (TX) Goodlatte Michaud  
 Bass (CA) Gosar Miller (FL)  
 Bass (NH) Graves (MO) Miller (MI)  
 Becerra Green, Al Miller (NC)  
 Berg Green, Gene Miller, George  
 Berkley Griffin (AR) Moore  
 Berman Griffith (VA) Moran  
 Bilbray Grijalva Mulvaney  
 Bilirakis Grimm Murphy (CT)  
 Bishop (GA) Guthrie Nadler  
 Bishop (NY) Gutierrez Napolitano  
 Bishop (UT) Hall Noem  
 Black Hanabusa Nunes  
 Blackburn Hanna Owens  
 Blumenauer Harper Pallone  
 Boren Harris Pascarell  
 Boswell Hartzler Pastor (AZ)  
 Boustany Hastings (FL) Paul  
 Brady (PA) Heck Paulsen  
 Braley (IA) Heinrich Payne  
 Brooks Herger Pelosi  
 Brown (FL) Herrera Beutler Perlmutter  
 Buchanan Higgins Peters  
 Butterfield Himes Peterson  
 Calvert Hinchey Petri  
 Camp Hinojosa Pingree (ME)  
 Capito Hirono Platts  
 Capps Hochul Polis  
 Capuano Holden Pompeo  
 Cardoza Holt Price (NC)  
 Carnahan Honda Quigley  
 Carney Hoyer Rahall  
 Carson (IN) Hultgren Rehberg  
 Cassidy Israel Renacci  
 Castor (FL) Jackson (IL) Reyes  
 Chaffetz Jackson Lee Richardson  
 Chandler (TX) Richmond  
 Chu Jenkins Rigell  
 Cicilline Johnson (GA) Rogers (MI)  
 Clarke (MI) Johnson (IL) Ros-Lehtinen  
 Clarke (NY) Johnson (OH) Ross (AR)  
 Clay Johnson, E. B. Rothman (NJ)  
 Cleaver Jones Roybal-Allard  
 Clyburn Jordan Ruppersberger  
 Cohen Kaptur Rush  
 Connolly (VA) Keating Ryan (OH)  
 Conyers Kelly Sánchez, Linda  
 Cooper Kildee T.  
 Costa Kind Sanchez, Loretta  
 Costello Sarbanes King (IA)  
 Courtney King (NY) Scalise  
 Cravaack Kissell Schakowsky  
 Crawford Kline Schiff  
 Critz Kucinich Schilling  
 Crowley Labrador Schrader  
 Cuellar Lance Schwartz  
 Cummings Landry Scott (VA)  
 Davis (CA) Langevin Scott, David  
 Davis (IL) Larsen (WA) Sensenbrenner  
 DeFazio Latham Serrano  
 DeGette LaTourette Sewell  
 DeLauro Lee (CA) Sherman  
 Dent Levin Shimkus  
 DesJarlais Lewis (GA) Shuster  
 Deutch Lipinski Shires  
 Dicks LoBiondo Sires  
 Dingell Loeback Smith (NJ)  
 Doggett Lofgren, Zoe Smith (WA)  
 Dold Lowey Speier  
 Donnelly (IN) Luetkemeyer Stark  
 Doyle Luján Sutton  
 Duncan (TN) Lungren, Daniel Terry  
 Edwards E. Thompson (CA)  
 Ellison Lynch Thompson (MS)  
 Farr Maloney Thompson (PA)  
 Fattah Marchant Tiberi  
 Filner Marino Tierney  
 Fincher Markey Tonko  
 Fitzpatrick Matheson Towns  
 Fleischmann Matsui Turner  
 Forbes McCarthy (CA) Upton  
 Fortenberry McCarthy (NY) Van Hollen  
 Frank (MA) McCollum Velázquez

Visclosky  
 Walden  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters

Adams  
 Aderholt  
 Akin  
 Amash  
 Austria  
 Bachmann  
 Barrow  
 Benishek  
 Biggert  
 Bonner  
 Gosar  
 Brady (TX)  
 Broun (GA)  
 Buchson  
 Buerkle  
 Moran  
 Burgess  
 Burton (IN)  
 Campbell  
 Canseco  
 Cantor  
 Carter  
 Chabot  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Crenshaw  
 Culberson  
 Davis (KY)  
 Denham  
 Diaz-Balart  
 Dreier  
 Duffy  
 Duncan (SC)  
 Ellmers  
 Emerson  
 Engel  
 Farenthold  
 Flake  
 Fleming  
 Flores  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gardner

NOT VOTING—12

Eshoo  
 Giffords  
 Larson (CT)  
 McCotter

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1256

Mr. CHAFFETZ and Ms. ROS-LEHTINEN changed their vote from “no” to “aye.”

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MR. HOLDEN  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. HOLDEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.  
 The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
 The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 84, noes 335, not voting 13, as follows:

Watt  
 Waxman  
 Welch  
 Whitfield  
 Wilson (FL)  
 Wittman

Woolsey  
 Wu  
 Yarmuth  
 Young (AK)

Quayle  
 Reed  
 Reichert  
 Ribble  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rohrabacher  
 Rooney  
 Roskam  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Schmidt  
 Schock  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sessions  
 Simpson  
 Smith (NE)  
 Smith (TX)  
 Southerland  
 Stearns  
 Stutzman  
 Sullivan  
 Thornberry  
 Tipton  
 Walberg  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Wilson (SC)  
 Wolf  
 Womack  
 Woodall  
 Yoder  
 Young (FL)  
 Young (IN)

Altire  
 Barletta  
 Bartlett  
 Berkley  
 Bishop (GA)  
 Boren  
 Brady (PA)  
 Brown (FL)  
 Cardoza  
 Carney  
 Chandler  
 Clay  
 Cleaver  
 Clyburn  
 Coble  
 Coffman (CO)  
 Costa  
 Costello  
 Courtney  
 Critz  
 Davis (IL)  
 DeFazio  
 Doyle  
 Filner  
 Fitzpatrick  
 Foxx  
 Gerlach  
 Goodlatte  
 Griffith (VA)

Ackerman  
 Adams  
 Aderholt  
 Akin  
 Alexander  
 Amash  
 Andrews  
 Austria  
 Baca  
 Bachmann  
 Bachus  
 Baldwin  
 Barrow  
 Barton (TX)  
 Bass (CA)  
 Bass (NH)  
 Becerra  
 Benishek  
 Berg  
 Berman  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (NY)  
 Bishop (UT)  
 Black  
 Blackburn  
 Blumenauer  
 Bonner  
 Bono Mack  
 Boswell  
 Boustany  
 Brady (TX)  
 Braley (IA)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Buchson  
 Buerkle  
 Burgess  
 Burton (IN)  
 Butterfield  
 Calvert  
 Camp  
 Campbell  
 Canseco  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Carnahan  
 Carson (IN)  
 Carter  
 Cassidy  
 Castor (FL)  
 Chabot  
 Chaffetz  
 Chaffetz  
 Chu  
 Cicilline  
 Clarke (MI)  
 Clarke (NY)  
 Cohen  
 Cole  
 Conaway  
 Connolly (VA)

[Roll No. 451]

AYES—84

Hall  
 Harper  
 Himes  
 Holden  
 Huizenga (MI)  
 Hurt  
 Johnson (IL)  
 Kelly  
 Kinzinger (IL)  
 Kissell  
 T.  
 Kucinich  
 Labrador  
 Long  
 Lucas  
 Luetkemeyer  
 Lummis  
 Manzullo  
 Marino  
 Matheson  
 McCarthy (NY)  
 Meehan  
 Mica  
 Moran  
 Murphy (CT)  
 Murphy (PA)  
 Owens  
 Palazzo  
 Paul  
 Peterson

NOES—335

Petri  
 Pingree (ME)  
 Platts  
 Quigley  
 Rahall  
 Renacci  
 Ribble  
 Rush  
 Sánchez, Linda  
 T.  
 Sanchez, Loretta  
 Schrader  
 Schwartz  
 Scott, David  
 Sensenbrenner  
 Shuler  
 Shuster  
 Smith (NE)  
 Smith (WA)  
 Thompson (MS)  
 Thompson (PA)  
 Visclosky  
 Walsh (IL)  
 Walsh (MN)  
 Welch  
 West  
 Wittman

Conyers  
 Cooper  
 Cravaack  
 Crawford  
 Crenshaw  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Davis (CA)  
 Davis (KY)  
 DeGette  
 DeLauro  
 Denham  
 Dent  
 DesJarlais  
 Deutch  
 Diaz-Balart  
 Dicks  
 Dingell  
 Doggett  
 Dold  
 Donnelly (IN)  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Edwards  
 Ellison  
 Ellmers  
 Emerson  
 Engel  
 Farenthold  
 Farr  
 Fattah  
 Johnson (GA)  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Jordan  
 Kaptur  
 Keating  
 Killdeer  
 Kind  
 King (IA)  
 King (NY)  
 Kissell  
 Kline  
 Kucinich  
 Labrador  
 Lance  
 Landry  
 Langevin  
 Larsen (WA)  
 Latham  
 LaTourette  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loeback  
 Lofgren, Zoe  
 Lowey  
 Luetkemeyer  
 Luján  
 Lungren, Daniel  
 E.  
 Lynch  
 Maloney  
 Marchant  
 Marino  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCollum

AYES—84

Luján	Peters	Sewell	[Roll No. 452]	Kinzinger (IL)	Noem	Scott (SC)
Lungren, Daniel E.	Pitts	Sherman	AYES—132	Kissell	Nugent	Scott (VA)
Lynch	Poe (TX)	Shimkus		Kline	Nunes	Scott, Austin
Mack	Polis	Simpson		Labrador	Nunnelee	Scott, David
Maloney	Pompeo	Sires		Lamborn	Olson	Sessions
Markey	Posey	Smith (NJ)		Lance	Owens	Sewell
Matsui	Price (GA)	Smith (TX)		Landry	Palazzo	Shimkus
McCarthy (CA)	Price (NC)	Southerland		Lankford	Paulsen	Shuler
McCauley	Quayle	Speier		Larsen (WA)	Pearce	Shuster
McClintock	Reed	Stark		Latham	Pence	Simpson
McCollum	Rehberg	Stutzman		LaTourette	Peterson	Smith (NE)
McDermott	Reichert	Sullivan		Latta	Pitts	Smith (TX)
McGovern	Reyes	Sutton		Lewis (CA)	Platts	Southerland
McHenry	Richardson	Terry		Lewis (GA)	Poe (TX)	Stearns
McIntyre	Richmond	Tipton		LoBiondo	Pompeo	Stutzman
McKeon	Rigell	Thompson (CA)		Loeback	Posey	Sullivan
McKinley	Rivera	Thornberry		Long	Price (GA)	Terry
McMorris	Roby	Tiberi		Lucas	Quayle	Thompson (CA)
Rodgers	Roe (TN)	Tierney		Luetkemeyer	Rahall	Thompson (MS)
McNerney	Rogers (AL)	Tipton		Luján	Reed	Thompson (PA)
Meeks	Rogers (KY)	Tonko		Lummis	Rehberg	Thornberry
Michaud	Rogers (MI)	Towns		Lungren, Daniel E.	Renacci	Tiberi
Miller (FL)	Rohrabacher	Turner		Manzullo	Ribble	Tierney
Miller (MI)	Rooney	Upton		Marchant	Richardson	Tipton
Miller (NC)	Ros-Lehtinen	Van Hollen		Marino	Richmond	Turner
Miller, Gary	Roskam	Velázquez		Matheson	Rigell	Upton
Miller, George	Ross (AR)	Walberg		Matsui	Rivera	Visclosky
Moore	Ross (FL)	Walden		McCarthy (CA)	Roby	Walberg
Mulvaney	Rothman (NJ)	Wasserman		McCauley	Roe (TN)	Walden
Myrick	Roybal-Allard	Schultz		McIntyre	Rogers (AL)	Walsh (IL)
Nadler	Royce	Waters		McKeon	Rogers (KY)	Walz (MN)
Napolitano	Runyan	Watt		McKinley	Rogers (MI)	Wasserman
Neugebauer	Ruppersberger	Waxman		McMorris	Rooney	Schultz
Noem	Ryan (OH)	Webster		Rodgers	Ros-Lehtinen	Waters
Nugent	Ryan (WI)	Westmoreland		Meeks	Roskam	Watt
Nunes	Sarbanes	Whitfield		Mica	Ross (AR)	Webster
Nunnelee	Scalise	Wilson (FL)		Michaud	Ross (FL)	West
Olson	Schakowsky	Wilson (SC)		Miller (FL)	Rothman (NJ)	Westmoreland
Pallone	Schiff	Wolf		Miller (MI)	Royce	Wilson (FL)
Pascarell	Schilling	Womack		Miller (NC)	Runyan	Wilson (SC)
Pastor (AZ)	Schmidt	Woodall		Miller, Gary	Ryan (OH)	Wittman
Paulsen	Schock	Woolsey		Mulvaney	Ryan (WI)	Wolf
Payne	Schweikert	Wu		Murphy (PA)	Scalise	Womack
Pearce	Scott (SC)	Yarmuth		Myrick	Schilling	Woodall
Pelosi	Scott (VA)	Yoder		Neugebauer	Schmidt	Yoder
Pence	Scott, Austin	Young (AK)			Schock	Young (AK)
Perlmutter	Serrano	Young (FL)			Schrader	Young (FL)
	Sessions	Young (IN)				

NOT VOTING—13

Eshoo	Neal	Stivers
Giffords	Olver	Tsongas
Larson (CT)	Rangel	Weiner
Marchant	Rokita	
McCotter	Slaughter	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1300

Ms. WILSON of Florida changed her vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. WEST. Mr. Chair, on rollcall No. 451, had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. CAMPBELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 132, noes 287, not voting 13, as follows:

NOES—287

Adams	Chabot	Gingrey (GA)
Aderholt	Chaffetz	Gohmert
Akin	Chandler	Gonzalez
Alexander	Clarke (NY)	Goodlatte
Altmire	Clay	Gosar
Amash	Cleaver	Gowdy
Andrews	Clyburn	Granger
Austria	Coble	Graves (GA)
Baca	Cole	Graves (MO)
Bachmann	Conaway	Green, Al
Bachus	Conyers	Green, Gene
Barletta	Costa	Griffin (AR)
Barrow	Costello	Griffith (VA)
Bartlett	Courtney	Guinta
Barton (TX)	Cravaack	Guthrie
Bass (NH)	Crawford	Gutierrez
Benishek	Crenshaw	Hall
Berg	Critz	Hanna
Berkley	Cuellar	Harper
Biggart	Culberson	Harris
Bilbray	Cummings	Hartzler
Bilirakis	Davis (IL)	Hastings (FL)
Bishop (GA)	Davis (KY)	Hastings (WA)
Bishop (NY)	Denham	Heck
Bishop (UT)	Dent	Hensarling
Black	DesJarlais	Herger
Blumenauer	Diaz-Balart	Herrera Beutler
Bonner	Dingell	Hinojosa
Bono Mack	Donnelly (IN)	Hochul
Boren	Dreier	Holden
Boswell	Duffy	Huelskamp
Boustany	Duncan (SC)	Huizenga (MI)
Brady (TX)	Edwards	Hultgren
Braley (IA)	Ellmers	Hunter
Broun (GA)	Emerson	Hurt
Brown (FL)	Farenthold	Issa
Buchanan	Fincher	Jackson Lee
Bucshon	Flake	(TX)
Buerkle	Fleischmann	Jenkins
Burgess	Fleming	Johnson (OH)
Burton (IN)	Flores	Johnson, E. B.
Butterfield	Forbes	Johnson, Sam
Calvert	Fortenberry	Jordan
Camp	Frank (MA)	Kaptur
Canseco	Frelinghuysen	Kelly
Cantor	Fudge	Kildee
Capito	Garamendi	Kind
Cardoza	Gardner	King (IA)
Carter	Gibbs	King (NY)
Cassidy	Gibson	Kingston

NOT VOTING—13

Eshoo	Olver	Slaughter
Giffords	Rangel	Stivers
Larson (CT)	Rokita	Tsongas
McCotter	Sánchez, Linda	Weiner
Neal	T.	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1306

Ms. ZOE LOFGREN of California, Messrs. COFFMAN of Colorado and CLARKE of Michigan, Ms. SPEIER, and Mr. BERMAN changed their vote from “no” to “aye.”

Messrs. FRANK of Massachusetts, FLAKE, SAM JOHNSON of Texas, ROTHMAN of New Jersey, and AMASH changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 109, noes 310, not voting 13, as follows:

[Roll No. 453]

AYES—109

Amash Hall Paul  
 Bachmann Hensarling Paulsen  
 Bartlett Herger Pence  
 Barton (TX) Huelskamp Petri  
 Biggert Huizenga (MI) Pitts  
 Bishop (UT) Hultgren Pompeo  
 Black Hunter Price (GA)  
 Blackburn Hurst Quayle  
 Bono Mack Issa Renacci  
 Brady (TX) Johnson (OH) Ribble  
 Broun (GA) Johnson, Sam Rigell  
 Buchanan Jordan Rogers (MI)  
 Buerkle King (NY) Rohrabacher  
 Burgess Kline Ross (FL)  
 Burton (IN) Labrador Royce  
 Campbell Lamborn Ryan (WI)  
 Chabot Landry Scalise  
 Chaffetz Latta Schweikert  
 Coble Long Scott (SC)  
 Coffman (CO) Lummis Sensenbrenner  
 Cooper Lungren, Daniel E.  
 Davis (KY) Mack  
 Duncan (SC) Manzullo  
 Duncan (TN) Marchant  
 Flake McCarthy (CA)  
 Fleischmann Terry  
 Fleming McClintock  
 Foxx McHenry  
 Franks (AZ) Mica  
 Garrett Miller (FL)  
 Gingrey (GA) Miller (MI)  
 Gohmert Miller, Gary  
 Goodlatte Mulvaney  
 Gowdy Murphy (PA)  
 Graves (GA) Myrick  
 Griffith (VA) Nugent  
 Grimm Nunnelee Young (FL)  
 Young (IN)

NOES—310

Ackerman Clarke (NY) Frelinghuysen  
 Adams Clay Fudge  
 Aderholt Cleaver Gallegly  
 Akin Clyburn Garamendi  
 Alexander Cohen Gardner  
 Altmire Cole Gerlach  
 Andrews Conaway Gibbs  
 Austria Connolly (VA) Gibson  
 Baca Conyers Gonzalez  
 Bachus Costa Gosar  
 Baldwin Costello Granger  
 Barletta Courtney Graves (MO)  
 Barrow Cravaack Green, Al  
 Bass (CA) Crawford Green, Gene  
 Bass (NH) Crenshaw Griffin (AR)  
 Becerra Critz Grijalva  
 Benishek Crowley Guinta  
 Berg Cuellar Guthrie  
 Berkley Culberson Gutierrez  
 Berman Cummings Hanabusa  
 Bilbray Davis (CA) Hanna  
 Bilirakis Davis (IL) Harper  
 Bishop (GA) DeFazio Harris  
 Bishop (NY) DeGette Hartzler  
 Blumenauer DeLauro Hastings (FL)  
 Bonner Denham Hastings (WA)  
 Boren Dent Hayworth  
 Boswell DesJarlais Heck  
 Boustany Deutch Heinrich  
 Brady (PA) Diaz-Balart Herrera Beutler  
 Braley (IA) Dicks Higgins  
 Brooks Dingell Himes  
 Brown (FL) Doggett Hinchey  
 Bueshon Dold Hinojosa  
 Butterfield Donnelly (IN) Hirono  
 Calvert Doyle Hochul  
 Camp Dreier Holden  
 Canseco Duffy Holt  
 Cantor Edwards Honda  
 Capito Ellison Hoyer  
 Capps Ellmers Insee  
 Capuano Emerson Israel  
 Cardoza Engel Jackson (IL)  
 Carnahan Farenthold Jackson Lee  
 Carney Farr (TX)  
 Carson (IN) Fattah Jenkins  
 Carter Filner Johnson (GA)  
 Cassidy Fincher Johnson (IL)  
 Castor (FL) Fitzpatrick Johnson, E. B.  
 Chandler Flores Jones  
 Chu Forbes Kaptur  
 Cicilline Fortenberry Keating  
 Clarke (MI) Frank (MA) Kelly

Kildee Neugebauer Schwartz  
 Kind Noem Scott (VA)  
 King (IA) Nunes Scott, Austin  
 Kingston Olson Scott, David  
 Kinzinger (IL) Owens Serrano  
 Kissell Pallazo Sewell  
 Kucinich Pallone Sherman  
 Lance Pascrell Shimkus  
 Langevin Pastor (AZ) Shuler  
 Lankford Payne Shuster  
 Larsen (WA) Pearce Simpson  
 Latham Pelosi Sires  
 LaTourette Perlmutter Smith (NE)  
 Lee (CA) Peters Smith (NJ)  
 Levin Peterson Smith (TX)  
 Lewis (CA) Pingree (ME) Smith (WA)  
 Lewis (GA) Platts Speier  
 Lipinski Poe (TX) Stark  
 Rigell LoBiondo Polis  
 Loeb sack Posey Sutton  
 Lofgren, Zoe Price (NC) Thompson (CA)  
 Lowey Quigley Thompson (MS)  
 Lucas Rahall Thompson (PA)  
 Ryan (WI) Reed Thornberry  
 Lujan Rehberg Tierney  
 Lynch Reichert Tipton  
 Maloney Reyes Tonko  
 Marino Richardson Towns  
 Markey Richmond Turner  
 Matheson Rivera Van Hollen  
 Matsui Roby Velázquez  
 McCarthy (NY) Roe (TN) Visclosky  
 McCaul Rogers (AL) Walden  
 McCollum Rogers (KY) Walz (MN)  
 McDermott Rooney Wasserman  
 McGovern Ros-Lehtinen Schultz  
 McIntyre Roskam Waters  
 McKeon Ross (AR) Watt  
 McKinley Rothman (NJ) Waxman  
 McMorris Roybal-Allard Webster  
 Rodgers Runyan Welch  
 McNeerney Ruppertsberger West  
 Meehan Rush  
 Meeks Ryan (OH) Westmoreland  
 Michaud Sanchez, Loretta Whitfield  
 Miller (NC) Sarbanes Wilson (FL)  
 Miller, George Schakowsky Wolf  
 Moore Schiff Womack  
 Moran Schilling Woolsey  
 Murphy (CT) Schmidt Wu  
 Nadler Schock Yarmuth  
 Napolitano Schrader Young (AK)

NOT VOTING—13

Oliver Slaughter  
 Rangel Stivers  
 Rokita Tsongas  
 McCotter Sanchez, Linda Weiner  
 Neal T.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1309

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 283, noes 128, not voting 21, as follows:

[Roll No. 454]

AYES—283

Adams Frelinghuysen Neugebauer  
 Aderholt Fudge Nugent  
 Akin Gallegly Nunes  
 Alexander Garrett Nunnelee  
 Altmire Gerlach Olson  
 Amash Gibbs Pallone  
 Andrews Gibson Pascrell  
 Bachmann Bachus Pastor (AZ)  
 Bachus Gohmert Paul  
 Barletta Barletta Goodlatte Paulsen  
 Bartlett Gowdy Payne  
 Barton (TX) Granger Pearce  
 Bass (CA) Graves (GA) Pence  
 Bass (NH) Green, Gene Perlmutter  
 Becerra Griffin (AR) Peters  
 Benishek Griffith (VA) Petri  
 Berkley Grijalva Pingree (ME)  
 Berman Grimm Pitts  
 Biggert Guinta Platts  
 Bilbray Guthrie Poe (TX)  
 Bilirakis Hall Polis  
 Bishop (UT) Hanna Pompeo  
 Black Harper Posey  
 Blackburn Harris Price (GA)  
 Blumenauer Hayworth Quayle  
 Bonner Heinrich Quigley  
 Bono Mack Hensarling Rahall  
 Boren Herger Reed  
 Boustany Herrera Beutler Rehberg  
 Brady (PA) Higgins Reichert  
 Brady (TX) Himes Renacci  
 Brooks Hinchey Ribble  
 Broun (GA) Hinojosa Richardson  
 Buchanan Hirono Rigell  
 Bueshon Hochul Roe (TN)  
 Buerkle Honda Rogers (MI)  
 Burgess Huizenga (MI) Rohrabacher  
 Calvert Hunter Rooney  
 Camp Hurt Roskam  
 Campbell Issa Ross (FL)  
 Canseco Johnson, Sam Rothman (NJ)  
 Cantor Jordan Roybal-Allard  
 Capito Kelly Royce  
 Capps King (NY) Runyan  
 Capuano Kingston Ryan (WI)  
 Carney Klaine Sanchez, Loretta  
 Carter Kucinich Sarbanes  
 Cassidy Labrador Scalise  
 Castor (FL) Lamborn Schiff  
 Chabot Lance Schmidt  
 Chaffetz Landry Schrader  
 Chandler Lankford Schwartz  
 Clarke (NY) Larsen (WA) Schweikert  
 Clay LaTourette Scott (SC)  
 Coble Lee (CA) Scott, Austin  
 Coffman (CO) Levin Sensenbrenner  
 Cohen Lewis (GA) Sessions  
 Cole Lipinski Sherman  
 Conaway LoBiondo Shuler  
 Connolly (VA) Lofgren, Zoe Shuster  
 Cooper Long Simpson  
 Courtney Lujan Sires  
 Cravaack Lungren, Daniel Smith (NJ)  
 Crawford E. Smith (TX)  
 Crowley Lynch Smith (WA)  
 Cuellar Mack Southerland  
 Culberson Maloney Speier  
 Davis (CA) Marchant Stearns  
 Davis (KY) Marino Stutzman  
 DeLauro Matheson Sullivan  
 Denham Matsui Sutton  
 Dent McCarthy (CA) Thompson (CA)  
 DesJarlais McCaul Thompson (PA)  
 Deutch McClintock Thornberry  
 Doggett McCollum Tipton  
 Dold McDermott Tonko  
 Doyle McGovern Upton  
 Dreier McHenry Van Hollen  
 Duffy McIntyre Walberg  
 Duncan (SC) McKeon Walden  
 Duncan (TN) McKinley Walsh (IL)  
 Edwards McMorris Webster  
 Ellison Rodgers Welch  
 Ellmers Emerson West  
 Farenthold Michaud Westmoreland  
 Farr Miller (FL) Wilson (SC)  
 Fitzpatrick Miller (MI) Wittman  
 Flake Miller, Gary Wolf  
 Fleischmann Miller, George Womack  
 Fleming Moran Woodall  
 Flores Mulvaney Woolsey  
 Forbes Murphy (CT) Wu  
 Foxx Murphy (PA) Young (AK)  
 Frank (MA) Myrick Young (FL)  
 Franks (AZ) Nadler Young (IN)



## NOES—128

Ackerman Hastings (WA) Palazzo  
 Austria Heck Pelosi  
 Baca Holden Peterson  
 Baldwin Holt Price (NC)  
 Barrow Hoyer Reyes  
 Berg Huelskamp Richmond  
 Bishop (GA) Hultgren Rivera  
 Bishop (NY) Inslee Roby  
 Boswell Israel Rogers (AL)  
 Braley (IA) Jackson (IL) Rogers (KY)  
 Brown (FL) Jackson Lee Ros-Lehtinen  
 Burton (IN) (TX)  
 Butterfield Jenkins Ross (AR)  
 Cardoza Johnson (GA) Ruppberger  
 Carnahan Johnson (IL) Rush  
 Carson (IN) Johnson (OH) Ryan (OH)  
 Chu Johnson, E. B. Schakowsky  
 Cicilline Jones Schilling  
 Cleaver Kaptur Blumenauer  
 Clyburn Kildee Scott (VA)  
 Conyers Kind Scott, David  
 Costa King (IA) Serrano  
 Costello Kinzinger (IL) Sewell  
 Crenshaw Kissell Shimkus  
 Critz Langevin Smith (NE)  
 Cummings Latham Terry  
 Davis (IL) Latta Thompson (MS)  
 DeFazio Lewis (CA) Tiberi  
 DeGette Loebsock Tierney  
 Diaz-Balart Lowey Towns  
 Dicks Lucas Turner  
 Dingell Luetkemeyer Velazquez  
 Donnelly (IN) Lummis Vislosky  
 Emerson Manzullo Walz (MN)  
 Engel Markey Wasserman  
 Filner McCarthy (NY) Schultz  
 Fincher McNerney Waters  
 Fortenberry Meehan Watt  
 Gardner Meeks Waxman  
 Gonzalez Miller (NC) Whitfield  
 Graves (MO) Moore Wilson (FL)  
 Hanabusa Napolitano Yarmuth  
 Hartzler Noem Yoder  
 Hastings (FL) Owens

## NOT VOTING—21

Clarke (MI) Keating Sánchez, Linda  
 Eshoo Larson (CT) T.  
 Fattah McCotter Slaughter  
 Garamendi Neal Stark  
 Giffords Olver Stivers  
 Gosar Rangel Tsongas  
 Green, Al Rokita Weiner  
 Gutierrez

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

□ 1312

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GOSAR. Mr. Chair, on rollcall No. 454, I would have voted "aye" but was in an interview and missed the vote.

## AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 228, not voting 18, as follows:

## [Roll No. 455]

## AYES—186

Ackerman Gohmert Paul  
 Adams Gonzalez Paulsen  
 Amash Gowdy Payne  
 Andrews Graves (GA) Pelosi  
 Bachmann Green, Gene Peters  
 Baldwin Griffin (AR) Petri  
 Bartlett Grimm Pingree (ME)  
 Heck Pitts  
 Heinrich Hensarling  
 Hultgren Higgins  
 Himes Price (GA)  
 Price (NC)  
 Quayle  
 Quigley  
 Reichert  
 Richardson  
 Roe (TN)  
 Issa  
 Rohrabacher  
 Ros-Lehtinen  
 Ross (FL)  
 Rothman (NJ)  
 Roybal-Allard  
 Royce  
 Runyan  
 Ruppberger  
 Langevin  
 Larsen (WA)  
 Lee (CA)  
 Levin  
 Lipinski  
 Schiff  
 Schrader  
 Schwartz  
 Schweikert  
 Scott (SC)  
 Scott (VA)  
 Sensenbrenner  
 Sessions  
 Sherman  
 Sires  
 McCarthy (NY)  
 McClintock  
 McDermott  
 McGovern  
 McHenry  
 McKinley  
 Meeke  
 Mica  
 Michaud  
 Miller (FL)  
 Miller, Gary  
 Miller, George  
 Moore  
 Moran  
 Mulvaney  
 Murphy (CT)  
 Murphy (PA)  
 Myrick  
 Nadler  
 Nugent  
 Pallone  
 Pascrell

## NOES—228

Ellison  
 Ellmers  
 Emerson  
 Engel  
 Farenthold  
 Farr  
 Fincher  
 Fleischmann  
 Flores  
 Forbes  
 Fortenberry  
 Frelinghuysen  
 Fudge  
 Gallegly  
 Gardner  
 Gerlach  
 Gibbs  
 Gingrey (GA)  
 Goodlatte  
 Gosar  
 Granger  
 Graves (MO)  
 Green, Al  
 Griffith (VA)  
 Grijalva  
 Guinta  
 Guthrie  
 Hall  
 Hanabusa  
 Hanna  
 Harper  
 Harris

Hartzler  
 Hastings (FL)  
 Hastings (WA)  
 Hayworth  
 Herger  
 Hinojosa  
 Hiron  
 Hochul  
 Holden  
 Holt  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hurt  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Jenkins  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Keating  
 Kelly  
 Kildee  
 King (IA)  
 Kingston  
 Kinzinger (IL)  
 Kissell  
 Kline  
 Lamborn  
 Lance  
 Landry  
 Lankford  
 Latham  
 LaTourette  
 Latta  
 Lewis (CA)  
 Lewis (GA)  
 Lowey  
 Lucas  
 Luetkemeyer  
 Luján  
 Lummis

## NOT VOTING—18

Eshoo  
 Garamendi  
 Giffords  
 Gutierrez  
 Larson (CT)  
 McCotter  
 Neal  
 Olson  
 Owens  
 Palazzo  
 Pastor (AZ)  
 Pearce  
 Pence  
 Perlmutter  
 Peterson  
 Poe (TX)  
 Pompeo  
 Rahall  
 Reed  
 Rehberg  
 Renacci  
 Reyes  
 Ribble  
 Richmond  
 Rigell  
 Rivera  
 Roby  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rooney  
 Roskam  
 Ross (AR)  
 Rush  
 Sanchez, Loretta  
 Scalise  
 Matsui  
 McCarthy (CA)  
 McCaul  
 McCollum  
 McIntyre  
 McKeon  
 McMorris  
 Rodgers  
 McNerney  
 Meehan  
 Miller (MI)  
 Miller (NC)  
 Napolitano  
 Neugebauer  
 Noem  
 Nunes  
 Nunnelee  
 Olson  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tierney  
 Tipton  
 Towns  
 Turner  
 Upton  
 Walberg  
 Walden  
 Walz (MN)  
 Wasserman  
 Schultz  
 Webster  
 Westmoreland  
 Whitfield  
 Wilson (FL)  
 Wittman  
 Womack  
 Yarmuth  
 Yoder

□ 1315

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining in this vote.

So the amendment was rejected.  
 The result of the vote was announced as above recorded.

Stated against:  
 Mr. AL GREEN of Texas. Madam Chair, today I was unavoidably detained and missed the vote on: Flake Amendment No. 2 to H.R. 2112. Prohibits the use of funds to be used for the construction of any ethanol blender pump or any ethanol storage facility. Had I been present, I would have voted "no" on this bill.

AMENDMENT OFFERED BY MR. LIPINSKI  
 The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.  
 The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 254, not voting 16, as follows:

[Roll No. 456]

AYES—162

Ackerman  
Aderholt  
Altmire  
Baca  
Baldwin  
Bartlett  
Bass (NH)  
Becerra  
Berkley  
Berman  
Billray  
Bishop (GA)  
Bishop (NY)  
Blackburn  
Brady (PA)  
Braley (IA)  
Brown (FL)  
Burgess  
Caputo  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Chandler  
Chu  
Coble  
Conaway  
Cooper  
Costello  
Courtney  
Cravaack  
Critz  
Cuellar  
Cummings  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Dent  
Deutch  
Dicks  
Doggett  
Dold  
Donnelly (IN)  
Doyle  
Duffy  
Duncan (TN)  
Engel  
Filner  
Fitzpatrick  
Forbes  
Fortenberry  
Foxy

Frank (MA)  
Franks (AZ)  
Garrett  
Gerlach  
Gibson  
Gohmert  
Goodlatte  
Granger  
Graves (MO)  
Griffith (VA)  
Grijalva  
Grimm  
Hanna  
Heck  
Heinrich  
Higgins  
Hinojosa  
Hochul  
Holden  
Holt  
Honda  
Hultgren  
Hunter  
Hurt  
Israel  
Jackson (IL)  
Johnson (IL)  
Jones  
Kaptur  
Keating  
King (NY)  
Kissell  
Langevin  
LaTourette  
Levin  
Lewis (GA)  
Lipinski  
Sires  
Smith (NJ)  
Smith (WA)  
Stark  
Sullivan  
Sutton  
Terry  
Tiberi  
Tonko  
Turner  
Velázquez  
Visclosky  
Waxman  
Welch  
Wittman  
Wolf  
Wu  
Yarmuth

Miller (FL)  
Miller (NC)  
Moore  
Moran  
Murphy (PA)  
Myrick  
Nadler  
Napolitano  
Nugent  
Owens  
Pallone  
Pascrell  
Paul  
Peters  
Platts  
Quigley  
Rahall  
Reichert  
Reyes  
Rigell  
Rohrabacher  
Rooney  
Rothman (NJ)  
Sarbanes  
Schakowsky  
Schiff  
Schilling  
Scott (SC)  
Sensenbrenner  
Serrano  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Smith (NJ)  
Smith (WA)  
Stark  
Sullivan  
Sutton  
Terry  
Tiberi  
Tonko  
Turner  
Velázquez  
Visclosky  
Waxman  
Welch  
Wittman  
Wolf  
Wu  
Yarmuth

NOES—254

Adams  
Akin  
Alexander  
Amash  
Andrews  
Austria  
Bachmann  
Bachus  
Barletta  
Barrow  
Barton (TX)  
Bass (CA)  
Benishek  
Berg  
Biggert  
Bilirakis  
Bishop (UT)  
Black  
Blumenauer  
Bonner  
Bono Mack  
Boren  
Boswell  
Boustany  
Brooks  
Broun (GA)  
Buchanan  
Buchson  
Buerkle  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Campbell  
Canseco  
Cantor

Capps  
Carter  
Cassidy  
Castor (FL)  
Chabot  
Chaffetz  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Coffman (CO)  
Cohen  
Cole  
Connolly (VA)  
Conyers  
Costa  
Crawford  
Crenshaw  
Crowley  
Culberson  
Davis (CA)  
Davis (KY)  
Denham  
DesJarlais  
Diaz-Balart  
Dingell  
Dreier  
Duncan (SC)  
Edwards  
Ellison  
Ellmers  
Emerson  
Farenthold  
Farr

Fattah  
Fincher  
Flake  
Fleischmann  
Fleming  
Flores  
Frelinghuysen  
Fudge  
Gallegly  
Gardner  
Gibbs  
Gingrey (GA)  
Gonzalez  
Gosar  
Gowdy  
Graves (GA)  
Green, Al  
Green, Gene  
Griffin (AR)  
Guinta  
Guthrie  
Hall  
Hanabusa  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hensarling  
Herger  
Herrera Beutler  
Himes  
Hinchev  
Hirono  
Hoyer

Huelskamp  
Huizenga (MI)  
Inslee  
Issa  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Kelly  
Kildee  
Kind  
Payne  
King (IA)  
Kingston  
Kinzinger (IL)  
Kline  
Kucinich  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Larsen (WA)  
Latham  
Latta  
Lee (CA)  
Lewis (CA)  
Lofgren, Zoe  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Maloney  
Marchant  
Marino  
Matsui  
McCarthy (CA)  
McCollum  
McDermott  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney

Meeks  
Miller (MI)  
Miller, Gary  
Miller, George  
Mulvaney  
Murphy (CT)  
Neugebauer  
Noem  
Nunes  
Nunnelee  
Olson  
Palazzo  
Pastor (AZ)  
Paulsen  
Payne  
Pearce  
Pelosi  
Pence  
Perlmutter  
Peterson  
Petri  
Pingree (ME)  
Poe (TX)  
Polis  
Pompeo  
Posey  
Price (GA)  
Price (NC)  
Quayle  
Reed  
Rehberg  
Renacci  
Ribble  
Richardson  
Richmond  
Rivera  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Roskam  
Ross (AR)  
Ross (FL)  
Roybal-Allard  
Royce  
Runyan  
Ruppersberger  
Rush

Ryan (OH)  
Ryan (WI)  
Sanchez, Loretta  
Scalise  
Schmidt  
Schock  
Schrader  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sessions  
Sewell  
Smith (NE)  
Smith (TX)  
Souterland  
Speier  
Stearns  
Stutzman  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tierney  
Tipton  
Towns  
Upton  
Van Hollen  
Walberg  
Walden  
Walsh (IL)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watt  
Webster  
West  
Westmoreland  
Whitfield  
Wilson (FL)  
Wilson (SC)  
Womack  
Woodall  
Woolsey  
Yoder  
Young (AK)  
Young (FL)  
Young (IN)

NOT VOTING—16

Brady (TX)  
Eshoo  
Garamendi  
Giffords  
Gutierrez  
Larson (CT)

McCotter  
Neal  
Oliver  
Rangel  
Rokita

Sánchez, Linda  
T.  
Slaughter  
Stivers  
Tsongas  
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1318

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 3 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 101, noes 314, not voting 17, as follows:

[Roll No. 457]

AYES—101

Amash  
Bachmann  
Bachus  
Bass (NH)  
Benishek  
Berkley  
Black  
Blackburn  
Brooks  
Broun (GA)  
Buerkle  
Burgess  
Burton (IN)  
Campbell  
Cantor  
Carney  
Chabot  
Chaffetz  
Cicilline  
Coble  
Coffman (CO)  
Cohen  
Connolly (VA)  
Cooper  
Culberson  
Davis (CA)  
DeFazio  
Doggett  
Duncan (SC)  
Duncan (TN)  
Fitzpatrick  
Flake  
Fleming  
Foxy

Franks (AZ)  
Garrett  
Gerlach  
Gingrey (GA)  
Gohmert  
Gowdy  
Graves (GA)  
Grimm  
Guinta  
Hall  
Hanabusa  
Hayworth  
Hensarling  
Herrera Beutler  
Hunter  
Jordan  
Lamborn  
Lankford  
LoBiondo  
Long  
Mack  
Matheson  
McClintock  
McCollum  
McHenry  
Meehan  
Miller (FL)  
Miller, Gary  
Moran  
Mulvaney  
Murphy (PA)  
Myrick  
Nugent  
Pascrell

Paul  
Paulsen  
Pearce  
Pence  
Peters  
Polis  
Price (GA)  
Quayle  
Quigley  
Rohrabacher  
Royce  
Ryan (WI)  
Schweikert  
Scott (SC)  
Sensenbrenner  
Sessions  
Smith (NJ)  
Souterland  
Speier  
Stearns  
Stutzman  
Sullivan  
Tiberi  
Tonko  
Van Hollen  
Walberg  
Walsh (IL)  
West  
Wilson (FL)  
Wilson (SC)  
Woodall  
Young (AK)  
Young (IN)

NOES—314

Ackerman  
Adams  
Aderholt  
Akin  
Alexander  
Altmire  
Andrews  
Austria  
Baca  
Baldwin  
Barletta  
Barrow  
Bartlett  
Barton (TX)  
Bass (CA)  
Becerra  
Berg  
Berman  
Biggert  
Billray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blumenauer  
Bonner  
Bono Mack  
Boren  
Boswell  
Boustany  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Brown (FL)  
Buchanan  
Buchson  
Butterfield  
Calvert  
Camp  
Canseco  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson (IN)  
Carter  
Cassidy  
Castor (FL)  
Chandler  
Chu  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cole  
Conaway  
Conyers  
Costa

Costello  
Courtney  
Cravaack  
Crawford  
Crenshaw  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (IL)  
Davis (KY)  
DeLauro  
Denham  
Dent  
DesJarlais  
Deutch  
Diaz-Balart  
Dicks  
Dingell  
Dold  
Donnelly (IN)  
Doyle  
Dreier  
Duffy  
Edwards  
Ellison  
Ellmers  
Emerson  
Engel  
Farenthold  
Farr  
Fattah  
Filner  
Fincher  
Fleischmann  
Flores  
Forbes  
Fortenberry  
Frank (MA)  
Frelinghuysen  
Fudge  
Gallegly  
Gardner  
Gibbs  
Gibson  
Gonzalez  
Goodlatte  
Gosar  
Granger  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Griffin (VA)  
Grijalva  
Guthrie  
Hanna  
Harper  
Harris  
Hartzler

Hastings (FL)  
Hastings (WA)  
Heck  
Heinrich  
Herger  
Higgins  
Himes  
Hinchev  
Hinojosa  
Hirono  
Hochul  
Holden  
Holt  
Honda  
Hoyer  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hurt  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kaptur  
Keating  
Kelly  
Kildee  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kissell  
Kline  
Kucinich  
Labrador  
Lance  
Landry  
Langevin  
Larsen (WA)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas

Luetkemeyer	Petri	Scott, Austin
Luján	Pingree (ME)	Scott, David
Lummis	Pitts	Serrano
Lungren, Daniel	Platts	Sewell
E.	Poe (TX)	Sherman
Lynch	Pompeo	Shimkus
Maloney	Posey	Shuler
Manzullo	Price (NC)	Shuster
Marchant	Rahall	Simpson
Marino	Reed	Sires
Markey	Rehberg	Smith (NE)
Matsui	Reichert	Smith (TX)
McCarthy (CA)	Renacci	Smith (WA)
McCarthy (NY)	Reyes	Stark
McCaul	Ribble	Sutton
McDermott	Richardson	Terry
McGovern	Richmond	Thompson (CA)
McIntyre	Rigell	Thompson (MS)
McKeon	Rivera	Thompson (PA)
McKinley	Roby	Thornberry
McMorris	Roe (TN)	Tierney
Rodgers	Rogers (AL)	Tipton
McNerney	Rogers (KY)	Towns
Meeks	Rogers (MI)	Turner
Mica	Rooney	Upton
Michaud	Ros-Lehtinen	Velázquez
Miller (MI)	Roskam	Visclosky
Miller (NC)	Ross (AR)	Walden
Miller, George	Ross (FL)	Walz (MN)
Moore	Rothman (NJ)	Wasserman
Murphy (CT)	Roybal-Allard	Schultz
Nadler	Runyan	Waters
Napolitano	Ruppersberger	Watt
Neugebauer	Rush	Waxman
Noem	Ryan (OH)	Webster
Nunes	Sanchez, Loretta	Welch
Nunnelee	Sarbanes	Westmoreland
Olson	Scalise	Whitfield
Owens	Schakowsky	Whitman
Palazzo	Schiff	Wolf
Pallone	Schilling	Womack
Pastor (AZ)	Schmidt	Woolsey
Payne	Schock	Wu
Pelosi	Schrader	Yarmuth
Perlmutter	Schwartz	Yoder
Peterson	Scott (VA)	Young (FL)

## NOT VOTING—17

DeGette	Larson (CT)	Sánchez, Linda
Eshoo	McCotter	T.
Garamendi	Neal	Slaughter
Giffords	Olver	Stivers
Gutierrez	Rangel	Tsongas
Inslie	Rokita	Weiner

Ms. BASS of California changed her vote from “aye” to “no.”

□ 1321

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012”.

Mr. KINGSTON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. BISHOP of Utah, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, reported the bill back to the House with sundry

amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 300, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Ms. HOCHUL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Ms. HOCHUL. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit:

Ms. Hochul moves to recommit the bill H.R. 2112 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 55, after line 23, insert the following: In addition, for carrying out section 4a of the Commodity Exchange Act (7 U.S.C. 6a), including establishing limits to diminish, eliminate, or prevent excessive speculation, and as authorized by section 12(d) of such Act (7 U.S.C. 16(d)), \$11,800,000.

Page 6, line 11, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 27, line 11, after the dollar amount, insert “(reduced by \$3,800,000)”.

Page 30, line 10, after the dollar amount, insert “(reduced by \$4,000,000)”.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes in support of her motion.

Ms. HOCHUL. Mr. Speaker, I am here today as someone who very recently stood before the voters, and I can tell you that the constituents I represent are fed up with our inability to control the soaring price of gas in this country. In the diners, in the small businesses, and certainly at the gas stations, you can feel the incredible anger and helplessness of our consumers. And that is why I feel compelled to stand here today to offer this final amendment to restore critical funding to the Commodity Futures Trading Commission.

The CFTC is like the sheriffs in town who protect us from the Wild West of oil speculators. Now if Republicans had their way, they would send these sheriffs packing, let the speculators drive up our gas prices and run wild, just shooting around town. But those who support my final amendment to the bill see it differently. We like law and order. We like it when people play by the rules. And we like having sheriffs around to make sure someone is keeping an eye on these speculators on behalf of our consumers.

The Agriculture appropriations bill under debate right now would hurt

every single person we represent. And among the many problems with this bill is the fact that it cedes regulation of the oil market back to Big Oil, and it pits consumers against speculators.

Today oil is trading at about \$100 a barrel. In my district, my constituents are paying over \$4 a gallon just to fill up, and that’s for regular. The price of diesel is really, really hurting my farmers, who pay a quarter more for every gallon.

You know, the worst part is that none of this is new for western New York. A few years ago, my region had the highest gas prices in America—not high prices, the highest. Even today, the village of Arcade, a tiny village in a farming community in Wyoming County, is listed as having among the highest gas prices in the Nation. How can that possibly be explained? What is so disturbing is that our area was just starting to climb out of recession when the price of gas skyrocketed, sending our recovery efforts backwards.

For all the Members who are concerned about the deficit, I hope you will support this amendment. The high cost of oil is not only bankrupting American families and businesses but is also bankrupting our country.

I know that the folks back home in my district are fed up with the deficit; they’re fed up with the poor economy; and they are fed up with high gas prices. And they want to know what we’re going to do to solve these problems. I’ll tell you, the answer does not lie in firing the regulators who watch and control the speculators who now make up over 70 percent of the market. And that’s exactly what this bill does.

Recently, several traders and firms were charged by the CFTC with price manipulation, trying to hoard crude oil and score a quick \$50 million. And I ask, how does gutting this agency, which protects our consumers from speculators, end up reducing the price of gas? The answer is, it doesn’t.

Even the CEO of Exxon-Mobil blames speculators for the high prices, saying that just last month, oil should be trading around \$60 to \$70 a barrel if it was governed by supply and demand. Can you imagine, \$60 a barrel? Also recently, the world’s largest commodity trader, Goldman Sachs, told their clients that the speculators had artificially driven up the price of oil by as much as \$27 a barrel.

The bottom line is, how do we justify slashing the budget for the only agency that can crack down on excessive speculation? I will tell you, it’s not by firing all the sheriffs just when Jesse James is coming to town. I don’t know about anyone else, but when I return home this weekend, I sure would not want to have to explain my support for a bill that would, in effect, make it easier for Big Oil companies and speculators to take advantage of our consumers, our drivers.

The choice is simple. Does this Congress stand with the consumers, our families, our small businesses, and our

farmers? Or does it stand with the speculators? I know where my constituents expect me to stand.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I want to start off by saying, if this was a serious amendment, if this was a serious proposal—we have had 25 hours of debate—it would have been out on the House floor, and we could have taken a look at it. But let me say this: Very importantly, there is absolutely nothing in this bill that prohibits the CFTC from looking at oil speculation as it respects the supply or the cost of oil.

□ 1330

This amendment is not needed because of that alone. But let me also quote the Democrat Commissioner on the CFTC, Michael Dunn, a Democrat member of the CFTC. There has been a suggestion by some that once we set position limits, that's speculative limits, on physical derivatives, that the price we pay will inevitably drop. I believe this is a fallacy.

To date, the CFTC staff has been unable to find any reliable economic analysis to support the contention that excessive speculation is affecting the markets we regulate, or that position limits will prevent excessive speculation. The price volatility exists in our markets because of global supply and demand for physical commodities.

Now, why are the Democrats trying to get us bogged down in that the price of oil is going up because of speculation? Well, I can tell you. Go back to January 2009, and ask your constituents if they remember paying a 1.83 per gallon. And in that same month, who became President of the United States but President Obama, the Democrat.

The change you were asking for, the change we were promised was that gas went from \$1.83 per gallon to now \$3.80, a 90 percent increase. And the Democrats want us to believe it's because of speculators. You know why it's gone up? Because of more regulation, less permitting, more delays and more lawsuits.

Think about this. The President recently went down to Brazil and he told them, hey, we understand you're going to drill offshore. We encourage you to do so. We want to lend you the money, and we want to become your best customers.

Well, ladies and gentlemen, I've got news for the President. I've got news for the Democrats. American technology and American engineers do not need to hold second place to Brazil or any other country in the world. We are America.

We need to have an all-of-the-above energy policy. We do need to look at solar. We do need to look at ethanol. We do need to look at wind. We need to

also look at nuclear and fossil fuels, and we need to do it here in the United States of America.

We are Americans. And if you want to bring down the price of gas at the pump, then let's increase our own domestic supply and quit playing games of blaming it on Wall Street.

I recommend a "no" vote on the motion to reconsider.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Ms. HOCHUL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 2112; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 233, not voting 14, as follows:

[Roll No. 458]

AYES—185

Ackerman	Doyle	Matheson
Altmire	Edwards	Matsui
Andrews	Ellison	McCarthy (NY)
Baca	Engel	McCollum
Baldwin	Farr	McDermott
Barrow	Fattah	McGovern
Bass (CA)	Filner	McIntyre
Becerra	Frank (MA)	McNerney
Berkley	Fudge	Meeks
Berman	Garamendi	Michaud
Bishop (GA)	Gonzalez	Miller (NC)
Bishop (NY)	Green, Al	Miller, George
Blumenauer	Green, Gene	Moore
Boren	Grijalva	Moran
Boswell	Gutierrez	Murphy (CT)
Brady (PA)	Hanabusa	Nadler
Bralley (IA)	Hastings (FL)	Napolitano
Brown (FL)	Heinrich	Owens
Butterfield	Higgins	Pallone
Capps	Himes	Pascrell
Capuano	Hinchee	Pastor (AZ)
Cardoza	Hinojosa	Payne
Carnahan	Hirono	Pelosi
Carney	Hochul	Perlmutter
Carson (IN)	Holden	Peters
Castor (FL)	Holt	Peterson
Chandler	Honda	Pingree (ME)
Chu	Hoyer	Polis
Ciциlline	Insole	Price (NC)
Clarke (MI)	Israel	Quigley
Clarke (NY)	Jackson (IL)	Rahall
Clay	Jackson Lee	Reyes
Cleaver	(TX)	Richardson
Clyburn	Johnson (GA)	Richmond
Cohen	Johnson, E. B.	Ross (AR)
Connolly (VA)	Jones	Rothman (NJ)
Conyers	Kaptur	Roybal-Allard
Cooper	Keating	Ruppersberger
Costa	Kildee	Rush
Costello	Kind	Ryan (OH)
Courtney	Kissell	Sanchez, Linda
Critz	Kucinich	T.
Crowley	Langevin	Sanchez, Loretta
Cuellar	Larsen (WA)	Sarbanes
Cummings	Lee (CA)	Schakowsky
Davis (CA)	Levin	Schiff
Davis (IL)	Lewis (GA)	Schrader
DeFazio	Lipinski	Schwartz
DeGette	Loebsack	Scott (VA)
DeLauro	Lofgren, Zoe	Scott, David
Deutch	Lowe	Serrano
Dicks	Lujan	Sewell
Dingell	Lynch	Sherman
Doggett	Maloney	Shuler
Donnelly (IN)	Markey	Sires

Smith (WA)  
Speier  
Stark  
Sutton  
Thompson (CA)  
Thompson (MS)  
Tierney  
Tonko

Towns  
Van Hollen  
Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters

Watt  
Waxman  
Welch  
Wilson (FL)  
Woolsey  
Wu  
Yarmuth

NOES—233

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Campbell  
Canseco  
Cantor  
Capito  
Carter  
Cassidy  
Chabot  
Chaffetz  
Coble  
Coffman (CO)  
Cole  
Conaway  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson

Gingrey (GA)  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance  
Landry  
Lankford  
Latham  
LaTourette  
Latta  
Lewis (CA)  
LoBiondo  
Long  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marino  
McCarthy (CA)  
McCaul  
McClintock  
McHenry  
McKeon  
McKinley  
McMorris  
Rodgers  
Meehan  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mulvaney  
Murphy (PA)  
Myrick  
Neugebauer  
Noem

Nugent  
Nunes  
Nunnelee  
Olson  
Palazzo  
Paul  
Paulsen  
Pearce  
Pence  
Petri  
Pitts  
Platts  
Poe (TX)  
Pompeo  
Posey  
Price (GA)  
Quayle  
Reed  
Reichberg  
Reichert  
Renacci  
Ribble  
Rigell  
Rivera  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross (FL)  
Royce  
Runyan  
Ryan (WI)  
Scalise  
Schilling  
Schmidt  
Schock  
Schweikert  
Scott (SC)  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Southernland  
Stearns  
Stutzman  
Sullivan  
Terry  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Turner  
Upton  
Walberg  
Walden  
Walsh (IL)  
Webster  
West  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Young (AK)  
Young (FL)  
Young (IN)

NOT VOTING—14

Eshoo  
Giffords  
Larson (CT)  
McCotter  
Neal

Olver  
Rangel  
Rokita  
Slaughter  
Stivers

Tsongas  
Weiner  
Westmoreland  
Yoder

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1352

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 217, nays 203, not voting 12, as follows:

[Roll No. 459]

YEAS—217

Adams	Gowdy	Olson
Aderholt	Granger	Palazzo
Akin	Graves (GA)	Paulsen
Alexander	Graves (MO)	Pearce
Austria	Griffin (AR)	Pence
Bachus	Grimm	Petri
Barletta	Guinta	Pitts
Bartlett	Guthrie	Platts
Bass (NH)	Hall	Poe (TX)
Benishek	Hanna	Pompeo
Berg	Harper	Posey
Biggert	Harris	Price (GA)
Bilbray	Hartzler	Quayle
Billirakis	Hastings (WA)	Reed
Bishop (UT)	Hayworth	Rehberg
Black	Heck	Reichert
Blackburn	Hensarling	Renacci
Bonner	Hерger	Ribble
Bono Mack	Herrera Beutler	Rigell
Boustany	Huelskamp	Rivera
Brady (TX)	Huizenga (MI)	Roby
Brooks	Hultgren	Roe (TN)
Buchanan	Hunter	Rogers (AL)
Bueshon	Hurt	Rogers (KY)
Buerkle	Issa	Rogers (MI)
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Canseco	Johnson, Sam	Ross (FL)
Cantor	Jordan	Royce
Capito	Kelly	Runyan
Carter	King (NY)	Ryan (WI)
Cassidy	Kingston	Scalise
Chabot	Kinzinger (IL)	Schilling
Chaffetz	Kline	Schmidt
Coble	Labrador	Schock
Coffman (CO)	Lamborn	Scott (SC)
Cole	Lance	Scott, Austin
Conaway	Landry	Sensenbrenner
Cravaack	Lankford	Sessions
Crawford	Latham	Shimkus
Crenshaw	LaTourette	Shuster
Culberson	Latta	Simpson
Davis (KY)	Lewis (CA)	Smith (NE)
Denham	LoBiondo	Smith (NJ)
Dent	Long	Smith (TX)
DesJarlais	Lucas	Southerland
Diaz-Balart	Luetkemeyer	Stearns
Dold	Lummis	Stutzman
Dreier	Lungren, Daniel	Sullivan
Duffy	E.	Terry
Duncan (SC)	Mack	Thompson (PA)
Ellmers	Manzullo	Thornberry
Emerson	Marchant	Tiberi
Farenthold	Marino	Tipton
Fitzpatrick	McCarthy (CA)	Turner
Fleischmann	McCaul	Upton
Fleming	McHenry	Walberg
Flores	McKeon	Walden
Forbes	McKinley	Walsh (IL)
Fortenberry	McMorris	Webster
Fox	Rodgers	West
Frelinghuysen	Meehan	Westmoreland
Gallely	Mica	Whitfield
Gardner	Miller (MI)	Wilson (SC)
Garrett	Miller, Gary	Wittman
Gerlach	Mulvaney	Wolf
Gibbs	Murphy (PA)	Womack
Gibson	Myrick	Woodall
Gingrey (GA)	Neugebauer	Yoder
Gohmert	Nugent	Young (AK)
Goodlatte	Nunes	Young (FL)
Gosar	Nunnelee	Young (IN)

## NAYS—203

Ackerman	Fincher	Murphy (CT)
Altmiere	Flake	Nadler
Amash	Frank (MA)	Napolitano
Andrews	Franks (AZ)	Noem
Baca	Fudge	Owens
Bachmann	Garamendi	Pallone
Baldwin	Gonzalez	Pascarell
Barrow	Green, Al	Pastor (AZ)
Barton (TX)	Green, Gene	Paul
Bass (CA)	Griffith (VA)	Payne
Becerra	Grijalva	Pelosi
Berkley	Gutierrez	Perlmutter
Berman	Hanabusa	Peters
Bishop (GA)	Hastings (FL)	Peterson
Bishop (NY)	Heinrich	Pingree (ME)
Blumenauer	Higgins	Polis
Boren	Himes	Price (NC)
Boswell	Hinchey	Quigley
Brady (PA)	Hinojosa	Rahall
Braley (IA)	Hirono	Reyes
Broun (GA)	Hochul	Richardson
Brown (FL)	Holden	Richmond
Burgess	Holt	Rohrabacher
Butterfield	Honda	Ross (AR)
Campbell	Hoyer	Rothman (NJ)
Capps	Inslee	Roybal-Allard
Capuano	Israel	Ruppersberger
Cardoza	Jackson (IL)	Rush
Carnahan	Jackson Lee	Ryan (OH)
Carney	(TX)	Sánchez, Linda
Carson (IN)	Johnson (GA)	T.
Castor (FL)	Johnson, E. B.	Sanchez, Loretta
Chandler	Jones	Sarbanes
Chu	Kaptur	Schakowsky
Cicilline	Keating	Schiff
Clarke (MI)	Kildee	Schrader
Clarke (NY)	Kind	Schwartz
Clay	King (IA)	Schweikert
Cleaver	Kissell	Scott (VA)
Clyburn	Kucinich	Scott, David
Cohen	Langevin	Serrano
Connolly (VA)	Larsen (WA)	Sewell
Conyers	Lee (CA)	Sherman
Cooper	Levin	Shuler
Costa	Lewis (GA)	Sires
Costello	Lipinski	Smith (WA)
Courtney	Loebsack	Speier
Critz	Lofgren, Zoe	Stark
Crowley	Lowey	Sutton
Cuellar	Luján	Thompson (CA)
Cummings	Lynch	Thompson (MS)
Davis (CA)	Maloney	Tierney
Davis (IL)	Markey	Tonko
DeFazio	Matheson	Towns
DeGette	Matsui	Van Hollen
DeLauro	McCarthy (NY)	Velázquez
Deutch	McClintock	Visclosky
Dicks	McCollum	Walz (MN)
Dingell	McDermott	Wasserman
Doggett	McGovern	Schultz
Donnelly (IN)	McIntyre	Waters
Doyle	McNerney	Watt
Duncan (TN)	Meeks	Waxman
Edwards	Michaud	Welch
Ellison	Miller (FL)	Wilson (FL)
Engel	Miller (NC)	Woolsey
Farr	Miller, George	Wu
Fattah	Moore	Yarmuth
Filner	Moran	

NOT VOTING—12

Eshoo	Neal	Slaughter
Giffords	Oliver	Stivers
Larson (CT)	Rangel	Tsongas
McCotter	Rokita	Weiner

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1401

Mr. GUTIERREZ changed his vote from “yea” to “nay.”

Mr. GARY G. MILLER of California changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, and 459. Had I been present, I would have voted “aye” on rollcall vote Nos. 437, 439, 440, 441, 442, 443, 447, 449, 450, 452, 454, 456, and 458. I would have voted “no” on rollcall vote Nos. 438, 444, 445, 446, 448, 451, 453, 455, 457, and 459.

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

## REAPPOINTMENT OF SHIRLEY ANN JACKSON AS A CITIZEN REGENT OF THE SMITHSONIAN BOARD OF REGENTS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 7) providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 7

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Shirley Ann Jackson of New York, is filled by reappointment of the incumbent for a term of 6 years effective May 6, 2011.*

The joint resolution 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.

## REAPPOINTMENT OF ROBERT P. KOGOD AS A CITIZEN REGENT OF THE SMITHSONIAN BOARD OF REGENTS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 9) providing for the reappointment of Robert P. Kogod as a

citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 9

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Robert P. Kogod of the District of Columbia, is filled by reappointment of the incumbent for a term of 6 years, effective May 6, 2011.*

The joint resolution 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.

**PERMITTING OFFICIAL PHOTOGRAPHS OF THE HOUSE OF REPRESENTATIVES TO BE TAKEN WHILE THE HOUSE IS IN ACTUAL SESSION ON A DATE DESIGNATED BY THE SPEAKER**

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent the committee on House Administration be discharged from further consideration of House Resolution 299 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 299

*Resolved, That on such date as the Speaker of the House of Representatives may designate, official photographs of the House may be taken while the House is in actual session. Payment for the costs associated with taking, preparing, and distributing such photographs may be made from the applicable accounts of the House of Representatives.*

The resolution was agreed to.

A motion to reconsider was laid on the table.

**LIBRARY OF CONGRESS ADMINISTRATIVE OPERATIONS IMPROVEMENT ACT**

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I call up the bill (H.R. 1934) to improve certain administrative operations of the Library of Congress, and for other purposes, and ask unanimous consent 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 California?

There was no objection.

The text of the bill is as follows:

H.R. 1934

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

**SECTION 1. PERMITTING USE OF PROCEEDS FROM DISPOSITION OF SURPLUS OR OBSOLETE PERSONAL PROPERTY.**

(a) DISPOSITION OF PROPERTY.—Within the limits of available appropriations, the Librarian of Congress may dispose of surplus or obsolete personal property of the Library of Congress by interagency transfer, donation, sale, trade-in, or other appropriate method.

(b) USE OF PROCEEDS.—Any amounts received by the Librarian of Congress from the disposition of property under subsection (a) shall be credited to the funds available for the operations of the Library of Congress, and shall be available to acquire the same or similar property during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2012 and each succeeding fiscal year.

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

**GENERAL LEAVE**

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on Senate Joint Resolution 7, Senate Joint Resolution 9, House Resolution 299, and H.R. 1934.

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

There was no objection.

**ADJOURNMENT TO MONDAY, JUNE 20, 2011**

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Monday next.

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

There was no objection.

**REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H. CON. RES. 59 AND H.R. 657**

Mr. BISHOP. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. RANGEL) be removed as a cosponsor from H. Con. Res. 59, of which I am a sponsor, and that my name be removed from H.R. 657.

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

There was no objection.

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380**

Mr. RIGELL. Mr. Speaker, I ask unanimous consent that my name be

removed as a cosponsor from the bill, H.R. 1380.

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

There was no objection.

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380**

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 1380.

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

There was no objection.

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380**

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1380.

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

There was no objection.

**LEGISLATIVE PROGRAM**

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

Mr. HOYER. I yield to my friend, the majority leader, for the purpose of inquiring about the schedule for the coming week.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. on Friday.

We will consider a few bills under suspension of the rules on Tuesday, which will be announced by the close of business tomorrow.

In addition, Mr. Speaker, I expect the House to consider H.R. 1249, the American Invents Act. This jobs bill is sorely needed to fundamentally address the backlog of 700,000 applications at the Patent and Trade Office. It will encourage entrepreneurship and growth by unlocking American entrepreneurship and growth.

The House will also consider a bill from the Energy and Commerce Committee, H.R. 2021, the Jobs and Energy Permitting Act of 2011, which addresses high gas prices.

I also expect further action on the FAA bill early in the week.

Finally, Mr. Speaker, I expect the House to begin consideration of the Department of Defense appropriations bill for fiscal year 2012, along with potential legislation related to the ongoing military conflict in Libya.

Mr. HOYER. I thank the gentleman for that information on the schedule for the coming week.

I want the gentleman to know that on our side we are very pleased to see the patent reform legislation brought to the floor. As you know, that's a part of our Make it in America agenda. I know it's a part of your agenda as well. I think this is something on which there obviously has been some controversy with respect to provisions of the bill, but it is absolutely essential that we give certainty to patents and to accelerate the approval of patents. The backlog that exists is not acceptable. I am pleased that this legislation has come to the floor. Very frankly, this is a needed and welcome piece of jobs legislation.

One of the concerns we have on this side of the aisle, as you know, is that we have not from our perspective had a jobs focus in the last 6 months. We welcome this part of our Make it in America agenda and part of your agenda as well. Again, I think we can cooperate in this effort, hopefully, and have a bipartisan effort on this patent reform bill.

□ 1410

I also would raise the issue, Mr. Majority Leader, I want to say that I know that you and Mr. KYL and others have been participating in the talks with Vice President BIDEN. There have been constructive talks, I understand from your comments and the comments of Mr. VAN HOLLEN and Mr. CLYBURN on our side. We are very hopeful that these talks will prove fruitful and that we can move ahead. We believe it's critical, as you know, and as you have articulated, that we address the default prevention responsibility that we share. Clearly, America wants to pay its bills, the American public expects us to pay our bill, and the international community expects us to pay our bills. You and I have both read quotes from Mr. Bernanke, business leaders like Jamie Diamond, economists and others who have indicated that failure to assure that America does not default on its bills will have very dire consequences both here and around the world.

So I am hopeful, Mr. Leader, that, although you did not announce it, we have very little time left, as you know, before the August 2nd date which Secretary Geithner has indicated is the date on which we will no longer have the cash flow ability to meet our obligations as they become due and to fund the programs that we have authorized and provided for the executive department to carry out.

I would very much be interested in your thoughts with reference to how we ensure that we take action in a timely fashion. I was very pleased to see Speaker BOEHNER's comment about a week and a half ago that he was focused on assuring that we did not default and provide for the payment of our debts prior to the end of this

month. As you know, we have 4 days left, or 3½ days left, in this month, and that's next week, because the following week we're off. I would very much be interested in your observations on how you see us going forward on this critically important issue.

I yield to the gentleman from Virginia.

Mr. CANTOR. I thank the gentleman for yielding. I also thank the gentleman for his remarks in couching his observation or characterization of the agenda having been brought forth by our side over the last several months, because we believe strongly that the focus should be on jobs. We differ, I believe, with the gentleman and his side of the aisle that a growth agenda is not necessarily a government program, and so our agenda, our jobs agenda, is focused on trying to eliminate the environment which is full of burdensome regulations, unfair taxes, and new mandates on the real job engines of this country, which are, Mr. Speaker, the small businesses and entrepreneurs of this country.

If the gentleman would look to see what we have been doing over the last several months, he would see that our agenda is very focused on accomplishing that end.

We passed H. Res. 72. It was a resolution directing our committees to take inventory and review existing, pending and proposed regulations and orders from agencies of the government with respect to their impact on jobs. Those reports are due June 30. They will be focused on the kinds of things that we could be doing to remove the impediments that government here in Washington has created for small business growth.

We also brought forth H.R. 872, the Reducing Regulatory Burdens Act, dealing with a duplicative application of regulations on the pesticide industry, and, as the gentleman knows, that bill had a lot of bipartisan support.

We also brought forward H.R. 910, which was the Energy Tax Prevention Act. Mr. Speaker, I think there is probably very little dissent among small businesses in this country that the EPA has stepped entirely beyond its bounds and has provided gross impediments to the growth of manufacturing and small business in this country. That bill was squarely aimed at trying to force the EPA to stop in its conduct of attempting to accomplish what the prior majority tried to do under its cap-and-tax agenda.

Mr. Speaker, I would further say, we brought H.J. Res. 37 to the floor. This was a resolution of disapproval regarding the FCC's regulation of the Internet and broadband industry practices, otherwise called the bill to stop its attempt to control the Internet. The ability for the government to begin to impose its will on the Internet is a job-killer. That bill was also taken up by the majority.

We also, as the gentleman knows, passed H.R. 4, the Small Business Pa-

perwork Mandate Elimination Act. He and his side joined us in the bill, which began to repeal the job-killing nature of the health care bill. It was otherwise known as the 1099 provision, which all small businesses said placed too much paperwork burden on them.

We also have been very focused on what people are most focused on when they begin to think about the summertime and taking a vacation, which is the gas prices and the prices at the pump, and we have brought forward H.R. 1230, H.R. 1229, and H.R. 1231, all of which were aimed at trying to lower the cost of fuel in this country, to maximize energy production in this country, so not only could families have the ability to do what they need but also that businesses could see lower energy costs.

And all of this, Mr. Speaker, takes place in the context where we've got a government that is borrowing 40 cents of every dollar it spends. We believe strongly that not only do we need to focus first on growth but we've got to finally do what Washington has failed over the decades, which is to get its fiscal act in order, to ensure that we don't allow spending to get out of control again.

Mr. Speaker, the gentleman asked about the Biden talks. I share his commitment, as he related, that this is an important issue, that no one thinks that America shouldn't pay its bills. But I would also add, Mr. Speaker, that the people who elected us expect us to ensure that the fiscal insanity that has been taking place in this town stop and that we put in place reforms so we can demonstrate that we've changed the system. That's the spirit in which our side has engaged in the talks with the Vice President.

As the gentleman knows, I have been very public in my praise of the Vice President in his conduct of these talks. I am hopeful that we can meet or exceed the expectations right now, which is to say we are aiming to reduce spending by the trillions in order for us to engage in the kind of vote-taking that needs to take place to stave off a default.

But I say to the gentleman, first and foremost, our side will not support any attempt to raise the debt ceiling that is not accompanied by the kind of cuts necessary and reforms necessary, nor will we support an attempt to raise the debt limit that raises people's taxes. That, we don't want to do.

So, again, I am cautiously optimistic that we are moving forward so as to come to some agreement that meets those guidelines.

Mr. HOYER. I thank the gentleman for his comments.

I would respectfully note that so much of what he talked about was resolutions. I think resolutions clearly do state an opinion. Whether or not they have any ultimate effect is to be seen.

I think the American public, in looking at the agenda the gentleman has just gone through, probably says to



themselves, Well, we don't see the jobs in that agenda. We do see the agenda in that agenda. We do see the politics in that agenda. In any event, I am pleased, as I said at the outset, that we do have a jobs bill that I think will have an impact coming to the floor this coming week, the patent reform bill, which I think is essential.

As it relates to the precluding of America's defaulting on the obligations it has incurred, I appreciate what the gentleman has to say, but, of course, the rating agencies, three agencies now, which have said we stand at risk of losing our AAA rating, which America has always had, does not distinguish between how we get to where we have a vote of approval on allowing America to pay its bills.

□ 1420

I, too, like the gentleman from Virginia, want to reach an agreement on the reduction of the deficit and the substantial reduction of the debt. The gentleman indicates he wants to cut spending by trillions. However, as we all know—and I've repeated—the gentleman voted for a rules package the first day of this session which provides for \$4.8 trillion in additional deficit without paying for it. That is the continuation of taxes while not cutting the spending by that amount.

You precluded our continuing to provide for statutory PAYGO applying to revenues as well as expenditures. Both obviously have an impact on the deficit that we incur. We incurred substantial expense during the Bush administration, as you know, some almost \$3.5 trillion of deficit spending, or \$2.5 trillion depending upon where you count some of the expenditures; but in any event, it's a minimum of \$2.5 trillion which we didn't pay for, and we therefore increased the debt by 86 percent in those 8 years of the Bush administration.

Both of us agree that we have to abandon policies of buying things without paying for them and of spending beyond our means. I would hope that we could join together in accomplishing that objective. Literally, we have less than 21 days of legislative time remaining before August 2, whether or not we can reach agreement, and I hope we can reach agreement. Surely, I would hope the gentleman would agree that allowing America to default on its bills is not an acceptable alternative even if we can't get to agreement. We want to get to agreement. I want to work with the gentleman to get to agreement, but allowing America to default on its bills should not be an option.

Mr. CANTOR. I thank the gentleman.

I will just underscore the sense that the gentleman, Mr. Speaker, says that the markets are watching. I believe that is the case. I also believe the markets are looking for us to enact real reforms, real spending reductions. So by just acting to increase the credit limit of this country without following

through on our commitment for spending cuts and reform is just checking the box and is reckless.

That's why I say to the gentleman it is important for us to come together, to walk together, to make sure that we are able to execute on a plan to reduce spending once and for all and to reform this system here in Washington so that the markets understand we mean what we say. It's time for us to make the tough decisions now and not to just stall and say we'll do it later. The people of this country have seen that over and over again, and they're tired of it.

Mr. HOYER. I thank the gentleman.

Tough decisions, however, are not to pretend there's a free lunch. What we buy, we need to pay for, and if we don't want to pay for it, we shouldn't buy it. Now, frankly, that didn't happen under each one of the budgets that we adopted from 2001 to 2008, the 2009 budget. It didn't happen. We spent far beyond that which we paid for in those budgets, and that took a \$5.6 trillion surplus projection to an almost 100 percent turnaround and an over \$10 trillion projected deficit.

I'll just say to the gentleman, I agree with you. We need to make the tough decisions. We may need to make the tough decisions on cutting spending. We need to make the tough decisions on paying for what we buy. Hopefully, we will have the courage and the wisdom on both sides of the aisle to do just that.

Mr. CANTOR. I thank the gentleman.

I hope we also have the courage and the wisdom to focus on what it is the people sent us here to do. They sent us here to focus on jobs and the economy. Yes, we take seriously our responsibility to get the fiscal house in order; but if the priority is about jobs, we know jobs don't come from government programs overall; they come from the private sector. Over half the people in this country work for small businesses. The number of small business startups in this country has been anemic of late. We've got to focus on that and ensure that we are responding to what people want. That is, they want more growth in this economy, and they want to get back to work. That should be our goal.

Mr. HOYER. I thank the gentleman for his comments, and I agree with him.

What they need is confidence in the management at the Federal level of the finances of our Nation. They had that confidence in the nineties when we had balanced budgets. They did not have that confidence in the last decade, and our economy shows the result. I certainly share the gentleman's view that, if we can give them that confidence, our economy will grow, and jobs will be created. I'm for working together to accomplish that objective.

I yield back the balance of my time.

#### RE&EE EXPO AND FORUM

(Mr. BARTLETT asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BARTLETT. Mr. Speaker, today is the 14th Annual Congressional Renewable Energy and Energy Efficiency Expo and Forum going on until 4:30 p.m. in the Cannon Caucus room. The theme of this year's expo is "Efficiency + Renewables = Economic and National Security." There are 57 exhibitors, including the United States Air Force. They all have displays.

I encourage everyone to go and see the expo before you leave for the day.

In addition to the House and Senate Renewable Energy and Energy Efficiency Caucuses, we partnered in hosting with the Sustainable Energy Coalition and its sister caucuses: the House Sustainable Energy and Environment Coalition, the House Algae Energy Caucus, the House Hydrogen and Fuel Cell Caucus, the House High Performance Building Caucus, the Green Jobs Caucus, as well as the Congressional Peak Oil Caucus, and the Oil and National Security Caucus.

I want to give special thanks to my colleague from Maryland, Congressman CHRIS VAN HOLLEN, who is the veteran co-chair of the House Renewable Energy and Energy Efficiency Caucus, and Ken Bossong. This event would not have been possible without the efforts of Mr. Bossong and the Sustainable Energy Coalition.

Please go to the Cannon Caucus, and see the great exhibits there—57 exhibitors, including the United States Air Force.

#### HONORING FALLEN FIREFIGHTER SCOTT DAVIS

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

Mr. PENCE. Mr. Speaker, I rise today with a heavy heart to pay a debt of gratitude to a life of service and sacrifice by one of Indiana's bravest.

Scott Davis of Muncie, Indiana, was a devoted husband, father and a firefighter. A former Yorktown fire chief, he'd been with the Muncie Fire Department since the 15th of June 2005.

Tragically, yesterday, Firefighter Scott Davis was killed while fighting a fire at the Tabernacle of Praise Church in Muncie, Indiana. He would become the first Muncie firefighter to give his life in the line of duty since 1955.

Those who knew Scott Davis were not surprised at the boldness and bravery that he displayed in the Tabernacle of Praise fire, where he fell. He bravely sacrificed his life protecting the community, and in so doing, Scott Davis will forever be remembered as a hero and as a servant leader. In the midst of this great tragedy, I honor Firefighter Scott Davis.

We should also take a moment to remember each and every man and woman who serve and volunteer full time in fire departments around this country. We should always remember

and be grateful for those who run in when others run out.

Today, we remember Scott Davis, a devoted husband to his wife, Raeanne, and a loving father of three—Jake, Emma and Max. From my family to yours, we offer our deepest condolences and those of the people of Muncie-Delaware County in the Sixth Congressional District of Indiana. The service and sacrifice of Scott Davis will never be forgotten.

□ 1430

#### CONGRATULATING TEXAS A&M UNIVERSITY MEN'S AND WOMEN'S TRACK TEAMS ON THEIR THIRD NATIONAL CHAMPIONSHIP

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

Mr. FLORES. Mr. Speaker, I rise today with another remarkable opportunity to recognize Texas A&M University.

This past Saturday, an unprecedented third straight national championship was won in track by both the men's and women's teams. The Aggie men and women track teams both ran the 1600-meter relays to give them their third consecutive national titles at Drake Stadium in Des Moines, Iowa. This makes the Aggie track program the first in collegiate history to win both men's and women's team titles in three consecutive outdoor seasons.

The amazing talent, depth, and teamwork displayed by these athletes helped the team overcome obstacles and a shaky start to finish strong with a phenomenal win.

I commend Coach Pat Henry for his outstanding leadership in guiding the Aggies to victory, and for becoming the only coach to accomplish a triple double of NCAA championships.

I also recognize Athletic Director Byrne for his second and third NCAA national championships at Texas A&M this year.

I am honored both as an alumnus and as a Member of Congress to represent such an accomplished and well-deserving university.

Congratulations and thank you to the hardworking men and women of the Aggie track teams, to Coach Henry, and to the loyal fans of Texas A&M University for making history.

Gig 'em, and great job.

#### THE PRESIDENT'S FAILED ECONOMIC POLICIES

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

Mr. FLORES. Mr. Speaker, most Americans remember 1 year ago tomorrow President Obama and Vice President BIDEN launched what the White

House enthusiastically called the "recovery summer." This was supposed to be a 6-week-long push to highlight what the Obama administration said would be jobs created last summer by a surge in Federal stimulus spending across the country.

Senior Adviser to the President David Axelrod said, "This summer will be the most active Recovery Act season yet, with thousands of highly visible road, bridge, water, and other infrastructure projects breaking ground across the country, giving the American people a firsthand look at the Recovery Act in their own backyards and making it crystal clear what the cost would have been of doing nothing."

Yet, the only thing that is crystal clear to the majority of Americans is that there is nothing to show from the Democrats' failed economic policies that have set our country on a road to ruin.

Since President Obama has taken office he has done absolutely nothing to promote American energy production. He has done nothing to reduce the regulatory burdens on small business owners. He has done nothing to fix the Tax Code to help job creators. He has done nothing to increase competitiveness for American manufacturers. And he has done nothing to pay down America's unsustainable debt burden and bring back confidence among investors and entrepreneurs by supporting long-term American economic growth.

And now, President Obama is selling the sequel to last year's "recovery summer" sales pitch and kicking off this summer by trying to convince the American people that 28 consecutive months of unemployment above 8 percent is just a bump in the road to recovery. In addition, a number of Democrats are calling for billions more in taxpayer dollars to be spent on yet another wasteful stimulus to create jobs, but Americans aren't buying it.

Unemployment is nowhere near the 6.8 percent level at which the administration claimed it would be today if the stimulus was signed into law. When America's promise, prosperity, and security for future generations are at stake, this cannot be brushed off as just a bump in the road. It is a mountain of constraint put in place by a litany of failed Democrat policies and unfulfilled promises.

And what's worse is that President Obama recently laughed off the fact that his stimulus projects, which are costing taxpayers trillions of dollars, have failed to live up to their promise to create new jobs. Democrats promised this would be the summer of recovery, but their conflicting assessment of the economy and their double-talk has left American families wondering: Is this a joke?

Well, most economists and the American people are not laughing. Their concern is growing, and confidence in President Obama's economic policies is plunging more and more every day, and the idea of another stimulus bill is dead on arrival in the House.

In the face of the greatest economic crisis since the Great Depression, this administration and the Democrats in Congress are choosing to play politics with economic recovery and continue with another round of empty rhetoric and unfulfilled promises in their desperate sales pitch again this summer.

House Republicans are serious about creating real American jobs, and we're making it our mission to put Americans back to work. We know that what we need are commonsense policies that will create jobs in this country immediately. We cannot let this administration have another frivolous shot at the wasteful spending of taxpayer's hard-earned dollars, or be given more regulatory power or allowed to spin its way out of the catastrophic economy the Democrats have created with empty phrases like "recovery summer."

House Republicans have produced a pro-growth, pro-job creation budget, as well as a real plan for America's job creators. Both plans will put the Nation on a fiscally sustainable path to restore confidence, lower tax rates, and allow America to remain competitive in the global economy. We want to take the burden of regulation off of our job creators and produce more American energy so that Americans can start receiving the paychecks that they need and deserve. And we want to reduce the hostility of the Federal Government's regulators toward American business, both small and large.

We cannot allow this out-of-touch administration to continue with their failed experiments and silly punchlines. We cannot allow Washington Democrats to tax and spend away the futures of our children and our grandchildren. We cannot continue down the road to ruin, Mr. Speaker.

Coming from the private sector to Congress, I know that America can and will become prosperous beyond imagination and millions of new private sector jobs will be created if we would just get back to our founding free market principles and end big government and wasteful spending. It is time we take a different road this summer, Mr. Speaker. We cannot continue on the misguided and irresponsible path endorsed by the other side of the aisle of higher taxes, reckless spending, bigger government, explosive debt, crippling regulation, higher deficits, and unacceptably high unemployment.

Eighty-one percent of Americans know somebody without a job. As a matter of fact, if you'd look at the unemployment rate that includes underemployed and unemployed, almost one out of every five Americans is unemployed or underemployed today. Under President Obama's watch, almost 40,000 jobs have been lost every 2 weeks. President Obama's so-called stimulus was signed into law 28 months ago, and there are nearly 2 million fewer Americans with jobs today. They have had their chance to make things right last summer, and it has not worked. Now it is our turn.

These are undoubtedly tough times, and I want to continue the great American legacy of leaving our children better off than we ourselves are. It pains me to know that only 17 percent of the mothers in this country believe that their children will be better off in the future. It doesn't have to be this way. There has not been a more important time in our Nation's history to realign our principles and policies in light of current economic reality.

As the son of a hardworking rancher in the Texas Panhandle, I always reflect back to those tough decisions and sacrifices that my family made around the kitchen table. We had no choice but to live within our means. Every day I remember these life lessons whether I'm balancing my family budget, or making important decisions for my constituents. I must represent the best in terms of taking care of our country's fiscal health.

We must make tough decisions on spending, on tax reform, and on reducing our Nation's debt, and we must remain committed to spurring economic growth and job creation. We must do this, most importantly, because we owe it to our children and our grandchildren so that they're afforded the same American promise and prosperity and security that we were when we were born.

Mr. Speaker, about 3 months ago, my wife and I had our first granddaughter. We want that girl when she grows up to have the same opportunities to live the American dream that we had when we were born.

Mr. Speaker, before I close, I'd like to ask our American people to remember our country in their prayers during these difficult times and also to remember to pray for our military men and women who protect it daily.

I yield back the balance of my time.

□ 1440

#### ROBO-ABORTIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the House of Representatives to address you about the issues that are important, I think, to you and to all of us who serve in this United States Congress. As we know, the American public watches the work that we do here, and sometimes we need to send a message along on how we would like to hear that work interpreted.

Today I will take up two or perhaps three subjects. One of them is a piece of legislation that is an amendment that I offered on the Agriculture appropriations bill that did pass the House of Representatives today and became part of the bill, as final passage. That amendment was an amendment that had language in it that prohibited any

of the funds in the bill from being used to support the telemed components of this, which are used to distribute RU-486, or the legal drug name for RU-486, which we know, Mr. Speaker, is an abortion pill.

It has become a practice in Iowa where Planned Parenthood is using Iowa as an experimental State to do what I call Skype robo-abortions. Under the Food and Drug Administration regulations under RU-486, they are required to have a physician present who can conduct a number of emergency procedures, if necessary, to examine the patient.

And Planned Parenthood has circumvented this. They've clearly violated the intent of the regulation. I believe they literally violate the regulation of the FDA on RU-486, the abortion pill, and have set up and have been practicing what I call Skype robo-abortions.

In other words, a young woman who is pregnant would go to a Planned Parenthood center in Iowa, sit down in a room where there is a computer screen monitor in front of her on a desk that has a drawer in it, usually. And there are a number of different practices. A physician who might be 1,000 miles away is on the other end of the computer Internet connection, and this physician would then ask questions of this soon-to-be mother. And once she answers the questions to his satisfaction, or her satisfaction, the physician's satisfaction, there is a button pushed, a little drawer opens up, and the abortion pill rolls out and is there for the individual to take the pill, where she's advised to go home now, and your body will go through some significant changes and will expel this little baby. This is Skype robo-abortions.

Under the grant program that is facilitated by funding within this Ag appropriations bill, there have been already some grants that have been offered and presented to Planned Parenthood that have been administered by Health and Human Services, Kathleen Sebelius' agency.

I know this, Mr. Speaker, because I headed up a letter that was signed by 70 Members of Congress, asking for the documentation and a form from Health and Human Services: Are you providing grants to abortion providers? to Planned Parenthood specifically? That answer was "yes." And are these grants for telemedicine? That's the category that's in the bill, an Ag approps bill that just passed this House. There is \$15 million for telemedicine.

Telemedicine is supposed to help so we can do diagnosis or can remotely diagnose, not so that we can do remote Skype robo-abortions. So the amendment that passed here clearly says, You can't use any of the funds for telemedicine that would be used to distribute or used to facilitate the RU-486 abortion drug. And there's a little more precise language than that. Mr. Speaker, I want to make it clear that

I put the precise language into the RECORD last night during the debate on that amendment, the precise language, which is the congressional intent for this amendment. There is no misunderstanding, however, Mr. Speaker, since Planned Parenthood also scored this vote and also interpreted it in the way that I have just stated.

So I just simply clarify this into the RECORD that these funds, under this appropriations bill, will not go to telemedicine grants that could be used for the purposes of facilitating the Skype robo-abortions that I've described. And I am grateful to the House of Representatives for a significant majority to pass that amendment. I am grateful for the strong pro-life majority that this Congress now has, the position that this Congress has taken a number of times, that it is, a lot of us believe, immoral.

Some others won't take that position. They say, It is unjust to compel taxpayers to fund abortions or to fund the facilitation of abortions through their tax dollars. In a way, it's the majority in this Congress now, the pro-life majority in this Congress, that has given the American taxpayer the voice of conscientious objection to the federally funded facilitation of abortions.

I am grateful that this Congress now has this majority. I am grateful that they've put this vote up again today, and there have been multiple votes in this new Congress that express the very sentiment that I have just expressed. So I am expressing, Mr. Speaker, my gratitude to the House of Representatives. And my commitment continues forward down this theme until we can one day see an end to the ghastly and ghoulish and gruesome procedures that sometimes are described as "women's health services." They are not, and they are not good for women's health either, Mr. Speaker.

#### PIGFORD FARMS

So then I would transition into the second amendment that I offered. Last night, the vote was rolled on until within the last couple of hours here in the House of Representatives. That was the amendment that addressed the Pigford Farms issue. Now, this issue is about the class action lawsuit that was filed by a gentleman by the name of Timothy Pigford in the aftermath of an announcement that was made by then-Secretary of Agriculture Dan Glickman in 1995.

The Secretary of Agriculture in '95 admitted that the USDA had been discriminating against black farmers. That opened the door for a class action lawsuit. The class action lawsuit has been known as the Pigford suit because it was Timothy Pigford that filed the suit, and his claim was that he was discriminated against. I believe that he has been, at this point, compensated, but I don't have a way to prove that because the records for Pigford are sealed. Congress at this point can't get at the records for the settlements in the largest class action lawsuit in the

history of the United States of America.

But here are the numbers, Mr. Speaker. The numbers work out to be this: In 1995, in anticipation of negotiations with a consent decree on the black farmers' discrimination case against the Department of Agriculture, they anticipated 3,000 would be the sum total universe of the black farmers who had been discriminated against who might file under the Pigford class action lawsuit, 3,000. That's out of a universe of 18,000 black farmers.

Now, whenever you are going to look at the potential for how many applicants there will be, you first look at the total universe to determine then what the percentage you think would be filing claims of that total universe and would actually have a claim.

□ 1450

The 3,000 was surely calculated as, I think, one-sixth of the overall total universe of 18,000 black farmers. They must have thought then, with an informed judgment, that one out of six black farmers had been discriminated against and would file. Well, it didn't turn out to be one out of six black farmers. It turned out to be about 1½ out of every black farmer that filed under Pigford I, not quite 1½. But there ended up being 22,000 and some odd claims with black farmers. So out of that came 15,000 and some settlements of, we believe, \$50,000 at a minimum. And that, Mr. Speaker, was a number of claims that was greater than the number of actual black farmers.

Now, I don't have a problem with carrying this debate when I look at the universe of 18,000 and I see that 22,000 and some filed a claim. Surely some of those that filed a claim were not farmers, and surely some of those who filed a claim had not been discriminated against. It took both of those standards in order to pay out, presumably.

In any case, Pigford I was resolved. \$1.05 billion was paid out under the Pigford claim of discrimination against black farmers. \$1.05 billion with a "b."

I found out about this when a USDA employee who had been deployed to Washington, DC, in the very late nineties or maybe early 2000 came back home and was sick to his stomach that he had had to distribute these millions of dollars to people that he believed, 75 percent of them, at a minimum, had filed a fraudulent claim. He brought back the copies of those applications and presented them to me and said, please do something. This is an unjust payout of people that allege their victimhood of discrimination who were not farmers, never wanted to farm, didn't know where the Farm Service Administration was, the USDA office was. But yet they had been recruited to file the claim, and at least 75 percent fraudulent.

So I took all those applications, and I tell you, Mr. Speaker, I was blurred by it. I couldn't quite absorb all the

implications by just reading the application and hearing the description of the individual that brought this back. He's not the only one. There are a number of others who willingly have come forward now and are willing to testify, and some of whom, especially in other States, that were directors of the Farm Service Administration who participated in the administration payout of the first \$1.05 billion. But since that time, Pigford I was closed. It was then extended again for any late filers to get in, and then closed again. That's where we ended up with the 22,000 and change.

After that, Mr. Speaker, there was an effort that was brought forward here in Congress by Artur Davis of Alabama in one initiative, BOBBY SCOTT of Virginia in another initiative to open this up under Pigford II. There was also an initiative in the United States Senate.

One of the people that introduced standalone legislation to open up Pigford II was Barack Obama himself as a United States Senator in the year 2007. The bill that he introduced was S. 1989. That legislation didn't go anywhere. It didn't have a single cosponsor, by my recollection, but it put the marker down.

There was a very, I'll say, urban senator from Chicago who was engaged in opening up a second round of Pigford when, in Illinois, the State that he represented—and truly he represented all of Illinois as a United States Senator—there were only 78 black farmers in the whole State. But the payout was 100 to 153 people. That's just a little snapshot measure of Illinois itself, without breaking this down county by county. Surely, I mean, it is certain that there were more claims paid out in Pigford than there were black farmers in Illinois. And probably, I'll say that's not necessarily true in every single case in every single county, but we know that's the case for Illinois.

At any rate, it became a political tool, in my view. And as they tried to open up Pigford II in the House, it didn't pass the House. When it did finally pass the House, it didn't pass the Senate. Finally in the Senate, during the lame duck session late last fall—actually, November 22—there was an action that put the Pigford issue in together with the Cobell issue and the other Native American claims on a bill called the Claims Act. The Claims Act included TANF funding, the Temporary Assistance to Needy Family supplemental, that went in with the Claims Act.

With all of this that was out there, the Pigford case didn't fit, but my back channel information tells me that the President ordered that Pigford be attached to the Cobell and Claims Act, which they did in the Senate. And because it rode along on a piece of must-pass legislation, it passed out of the Senate, was messaged over to the House in November of last year, and passed after the election so that the discredited Congress, the lame duck

Congress, voted to now appropriate another \$1.5 billion into Pigford II.

That, Mr. Speaker, goes on top of the farm bill, which was a 2008 farm bill. Sometimes I do better thinking about this chronologically. But in 2007, when we discussed and debated the farm bill here in the House, the chairman of the Ag Committee at the time, COLLIN PETERSON of Minnesota, provided for and supported language in the farm bill that carved out a \$100 million authorization for a second round of Pigford. When I objected and I said, Mr. Chairman, that will open the door for \$1.3 billion in additional money to go into that fraudulent Pigford claim, his answer was, No, it's \$100 million. That's the end of it. That's the limit. That caps it, and that settles all outstanding claims. You don't understand. This is the end of it, and it makes sure that it's done and it doesn't open up the door beyond \$100 million. We had a disagreement—some would call it an argument—about whether that opened this up to \$1.3 billion, which is what I said—that was my assertion, Mr. Speaker—or whether the then-chairman of the Ag Committee was right in that the \$100 million was the cap.

Well, in any case, we know now who was right, because there is \$1.25 billion in the pipeline for a second Pigford claim. \$100 million of it was in the farm bill, and \$1.15 billion of it was stuck into the Claims Act. And how did that number get arrived at? According to the Secretary of Agriculture, Tom Vilsack, he told me that I voted for the farm bill and directed him to go negotiate with the black farmers as a means of trying to put an end to this so that it limited the potential liability of the Federal Government.

No. When you go back and actually look at what happened, I voted "no" on the farm bill coming out of this House because, in part, it had the Pigford \$100 million in it; and the language that's there says this is the end, that this is to resolve all outstanding unresolved claims over Pigford, \$100 million.

As the chairman of the Ag Committee, COLLIN PETERSON asserted that's the language that's in the bill. But the Secretary of Agriculture, Tom Vilsack, and the Attorney General, Eric Holder, took that and somehow interpreted the plain language of the bill to direct them to go open up a second Pigford claim, which now turned into an additional \$1.15 billion on top of the \$100 million that was in the 2008 farm bill.

Where we started out with 3,000 potential claimants—excuse me—3,000 projected claimants to Pigford I, which would be the total sum of the claims out of a universe of 18,000 black farmers, now we have 94,000 claims, Mr. Speaker, 94,000 claims that have risen to the bait of 1.25 billion additional dollars. I'd point out, Mr. Speaker, that if you just round that to the nearest tenth of a billion dollars, I was spot on in my prediction that it would be a \$1.3 billion door that was opened by the \$100 million in the farm bill.

It has come to pass, just as I have said. It has been slipped in, forced in, pushed in, partly by the President of the United States, I believe at his directive. Certainly, he was delighted to sign it.

□ 1500

According to the Secretary of Agriculture, he believes he was directed by the farm bill to go and negotiate with the black farmers and open this up and ask for an additional \$1.15 billion. The language limits; it doesn't empower. But he claims also the authority to negotiate in any case and that the Attorney General has the authority to negotiate in any case.

So here we are. When I asked the Secretary of Agriculture, who has been disciplined for perpetrating a total of \$2.3 billion of discrimination against 94,000 people who claim to be black farmers, "who are they? who's been fired? who's had charges brought against them?" the answer, after a few questions, is "no one."

Think of this, Mr. Speaker: \$2.3 billion worth of discrimination allegedly brought against black farmers—agreed to, apparently, by the Secretary of Agriculture and the Attorney General. They're looking for justice, and they can't find a single perpetrator of discrimination, and they're the ones that hired them. The checks go out today to employees of the USDA under the guidance of Secretary Vilsack. In not one of them can he uncover as a discriminator or perpetrator as even a part of the \$2.3 billion that they allege was discrimination that took place, not one perpetrator on his payroll, even though every perpetrator had to be on his payroll or the payroll of his predecessors.

They can find 94,000 victims where only the universe of 18,000 exists, but he can't find a single individual that perpetrated discrimination. And we are to believe in the United States Congress that somehow this is just an example of where government went wrong and discriminated, and we're trying to right a wrong with a checkbook that comes from money borrowed from the Chinese and goes to people that could not have been farmers in the first place and could not, all of them, been discriminated against.

I can go further in that we have a whole list of discrimination claims that come from a county where the supervisors in the USDA office were all black. It's kind of hard for me to get my mind around how it can be racial discrimination of people by the same race against people of the same race. That's a little hard to define. When the Irish go at each other, they don't call it racial discrimination—just to put that in a metaphorical position so that people understand it clearly, Mr. Speaker.

I am very concerned that too many Members of this Congress understand how much fraud exists in Pigford, and they just don't want to put up the vote; they just don't want to put up the

words to correct this and call it what it is. I'll say that the fear of being accused of not having the will to face a difficult subject matter is superceded by the fear of being called a racist, so they walk away from it.

I believe this: We must have equal justice under the law. We cannot continue to be a great country unless we continue to have equal justice under the law. That means that you deal with people without regard to their race, their ethnicity, or their national origin—or their gender, by the way, or their disability or their age. All of those things are immutable characteristics. Well, almost all of them are immutable characteristics. But it's defined clearly in title VII of the Civil Rights Act, Mr. Speaker, and broadened in some of the civil rights sections that take place within our States, which I abide by and live by.

But we cannot, Mr. Speaker, be a great Nation if we're always going to shrink away from difficult subjects, if we are going to pay out borrowed taxpayer money. We're borrowing 42 cents on every dollar. Some of that money is borrowed from the Chinese; some of it's borrowed from the Saudi Arabians. And we would take that money and borrow it and hand it to people and say please don't raise a fuss. I know that you are a minority; therefore, you must have been victimized at some place along the line.

This is being sold and marketed in the South in a number of different ways—fish fries in the South, sometimes in black churches in the South. And they say to the people that attend those kinds of gatherings things such as this: You know, you don't have to be a farmer. If your granddaddy was a farmer, you're a farmer. If you're the grandson of a farmer, you were discriminated against because surely somebody discriminated against your grandfather, and surely he would have been a rich farmer had they not done that, and surely you would have inherited the farm or some of the money that he made from that, so you've been discriminated against. If your granddaddy was a farmer, you're a farmer. You file. It's natural that you were discriminated against.

The regulations and the standards on this and the proof is so low that all an applicant has to do is allege that there was discrimination and then find someone who is not a close family member who will attest that they complained about being discriminated against.

So Joe and George can get together and say, let's go file mutual applications and allege that we wanted to be farmers, we were discriminated against, and we complained. An automatic \$50,000 check goes to them out of the borrowed money of American taxpayers, along with a \$12,500 check that goes to the IRS to pay the tax liability. And they had the temerity, some of them, to complain that they weren't also getting their estate tax waived. So the money that would be settled goes

into the estate if someone dies, obviously, and they didn't want to have to pay an estate tax on their inheritance. Now we can have a \$1 million exemption, a \$3 million or \$5 million exemption. They still don't want to have to pay the tax beyond the exemption. That is not just temerity; that's audacity.

And another component of this, Mr. Speaker, is this part: that the largest civil rights class action lawsuit settlement in the history of the United States is Pigford. The single individual who has received the greatest settlement from that is Shirley Sherrod—Shirley Sherrod, the former USDA employee whom the Secretary of Agriculture, Tom Vilsack, hired 3 days after she received news that she was going to receive \$13 million in her claim against Pigford. That was on July 22. He hired her on July 25.

Later on, when a speech that she gave before the NAACP came to light, then the Secretary fired her like that. I don't believe that that was an act that was his decision alone. I find the Secretary to be a wise, smart and a careful, well-prepared man—however often I disagree with him. I believe that order came from the White House. And he tried to hire her back. It didn't work until some weeks ago. Now she's back on the payroll, having filed a lawsuit against who? The guy who published the truth, Andrew Breitbart.

These are all things that this Congress needs to get to the bottom of, Mr. Speaker. This Congress needs to, if we have to, subpoena the records, go through the 94,000 applications, sort them, chart them, evaluate them, bring people under oath, gather testimony, do a complete investigation of what I believe is a fraud that's been perpetrated against the American taxpayer and done so within several different administrations. Some I believe was motivated for less than stellar reasons.

I think whenever someone has been discriminated against in these cases, we need to make them whole if we can. I support that. I think we did that for almost all of them in Pigford I. I think we made a bunch of people whole that did not have it coming, and then, by a legislative shenanigan and action of the White House, opened up a Pigford II that put the taxpayer on the hook for an additional \$1.15 billion.

Now that sum is up to \$2.3 billion, Mr. Speaker—\$2.3 billion, 94,000 claims where there was 18,000 black farmers and an expectation of only 3,000 claims altogether, not a single identified perpetrator of discrimination, and Congress can't look at the records. Congress can't get a straight answer. A Freedom of Information Act request is denied by the USDA because it's sensitive? Sensitive? But the USDA releases as public all of the information that goes in farm subsidies. That's out there. And people go on the Web site and complain about the farm subsidies that are there. Why, if you're a farmer,

should the subsidies that come to your operation be public knowledge, but if you are one who has alleged you've been discriminated against, your records are secret even from the United States Congress?

□ 1510

That is all wrong, Mr. Speaker. We know that. The conscience of this Congress has spoken today; 152 of us have spoken up, and I think the foundation for legitimate hearings has been heard.

TRIBUTE TO CHIEF WARRANT OFFICER BRADLEY GAUDET AND REMARKS ON AFGHANISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, on Sunday, June 5, the State of Texas and our Nation lost a true hero. Chief Warrant Officer Brad Gaudet was killed in Afghanistan after his helicopter crashed near Kabul.

Brad was the best and brightest of what the First Congressional District of Texas has to offer. Raised in Lufkin, Texas, and a graduate of Stephen F. Austin University, he was truly a son of East Texas.

General MacArthur once said, "Duty, Honor, Country: Those three hallowed words reverently dictate what you ought to be, what you can be, what you will be. They are your rallying points: To build courage when courage seems to fail; to regain faith when there seems to be little cause for faith; to create hope when hope becomes forlorn." For Brad, these three ideas were not just to strive for. He understood them, he embodied them, he lived them.

Brad, just 31 years old, was a husband, a father, a son, and a brother. Outgoing and aggressive, Brad truly personified the Army's old slogan, "Be All You Can Be." The summer before his senior year in high school, Brad joined the Reserves and went to boot camp. His family joked that he was never more prepared for the upcoming high school football season than he was that year.

Upon graduating from Stephen F. Austin University in Nacogdoches, Texas, Brad enlisted in the Army and was sent to Fort Rucker in Alabama. There he pursued his dream of flying and graduating from flight school. The next stage of his military service brought him to Fort Drum in New York, where he met the love of his life, Ginny.

During his second deployment, Brad achieved Pilot in Command rank, a highly-skilled specialty officer which is very difficult to achieve for those who are not commissioned officers. This speaks to his hard work, his outstanding training, his performances, the respect his superiors had for him.

A true family man, last month Brad rushed home from his third deployment

in Afghanistan just in time to help with the delivery of his newly born daughter, Addyson. His family will always remember his great sense of humor, his infectious smile, his kind heart, and his desire to brighten anyone's day.

Today I want to extend my prayers and condolences to Brad's wife, Ginny; his two young daughters, Tealie and Addyson; his parents, his relatives and his friends. Their American warrior is home. He has met his maker, his master. His duty is done and he is at peace.

George Orwell said, "We sleep safely in our beds because rough men stand ready in the night to visit violence on those who would do us harm."

A grateful Nation is so very proud of this son of East Texas. We grieve the loss of our warrior brother. We honor Brad for his courage, his sacrifice and his selfless commitment to duty, honor and country. He gave his all in service for the sake of safety, freedom and liberty.

May God bless the sacrifices and the last full measure of devotion that Brad Gaudet paid, and may he bless us all because he was such a patriot.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask occupants in the gallery to please refrain from applause.

Mr. GOHMERT. I would like to address myself for a moment to Afghanistan. That is where Brad Gaudet and so many Americans have fought and have died. It was the place where the Taliban flourished. They trained terrorists; they prepared for the chance to come kill thousands of Americans in New York City; they came up with plans to kill Americans in other places in the United States, so it was important that we go take out the home bases of the Taliban.

For those that know the history of our fighting in Afghanistan, they know that what we initially did was send in advisers and trainers and people to help the Afghans to fight and take out the Taliban, and in fact a group that proved most helpful was the Northern Alliance. Some say it was run by warlords, but these tribal regions with their leaders accepted munitions, accepted training, accepted what it took to bring war upon the Taliban, and they whipped the Taliban, at least until later when the Taliban resurged.

But after the Northern Alliance defeated the Taliban, we did something that I was not aware of, until some of the warlords or Northern Alliance leaders wanted to sit down with somebody from our government and our State Department they said had refused to meet with them.

These were the leaders of groups who risked their lives. Many in the group lost their lives fighting the Taliban, and whipped them. And when my friend DANA ROHRBACHER said, Hey, these folks want to meet with somebody from the U.S. Government, the State Department won't meet with them, will you go with me, I said sure.

Initially we were going to try to meet near northern Afghanistan, but when the Uzbeks found out, as I understand it, they didn't want to give visas to these people. We thought maybe we would meet in India, and they didn't want to give them visas. So at the last minute we arranged to meet in Berlin. Five of the nine did meet.

Something that many Americans don't realize, the Taliban in preparing for 9/11 knew that there was a man who was charismatic, who was a powerful leader, who had the chance to bring together Afghanistan as a nation, the Afghans as a people. Even though it is so very tribal, one person had the chance to really pull it all together, and on either September 9 or September 10 of 2001, he was boldly assassinated so that when a day later 9/11 occurred there would be nobody that the U.S. could really turn to as one individual to rally Afghans against the Taliban.

□ 1520

They took him out before they committed their act of atrocity against Americans. They knew what they were doing. They planned well. But our American soldiers know what they're doing. And when we sent special forces and intelligence folks to help, they were able to whip the Taliban. And I didn't realize until we met with these Northern Alliance leaders that after they initially whipped the Taliban, we demanded that they disarm. According to them, they were told, Look, we're the United States of America. You have nothing to fear. We're here. We'll make sure that you're not harmed. You fought for us. You whipped the Taliban. It was our mutual enemy. And so turn in all of your weapons.

I said, You turned in everything? They said, Well, we've got some small arms. We can't fight the Taliban with the little bit we've got left. We gave all of that back—plus some of our own. And the Taliban has re-surfaced. The war has gone on much longer than it should have. There were reports of corruption. The poppy production has surged much more than anything else there in Afghanistan. And what they had heard was that our government was negotiating directly with Karzai, the leader of Afghanistan, and with Pakistan. And what they had been hearing was that our government was negotiating indirectly with the Taliban itself. They want to destroy America. And the word that they had gotten was basically that the United States just wanted out, and if they would let us get out without a major incident, between the Taliban, Karzai, Pakistan, they could just divide things up however they wanted.

I want our troops, I want our people, I want our resources out of Afghanistan. But we've got to make sure that people like Brad Gaudet and so many others that have given their lives haven't done it for nothing. But it seems that that initial success may have given us a good roadmap to how you succeed in Afghanistan. Equip the



people that are our friends, who have the same enemies as we have, and let them do the fighting. Things went well when that's the way it went. We provided trainers, advisers, gave them some intelligence, and they whipped the bad guys for us. What would be wrong with getting back to that point instead of what the rumors are that this administration is prepared to do—let the Taliban take back up where they left off once we leave.

If the Taliban gets a foothold again, as they want to do, if al Qaeda gets a foothold and if radical Islam gets a strong foothold in Afghanistan again, does anybody really think they won't come after us again? They have pledged that we're a great Satan, that we must be eliminated. The most free country in the world, the greatest country in the history of mankind, and these people want it destroyed because it didn't fit into their narrow scope of having a global caliphate where one religious leader dictates to everybody. We kind of like our freedom, where those of us who are Christians are free to worship and those who wish to worship any other way are free to do so. That's America. But it's not time to just cut our losses and leave.

It's time to act smartly. I am very much afraid this administration will continue to reward our enemies and to turn against our allies and friends. You can't keep maintaining foreign affairs and any credibility in the world when you turn against your friends, thinking that your enemies are going to like you better because you showed you would turn on your own friends. Your enemies don't like you any better when you turn against your friends. In fact, what happens is they not only don't like you, they no longer respect you. Because some in the world, they don't like us—they hate us—and they think we ought to be destroyed, but they respect our power. And once they see that a Nation will turn against its friends and hurt its own friends and allies, they know this country should not even be respected. As I've said many times, we don't have to keep paying people to hate us. They'll do it for free. It's time to quit paying our enemies to continue to nurture hatred against us. It's time to be a true friend to our allies.

We heard one of the greatest speeches I've heard in my 6½ years in Congress from that podium right there, and it didn't come from any State of the Union. It came from the leader of Israel. We heard from Palestinians. They thought the speech was a declaration of war. It means they didn't listen to the speech because, as Prime Minister Netanyahu made clear, as soon as the Palestinians are willing to tell their people there will be a Jewish State of Israel, peace can be worked out very quickly after that. But no one wants to say that on the Palestinian side. So, as Patrick Henry said, men cry, "Peace, peace," but there is no peace, and there will be no peace in the Middle East.

Here, we think that gee—at least this administration—we heard our friends, our enemies will love us. They've been trying that since the Clinton administration when the Clinton administration classified an anti-Khomeini and Ahmadinejad, as of now, group called the MEK, their initials. They're an antitotalitarian regime group, and they're over 3,000 residents of Camp Ashraf in Iraq. We as a Nation gave them our sovereign promise we'll make sure you're safe and secure. When we turned things over to the elected government of Iraq, we were assured by that government that they would take care of that promise and they would keep the residents at Camp Ashraf safe. Yet nearly a week ago, when a group of six of us met with the Prime Minister of Iraq there in Baghdad and tried to discuss the issue of the Iraqi military going to Camp Ashraf and killing perhaps 35 residents of Camp Ashraf, wounding perhaps a hundred or more from reports from a video DANA ROHR-ABACHER had seen—I had not—he said it's very clear these were unarmed civilians killed by the Iraqi military. That's not the promise we made to those people in Camp Ashraf. It's not the promise that the Iraqi leaders, including Maliki, made to those Iranians in Camp Ashraf. Yet the Iraqi military killed civilians in Camp Ashraf.

As I tried to explain to Prime Minister Maliki, when he said for us to be concerned and to try to do something about the killings would be a violation of their national sovereignty, I tried to explain that actually it does involve sovereignty, but the U.S. sovereignty was involved in promising their safety at Camp Ashraf, and his sovereignty was involved when they promised the safety of those residents at Camp Ashraf.

□ 1530

So we have a vested interest with all of the American lives and treasure that were laid down and invested in Iraq. We have a very strong vested interest in seeing that justice is done and in seeing that people who made promises to us keep those promises, because if we don't see to that, then how can we expect anyone to trust us? How can we expect anyone to truly negotiate fairly with us, expecting we'll keep our word?

Sometimes you make bad deals, but if you're going to keep your word and if you're going to be known for being a country and a people of honor and a people of their word, you've got to keep your word. As a former judge and chief justice, some things I've seen have been unjust, but when we can do something about it to help us keep our word to those who've trusted us, we've got to do it. We can't look back.

So we were a bit surprised when our group of six Members of Congress—four Republicans and two Democrats—flew up to Erbil and met with folks up there. It's always good to see troops around, American troops. They're the best I've ever seen. The 4 years I spent

in the Army, starting in the late 1970s, left me concerned that, if we were attacked back in those days, we were in a lot of trouble. But the military I see and I meet and I visit with—those from my district and from all over the country—so impress me and so impress those around them. We have an incredible military, these days, of our service men and women.

When we left Erbil in northern Iraq and were flying out, we got word that our Embassy had been contacted by Prime Minister Maliki, and was told that our group was not welcome in Iraq any longer. I have attended far too many funerals of people from Texas and other funerals of Americans who laid down their lives and, in doing so, provided people like Prime Minister Maliki the chance to come back from exile, to be elected in that country and to be a leader, that I don't think it's too much to ask for a little gratitude. We're not asking for anything in return.

I know there was some discussion—it wasn't from me—about, Gee, maybe you could help us, instead of doing deals with China for your oil after we secured your country and got rid of the tyrant Saddam Hussein. Maybe you could deal with us. I'm not asking for those things. I'm just asking for a little gratitude for the lives and the treasure that were expended to give people in Iraq the freedoms they have today.

I expect people who have become leaders in Iraq to keep their word to us, because if they can't be trusted, if they won't keep their word, well, they can lock me out of their country all they want to, but we have the power of the purse.

I didn't join in the lawsuit against the administration over the War Powers. I think they're well-intended dear friends who are involved in that suit this week. I didn't engage in that as a party for one reason, which is that this body has the power constitutionally of the purse. We don't need a War Powers Act. We don't need any interpretation by the Supreme Court of whether the War Powers is effective or whether the War Powers is not, because we have the ultimate weapon in this body called the power of the purse.

If the President wants to send our American treasure and our American military, which composes 65 percent of NATO's military, what a joke to say, Hey, we're turning it over to NATO. We won't be involved anymore. We're 65 percent of NATO's military. If we're going to have a President who sends people over there, not because Congress thought it was a good idea and not because a majority of the American people did but because the Arab League asked us to and because some in the U.N. thought it was a good idea, then Congress has the ultimate power, and we don't need the War Powers to do it. We don't need the Supreme Court's okay. All we need to do is shut down every dime being spent in Libya until



such time as we can be sure that whoever takes over Libya will not be worse for the United States than the crazy murderer who is there now. We need to be sure of that.

I know the President made the mistake one day of saying he had visited all 57 States. I'm well aware that there are not 57 States in this country, although there are 57 members of OIC, the Islamic states in the world. Perhaps there was some confusion as to whether he'd been to all 57 Islamic states as opposed to all 50 U.S. States. Nonetheless, we have an obligation to the 50 American States, not to the 57 Muslim Islamic states.

Our oath that we took is in this body—in this House—and it's to the people of America. It's not to the Muslim Brotherhood, who may very well take over Egypt.

Once they do, they'll be bent upon setting up a caliphate around the world, including in the United States, and this administration will have been complicit in helping people who want to destroy our country out of the ignorance to think, if you help your enemies, they're going to like you better. Not only do they not like you, as I said, they disrespect you when they see how foolhardy you are.

It's time to quit involving this country in warfare around the world unless we can be sure that such warfare helps us keep our oath to the United States of America.

And to quote my dear friend from Texas, also a former judge, "And that's just the way it is."

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

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#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LARSON of Connecticut (at the request of Ms. PELOSI) for today on account of family matters.

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#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Monday, June 20, 2011, at 10 a.m.

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#### EXECUTIVE COMMUNICATIONS, ETC.

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

2024. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Plum Pox Virus; Update of Quarantined Areas [Docket No.: APHIS-2010-0089] received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2025. A letter from the Chairman and CEO, Farm Credit Administration, transmitting

the Administration's final rule — Loan Policies and Operations; Loan Purchases from FDIC (RIN: 3052-AC62) received May 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2026. A letter from the Under Secretary, Department of Defense, transmitting the National Defense Stockpile (NDS) Annual Materials Plan (AMP) for Fiscal Year 2012, along with proposed plans for FY 2013 through 2016, pursuant to 50 U.S.C. 98h-2(b); to the Committee on Armed Services.

2027. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Corporate Credit Unions (RIN: 3133-AD80) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2028. A letter from the Associate General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Truth in Savings (RIN: 3133-AD72) received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2029. A letter from the Deputy Assistant Secretary for Policy, Department of Education, transmitting the Department's final rule — Enhanced Assessment Instruments Catalog of Federal Domestic Assistance (CFDA) Number: 84.368 received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2030. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule — Impact Aid Programs (RIN: 1810-AA94) received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2031. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report for Fiscal Year 2009 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and the Workforce.

2032. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Developmental Disabilities Programs for Fiscal Years 2007-2008, pursuant to 42 U.S.C. 15005 Public Law 106-402, section 105; to the Committee on Energy and Commerce.

2033. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act of 2008 for FY 2010; to the Committee on Energy and Commerce.

2034. A letter from the Secretary, Department of Health and Human Services, transmitting annual financial report as required by the Animal Generic Drug User Fee Act of 2003 for FY 2010; to the Committee on Energy and Commerce.

2035. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration [EPA-R03-OAR-2009-0876; FRL-9311-9] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2036. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Flat Wood Paneling Surface Coating Process [EPA-R03-OAR-2011-009 ; FRL-9312-7] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2037. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Determination of Attainment for the Pittsburgh-Beaver Valley 8-Hour Ozone Nonattainment Area [EPA-R03-OAR-2010-1082; FRL-9313-1] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2038. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Alabama, Georgia, and Tennessee; Chattanooga; Determination of Attaining Data for the 1997 Annual Fine Particulate Standard [EPA-R04-OAR-2011-0084-201135; FRL-9312-5] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2039. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Extension of Attainment Date for the Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina 1997 8-Hour Ozone Moderate Nonattainment Area [EPA-R04-OAR-2010-0504-201052; FRL-9312-9] received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2040. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Requests for Modification or Revocation of Toxic Substances Control Act Section 5 Significant New Use Notice Requirements; Revision to Notification Regulations [EPA-HQ-OPPT-2008-0296; FRL-8858-1] (RIN: 2070-AJ41) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2041. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Missouri; Saint Louis Nonattainment Area; Determination of Attainment of the 1997 Annual Fine Particle Standard [EPA-R05-OAR-2010-0034; FRL-9309-6] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2042. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Paper, Film, and Foil Surface Coating Processes [EPA-R03-OAR-2011-0063; FRL-9309-3] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2043. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revisions to Requirements for Major Sources Locating in or Impacting a Nonattainment Area in Allegheny County [EPA-R03-OAR-2009-0881; FRL-9308-9] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2044. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of the Clean Air Act, Section 112(1), Authority for Hazardous Air Pollutants: Perchloroethylene Air Emission Standards for Dry Cleaning Facilities;

State of Maine Department of Environmental Protection [EPA-R01-OAR-2010-1080; A-1-FRL-9285-8] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2045. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Confidentiality Determinations for Data Required Under the Mandatory Greenhouse Gas Reporting Rule and Amendments to Special Rules Governing Certain Information Obtained Under the Clean Air Act [EPA-HQ-OAR-2009-0924; FRL-9311-2] (RIN: 2060-AQ04) received May 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2046. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Industrial, Commercial, and Institutional Boilers and Process Heaters and Commercial and Industrial Solid Waste Incineration Units [EPA-HQ-OAR-2002-0058; EPA-HQ-2003-0119; FRL-9308-6] (RIN: 2060-AQ25) (RIN: 2060-AO12) received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2047. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — LAND DISPOSAL RESTRICTIONS: Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treated by U.S. Ecology Nevada in Beatty, NV and Withdrawal of Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treatment Issued to Chemical Waste Management in Kettleman Hills, CA [EPA-HQ-RCRA-2010-0851; FRL-9310-2] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2048. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [OAR-2004-0091; FRL-9304-4] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2049. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District [EPA-R09-OAR-2011-0030; FRL-9308-3] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2050. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Placer County Air Pollution Control District and Ventura County Air Pollution Control District [EPA-R09-OAR-2011-0355; FRL-9303-9] received May 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2051. A letter from the Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Implementation of Section 224 of the Act A National Broadband Plan for Our Future [WC Docket No.: 07-245] [GN Docket No.: 09-51] received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2052. A letter from the President, Assemblée National, transmitting a letter expressing the condolences of the French people to those of the Southern United States in the wake of the tornadoes that struck the area; to the Committee on Foreign Affairs.

2053. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Removal and Modifications for Persons Listed Under Russia on the Entity List [Docket No.: 110502271-1278-01] (RIN: 0694-AF24) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2054. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

2055. A letter from the Le President de l'Assemblée Nationale, transmitting letter expressing the condolences of the people of Burkina Faso to the people of the Southern United States after the severe weather of April 27, 2011; to the Committee on Foreign Affairs.

2056. A letter from the Secretary, Department of Energy, transmitting the semi-annual report on the activities of the Office of Inspector General for the period October 1, 2010 to March 1, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2057. A letter from the Executive Director, Access Board, transmitting the Board's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2058. A letter from the Administrator, Agency for International Development, transmitting the Agency's semiannual report from the office of the Inspector General for the period ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2059. A letter from the Deputy Director, Office of Diversity Management and Equal Opportunity, Department of Defense, transmitting the Department's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

2060. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Freedom of Information Act Implementation (RIN: 2590-AA44) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2061. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

2062. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting the Department's final rule — Historic Preservation Certifications for Federal Income Tax Incentives (RIN: 1024-AD65) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2063. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Military Training Activities Conducted Within the Gulf of Alaska Temporary Maritime Activities Area [Docket No.: 100817363-1137-02] (RIN: 0648-BA14) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2064. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to List of User Fee Airports: Addition of Naples Municipal Airport, Naples, Florida [CBP: Dec. 11-12] received May 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2065. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual Price Inflation Adjustments for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223 (Rev. Proc. 2011-32) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2066. A letter from the Internal Revenue Service, Internal Revenue Service, transmitting the Service's final rule — Treatment of Property Used to Acquire Parent Stock or Securities in Certain Triangular Reorganizations Involving Foreign Corporations [TD 9526] (RIN: 1545-BG96) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### 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. H.R. 1121. A bill to replace the Director of the Bureau of Consumer Financial Protection with a five person Commission; with an amendment (Rept. 112-107). Referred to the Committee of the Whole House on the State of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 2021. A bill to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities (Rept. 112-108). Referred to the Committee of the Whole House on the State of the Union.

Mr. BACHUS: Committee on Financial Services. H.R. 1573. A bill to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption; with an amendment (Rept. 112-109, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 1573. A bill to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption; with an amendment (Rept. 112-109, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 2219. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112-110). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TERRY (for himself, Mr. PEARCE, Mr. GARDNER, Mr. BROWN of Georgia, Mr. JONES, Mr. ROKITA, Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. GERLACH, and Mrs. BLACKBURN):

H.R. 2204. A bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DENT (for himself and Mr. PAULSEN):

H.R. 2205. A bill to improve the medical justice system by encouraging the prompt and fair resolution of disputes, enhancing the quality of care, ensuring patient access to health care services, fostering alternatives to litigation, and combating defensive medicine, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUINTA (for himself, Mr. DUNCAN of Tennessee, Mr. WILSON of South Carolina, Mrs. SCHMIDT, Mr. PENCE, Mr. FLORES, Mr. MCHENRY, Mr. PITTS, Mr. POSEY, Mr. GINGREY of Georgia, Mr. BISHOP of Utah, Mr. DUNCAN of South Carolina, Mr. MULVANEY, and Mr. FLEISCHMANN):

H.R. 2206. A bill to repeal a requirement that new employees of certain employers be automatically enrolled in the employer's health benefits plan; to the Committee on Education and the Workforce.

By Mr. MCNERNEY:

H.R. 2207. A bill to provide support to develop career and technical education programs of study and facilities in the areas of renewable energy; to the Committee on Education and the Workforce.

By Mr. MCNERNEY:

H.R. 2208. A bill to incorporate smart grid capability into the Energy Star Program, to reduce peak electric demand, to reauthorize a energy efficiency public information program to include Smart Grid information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BENISHEK:

H.R. 2209. A bill to replace the current Forest Service administrative appeals process with a pre-decisional administrative review process modeled after the successful approach used in the Healthy Forests Restoration Act of 2003, and for other purposes; to the Committee on Agriculture.

By Mr. COHEN (for himself, Mr. SHERMAN, Mr. MORAN, Mr. GEORGE MILLER of California, and Mr. LANGEVIN):

H.R. 2210. A bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals and certain computer-assisted remote hunting, and for other purposes; to the Committee on the Judiciary.

By Mr. POLIS (for himself, Mr. GRIJALVA, Ms. RICHARDSON, Mr. CARNAHAN, Mr. CONYERS, and Mr. PAYNE):

H.R. 2211. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for a system of professional learning to continuously improve educator effectiveness, student achievement, and overall school and system performance, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CONYERS:

H.R. 2212. A bill to secure the Federal voting rights of persons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. NUNNELEE (for himself, Mr. THOMPSON of Mississippi, Mr. HARPER, and Mr. PALAZZO):

H.R. 2213. A bill to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn

Post Office"; to the Committee on Oversight and Government Reform.

By Mr. STIVERS:

H.R. 2214. A bill to amend the Internal Revenue Code of 1986 to provide for a designation of tax overpayments to reduce the public debt, and for other purposes; to the Committee on Ways and Means.

By Mr. BERMAN (for himself, Mr. ISSA, Mr. BOUSTANY, and Mr. RAHALL):

H.R. 2215. A bill to ensure that United States taxpayer dollars are not used to fund terrorist entities in Lebanon, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA (for himself, Mr. CUELLAR, Mrs. DAVIS of California, Mr. DREIER, Mr. FARENTHOLD, Mr. FILNER, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. REYES, Mrs. NAPOLITANO, Mr. PIERLUISI, Mr. BACA, Mr. FRANK of Massachusetts, Mr. MEEKS, Ms. VELÁZQUEZ, Ms. ZOE LOFGREN of California, Mr. POLIS, and Mr. LUJÁN):

H.R. 2216. A bill to amend the North American Free Trade Agreement Implementation Act to allow for amendments to the Border Environment Cooperation Agreement to promote infrastructure projects financed by the North American Development Bank in the border region to promote growth in trade and commerce between the United States and Mexico, and for other purposes; to the Committee on Financial Services.

By Mr. CARTER (for himself and Mr. GOHMERT):

H.R. 2217. A bill to offset the economic burden on border sheriffs from the lack of southern border security, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself and Mr. KLINE):

H.R. 2218. A bill to amend the charter school program under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mrs. CHRISTENSEN:

H.R. 2220. A bill to amend the Internal Revenue Code of 1986 to assist in the recovery and development of the Virgin Islands by providing for a reduction in the tax imposed on distributions from certain retirement plans' assets which are invested for at least 30 years, subject to defined withdrawals, under a Virgin Islands investment program; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mrs. BONO MACK, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. KING of New York, Mr. PITTS, Mrs. SCHMIDT, Mr. TIBERI, Mr. SCHOCK, Mr. DENT, Mr. JONES, Ms. BALDWIN, Ms. BERKLEY, Mr. BLUMENAUER, Mrs. MALONEY, Mr. MATHESON, Mr. McDERMOTT, Mr. MCGOVERN, Mr. NADLER, and Ms. WASSERMAN SCHULTZ):

H.R. 2221. A bill to amend title 18, United States Code, to provide penalties for transporting minors in foreign commerce for the purposes of female genital mutilation; to the Committee on the Judiciary.

By Mr. DONNELLY of Indiana (for himself and Mr. MCCOTTER):

H.R. 2222. A bill to amend title 23, United States Code, to direct the Administrator of the Environmental Protection Agency to

publish annually a list of vehicles that satisfy requirements for certification as a low emission and energy-efficient vehicle, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH (for himself, Mr. DOYLE, Mr. MURPHY of Pennsylvania, Mr. SHUSTER, Mrs. CAPITO, Mr. HOLDEN, and Mr. MCKINLEY):

H.R. 2223. A bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIMM (for himself, Mr. CROWLEY, Mr. ENGEL, Mr. KING of New York, Mr. MEEKS, Mr. HANNA, Mrs. MALONEY, Ms. CLARKE of New York, Mr. ACKERMAN, and Mrs. MCCARTHY of New York):

H.R. 2224. A bill to amend title XVIII of the Social Security Act to provide opportunities for additional residency slots in participating teaching hospitals and to expand the primary care bonus to certain underserved specialties and to amend the Internal Revenue Code of 1986 to provide tax incentives for practicing-teaching physicians; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HENSARLING (for himself, Mr. BACHUS, Mrs. MALONEY, Mr. GARRETT, Mr. NEUGEBAUER, Mrs. CAPITO, and Mrs. BIGGERT):

H.R. 2225. A bill to amend the Investment Advisers Act of 1940 to add a definition of family office; to the Committee on Financial Services.

By Mr. HINOJOSA (for himself, Mr. FATTAH, Mr. REYES, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. POLIS, Mr. SCOTT of Virginia, Mr. DAVIS of Illinois, Mr. HONDA, and Ms. CLARKE of New York):

H.R. 2226. A bill to increase access to adult education to provide for economic growth; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself and Mr. MURPHY of Connecticut):

H.R. 2227. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of medical gases, taking into account the special characteristics of medical gases, the special techniques and processes required to produce medical gases, and the established history of safe and effective use of medical gases; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself, Mr. GRIJALVA, Mr. FATTAH, Mr. MEEKS, Mr. RANGEL, Mr. HEINRICH, Ms. MOORE, and Ms. BORDALLO):

H.R. 2228. A bill to assist coordination among science, technology, engineering, and mathematics efforts in the States, to strengthen the capacity of elementary schools, middle schools, and secondary schools to prepare students in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. MCCARTHY of New York (for herself, Mrs. CAPPS, Mr. FARR, Ms. NORTON, Mr. JACKSON of Illinois, Ms. BORDALLO, Ms. MOORE, Mr. HINCHEY, Mr. PASCRELL, and Mr. HOLT):

H.R. 2229. A bill to make demonstration grants to eligible local educational agencies

for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT (for himself, Mr. CAMPBELL, and Mr. FRANK of Massachusetts):

H.R. 2230. A bill to amend the Internal Revenue Code of 1986 to regulate and tax Internet gambling; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself, Mr. BERG, and Mr. SCHOCK):

H.R. 2231. A bill to amend the Internal Revenue Code of 1986 to terminate the ethanol tax credits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY:

H.R. 2232. A bill to amend title 36, United States Code, to grant a Federal charter to the American Military Retirees Association, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSS of Arkansas:

H.R. 2233. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD:

H.R. 2234. A bill to amend the Fair Labor Standards Act of 1938 to strengthen the provisions relating to child labor; to the Committee on Education and the Workforce.

By Ms. ROYBAL-ALLARD:

H.R. 2235. A bill to provide for enhanced protections for vulnerable unaccompanied alien children and female detainees; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLON (for himself, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. PIERLUISI, Mr. GRIJALVA, Ms. SLAUGHTER, Mrs. NAPOLITANO, Mr. SERRANO, Ms. HIRONO, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Ms. NORTON, Mr. WU, Mrs. MALONEY, Mrs. CAPPAS, Mr. KIND, Mr. YOUNG of Alaska, Mr. CONNOLLY of Virginia, Mr. KILDEE, Mr. BOREN, Mr. BUTTERFIELD, Mr. LIPINSKI, Mr. FORTENBERRY, and Mr. LUJAN):

H.R. 2236. A bill to provide for the issuance of a Wildlife Refuge System Conservation Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF:

H.R. 2237. A bill to promote the strengthening of the private sector in Egypt and Tunisia; to the Committee on Foreign Affairs.

By Mr. SCHOCK (for himself and Mr. PETERSON):

H.R. 2238. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel, and for other purposes; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. MORAN):

H.R. 2239. A bill to expand the research activities of the National Institutes of Health with respect to functional gastrointestinal and motility disorders, and for other purposes; to the Committee on Energy and Commerce.

By Ms. TSONGAS:

H.R. 2240. A bill to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska (for himself, Mr. McDERMOTT, and Mr. INSLEE):

H.R. 2241. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself, Mr. PIERLUISI, Mr. ROE of Tennessee, Mr. BRALEY of Iowa, Ms. HIRONO, Mr. CARNAHAN, Mr. MEEHAN, Mr. GUINTA, Mr. GOWDY, Mr. SCHILLING, Mr. CRAWFORD, Mr. SESSIONS, Mr. RUNYAN, Mr. McKEON, Mr. SHUSTER, Mr. FORTENBERRY, Mr. QUAYLE, Mr. YODER, Mr. REED, Mr. BILBRAY, Mr. HECK, Mr. MACK, Mr. DOLD, Mr. CUMMINGS, Mr. HARRIS, Mr. NUGENT, Mr. JOHNSON of Ohio, Mrs. DAVIS of California, Mr. KISSELL, Mr. COSTA, Mr. GARY G. MILLER of California, Mr. MICA, Mr. SMITH of Washington, Mr. CARSON of Indiana, Mr. COBLE, Mr. RICHMOND, and Mrs. ELLMERS):

H. Con. Res. 60. Concurrent resolution expressing the sense of Congress that United States commercial air carriers should provide certain benefits to members of the Armed Forces who are traveling on official military orders and are being deployed overseas or are returning from an overseas deployment; to the Committee on Transportation and Infrastructure.

By Mr. ROGERS of Michigan:

H. Con. Res. 61. Concurrent resolution designating a National Railroad Memorial located in Diamond District Park in historic downtown Durand, Michigan, as the "National Railroad Memorial"; to the Committee on Natural Resources.

By Mr. GALLEGLEY (for himself and Mr. MORAN):

H. Res. 309. A resolution recognizing the 60th anniversary of the Animal Welfare Institute; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRITZ:

H. Res. 310. A resolution providing for the consideration of the bill (H.R. 639) to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country; to the Committee on Rules.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. SESSIONS, Mr. HALL, Mr. SAM JOHNSON of Texas, Mr. BARTON of Texas, Mr. BURGESS, Mr. GOHMERT, Mr. POE of Texas, Mr. HENSARLING, Mr. CULBERSON, Mr. BRADY of Texas, Mr. AL GREEN of Texas, Mr. McCAUL, Mr. CONAWAY, Ms. GRANGER, Mr. THORNBERRY, Mr. PAUL, Mr. HINOJOSA, Mr. REYES, Mr. FLORES, Ms. JACKSON LEE of Texas, Mr. NEUGEBAUER, Mr. GONZALEZ, Mr. SMITH of Texas, Mr. OLSON, Mr. CANSECO, Mr. MARCHANT, Mr. DOGGETT, Mr. FARENTHOLD, Mr. CUELLAR, Mr. GENE GREEN of Texas, Mr. CARTER, Mr. GRIFFIN of Arkansas, Mr. PEARCE, Mr. CHABOT, Mr. CRAWFORD, Mr. SOUTHERLAND, Mr. AUSTIN SCOTT of Georgia, Mr. LANKFORD, Mr. HURT, Mr. POMPEO, Mr. WILSON of South Carolina, Ms. HERRERA BEUTLER, Mr. SCHILLING, Mr. KINZINGER of Illinois, Mr. MCKINLEY, Mr. JOHNSON of Ohio, Mr. HECK, Mr. FLEISCHMANN, Mr. DESJARLAIN, Mr. RENACCI, Mr. RYAN of Wisconsin, Mrs. NOEM, Mrs. HARTZLER, Mr. GUINTA, Mr. PALAZZO, Mr. GOSAR, Mr. DENHAM, Mr. TIBERI, Mr. BROUN of Georgia, Ms. FUDGE, Mrs. BLACK, Mr. RUSH, Mr. DAVIS of Illinois, Mr. CLYBURN, Mr. PAYNE, Mr. BUTTERFIELD, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Ms. WILSON of Florida, Ms. BROWN of Florida, Ms. LEE of California, Ms. EDWARDS, Ms. RICHARDSON, Ms. CLARKE of New York, Mr. CLEAVER, Mr. KUCINICH, Mr. CLARKE of Michigan, Mr. DAVID SCOTT of Georgia, and Mr. TOWNS):

H. Res. 311. A resolution congratulating the Dallas Mavericks on winning the 2011 National Basketball Association championship; to the Committee on Oversight and Government Reform.

By Mr. LEWIS of Georgia (for himself, Mr. MORAN, Mr. RANGEL, Mr. FILNER, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mr. STARK, Mr. PAYNE, Mr. JACKSON of Illinois, Mr. BLUMENAUER, Mr. McDERMOTT, Mrs. CHRISTENSEN, Ms. NORTON, Mr. GUTIERREZ, Ms. SPEIER, Mr. GEORGE MILLER of California, Ms. MOORE, and Mr. CARSON of Indiana):

H. Res. 312. A resolution expressing the sense of the House of Representatives that the United States should become an international human rights leader by ratifying and implementing certain core international conventions; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS:

H. Res. 313. A resolution recognizing that the occurrence of prostate cancer in African-American men has reached epidemic proportions and urging Federal agencies to address that health crisis by designating additional funds for research, education, awareness outreach, and early detection; to the Committee on Energy and Commerce.

By Mr. PEARCE (for himself, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. PITTS, Mrs. SCHMIDT, Mr. PENCE, Mr. GOHMERT, and Mr. FLORES):

H. Res. 314. A resolution declaring that it is the policy of the United States to support its ally Israel in seeking peace with its neighbors, particularly toward a two-state solution that results in a free, nonmilitarized Palestinian state living side-by-side in

peace and security with the Jewish State of Israel, the home of the Jewish people; to the Committee on Foreign Affairs.

By Mr. PITTS (for himself, Mr. MCINTYRE, Mrs. SCHMIDT, Mr. WILSON of South Carolina, Mr. BERG, Mr. PEARCE, Mr. STUTZMAN, Mr. HUELSKAMP, Mr. FLEISCHMANN, Mr. LAMBORN, Mr. WEBSTER, Mr. BISHOP of Utah, Mr. FLEMING, Mr. BUCSHON, Mr. GINGREY of Georgia, Mr. ROONEY, Mr. HARRIS, Mr. SOUTHERLAND, Mr. JOHNSON of Ohio, Mr. PENCE, Mr. SCALISE, Mrs. BLACKBURN, Mr. FLORES, Mr. JORDAN, Mr. JONES, Mr. HOLDEN, Mr. GARRETT, Mr. FRANKS of Arizona, Mr. POE of Texas, Ms. RICHARDSON, Mrs. CAPITO, Mr. NEUGEBAUER, Mr. FORTENBERRY, Mr. GOHMERT, Mr. WOLF, and Mr. CALVERT):

H. Res. 315. A resolution recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; to the Committee on Education and the Workforce.

#### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

54. The SPEAKER presented a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution urging the Congress to call on Canada's government to end its sanctioning of the annual baby seal hunt; to the Committee on Foreign Affairs.

55. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 44, H.D. 1 urging the Congress to propose an amendment to the United States Constitution for the states' consideration to provide that corporations are not persons under the laws of the United States; to the Committee on the Judiciary.

56. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 86 urging the Congress to support The Filipino Veterans Family Reunification Act of 2009; to the Committee on the Judiciary.

57. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 12 recognizing that the Congress presently has assumed authority to make immigration policy in the United States; to the Committee on the Judiciary.

58. Also, a memorial of the Senate of the State of Georgia, relative to Senate Resolution 312 endorsing the deepening of the federal navigation channel at Savannah Harbor; to the Committee on Transportation and Infrastructure.

59. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 253, H.D. 1 urging the Congress to expedite the processing of all claims for payments and the distribution of checks to Filipino veterans under the American Recovery and Reinvestment Act; to the Committee on Veterans' Affairs.

60. Also, a memorial of the Senate of the State of Oregon, relative to Senate Joint Memorial 6 urging the Congress to fund mobile health care buses for women veterans; to the Committee on Veterans' Affairs.

61. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 13, H.D. 1 urging the Congress and the Department of State to

host more international trade conferences and summits in Hawaii; to the Committee on Ways and Means.

62. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 128 urging the Congress to approve the United States-Korea Trade agreement; to the Committee on Ways and Means.

63. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 72, H.D. 2 requesting Congress to examine Federal laws and regulations to allow states to more readily enact unemployment compensation-related laws that allow fear of domestic or sexual violence to be a valid reason for not accepting suitable work; to the Committee on Ways and Means.

64. Also, a memorial of the House of Representatives of the State of Maine, relative to Joint Resolution requesting that the Federal Government reform the system of consultation with states on trade policy; to the Committee on Ways and Means.

65. Also, a memorial of the Senate of the State of Florida, relative to Senate Memorial 484 urging the Congress to oppose any effort to impose new discriminatory taxes; to the Committee on Ways and Means.

66. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 3 memorializing the Congress to expedite a solution that will provide public alert and warning in situations of war, terrorist attack, natural disaster or other hazards to public safety and well-being; jointly to the Committees on Transportation and Infrastructure and Homeland Security.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TERRY:

H.R. 2204.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause: Article 1, Section 8, Clause 3

By Mr. DENT:

H.R. 2205.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. GUINTA:

H.R. 2206.

Congress has the power to enact this legislation pursuant to the following:

Article I, Clause 1 and 3 of the United States Constitution

By Mr. McNERNEY:

H.R. 2207.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution.

By Mr. McNERNEY:

H.R. 2208.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution.

By Mr. BENISHEK:

H.R. 2209.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. COHEN:

H.R. 2210.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution

By Mr. POLIS:

H.R. 2211.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CONYERS:

H.R. 2212.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1 of the United States Constitution. This provision permits Congress to make or alter the regulations pertaining to Federal elections.

By Mr. NUNNELLEE:

H.R. 2213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7. Congress has the power to "To establish post offices and post roads."

By Mr. STIVERS:

H.R. 2214.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Clause I and II of Section 8 of Article I and the XVI Amendment of the United States Constitution.

By Mr. BERMAN:

H.R. 2215.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the authority delineated in Article 1, Section 1, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mr. HINOJOSA:

H.R. 2216.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CARTER:

H.R. 2217.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: Provide for the common Defence; To establish a uniform Rule of Naturalization; To provide for calling forth the militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. HUNTER:

H.R. 2218.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. YOUNG of Florida:

H.R. 2219.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional

power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. CHRISTENSEN:

H.R. 2220.

Congress has the power to enact this legislation pursuant to the following:

“Article I, section 8, clause 1, relating to taxation power, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.”

By Mr. CROWLEY:

H.R. 2221.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

By Mr. DONNELLY of Indiana:

H.R. 2222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause of on the U.S. Constitution: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GERLACH:

H.R. 2223.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 2224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powered vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HENSARLING:

H.R. 2225.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. HINOJOSA:

H.R. 2226.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clauses 1, 3, and 18 of Section 8 of Article 1 of the United States Constitution.

By Mr. LANCE:

H.R. 2227.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. LUJÁN:

H.R. 2228.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mrs. MCCARTHY of New York:

H.R. 2229.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. McDERMOTT:

H.R. 2230.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mrs. NOEM:

H.R. 2231.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1.

By Mr. ROONEY:

H.R. 2232.

Congress has the power to enact this legislation pursuant to the following:

Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROSS of Arkansas:

H.R. 2233.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, Clause 18 (Necessary and Proper Clause);

By Ms. ROYBAL-ALLARD:

H.R. 2234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. ROYBAL-ALLARD:

H.R. 2235.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SABLAN:

H.R. 2236.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, of the Constitution.

By Mr. SCHIFF:

H.R. 2237.

Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause of Article 1, Section 8 of the Constitution. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. SCHOCK:

H.R. 2238.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 2239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. TSONGAS:

H.R. 2240.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. YOUNG of Alaska:

H.R. 2241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

#### ADDITIONAL SPONSORS

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

H.R. 26: Mr. GARAMENDI.

H.R. 58: Mr. MILLER of Florida.

H.R. 140: Mr. ROE of Tennessee.

H.R. 210: Mr. RUSH, Ms. BORDALLO, Mr. MEEKS, Ms. NORTON, Mr. BERMAN, Mr. BACA, Mrs. DAVIS of California, Mr. RANGEL, Mr. AUSTRIA, and Mr. McDERMOTT.

H.R. 240: Mr. CARSON of Indiana.

H.R. 298: Mr. SAM JOHNSON of Texas, Mr. REYES, Mr. SESSIONS, and Mr. CULBERSON.

H.R. 301: Mr. GERLACH.

H.R. 324: Mr. HEINRICH.

H.R. 327: Mr. HEINRICH.

H.R. 374: Mr. CHABOT and Mr. WALBERG.

H.R. 389: Mrs. MILLER of Michigan.

H.R. 396: Mr. MARCHANT.

H.R. 451: Mr. HARRIS, Ms. CASTOR of Florida, and Mr. BRADY of Texas.

H.R. 452: Mr. AUSTIN SCOTT of Georgia and Mr. BERG.

H.R. 495: Mr. CALVERT.

H.R. 546: Mr. GUTHRIE, Mr. MCCAUL, and Mr. GONZALEZ.

H.R. 593: Mr. FORBES.

H.R. 607: Mr. MILLER of Florida.

H.R. 609: Mr. COBLE.

H.R. 615: Mr. COFFMAN of Colorado and Ms. BUERKLE.

H.R. 640: Mr. OWENS.

H.R. 642: Mr. McKEON.

H.R. 676: Mr. McDERMOTT.

H.R. 719: Mrs. MILLER of Michigan.

H.R. 724: Mr. OWENS.

H.R. 735: Mr. STUTZMAN, Mr. PRICE of Georgia, Mr. HUNTER, Mr. PALAZZO, and Mr. AL-EXANDER.

H.R. 743: Mr. LATHAM.

H.R. 745: Ms. JENKINS.

H.R. 750: Mr. JONES.

H.R. 787: Mr. JOHNSON of Ohio, Mr. BILIRAKIS, Mr. WEST, Mr. SMITH of Nebraska, Mr. GOSAR, and Mrs. MILLER of Michigan.

H.R. 805: Mr. CLEAVER.

H.R. 812: Mr. SCHRADER.

H.R. 891: Mr. LARSON of Connecticut.

H.R. 908: Mr. GERLACH.

H.R. 912: Mr. CALVERT.

H.R. 941: Mr. MURPHY of Pennsylvania.

H.R. 942: Mr. COBLE.

H.R. 972: Mr. PALAZZO, Mr. TIBERI, and Mr. BROUN of Georgia.

H.R. 973: Mr. McKEON and Mr. CALVERT.

H.R. 998: Mr. DAVIS of Illinois, Ms. WATERS, Mr. TIERNEY, Ms. SCHWARTZ, and Mr. ANDREWS.

H.R. 1004: Mr. CICILLINE.

H.R. 1022: Mr. FILNER.

H.R. 1044: Mr. LONG.

H.R. 1058: Mr. BRADY of Texas.

H.R. 1063: Mr. CARNAHAN and Ms. NORTON.

H.R. 1161: Mr. LATTI, Mr. KILDEE, Mr. GENE GREEN of Texas, Mrs. CAPITO, and Mr. DIAZ-BALART.

H.R. 1173: Mr. CHAFFETZ.

H.R. 1181: Mr. LUETKEMEYER.

H.R. 1236: Mr. PALAZZO and Mr. DAVIS of Illinois.

H.R. 1259: Mr. OLSON.

H.R. 1300: Mr. STARK.

H.R. 1324: Mr. BRADY of Texas.

H.R. 1325: Mr. CRITZ, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SIREN, and Mrs. MYRICK.

H.R. 1356: Mr. COURTNEY.

H.R. 1370: Mr. SHIMKUS.

H.R. 1386: Mr. GEORGE MILLER of California, Mr. HINCHEY, and Mr. YARMUTH.

H.R. 1397: Mr. HIMES.

H.R. 1426: Mr. TIERNEY, Ms. NORTON, Mr. HANNA, and Ms. BROWN of Florida.

H.R. 1443: Mr. CONAWAY.

H.R. 1444: Mr. CONAWAY.

H.R. 1513: Mr. KILDEE, Mr. OWENS, Mr. WHITFIELD, and Mr. HOLT.

H.R. 1519: Mr. QUIGLEY and Mr. HONDA.

H.R. 1533: Mr. CRAVAACK.

H.R. 1543: Ms. DELAURO.

H.R. 1546: Mr. MURPHY of Connecticut, Ms. NORTON, Mr. YARMUTH, and Mr. KIND.

H.R. 1551: Mrs. HARTZLER.  
 H.R. 1645: Mr. GONZALEZ, Mr. BACA, Mr. REYES, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. HINOJOSA, Mr. Luján, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. HONDA, Mr. SIRES, and Mr. SERRANO.  
 H.R. 1648: Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. LARSON of Connecticut, and Mr. HIMES.  
 H.R. 1681: Mr. DAVIS of Illinois.  
 H.R. 1686: Mr. SCHILLING.  
 H.R. 1695: Mr. TOWNS.  
 H.R. 1734: Mr. LONG and Mr. GARY G. MILLER of California.  
 H.R. 1738: Mr. HASTINGS of Washington.  
 H.R. 1744: Mr. PALAZZO, Mr. STEARNS, Mr. BERG, and Mr. SENSENBRENNER.  
 H. R. 1756: Mr. RANGEL, Mr. TIERNEY, and Mr. COURTNEY.  
 H.R. 1792: Mr. OLVER, Mr. COOPER, Mr. GRIJALVA, Mr. BISHOP of New York, Mr. HOLDEN, and Mr. WOLF.  
 H.R. 1848: Mr. MCHENRY, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr. POE of Texas, Mr. AUSTIN SCOTT of Georgia, Mr. BARTON of Texas, Mr. SULLIVAN, Mr. FRANKS of Arizona, Mr. MICA, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, and Mr. MARCHANT.  
 H.R. 1852: Mr. DENT, Mr. OLVER, Mr. MICHAUD, Mr. DAVIS of Kentucky, Mr. STARK, Mr. RUSH, Mr. PASCRELL, Mr. CAPUANO, Ms. LEE, Ms. SPEIER, Mr. MURPHY of Connecticut, Mrs. LOWEY, Ms. CASTOR of Florida, Ms. SUTTON, Mr. SHIMKUS, and Mr. KEATING.  
 H.R. 1916: Ms. SUTTON, Mr. GUTIERREZ, Mr. DEUTCH, Mr. LOEBACK, Mr. BRALEY of Iowa, Mr. LYNCH, Mr. DEFAZIO, and Mr. TIERNEY.  
 H.R. 1932: Mr. GARY G. MILLER of California and Mr. FORBES.

H.R. 1946: Mr. FORTENBERRY.  
 H.R. 1951: Mr. KILDEE.  
 H.R. 1980: Mr. BARROW, Mr. WOLF, Mr. JOHNSON of Ohio, and Mrs. BLACKBURN.  
 H.R. 2011: Mr. SOUTHERLAND.  
 H.R. 2014: Mr. PERLMUTTER, Mr. COBLE, Mr. BARTLETT, Mr. GERLACH, Mr. JONES, Mr. COSTA, Mr. LANDRY, and Mr. GENE GREEN of Texas.  
 H.R. 2019: Mr. RUSH.  
 H.R. 2023: Mrs. HARTZLER.  
 H.R. 2032: Mr. GRAVES of Missouri, Mr. GARY G. MILLER of California, and Ms. JACKSON LEE of Texas.  
 H.R. 2033: Mr. PASCRELL, Mr. HEINRICH, Mr. STARK, and Mr. CALVERT. H. R. 2040: Mr. BROOKS, Mr. MILLER of Florida, and Mr. SESSIONS.  
 H.R. 2067: Ms. CASTOR of Florida.  
 H.R. 2070: Mrs. SCHMIDT, Mr. PITTS, Mr. WILSON of South Carolina, Mr. PENCE, Mr. GOHMERT, Mr. FLORES, Mr. ROONEY, Mr. POSEY, Mr. FLEMING, Mr. BISHOP of Utah, Mr. KLINE, Mr. LAMBORN, Mr. FLEISCHMANN, Mr. PEARCE, Mr. GUINTA, and Mr. BARTLETT.  
 H.R. 2082: Mr. WEST.  
 H.R. 2086: Mr. BURGESS and Mr. BILBRAY.  
 H.R. 2103: Mr. LYNCH.  
 H.R. 2108: Mrs. McMORRIS RODGERS.  
 H.R. 2123: Ms. NORTON.  
 H.R. 2140: Mr. ALTMIRE.  
 H.R. 2144: Mr. MCDERMOTT.  
 H.R. 2164: Mrs. BLACKBURN, Mr. McCAUL, and Mr. LEWIS of California.  
 H.R. 2168: Mr. WELCH.  
 H.R. 2173: Mr. MCCLINTOCK.  
 H.R. 2187: Ms. WOOLSEY.  
 H. Res. 94: Mr. FALEOMAVAEGA.  
 H. Res. 183: Mr. HINCHEY.  
 H. Res. 296: Mr. HENSARLING, Mr. KLINE, Mr. FLEMING, Mr. GINGREY of Georgia, Mr.

FLORES, Mr. PITTS, Mrs. SCHMIDT, Mr. WILSON of South Carolina, Mr. BARTLETT, and Mr. ELLISON.

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#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 657: Mr. BISHOP of Utah.  
 H.R. 1380: Mr. FARENTHOLD, Mr. NUGENT, and Mr. RIGELL.  
 H. Con. Res. 59: Mr. RANGEL.

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#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

9. The SPEAKER presented a petition of California State Lands Commission, California, relative to a resolution opposing the enactment of H.R. 1231; to the Committee on Natural Resources.

10. Also, a petition of Town of Cambria, New York, relative to a resolution opposing H.R. 1555; to the Committee on Homeland Security.

11. Also, a petition of American Bar Association, Illinois, relative to a resolution supporting the development and use of evidence-based, clinical, or medical practice guidelines or standards regarding patient care and safety; jointly to the Committees on Energy and Commerce and the Judiciary.





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, FIRST SESSION

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WASHINGTON, THURSDAY, JUNE 16, 2011

No. 87

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Don Duncan, Senior Chaplain of Oklahoma Jail & Prison Ministries and Chaplain of the Oklahoma County Sheriff's Office.

The guest Chaplain offered the following prayer:

Let us pray.

Father, as we pause to seek Your divine guidance, I pray for Your presence, wisdom, and divine protection to be bestowed upon these Senators, their families, their staffs, and all those who have committed their lives in service to our country. I pray Your guidance through eternal principles in all discussions and final decisions. I pray for that which is honorable both in Your sight and in the heart of each citizen. When a conclusion is reached, may peace abide throughout this Chamber and throughout this land.

We pray this through the Name of Jesus. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 16, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will resume consideration of S. 782, which is the Economic Development Revitalization Act, with 4 hours of debate on the Feinstein and McCain amendments. At about 2 p.m., there will be two rollcall votes in relation to the Feinstein and McCain amendments. Each amendment will have a 60-vote threshold.

### OIL SUBSIDIES

Mr. REID. Mr. President, I am happy to see the Republicans opening up to what Democrats have been saying all along—that cutting wasteful subsidies to Big Oil should be on the table if we are going to reduce the deficit. Yesterday, my friend, the senior Senator from Tennessee, said he would consider ending taxpayer subsidies for oil companies making record profits. I congratulate my friend, the senior Senator from Tennessee. Democrats agree. Handouts such as these to companies that made \$36 billion in the first quarter of this year alone must be part of the discussion if we are going to get our fiscal house in order.

As we decide where to cut, we will need to make some tough choices, but not every choice has to be difficult. If we are serious about reducing spending, ending tens of billions in taxpayer giveaways to big oil companies shouldn't be one of the difficult decisions we have to make.

When the other side says the alternative is to end Medicare, slash Medicaid, and put millions of seniors at risk, the choice is that much clearer. We cannot take with one hand from those who can least afford it and give with the other hand to those who can. Before we end Medicare as we know it or eliminate Medicaid funding for nursing homes, as the Republicans have proposed, we should cut wasteful spending. During the course of a year, one in five Americans will be on Medicaid. The cuts the Republicans propose will affect real people—the elderly man in the nursing home, for example; the child missing her yearly checkup, as an example; the pregnant woman, as an example, whose baby depends on proper prenatal care; or the person with a disability, for example, who is able to live alone thanks to the helping hand Medicaid provides. These cuts will affect everyone else too. Cutting Medicaid simply shifts costs; it doesn't lower costs. Each patient who doesn't get the care he or she needs from a doctor today will get it tomorrow at three times the price in an emergency room, and we will all foot that bill.

The American people have spoken loudly and clearly. They do not want to balance the budget on the backs of seniors, children, or the disabled. I am glad to see at least one of my Republican colleagues courageously breaking from the pack.

Mr. President, would the Chair now announce whatever the business of the day is.

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



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S3851

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ECONOMIC DEVELOPMENT  
REVITALIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 782, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat home buyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Bacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the volumetric ethanol excise tax credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn modified amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

Reid (for Feinstein/Coburn) amendment No. 476, to repeal the volumetric ethanol excise tax credit.

## AMENDMENTS NOS. 476 AND 411

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 4 hours of debate equally divided and controlled between the two leaders or their designees on amendment No. 476, offered by the Senator from California, Mrs. FEINSTEIN, and amendment No. 411, offered by the Senator from Arizona, Mr. MCCAIN.

Mr. REID. Mr. President, noting there is no one on the floor, I suggest the absence of a quorum, and I ask unanimous consent that during the quorum the time be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I rise in support of the Ethanol Subsidy and Tariff Repeal Act, which Senator COBURN and I are offering as an amendment to pending legislation. The other cosponsors on this amendment are Senator WEBB and Senator COLLINS. This is identical to a bill that we have submitted. On that bill there are more cosponsors. They are COBURN, CARDIN, WEBB, CORKER, LIEBERMAN, COLLINS, SHAHEEN, BURR, RISCH, and TOOMEY.

I want to have the record straight that this amendment is in response to a bill which we have crafted. On Tuesday the Senate voted on the proposal but unfortunately we saw a process battle, which I spoke to on the floor, which I think overwhelmed, in some respects, the debate. That is not the case today. There are ongoing negotiations to see if it is possible to put together a solution which can bring all sides together on this amendment that we will be voting on at 2 o'clock. Thus far we do not have an agreement. However, at least one of our cosponsors of this has said to me—this is Senator WEBB—that he would very much appreciate a straight up-or-down vote on Coburn-Feinstein so we know exactly where the Senate stands. It is still possible, even after that cloture vote, if we can reach a successful conclusion to the negotiation that we could have another vote and change that.

Today, this is the first vote that the Senate has taken based on the merits of repealing the ethanol subsidy and tariff. In a nutshell, let me give the reasons. I know of no other product in the United States that has a triple crown of benefits: It is a mandate: oil companies must buy this ethanol; there is a subsidy: oil companies are paid for buying this substance; and this substance known as corn ethanol is protected by a protective tariff which prevents other nations, such as Brazil, from importing ethanol which actually has more beneficial environmental effects.

As a matter of fact, corn ethanol is the least environmentally proficient form of ethanol. Everything else is better than corn; cellulosic is better, algae is better, and sugar is better. The bottom line is we have a triple crown of subsidy, mandate, and protective tariff on the least effective, least environmentally sound ethanol there is.

More importantly, corn ethanol is now used to such an extent that it is having a major impact on food commodity prices and in particular on feed prices. This is particularly true in the poultry industry. I will get to that in a few minutes.

I do want to thank Senators KLOBUCHAR and THUNE for good-faith efforts to try to reach a compromise. As part of this compromise, at least from my point of view, a substantial amount of the revenue must be used to reduce the debt and deficit in addition to eliminating wasteful ethanol subsidies and tariffs. These negotiations have been ongoing since Tuesday. We have not yet reached an agreement. The vote at 2 o'clock will not end these talks. I am perfectly willing to continue to talk but I do think it is important that we have a clean up-or-down vote on the Coburn-Feinstein amendment.

The issue at hand is a simple issue. The subsidy given to these oil companies costs taxpayers billions of dollars every year and the tariff actually has the effect of making us more dependent on foreign oil. Let me explain. In 2005, the ethanol subsidy cost taxpayers \$1.5 billion. This year that number is nearly \$6 billion. In just 6 years it has gone from a cost of \$1.5 billion to a cost of nearly \$6 billion. There is a reason for it, and I will get to that in a moment, but since 2005, the total cost of this subsidy has been \$22.6 billion.

Here is the increase every year: \$1.5 billion in 2005; 2006, \$2.6 billion; 2007, \$3.3 billion; 2008, \$4.4 billion; 2009, \$5.2 billion; 2010, \$5.7 billion; and the all-time high in these last 2 years of \$5.7 billion.

However, it continues to rise. The proposal that has been made for an extension to 2015, by some, would cost another \$31 billion.

Let me be clear. The subsidy is wasteful and duplicative. It does very little to promote the use of ethanol which oil companies already must use under current law. The renewable fuels standard dictates oil companies use 14 billion gallons of biofuels this year, 20.5 billion gallons by 2015, to 36 billion gallons by 2022.

These volumes, by law, increase every year. It more than doubles by 2022. It is that doubling in volume that will ultimately cost us; we are currently paying oil companies to follow this law.

Let me speak briefly about the tariff. The 54-cent-per-gallon tariff on ethanol imports makes our Nation more dependent on foreign oil. The tariff acts as a trade barrier, placing clean sugarcane ethanol imports from friendly nations at a competitive disadvantage to

oil imports from OPEC. This discourages imports of low-carbon ethanol from our allies and leads to more oil and gasoline imports from OPEC countries, which enter the United States tariff free. So you have a high tariff on ethanol imports but a very low tariff on oil. Sugarcane ethanol, one of the lowest carbon fuels that is widely available, suffers from this tariff.

This tariff makes no sense and it should be repealed. I believe that there is very strong consensus in this body on the tariff issue. The Ethanol Subsidy and Tariff Repeal Act repeals the 45-cent-per-gallon ethanol blending subsidy known as the volumetric ethanol excise tax credit on July 1. The 54-cent-per-gallon ethanol tariff is also repealed beginning on July 1. Two parts of the three-part triple crown of government support are covered in our bill.

The third part of the triple crown is that refineries are already required to use ethanol under the Renewable Fuel Standard. The subsidy pays them to use that mandated ethanol, and ethanol, again, is protected from competition by a very high import tariff.

I think we need to address this quickly because the effects are harmful and the costs are great. At highest risk are increased costs for feed, corn, and other food. Today, 39 percent of the U.S. corn crop is used to produce ethanol, according to the Congressional Research Service. Well over a third of the corn crop is used to produce ethanol. Corn futures reached a record \$7.99 a bushel last week, this is an increase of 140 percent over 12 months.

In this graph you can see the rise, from \$2 in 2005 to \$3 in 2006, going up over 2007, 2008 to over \$4, beginning to come down slightly in 2009, continues down in 2010, and then in 2010 to 2011, and 2011 to 2012, it has shot up to well over \$6. This is devastating, to poultry farms all over the country. This is devastating to cattle and this is devastating to food commodity prices. These prices will continue to go up if we let these subsidies continue. The annual average price of corn has risen 225 percent since 2006. So from 2005 to today, there has been a 225-percent increase in corn prices. Does anybody think that is good for this Nation? Is it good for farmers who depend on corn feed? I don't think so.

Let me give you some examples. The annual feed cost for Foster Farms tripled over the past year, increasing costs by more than \$200 million. That is greater than the firm's largest ever annual profit. Zacky Farms, which is a large farm, has lost \$35 million over the last 3 years due to increased corn costs.

I want to read to you for a moment a summary of the impacts on Zacky Farms. Here is the background. Zacky Farms is a family-owned, vertically integrated producer of quality turkey products for consumers in the retail and food service markets. The company is 55 years old but has roots in sup-

plying poultry products to consumers that reach back all the way to 1928, representing three generations of commitment to the business. Zacky currently employs over 1,000 and supplies approximately 2 percent of the turkey consumed in the United States.

During the past 3-plus years, the growing use of corn for ethanol has been nothing less than devastating on Zacky Farms. Why? The cost of turkey feed represent about 60 percent of the final price of turkey products that consumers buy in stores. Corn is roughly 50 percent of the turkey feed formulation, making corn one-third of the cost of a turkey. Soybean meal, usually the second largest ingredient in turkey feed, competes for the same acreage as corn, and consequently the pricing of soybean meal often moves in tandem with corn. The government is sitting on acres and paying farmers not to plant soybeans, thereby encouraging costs to rise. I didn't know that. We are paying farmers not to plant soybeans. Recent reports show that since 1990, there are essentially no new acres available. Ethanol use of corn is therefore driving up other turkey feed ingredient prices also.

The increasing use of corn in ethanol—now nearly 40 percent of the Nation's corn supply—has been a major factor in driving the price of corn from \$2 a bushel, to \$4 a bushel, to \$6 a bushel, and currently \$7.75 a bushel. That is what Zacky is currently paying. This dramatic increase has all occurred since the fourth quarter of 2006. The turkey industry has been unable to pass these cost increases along fast enough to maintain profitability.

We were in the caucus on Tuesday, and we heard one Senator talk about how a farm has actually collapsed because of these prices in his State, and a second Senator reiterated his deep concern about what is happening to the poultry interest in his State. So this is not just Foster Farms and Zacky Farms, which happen to be in California, it is all over.

They then go into the impact of corn for ethanol on employees, suppliers, customers, consumers, and family ownership, and they say they have suffered significant losses during the past 3 years, and it has been estimated to be as much as \$35 million in losses from 2008, 2009, and 2010, and their banking relationships have been shattered after 60 years of banking. Bank of America told the company to find another bank.

In 2008, the company was forced to implement across-the-board salary freezes and other measures to help control these costs. Turkey prices have jumped dramatically and will continue to increase—in other words, the market is becoming such that turkey is going to become an endangered species, particularly in a down market. And they stopped promotions, such as the free Thanksgiving turkey with the purchase of a certain dollar amount. It goes on and on. This is a very serious issue.

Let me give you another one. Paul Cameron is a commercial cattle feeder from the Imperial Valley. He says:

My company employs 32 hard-working men and women. Many of these employees are second and third generation to the livestock business. Our cattle rely primarily on Midwestern grown corn as their primary source for grain.

This is the conflict here:

This year 41 percent of our Nation's corn crop will be used up by a heavily subsidized ethanol industry. In a year where nationally our grain inventories have already been reduced by adverse weather, corn has risen in price by 140 percent. Because of this, any chance of profitability in all protein industries has vanished.

The cattle inventory in our own operation is being reduced and we have begun the process of laying off many of our employees. Coming from a county with 27.9 percent unemployment (April EDD), these good, hard-working people will be relegated to trying to find jobs where there are none. These are the very people that take great pride in the fact that they not only feed a Nation, but also feed the world.

This is what these subsidies are doing. This is actual testimony read verbatim.

I have a letters from the American Meat Institute, California Dairies, National Chicken Council, National Cattlemen's Beef Association, National Meat Association, National Pork Producers Council, and the National Turkey Federation essentially saying the same thing:

Corn-based ethanol has distorted the corn market, and stretched corn supplies to the point production costs have increased significantly. Additionally, the current import tariff on foreign sources of ethanol harms United States consumers by retarding the development of a robust and sustainable biofuels market.

That is a direct quote.

Mr. President, I ask unanimous consent to have printed in the RECORD this testimony following my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mrs. FEINSTEIN. Then there is a very long list in a letter to Senators REID and MCCONNELL from a couple dozen agencies, both agricultural and environmental, and I ask unanimous consent to have printed in the RECORD that letter as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mrs. FEINSTEIN. Thank you. Also, from the Western United Dairymen Association and from the National Cattlemen's Beef Association as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 3.)

Mrs. FEINSTEIN. I do this not because I want to run through it all but because I think it is evidentiary testimony to what is happening as a result of what is very bad and egregious public policy. At a time of debt and deficit,

where we are looking to find a compromise solution, which is going to be very difficult. If we reach one, it will have a dramatic impact on this Nation. To continue a program which has the potential to cost tens of billions of dollars makes no sense to me at all.

This summer, experts are predicting a mass slaughter of hogs. The USDA predicts that U.S. corn reserves will sink to their lowest level since the mid-1990s this summer, and rising food prices are contributing to global poverty and instability. So we are faced with a vote today that is very simple. The vote says: End this trifecta of subsidy, mandate, and protective tariff. It says: Do not wait for it to expire at the end of the year, but do it as of July 1. If we do it as of July 1, we will produce approximately \$2.7 billion to the Treasury to ameliorate debt and deficit. I think this is an easy \$2.7 billion to save.

Now, someone might say: Well, what are you doing to all of the producers of ethanol? Shouldn't we protect them? Well, this has been going on for a very long time—since 2005. To have an industry develop that then becomes dependent on this trifecta of subsidy, mandate, and protective tariff is only going to increase costs in the future. I understand beginning an industry with some help, giving them a leg up, giving them a toehold. That toehold becomes a foothold, and then they go on their own. The ethanol industry instead wants a continuation of the subsidy that effectively goes to the oil companies—the most profitable industry in the United States—continue the subsidy, continue the mandate, and continue to protect ethanol.

You can be sure that if we don't do this now and we wait for it to end at the end of 2012, there will be a fight to continue it. We are all talking about saying no. We are all talking about that the time has come when we have to do business differently. We have a lot of major problems out there. We have a lot of people who need help. Would I rather help those people or would I rather help Big Oil do essentially what they are mandated to do anyway? The choice is easy. The choice is clear. Would I want to continue a high, protective tariff on the least environmentally friendly commodity, corn ethanol? It is not even algae. It is not cellulosic. It is not sugar cane. It is the least environmentally friendly feedstock used to produce ethanol.

I have opposed this from the beginning because I am not that prescient, I just knew that once we started this it wasn't going to end. Once we started it, it was going to be more, more, more. That is the beat. If we can sell it in the next few hours with the proposal that meets the strictures of both sides of this great institution—we are trying to do that, but there are people who strongly believe it should be ended quickly, and that is what this cloture

vote this afternoon will show. It would be the first consequential vote of the Senate to say that major subsidies to oil companies, to do what they are mandated to do, have come to an end. Protective tariffs of the least environmentally friendly source of ethanol will come to an end, and they will come to an end in a timely way. This is what the government should be doing.

I would like to yield the floor at this time. I know this has been tough. The big surprise to me has been how emotional our caucus on the Democratic side has been, and I understand the other side's caucus, the Republican side, was emotional as well. This appears to be much more major than the legislation itself might signal. I am very hopeful we will have 60 votes. That would send a very loud message from the Senate.

Thank you very much.

I yield the floor.

#### EXHIBIT 1

Hon. TOM COBURN,  
*U.S. Senate,*  
*Washington, DC.*

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

DEAR SENATORS COBURN AND FEINSTEIN, The undersigned livestock and poultry groups appreciate your leadership with the introduction of "The Ethanol Subsidy and Tariff Repeal Act," which would end 30 years of tax credits for conventional ethanol and end the tariff on imported ethanol on July 1st.

At a time when animal agriculture is facing pressures on many fronts, this legislation would ease the economic strain that is heavily affecting the industries that rely so heavily on corn to feed livestock and poultry. Corn-based ethanol has distorted the corn market, and stretched corn supplies to the point production costs have been increased significantly. Additionally, the current import tariff on foreign sources of ethanol harms U.S. consumers by retarding the development of a robust and sustainable biofuels market.

If enacted, your legislation would save taxpayers nearly \$3.3 billion in 2011. Experts such as the Congressional Budget Office and the Government Accountability Office have already concluded that the subsidy is unnecessary and leading economists agree that ending it would have little impact on ethanol production, prices, or jobs.

This legislation will help American consumers by ending the costly and unnecessary protection and subsidization of converting corn into fuel. We applaud you for your leadership on the issue and strongly encourage Congress to pass this legislation promptly.

Sincerely,

AMERICAN MEAT INSTITUTE.  
CALIFORNIA DAIRIES, INC.  
NATIONAL CHICKEN  
COUNCIL.  
NATIONAL CATTLEMEN'S  
BEEF ASSOCIATION.  
NATIONAL MEAT  
ASSOCIATION.  
NATIONAL PORK PRODUCERS  
COUNCIL.  
NATIONAL TURKEY  
FEDERATION.

My name Paul Cameron and I am a commercial cattle feeder from the Imperial Val-

ley. My company employs 32 hard working men and women. Many of these employees are second and third generation to the livestock business. Our cattle rely primarily on Midwestern grown corn as their primary source for grain. This year 41% of our nation's corn crop will be used up by a heavily subsidized ethanol industry. In a year where nationally our grain inventories have already been reduced by adverse weather conditions, corn has risen in price by 140%. Because of this, any chance of profitability in all protein industries has vanished.

The cattle inventory in our own operation is being reduced and we have already begun the process of laying off many of our employees. Coming from a county with 27.9% unemployment (April-EDD), these good, hard-working people will be relegated to trying to find jobs where there are none. These are the very people that take pride in the fact that they not only feed a nation, but also feed the world.

Energy independence for our nation is vital, but the production of abundant, safe, and healthy proteins for the world's population is every bit as important. As cattle producers nationwide, who have never asked for a subsidy of any kind, we only ask that ethanol production stand on its own and allow true supply and demand dictate the real price of corn.

#### EXHIBIT 2

JUNE 13, 2011.

Hon. HARRY REID,  
*Majority Leader, U.S. Senate, Washington, DC.*  
Hon. MITCH MCCONNELL,  
*Minority Leader, U.S. Senate, Washington, DC.*

DEAR CONGRESSIONAL LEADERS: The undersigned diverse group of business associations, hunger and development organizations, agricultural groups, environmental groups, budget hawks, grassroots groups and free marketers urge you to support the Coburn-Feinstein amendment, No. 436, to the Economic Development Revitalization Act (S. 782), which would end 30 years of tax credits for conventional ethanol and end the tariff on imported ethanol on July 1st.

Conventional ethanol is due to receive some \$6 billion in refundable tax credits this year. Continuing to subsidize oil companies to blend ethanol—which they are already required to do by the Renewable Fuels Standard—is wasteful and unnecessary. This amendment will save U.S. taxpayers several billion dollars this year and have virtually no impact on ethanol production, jobs or prices.

Sincerely,

Action Aid USA, American Bakers Association, American Frozen Food Institute, American Meat Institute, Americans for Limited Government, Americans for Prosperity, California Dairies, Inc. Clean Air Task Force, Competitive Enterprise Institute, Defenders of Wildlife, Environmental Working Group, Friends of the Earth, Freedom Action, Greenpeace USA, Grocery Manufacturers Association, International Dairy Foods Association, Milk Producers Council.

National Black Chamber of Commerce, League of Conservation Voters, National Chicken Council, National Council of Chain Restaurants, National Meat Association, National Restaurant Association, National Turkey Federation, National Wildlife Federation, Natural Resources Defense Council, Oxfam America, Sierra Club, Snack Food Association, Southern Alliance for Clean Energy, Taxpayers for Common Sense, U.S. PIRG, Union of Concerned Scientists, World Wildlife Federation.

## EXHIBIT 3

WESTERN UNITED DAIRYMEN,  
Modesto, CA, December 10, 2010.

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

DEAR SENATOR FEINSTEIN: The plan to extend the ethanol blenders tax credit and tariff in the tax package will add significantly to the economic distress this country's dairy farm families have experienced for the past two years. In addition, if this plan goes forward, these incentives will have been extended without debate while the country's deficit and debt situation grows more alarming nearly every day and responsible people disagree over the environmental benefits of corn ethanol.

Producers are still reeling from low prices resulting from the loss of export markets caused by the worldwide financial crisis in late 2008. Throughout that time, dairy farmers' production costs have remained very high. The erosion in equity experienced by dairy farmers in this country over the past 24 months is of staggering proportions.

Estimates are that the U.S. will use upwards of one-third of the nation's corn crop to make ethanol this year, and that was before the EPA recently increased the amount that can be blended by 50%. The USDA now estimates this year's average farm price for corn between \$4.80 and \$5.60/bushel. That is up nearly 25% from the estimate just two months ago and compares to the previous record of \$4.20/bushel in 2007/08.

The blenders tax credit is also unnecessary. Mandates requiring the use of renewable fuels will ensure significant demand for corn ethanol for the foreseeable future.

Please oppose inclusion of corn ethanol incentives in the tax package. An issue that is this costly, in so many ways, deserves significant debate prior to a vote.

Very truly yours,

MICHAEL L.H. MARSH, CPA,  
Chief Executive Officer.

[From the National Cattlemen's Beef Association]

NCBA SUPPORTS LEGISLATION TO END  
ETHANOL SUBSIDY, IMPORT TARIFF

WASHINGTON (May 3, 2011).—National Cattlemen's Beef Association (NCBA) President Bill Donald said the Ethanol Subsidy and Tariff Repeal Act, which was introduced today by U.S. Senators Tom Coburn (R-Okla.) and Dianne Feinstein (D-Calif.), would end 30 years and more than \$30 billion of taxpayer support for the corn-based ethanol industry and would finally level the playing field for all commodities relying on corn as a major input. The legislation would repeal both the Volumetric Ethanol Excise Tax Credit (VEETC) and the tariff on imported ethanol by no later than June 30, 2011.

"NCBA supports the development of renewable and alternative fuels and we know ethanol plays a role in reducing our dependence on foreign oil. However, we don't support forcing taxpayers to prop up an industry that should be able to stand on its own two feet," said Donald who is also a cattleman from Melville, Mont. "Senators Coburn and Feinstein should be commended for their leadership on this issue and for introducing this commonsense legislation that will not only level the playing field for a bushel of corn but will also save taxpayers more than \$6 billion annually."

Donald said the VEETC and the ethanol import tariff put other end-users of corn, including cattlemen and women, at a severe competitive disadvantage. From December 2007 to February 2010, the cattle feeding sector of the beef industry lost a record \$7 billion in equity due to high feed costs and eco-

nomics factors that have negatively affected beef demand. Between 2005 and 2008, corn prices quadrupled, reaching a record high of \$8 a bushel and are more than \$7 a bushel today. Donald said this volatility in the marketplace was a result of ethanol mandates and subsidies artificially pushing feed costs higher.

"It's no secret that supplies are tight. In fact, the U.S. Department of Agriculture has predicted ethanol will account for 40 percent of this year's corn crop. All we are asking is to compete head-to-head for a bushel of corn. That's what this legislation will accomplish," Donald said. "The federal government shouldn't be in the business of picking winners and losers. We urge all senators to take a stand on the side of good government and support this legislation."

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I wish to say to the Senator from California, many of the points she made are valid. I came back for the purpose of addressing our overspending and that involves all kinds of tax expenditures and all kinds of subsidies. It is necessary because of our current debt and deficit situation. We have to get control of this. It is the only reason I ran. It is the only reason I am back in the Senate, with a commitment from the people of Indiana who supported me that, yes, this is what needs to be done in Washington. So I am not here to criticize the efforts of Senator COBURN or Senator FEINSTEIN and others to begin to address these subsidies. That is exactly what we need to do.

I think the phrase of the Senator from California: "This is what we are doing in a timely way," goes to the heart and the essence of where I believe we need to go. We have subsidized, for some valid reasons early on, the production of ethanol. We did that because we said we are not independent in terms of our energy production, and our dependence on oil—particularly Middle Eastern oil. Our dependence is not only costly to us from the standpoint of OPEC setting the price of oil worldwide, based on their output, but also from the standpoint that we have spent a lot of money in blood and treasure to continue this dependence on oil, by placing troops in the Middle East. Would anybody think we would pay nearly as much attention to the Middle East as we are now were it not for the fact the oil supply that comes from there is absolutely necessary for our economy and the world economy? I think everyone in this Chamber would say we want less dependence on foreign sources and more independence. So the production of homegrown energy out of corn or other products grown in the soil which can be converted to a form of energy, so we use less foreign oil and more of our own resources to drive our trucks and cars and fuel our planes, is a valid goal.

To get that started—I wasn't here—but Congress passed a set of subsidies in order to encourage that industry. On the basis of that, States, private entities, public-private partnerships committed to move forward with produc-

tion of ethanol. We are at a point now where there is essentially agreement that this subsidy has to be phased out, taken away, and the producers of ethanol agree. Maybe it is a political reality or for whatever reason.

As I spoke to ethanol producers across my State, I basically said we cannot continue this subsidy in our current situation of debt. It has always been designed to become economically feasible, and it would be related to the price of oil. Well, the price of oil has gone up. This gives ethanol producers a more level playing field.

The problem many of us from the Midwest have—but I will only speak for myself—many of us from corn-growing and ethanol-producing States—and Indiana, by the way, is one of the leading States in the Nation, producing a significant percentage of ethanol—is that this amendment basically says it is over now. A bipartisan group has come together around a transition proposal Senator THUNE has put forward. I am all for a straight up-or-down vote on the best way to eliminate this subsidy and to phase it out completely. I can't imagine anybody here would think, as we address Tax Code expenditures, that there wouldn't be a transition process in place for eliminating that expenditure for an industry or for an individual in the United States.

I joined Senator WYDEN, a Democrat, in a bipartisan effort for comprehensive tax reform. Our proposal basically eliminates most of the special provisions in the tax code, totaling almost \$1 trillion. We take away these specialized tax provisions in a way to reduce rates and make our companies more competitive, lower individual rates and simplify the Tax Code. But, we know that in doing so, there has to be a transition period. We cannot just yank away from the private sector or the public-private sector an economic basis on which they went forward and committed to that particular entity and product. So all we are asking for is a transition process.

I know there is talk about giving Members a vote next week on this proposal and so forth. I don't blame Senator COBURN and Senator FEINSTEIN one bit for using a procedural rule—actually, Senator FEINSTEIN did not do that and did not support that and I think deserves a second vote. I don't fault Senator COBURN for using procedural methods which were maybe not necessarily something of precedent, but it is possible under our procedures to do what was done in order to get his vote on the floor. He has been asking for that vote for weeks, if not months. It is an issue we ought to be debating. But there ought to be a debate—an honest debate—between essentially the two sides of this issue, both of which agree the subsidy ought to be removed; one of which says we remove it today on this vote, the other says we remove it over a period of time—3 years or so. We take the money immediately saved and donate it to reducing the deficit,

but we take some of the money in order to transition away from the subsidy, which is what Senator THUNE is trying to do without getting into all the details, which I don't need to do.

What I am here to do is to plead for an opportunity to debate both sides of this; to have a vote on the Coburn amendment and a vote on the Thune legislation, winner take all—that is the way it works here—and let the chips fall where they may. But at least we will have had an honest debate about two alternatives to try to reach the same goal. One takes a longer period of time than the other. The Senate will vote and the yeas will be yeas and the nays will be nays and the yeas will prevail and we will move forward on that basis. All we have now is a promise that maybe we will give the Senate an opportunity to bring something up next week so we can vote on the phase-out program.

Some Members will say: Hey, this is great. I can vote for both, and then I can go home and say, yes, we need to eliminate the subsidy and that is why I voted for Senator COBURN's amendment. Then I can also say the following week I voted for Senator THUNE. One of these should work. We have it both ways.

We should make a distinction between which way we want to go and what we want to do. I happen to choose, for I think valid reasons, that we ought to transition out of this because of the enormous financial commitment made on the part of ethanol producers in my State, and the enormous benefit that has come to our agriculture sector which has grown a lot of corn and paid a lot of taxes, helping our economy grow. But to just yank it away from them right away because we say this has to be done right now without any transition, I don't think it is fair to all those who have made that commitment.

Does ethanol need to be economically viable to compete with other forms of energy? Yes. Did it need—and I wasn't here, again, but this body of Congress, including the administration, said it needed a head start so we could reduce our dependence on foreign oil, and they gave them that in the form of these subsidies and in the form of a tariff and in the form of some credits. Financially, have we come to the point where we now need to look at this, as well as hundreds of other subsidies and tax expenditures that we simply can no longer afford? The answer is, yes, we have come to that point. But is the best way to do this, particularly in this instance, where there is more than just an interest for one or two companies, which we find in so much of the Tax Code. There is a national security interest in this as well. Our military says our continued dependence on foreign sources of oil is a national security issue affecting our troops, affecting our expenditures, affecting our deployments, where these people need to go to keep the ceilings open, to keep the oil flowing, and so forth?

So there is a national basis on which we need to have competing forms of energy that can lessen our dependence, and ethanol is one of those. Does it need to be economically viable? Absolutely. How do we get there? We can get there by pulling the rug out from them now, shutting it down, and seeing a precipitous drop in ethanol production because it is no longer economically viable or, as Senator THUNE has tried to do and a coalition of us who support that, we can put in place a sensible way to reduce this subsidy to zero, to bring ethanol to a point of economic viability on its own and immediately send a significant amount—\$1 billion—to reduce the deficit. So this could be a transition to allow ethanol to be an economically viable part of our ability to provide transportation energy without having to call up the Middle East and say: Keep sending it and, by the way, we will send our troops, we will send our money, we will send our treasure because we absolutely have to have this to drive our economy.

I think there is compelling reason to allow the Thune amendment to be heard on the floor, to give Members an opportunity to debate and make their case on each side, take a vote, and we will let the chips fall where they may. But we will at least have had the courage to stand up and honestly say: This is where I come down, this is what I stand for, and then the voters can decide whether they like that. But I think it makes sense from an economic standpoint and from an energy independence standpoint. Also, it is common sense that anybody who has been encouraged by this body to invest in this product to reduce our dependence on oil, to at least give them a chance to phase this thing down so they don't necessarily put a padlock on the refining plants and basically put them out of business. That doesn't achieve the goal—the very reason this body put these enhancements and subsidies in place in the first place.

Conclusion: We need to phase out the subsidy. There are other subsidies and other expenditures out there we can eliminate now without having this kind of adverse economic effect and without having a negative effect on our national security, but this is not one of them.

I urge my colleagues and I urge the leadership to allow the pleas of Senator THUNE and others of us to be heard so we have an honest debate, an honest choice, and then we accept the results.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I ask that I could briefly respond to the Senator's comments. Senator COATS and I work together on Intelligence. I have great respect for him. I understand the regional issues involved, so I understand the Senator's thinking. My thinking is, we get a strong vote on this today. This is simply a cloture vote. We have 60 votes. We have some time to see if we can work something out.

One thing I have learned in this whole line of pursuit is, if you give your word, keep it. The only thing you have is your integrity, and I give you my word that we will continue to try to bring both sides together.

I know this is a long journey. I know we will be blue-slipped and we have to come back and we will have to have a bill we can put a tax matter on. That is for a later day. I think we are into this, and so many people want kind of a clean vote, that if we have that, I am prepared to give you my word to continue to try to discuss this.

My own view on these things is to do the very best we can, try to reach a compromise when issues are like this, and march on to the next thing. This has become far harder than I anticipated. I think we are relatively close to a solution, to a compromise. Whether Senator COBURN will accept it, I do not know. But I know these discussions are going on, and all I can do is pledge you my best effort to try to get to something that satisfies everybody.

If you come from a large ethanol-producing State, I understand what this means. On the other hand, I also understand this is going to be the first of many coming down the line. We have to change the way we do business if we are going to carry out the mandate of a prudent government, we have to make a lot of changes. None of it is going to be easy, so we might as well get used to it now. But for whatever it is worth, you have my word I will continue to try.

Mr. COATS. Well, Mr. President, if the Senator would yield.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. I accept that fully. Having had the opportunity to work with Senator FEINSTEIN on the Intelligence Committee, I do not hesitate for a second to accept her word and know she will keep it. It has been a pleasure to work with her on that committee. We spend many hours behind closed doors discussing issues of great importance to this country, and she has provided great leadership in that effort.

I will look forward to working with the Senator from California, accept fully her offer. Hopefully, we can find a good solution to this issue. I could not agree with Senator FEINSTEIN more that this is the first of many things, tough decisions we are going to have to make. If we are not flexible in making these decisions at this time of clear fiscal distress, we are going to be judged very harshly by the markets and by



our constituents. They know we are spending too much. They know we need to make decisions, some of which will be painful. We are trying to do this in a way that does not become Draconian, and I appreciate the words of the Senator from California in terms of the willingness to sit down together and work this through.

As the Senator said, this will be the first of many difficult days ahead. But what is encouraging and ought to be encouraging to the American people is, there is a bipartisan commitment—first of all, a bipartisan understanding of the plight we are in—I wish we were not here, but we are—and a bipartisan understanding, a growing bipartisan understanding, that working together is the only solution to this. Because if it becomes stalemate, we are doing a great disservice to the future prosperity of the country and its impact on future generations, including our current generation and the many people who are out of work who need an economic recovery to take place sooner rather than later.

I thank the Senator for her comments and look forward to working with her, along with others, in this, the first of probably many difficult but important and necessary discussions.

Mrs. FEINSTEIN. I thank the Senator.

Mr. COATS. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CARDIN. Mr. President, I rise in support of the Feinstein amendment that would eliminate at long last the subsidies for ethanol, corn-based ethanol in America. In a little while, we are going to have a chance to vote, and I would ask my colleagues to support the Feinstein amendment.

I thank the leader for making time on the calendar so we can vote on this issue, and I hope a majority will support this amendment. I know we have a 60-vote threshold, and I hope we would be able to express, at long last, that it is time to eliminate this subsidy.

This is an issue that has brought together an unusual and broad-based support among those who are seeking to eliminate this subsidy. We have taxpayer advocates who understand this is a subsidy that taxpayers should not be underwriting. We have hunger and development organizations which recognize the impact on ethanol on the corn crop is affecting the affordability of food not only here, but it is having a major impact around our entire country.

We have agricultural groups, including the Maryland poultry growers and integrators, who support the repeal of

the subsidy for ethanol. That is because the poultry industry understands the impact the ethanol subsidies are having on the poultry industry. I will talk a little bit more about that.

We have free market groups that say: Look, let the market work. There is no need for us to interfere with the free market. We have religious organizations. We have environmental groups—and I will talk a little bit more about that—that although the ethanol subsidy was originally put on, we thought, for a positive environmental impact, it is having the reverse impact. Because of the amount of energy that is necessary to produce ethanol, all the good we thought was being done has been lost.

Then we have those who are budget hawks who are saying: Look, we are being asked to do a lot to bring the budget into balance. There are a lot of hard decisions. Why don't we at least eliminate these unnecessary subsidies in an attempt to bring our budget more into balance?

The wide range of interest groups supporting this issue has fostered wide bipartisan support for repealing this credit for ethanol. So we have an opportunity to bring together a lot of different groups, to work across party lines, to start the process, to bring our agricultural programs into better balance, to have a better energy policy, to help create jobs, and also to deal with our budget deficit.

According to the GAO, this credit "is a wasteful and duplicative" federally funded support program for an industry that already enjoys a mandated market share under the renewable fuels standard.

Since 2006, the renewable fuels standard has required oil companies to blend increasing amounts of ethanol into our gasoline. So when we repeal this credit, when we repeal the break the ethanol industry receives, it will not impact on the market from the point of view of the amount of ethanol that will be available.

Especially during times of fiscal constraint, it simply does not make sense to continue giving billions of dollars to a robust and thriving industry from which American consumers see little benefit.

We have a huge budget deficit. The Presiding Officer understands that. I understand that. The people of Ohio, the people of Maryland understand that. We need to look at ways we can bring the budget deficit down. Repealing unnecessary subsidies should clearly be at the top of our list.

With more than 40 percent of America's corn crop going into fuel, the increased demand has made feed extraordinarily expensive.

Let me share with you what I have heard from my poultry farmers on the Eastern Shore of Maryland. The poultry industry is an important part of the economic fiber of the Eastern Shore of Maryland. The poultry industry translates into jobs for people who

live on the Eastern Shore of Maryland. It is extremely important. Yet the single largest cost factor for the poultry industry is the corn feed that goes into producing the poultry—feeding the chickens.

With such a high cost factor, the arbitrary demand factor for corn as a result of ethanol has raised the cost of producing poultry in my State, costing us jobs. The elimination of this subsidy will help us maintain and expand jobs in the State of Maryland and around the region.

While corn-based ethanol may be a homegrown fuel, it is an extremely energy and water resource-intensive process to produce. So where we thought we were producing an energy source that would be favorable to our Nation, it takes so much energy to produce the ethanol that at the end of the day, we have used imported energy to produce our own homegrown energy source, and we do not benefit from the point of view of having energy independence in America.

The energy savings are minimal when you take into consideration how much energy it takes to produce ethanol, not to mention that ethanol burns less efficiently in our engines than regular fuel, and the higher the concentration, the fewer the miles per gallon the driver gets. The result is, we use more energy, when we were trying to save energy. It does not make sense over the long term.

A tax break for ethanol is a gift to the oil companies and the grain producers—a gift that actually harms American consumers and our environment.

Corn is a staple food commodity that is found in millions of American products from food additives to livestock feed. More than one-third of our Nation's corn is now going into the production of ethanol.

So this is causing a problem in our food stock—the amount of corn that goes into ethanol in America. It is time we eliminate this arbitrary subsidy that is causing a disruption, making it more difficult for people to afford their basic products.

The increased demand for corn is raising the price of everything from eggs to milk to soft drinks to chicken to breakfast cereals, and it is the American consumer who is being hit the hardest with these higher food prices.

Using corn to make ethanol also harms our environment. Once corn is harvested, it is a costly and energy-intensive process to turn it into ethanol fuel fit for commercial sale. We need to develop sustainable, renewable biofuels—those that are not derived from a food-based commodity such as corn—to make our Nation less dependent on foreign energy sources.

I support developing the next generation of algae or cellulosic biofuels. I do not support providing billions of dollars for a fuel product that is driving up the cost of food, harming our environment, and doing little to reduce our



consumption of foreign oil. It is time we stop subsidizing Big Oil to produce a fuel they will produce with or without an additional \$6 billion a year of subsidy.

I hope my colleagues also support the Feinstein amendment that would eliminate this subsidy so we can eliminate this unnecessary subsidy, help make food more affordable for the people of our Nation, and help us develop an energy policy that does make sense for America, that will help our security and help our economy.

For all of those reasons, I will support the Feinstein amendment. I urge my colleagues to do so.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORKER. Mr. President, I rise to speak today on behalf of a Coburn-Feinstein amendment that we will be voting on later. It is rare that people in this country who are receiving a tax credit tell us, as servants of the United States, that they do not want the tax credit they are receiving.

I think most people in this room are aware that we are spending about \$6 billion a year on something called a blenders tax credit. My understanding is that the blenders who receive this tax credit have shared with us that this is a waste of money, and they would like for this to end.

So we have an amendment today—and it is at an especially fortunate time for us, at a time when we are having tremendous fiscal issues in this country—we have an amendment before us today to do away with this tax credit, which seems to me to be only something of common sense.

I think most people in America know that years ago in Congress we passed a mandate that requires a certain amount of ethanol to be used. So this mandate is already in place. This mandate forces the use of a certain number of gallons of ethanol in this country. But on top of that, our country is now paying 45 cents for every gallon that is blended. Those people who receive this have told us this is unnecessary, that it is a waste of taxpayer money and they do not want it.

So the Coburn-Feinstein amendment does away with it. It also does away with a tariff—importers that import ethanol into our country now pay a tariff—which actually raises the price of ethanol. It actually raises what people are now paying at the pump because they have to pay a tariff to import this into our country. It does away with that tariff.

So this is a very commonsense amendment. I certainly thank Senator COBURN and Senator FEINSTEIN for offering this amendment at a time when

our country is in such financial straits. It is rare that we have something like this, again, where those people who actually receive this credit would like to do away with it.

I know it has been argued that at the end of this last year we all voted for certain tax issues. That is an interesting argument—except what happens at the end of the year is, we do these en masse. There are minor provisions within this package that we have no opportunity to take out. So here this massive group of tax credits comes to us, and we have to vote up or down on a package of them. That is huge and has all kinds of tax provisions in it.

So there are some people in this body who have said: Well, but we just voted this in place. Well, we voted a package in place, but many of us for years have argued that this tax credit is redundant. We have argued that it is a waste of taxpayer money. We have argued that with the mandates in place there is absolutely no need for this, and the tariff that goes along with this, where we pay for imported ethanol. We pay more because of this tariff. It is absolutely a burden to American consumers and certainly, again, to taxpayers.

I thank the Senators for offering this amendment. I look forward to supporting it. This is one of those amendments—sometimes we vote on things down here that, candidly, are rather mundane. This is one of those amendments that I not only support, I support with tremendous enthusiasm and energy. I urge all of my colleagues in the Senate to support this very commonsense amendment that does something that is responsible for consumers; that does something that is responsible for taxpayers; and, obviously, will make our country stronger if it passes. I have a sense it may.

I urge those on the Senate floor to please consider it if they are now middle ground and have not made a decision.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. COBURN. Mr. President, I have spoken on this earlier in the week. I will not spend a great deal of time today. Thanks to the majority leader, we will have two votes this afternoon on items that I think are representative of critical problems in our country.

The first is a vote on an amendment by Senator FEINSTEIN and myself that eliminates payment to the largest refining and oil companies in this country to blend ethanol, which they have honestly admitted—and they sent us a letter saying it—they don't want.

The second is on whether we will subsidize, with Federal tax dollars, additional pumps to use ethanol.

The reason the votes are important is because the way we get out of trouble as a nation is a couple of billion dollars at a time. We have a Federal mandate that says X amount of fuel has to be blended with ethanol every year. That will rise to 22 billion gallons in 2015. So there is no reason for us to pay somebody to blend it when they already have to, and we have seen the shift in the industry from small entities to the very large. When this program started, it was about less than a billion dollars in cost. It will now be, on an annualized basis, around \$6 billion. While we are running a \$1.6 trillion deficit, we need every penny we can get. So I am thankful this has been brought up. But it begs the larger question—actually there are two. One, can we trust markets—real markets—to work more effectively than Washington mandating and dictating policies?

Throughout our history—if you look at it in total—no government can ever do any allocation of scarce resources as well as the market can. The markets are not perfect. There is no question, they make mistakes and cause occasional shortages. But overall, in the long run, markets work much better than a bureaucratic Soviet-style mandate of what we will do and what price we will pay for it.

The second question it begs is, what is our country's energy policy? We send a quarter of a trillion dollars a year outside this country for oil and gas, liquids and natural gas. That is a quarter of a trillion dollars that we could invest here and pay for our own resources.

We are the only nation in the world where our resources are owned by the citizens and our own government limits our ability to utilize it.

The CRS just finished a study that shows that the oil and gas reserves in the United States are greater than that of Saudi Arabia, China, and Canada combined. So the question is, why aren't we using ours, rather than sending money overseas and undermining our own economy and not creating jobs?

The projections are that if we would truly utilize our resources, we could create close to 190,000 jobs a year in the exploration and energy business—without subsidies, without tax credits; that is what would be the result. With oil near \$100 a barrel, and we continue to send the money out of the country instead of going after our own resources, which are plentiful, we have to ask the question, what are we doing?

The final point I will make is, when you buy ethanol-blended gasoline and you look at the price and you see, here is regular that has no ethanol in it, and here is ethanol-blended gasoline that is about 20 or 25 cents cheaper, it is important that the American people understand that you need to add \$1.72 to that to get the real price you are paying for that blended gasoline, because that is what your government has put into the pipeline in the way of loans,

grants, subsidies, blenders credits, and taxes on imported ethanol. So even though it looks cheaper, it is not. It is about \$1.40 more, when you look at all the costs taken from you as a taxpayer and put into the pipeline and given to the special interests, in terms of what we will have, and where we will have it, and when we will have it.

I support ethanol alternative fuel, especially now that it has 7½ percent of our market. But the best way for ethanol to survive is for it to stand on its own two feet, without subsidies, without us spending dollars we don't have to get something that we are going to get anyway.

I am extremely pleased with my discussions with Senator REID. I am thankful to Senator CARDIN, as well as Senator FEINSTEIN. She has been working on this for a long time. She opposed this when it started. She recognizes that what we have actually done is not help ourselves that much. We have markedly increased the cost of food. We can say 40 percent of the corn crop this last year went for ethanol, and corn is at historic highs. When you look at a poultry producer or beef producer or pork producer or lamb producer or turkey producer or milk producer or egg producer, their largest cost has doubled because of this policy.

Quite frankly, America is lucky because the worldwide demand for grains—given our wonderful farm community and their ability to produce—is extremely high and our farmers are extremely efficient. So this policy will not affect farm prices significantly right now. But, hopefully, in the future it will bring them down to a more moderate level.

Two-and-a-half years ago, corn was at \$3 a bushel and most corn farmers made money. It is now above \$7, even though their input costs have risen somewhat with the increase of oil prices. The farms in our country that raise grains have never been in better shape—if they can get a crop in. I know we have areas in the country where that hasn't happened.

So I think overall we are starting to address some of the misdirected capital formation in this country by backing off on government picking of winners and losers, and I am thankful for the opportunity to speak on that.

I yield the floor, as I see the Senator from Iowa is here.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Iowa.

Mr. HARKIN. Madam President, I ask unanimous consent that upon the completion of my remarks, the Senator from Ohio, Mr. BROWN, be recognized for his statement.

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

Mr. HARKIN. Madam President, I strongly oppose both the amendment offered by Senators FEINSTEIN and COBURN and the one offered by Senator MCCAIN that we will be voting on in a couple of hours.

My message today is very simple: This assault on America's ethanol in-

dustry is both misguided and undeserved. This is truly a homegrown industry built on the investment and labor of many thousands of Americans providing a product that helps us with one of our most pressing national issues—our dependency on imported oil. Yet here we are debating amendments that I think clearly tell the industry: You aren't important, you don't matter, and you don't have the support of the American people. I think that is not only the wrong message but a misguided message to be sending, and I will tell you why.

We have been struggling with our dependency on oil for almost 40 years. One of our strategies over that period of time has been to develop and commercialize biofuels. I am proud to have been involved from the beginning and I continue to this day to be a strong advocate for renewable biofuels produced from domestic feedstocks. We started working on this, as I said, over 30 years ago. It has been a long campaign, but it has been a remarkably successful campaign when you think about it. It took about 20 years for ethanol to get to the point of contributing just a few percent to our gasoline supply. In the past 10 years, biofuels, and particularly ethanol have gotten to the point where they now displace about 10 percent of our gasoline supply. Think about that: 10 percent of our gasoline supply, used basically for transportation, is displaced by biofuels. I think that is a remarkable achievement. No other alternative supply comes close.

In fact, no alternative supply provides even 1 percent of our domestic fuel demand. Let me repeat that: No other alternative to ethanol comes even close to displacing 1 percent of imported oil. Yet ethanol is displacing 10 percent today. Again, a remarkable achievement.

Our oil dependency problem is still with us. We still depend on it from many nations that are unstable or unfriendly to us, and it is getting worse. Oil imports are costing us on average, over the last few years, about \$100 per barrel.

I know many of my colleagues share my strong concern about oil imports and the need to find alternatives, and that is why we passed new CAFÉ standards in the Energy Independence and Security Act of 2007. That is why we adopted a mandate for renewable biofuels in that same bill—a mandate for their use. Going back further, that is why we began providing tax incentives for biofuels production already in the 1970s. That is why we promoted alternative fuels in the 1991 Energy bill. That is why many of us today are promoting hybrid and electric vehicles. And that is why we need to continue to support the production of ethanol and other domestic biofuels.

Just as increasing efficiency standards have been a big success in reducing demand, promoting biofuels has been, by far, our biggest success on the supply side. They have gone from a few

percent at the turn of the century to about, as I said, 10 percent today. Moreover, looking ahead, the most likely supply-side alternative to displace the next 10 percent of our gasoline demand is biofuels. Again, we recognized this fact in 2007 when we adopted the renewable fuels standard 2 RFS2—that requires 36 billion gallons of biofuels by 2022—36 billion gallons of biofuels by 2022.

Now, again, we should pay attention to the options. Let's promote alternatives, such as electric vehicles. I am all for that. But we should also make sure, since we are going to be using liquid fuels for most of our transportation fleet in the next 10, 20 years and beyond that we look at the biofuels. It is renewable—renewable and clean. Our biofuels challenge isn't production or even economics; our challenge is adapting our transportation markets, our fuel markets, to be able to utilize the biofuels.

Again, as I said, most of our biofuels are in the form of ethanol. That will continue to be our principal biofuel for many years to come. However, today we can only displace 10 percent of our gasoline in the form of a 10-percent blend of ethanol. It is called E10. You can go to your gas stations—and my friend from Oklahoma was referring to the ethanol blends, which is what we have today—and those are limited. Most of it is E10. Again, we need to be able to use higher blends—15 percent, 20 percent, even as high as 85 percent of ethanol.

In fact, in my State, and in our neighboring State to the north, Minnesota, we are beginning to see pumps called E85—85 percent of the fuel that comes out of it is ethanol, and only 15 percent is gasoline. Quite frankly, the flexible-fuel cars run just fine on that 85 percent blend. The problem is we need more blender pumps at our filling stations. We don't have them, but we need them. We have them in a few States, but very few States have blender pumps. So we need to pass a bill like S. 187, the Biofuels Market Expansion Act, which I introduced in January.

I remember a few years ago that Senator LUGAR and I had a meeting in the Ag Committee room. We had the major oil companies come in to ask them why they didn't put more blender pumps in their fuel stations. Their answer was very clear and very logical.

They said: Well, why would we take up valuable space in our filling stations for a blender pump when there are almost no flexible-fuel cars out there that could use it? Point well taken.

So after that we called in the automobile companies. I know we had Chrysler, Ford, GM, Honda, I believe there was, and we asked them: Why don't you make more flexible-fuel cars? The response, from their viewpoint, was very logical: Why should we build more flexible-fuel cars when there aren't any blender pumps out there? Point well taken.

So here we have the chicken and the egg dilemma. The oil companies say

they don't want to put in blender pumps with no flex-fuel cars out there, and the automobile manufacturers say they don't want to build flex-fuel cars because there are no blender pumps.

I might point out that in Brazil almost every car built by Ford, by GM, by Honda, or Toyota—those built in Brazil—are basically built for flexible fuel. They will burn anything from 10 to 20 to 50 to 85 percent—actually, in Brazil, up to 100 percent—of ethanol. That is the direction we need to go here.

With these two amendments today, we find ourselves going in exactly the wrong direction. The Feinstein-Coburn amendment tells the ethanol industry that it no longer has the support of Congress. The McCain amendment would block one of the most critical things we need to do; that is, the installation of flexible-fuel pumps.

I have said many times that we can reform our biofuels policy. I am more than willing to give up the ethanol tax credit. I have said that before on the Senate floor. We can give up the ethanol tax credit if the ethanol industry has access to the market. But when we take the two amendments together, one pulls the rug out from underneath the ethanol industry in terms of its tax credits—and I am saying: OK, fine. That is fine. We can do that, if we have access. Then the McCain amendment comes along and says: No, no, you can't use any of the funds we have put in the last Ag bill—which had tremendous bipartisan support, I might add—for blender pumps at fuel stations.

So here we have it. Tell the ethanol industry it can't get the tax credits, and guess what. We are going to keep them from getting access to the marketplace. That is what we need—market access for ethanol. You can go to Exxon and Mobile and Shell and all those gas stations. Do you think they want to put in an ethanol pump? They are OK with 10 percent—they will do the 10 percent now—but we need them to put in those blender pumps, and the automobile companies need to produce cars that are flexible fueled. They do a few of them now, but every car built ought to be flexible fuel so people can choose.

As I have said, ethanol can stand on its own two feet now, if people have the right and the freedom and the ability to use it. But if we are up against monopolistic kinds of filling stations that won't permit a blender pump to be put in, then ethanol has no marketplace.

We also need to build a dedicated pipeline for ethanol. The oil companies and the gas companies have their own pipelines. They would not put any ethanol through those pipelines. They say it is due to water and all that, but let's face it. They won't put any ethanol through their pipelines. The private sector can build—not the government but the private sector—and is willing and ready to build a dedicated pipeline from the Midwest to the east coast. A couple of companies have already se-

cured most of the rights-of-way and are ready to go. All they need is one simple thing: a loan guarantee. They do not need money, just a simple loan guarantee so they know they can build the pipeline and that the ethanol industry can use it and get the fuel to the east coast, where the majority of our population is right now and where we don't have enough ethanol in our major population centers.

So, again, we need to redouble our national commitment to expanding the use of renewable energy and weaning ourselves off of imported oil. But we are not going to do it with these two amendments today. The ethanol industry just wants the marketplace to be able to accept it, and they will stand on their own two feet. They can do that. That is more important than the tax subsidies.

I might also add, I remember debating this issue with the then-Senator from Texas, Mr. Gramm. We had a lot of debates on the Senate floor back in the 1980s or 1990s, I guess, on this issue.

I pointed out at that time that if you talk about the tax credits and support from the government the ethanol industry has gotten, it pales in comparison to the dozens of years of tax write-offs and benefits we have given the oil companies in America going clear back to about 1920.

If you think about all the tax benefits we have given the oil companies in America to drill, to produce, to ship, to pipe, to refine, to market, and add it all up, ethanol is just a small part of that. But the oil companies have never given up. They have never given up on their assault on ethanol and on biofuels.

The Coburn amendment is precipitous. At the end of the year, the ethanol tax credits are going to expire. Hopefully, before the end of the year, we will reach some agreement, work out something where we have more access to the marketplace, and then we can do away with the tax credits. But we should not take an action that would slash the value of the ethanol industry's primary product by nearly 20 percent overnight.

Think about it this way. We have a 1-year extension of the ethanol tax credits that goes to the end of this year. We did that. The Congress did that. We said that to the industry. Investors have come in, modifications in plants have been made, plants have been built. Yet in the middle of the year we are going to say no? We are going to take it away?

To all my friends over there who keep talking about the private sector and how we need the private sector and don't need the government, you are going to pull the rug out from underneath the private sector on a guarantee that we gave them earlier this year. No industry could survive a shock such as that, and it is wrong. It is wrong to do that at this point in time.

We all know one thing. This afternoon, people can come down and vote

against ethanol, vote against the tax credits for the ethanol industry, vote to cut off marketplace access to ethanol, but nothing is going to happen. The House will blue-slip it, and then we will be on to doing what needs to be done in a logical way; that is, to reduce the tax credits for ethanol, which I am in favor of doing. In fact, we then can promote market access.

Senator LUGAR and I, in the past, have worked on bills together, basically like the bill introduced this year, that would do three things: It would mandate a certain proportion of blender pumps be installed at the large gasoline stations, those that are owned by the major oil companies. It would provide tax credits to the small mom-and-pop stations that would put in the blender pump in their station, the independents. Third, it would mandate a gradual increase over the next few years of the number of cars produced in America and sold in America that are flexible fueled. If we do all those things, ethanol will stand on its own two feet.

I wished to say one last thing before I yield the floor to the Senator and that is this. Right now, much is made of the fact that there is \$5 billion of tax credits this year going to the ethanol industry. I understand that. However, because of the lower price of ethanol, because we are blending 10 percent ethanol into gasoline, all the people in America today are paying less for their gasoline than they otherwise would if we didn't have ethanol. So if you take that into account, the fact that the consumers of America, when they fill their gas tank, are paying less than they would if they didn't have ethanol, that more than offsets the \$5 billion we have put into the tax credits for ethanol support.

So, yes, we have supported the ethanol industry with \$5 billion. I dare say, we have gotten back probably twice as much as that in savings at the gas pump for the consumers of America.

Perhaps that is what the oil companies are mad about. Maybe they would like to have that money for themselves. I suppose that is probably true. I understand that. But I think our obligation is to the consumers of America and to the private sector, which is operating on a guarantee we gave them that we would have these tax credits at least until the end of this year, and I think on an implicit guarantee that we gave that we would make sure there would be a marketplace that would be open and accessible for biofuels.

So that is what we need to do, to reduce the tax credits but open the marketplace for the ethanol with blender pumps and with flexible fueled cars. But that is not before us today. But we will continue to work together again toward the end of this year to make a reasonable, smooth transition from the tax credits to access to the marketplace, and I will take the floor again and again during the remainder of this year on these issues.

I am not doing it today, but I will show the amount of tax benefits that the oil companies have gotten over the last 80 years. Add that up and compare it to what the ethanol industry has gotten over the last about 30 years, and you will see that the oil companies have gotten a lot more than what ethanol has ever received from the government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise in support of my amendment. I would ask unanimous consent to speak as in morning business to speak on Libya.

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

#### LIBYA

Mr. MCCAIN. Madam President, yesterday, the President made an announcement that I believe will strike most of my colleagues and the Americans they represent as a confusing breach of common sense. Two administration lawyers claimed that U.S. military involvement in Libya is not in breach of or calls for the War Powers Resolution. In other words, they believe our military activities in Libya do not require a War Powers Resolution because the United States is not engaged in a state of hostilities in Libya.

This puzzling assertion seems to be undercut by the very report that the administration sent to Congress yesterday, which makes it clear that the U.S. Armed Forces have been and presumably will continue to fly limited strike missions to suppress enemy air defenses, to operate armed Predator drones that are attacking Qadhafi's forces in an effort to protect Libyan civilians, and to provide the overwhelming support for NATO operations, from intelligence to aerial refueling.

I agree actions such as these don't amount to a full-scale state of war, and I would certainly grant that I am no legal scholar, but I find it hard to swallow that U.S. Armed Forces dropping bombs and killing enemy personnel in a foreign country doesn't amount to a state of hostilities.

Unfortunately, this only adds more confusion to our already confusing policy in Libya. Our policy objective, as stated by the President correctly, is to compel Qadhafi to relinquish power. Yet that is not our military objective. The administration claims to have turned the operation in Libya over to NATO, an alliance in which the United States makes up three-quarters of the collective defense spending, as Secretary Gates recently pointed out. The administration sought the blessing of the United Nations, the Arab League, and NATO before using force in Libya but still has not sought a similar authorization or statement approval from the elected representatives of the American people. That is wrong.

The result of all this, I hate to say, is plain to see in the actions of our col-

leagues on the other side of the Capitol in the House. There is massive and growing opposition to continuing the U.S. involvement in Libya. There has already been one piece of legislation passed that binds the President's authority as Commander in Chief. There could likely be a vote soon to cut off funding for the entire operation. In short, the accumulated consequences of all this delay, confusion, and obfuscation has been a wholesale revolt in Congress against the administration's policy.

I take no pleasure in pointing this out, because though I have disagreed, and disagreed strongly at times, with aspects of the administration's policy in Libya, I believe the President did the right thing by intervening to stop a looming humanitarian disaster in Libya. Amid all our present arguments about legal and constitutional interpretations, we can't forget the main point: In the midst of the most groundbreaking geopolitical event in two decades, as peaceful protests for democracy were sweeping the Middle East, with Qadhafi's forces ready to strike at the gates of Benghazi, and with Arabs and Muslims in Libya and across the region pleading for the U.S. military to stop the bloodshed, the United States and our allies took action and prevented the massacre that Qadhafi had promised to commit in a city of 700,000 people. By doing so, we began creating conditions that are increasing the pressure on Qadhafi to give up power.

Yes, the progress toward this goal has been slower than many had hoped, and the administration is doing less to achieve it than I and others would like. But the bottom line is this: We are succeeding. Qadhafi is weakening. His military leaders and closest associates are abandoning him. NATO is increasing the tempo of its operations and degrading Qadhafi's military capabilities and command and control. The Transitional National Council is gaining international recognition and support and performing more effectively, and though their progress is uneven, opposition forces in Libya are making strategic gains on the ground.

I know many were opposed to this mission from the very beginning, and I respect their convictions. But the fact is, whether people like it or not, we are engaged in Libya and we are succeeding. So I would ask my colleagues, is this the time for Congress to begin turning against this policy? Is this the time to ride to the rescue of the man whom President Reagan called the mad dog of the Middle East? Is this the time for Congress to declare to the world, to Qadhafi and his inner circle, to all the Libyans who are sacrificing to force Qadhafi from power, and to our NATO allies who are carrying a far heavier burden in this military operation than we are—is this the time for America to tell all these different audiences that our heart is not in this, that we have neither the will nor the capability to

see this mission through, that we will abandon our closest friends and allies on a whim?

These are questions every Member of Congress needs to think about long and hard but especially my Republican colleagues. Many of us remember well the way that some of our friends on the other side of the aisle savaged President Bush over the Iraq war, how they sought to do everything in their power to tie his hands and pull America out of that conflict with far too little care for the consequences their actions would have on our friends, our allies, our interests, and our moral standing as the world's leading power. We were right to condemn this behavior then, and we would be wrong to practice it now ourselves simply because a leader of the opposite party occupies the White House.

Last week, Qadhafi wrote a personal letter of thanks to the Members of Congress who voted to censure the President and end our Nation's involvement in Libya. Republicans need to ask themselves whether they want to be part of a group that is earning the grateful thanks of a murderous tyrant for trying to limit an American President's ability to force that tyrant to leave power.

The goal for all of us in this body, Democrats and Republicans alike, should not be to cut and run from Libya but to ensure we succeed. In the very near future, Senator KERRY and I, along with a strong senior bipartisan group of our colleagues, will introduce an authorization for the limited use of military force in Libya. The administration may assert that we are not engaged in hostilities in Libya, but the Senate should go on record as authorizing these operations. We are in a state of hostilities, and the only result of further delay and confusion over Congress's role in this debate will be to continue ceding the initiative to the strongest critics of our actions in Libya.

We plan to introduce the authorization soon. I urge the majority leader to schedule a vote on it quickly. The Senate has been silent for too long on our military involvement in Libya. It is time for the Senate to speak. When that time comes, I believe we will find a strong bipartisan majority that is in favor of maintaining our current course in Libya, that supports our seeing this mission through to success, and that is willing to continue standing in the breach with our allies until the job is done.

Madam President, amendment No. 411 would prohibit the U.S. Department of Agriculture from funding the construction of ethanol blender pumps or ethanol storage facilities—the latest request from the ethanol lobby. By prohibiting funding for these pumps and storage facilities we will prevent American taxpayers from spending over \$20 billion to convert the 20,000 gasoline pumps currently under construction.

During Tuesday's cloture vote on the ethanol tax credit amendment, some members that voted against cloture cited concerns with the procedural tactics used to bring up the vote; the "unfairness" of ending the subsidy in mid-year, therefore "pulling the rug" out from underneath the ethanol industry; and that it was somehow premature to end over 30 years of subsidies unless it was coupled with further funding for ethanol infrastructure construction.

I hope my fellow critics of the ethanol tax credit have taken notice of this new tactic over the past few weeks. For ethanol supporters, this debate has been about where and how to prop up the industry in the future—not whether the ethanol industry deserves future taxpayer support.

It is time to say enough is enough; this industry has been collecting corporate welfare for far, far too long. For those of us who have been fighting against these handouts over the last two decades, it has been far too long since we have had a full debate on this issue.

As a reminder to some of my colleagues of how this debate and support of corn-ethanol handouts has shifted over the years, I would like to read a portion of a floor statement on ethanol subsidies I delivered on March 11, 1998.

Mr. President, let me just take a moment and try to explain why we have such generous ethanol subsidies in law today. The rationale for ethanol subsidies has changed over the years, but unfortunately, ethanol has never lived up to the claims of any of its diverse proponents.

In the late 1970s, during the energy crisis, ethanol was supposed to help the U.S. lessen its reliance on oil. But ethanol use never took off, even when gasoline prices were highest and lines were longest.

Then, in the early 1980s, ethanol subsidies were used to prop up America's struggling corn farmers. Unfortunately, the usual "trickle down" effect of agricultural subsidies is clearly evident. Beef and dairy farmers, for example, have to pay a higher price for feed corn, which is then passed on in the form of higher prices for meat and milk. The average consumer ends up paying the cost of ethanol subsidies in the grocery store.

By the late 1980s, ethanol became the environmentally correct alternative fuel.

Unfortunately, the Department of Energy has provided statistics showing that it takes more energy to produce a gallon of ethanol than the amount of energy that gallon of ethanol contains. In addition, the Congressional Research Service, the Congressional Budget Office, and the Department of Energy all acknowledge that the environmental benefits of ethanol use, at least in terms of smog reduction, are yet unproven.

These facts are as true today as they were 13 years ago. In fact, we now have a better understanding of the negative effects corn-ethanol has on both the environment and food prices than we did 13 years ago.

But it is important to note that while attention is being paid—and rightly so—to eliminating the unneeded and wasteful ethanol tax credit, the corn-ethanol lobby is seeking a new ethanol-stimulus package by

attempting a congressional runaround to continue bilking American taxpayers out of their money.

Instead of seeking approval from Congress, lobbyists have convinced the USDA to change the rules of the Rural Energy for America Program to pay for new gas station pumps at retail stations at the expense of solar, wind, and energy efficiency projects. In fact, the President has announced his goal to fund the construction of 10,000 ethanol blender pumps and tanks within the next 5 years—a down payment on future ethanol-stimulus spending.

Supporters of ethanol corporate welfare are happy to tell you that if they get their way, these 10,000 blender pumps and tanks will be the tip of the iceberg for billions in new federally funded corn-ethanol infrastructure development.

To be perfectly clear: Not content with government support to subsidize ethanol, protect it from competition, or require its use, lobbyists now want American taxpayers to pay for the construction of pumps and holding tanks at retail gas stations.

Of course, the U.S. Department of Agriculture is happy to comply with the industry's request to fund infrastructure construction. On April 8, 2011, Secretary Vilsack issued a rule that would classify blender pumps as a renewable energy system qualifying it for funding under the Rural Energy Assistance Program.

When Congress created the Rural Energy Assistance Program it had no intention of paying gas station owners to upgrade their infrastructure, further subsidizing the ethanol industry.

Furthermore, as a bonus to any gas station owners that take advantage of the grant program, once the Federal Government has built the blending pumps and holding tanks, retailers will be eligible to receive the ethanol tax credit, double dipping in the Federal Treasury.

How expensive will this ethanol stimulus be if the special interest lobby gets its way? According to the U.S. Department of Agriculture an ethanol blender pump and tank cost an average of \$100,000 to \$120,000 to install. With over 200,000 fuel pumps currently operating in the U.S. it would cost over \$20 billion to convert them all. This is one stimulus project that we cannot afford.

And for those concerned about the lack of support for wind and solar projects, a recent Congressional Research Service—CRS—report indicates that tax credits and subsidies for solar, wind and geothermal power will cost \$8.62 billion from 2008 to 2012; the ethanol tax credit alone would cost over three times more—\$26.5 billion. Allowing the Rural Energy for America Program to continue funding blender pumps and tanks will only continue this trend.

For my colleagues that really wanted to end the corporate welfare handouts to the corn-ethanol industry but were concerned over the process issues sur-

rounding the ethanol tax credit vote or concerned about the fairness of ending the tax credit in midyear, you can rest assured that those concerns to not apply to this amendment.

It is time Congress takes a step towards ending unneeded and unnecessary payouts to a robust and strong industry. In a time of fiscal constraint, when all are being asked to make a sacrifice, we should expect more from leaders in the private sector than continuing to seek handouts—"stimulus projects"—from the Federal Government.

I was disappointed, obviously, in the vote that we took concerning the ethanol subsidies and I know probably how the vote on this amendment will turn out. The message is: Americans, we are not serious about heeding the mandate of last November to stop spending, to stop wasteful projects, to stop the unnecessary projects such as ethanol subsidies. We are going to spend 20 billion of your tax dollars in your local gas station to install a pump.

No wonder the American people, according to recent polls, are disillusioned, disappointed, and pessimistic about our future. This vote on this amendment will confirm an ample and adequate reason and an understandable reason for that pessimism.

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. MCCONNELL. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Madam President, I know we are scheduled to have two votes around 2 o'clock today on the ethanol issue. Once we are past those amendments, we have a number of other important issues to be debated and hopefully scheduled for votes. Senator HUTCHISON, for example, has one on health care lawsuits, Senator PORTMAN on unfunded mandates, Senator BROWN on withholding payments, Senator DEMINT has an amendment on the death tax and the renewable fuels standards. In addition, our ranking member and manager, Senator INHOFE, has a couple of amendments as well.

I will be talking to the majority leader during the next votes to see how we can begin to schedule votes on these and other amendments that may need to be considered before we move to final passage.

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. CORKER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. CORKER. Madam President, I arrived today to speak to the McCain

amendment. I noticed my colleague from Arizona was just on the floor. I wanted to say I appreciate him offering this amendment. As with the Coburn-Feinstein amendment, I support his amendment.

I also wanted to make reference to the comments he made regarding our conflict in Libya. I agree with him—these are my words—that it is bizarre the administration sent over a letter yesterday, referring to the fact that we are not involved in hostilities in Libya. It is really totally bizarre when you look at what is going on in the air in Libya right now. I have no idea why Mr. Coe would have offered this argument. I know we are going to have a hearing in Foreign Relations in the next couple of weeks to look at this issue.

Thirdly, I would like to point out one of the reasons we are in this situation right now where Congress has not authorized anything in the administration—I sent a letter to the administration, Secretary Gates and Secretary Clinton, 9 weeks ago just asking five questions about our engagement in Libya. I received last week a letter from an Acting Assistant Secretary that gave me half an answer on one of those five questions.

I think most people in this body are aware that Senator WEBB and I then authored a resolution asking 21 questions of the administration regarding Libya. I thank them for transmitting to us some information on Libya yesterday. We have not yet gotten access to the classified versions of it. We have, obviously like everyone else here, I am sure, read the unclassified version. But I think the reason we find ourselves in the place we are is we just have not been able to get information from the administration regarding this conflict.

I know the Senator from Arizona and the Senator from Massachusetts are working on an authorization request, a limited authorization. I hope they will potentially wait until we have the answers to all 21 questions, the same questions to which many of the House Members wanted the answer. I share with them the frustration that Congress has not taken any action and would say I am really stunned by the fact that the administration has chosen not to give responses to questions until yesterday. And really this was done in response to I know what they saw was a movement in Congress just wondering why in the world they would be so resistant to answering basic questions regarding a conflict.

But then secondarily, again, just the bizarre answer that we are not involved in hostilities—I mean, you can't tell Senators one thing in private, the same Senators, and tell them something else in public and expect Senators to feel any degree of credibility regarding those statements.

I thank the Senator from Arizona for the comments he has made. We have had an amicable relationship regarding

this discussion. We have had like thoughts on several aspects of this conflict, and we have had probably some differing thoughts, but I am here today to say I agree with him that his amendment is an amendment that needs to be passed. I agree with him that it is incredible that we have not acted as a Congress, and I would say the big reason for that is just the lack of information. For some reason, the administration has gone to seek approval from the United Nations but has not shown any desire to seek approval from Congress. It is just, again, odd.

Then thirdly is just the bizarre nature of this administration saying that what we are doing there does not involve hostilities when in their unclassified version that the whole world has the ability to see, there is no way the engagements they have said in an unclassified document are occurring in Libya do not involve hostilities. That is just absolutely categorically not possible.

I do hope that very soon Congress will take action. I hope that all the questions we have asked for answers to have been answered, and I think all of us will know very soon when we actually gain access to the classified versions of what has been sent over.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. I see I am joined by the Senator from Iowa, who I know will speak shortly and has been a leader in biofuels and energy for many years.

I rise to speak about the votes we will have later today on the amendments that would immediately cut off support for our homegrown energy industry with I guess a few days' notice. I did not think there was precedent for this decision. If this were to ultimately pass—I am not certain this is the vehicle that would allow it to go into law, but if it were to pass, we would have made a decision that is different from the decision in January affecting an industry that employs nearly 500,000 people.

I wish to talk about the amendment offered by my friend, the Senator from California. And I would hope, I would say first, that if we were voting twice on an amendment in just a few days, it would be something that creates jobs or decreases our dependence on foreign oil, but that is not the case here. We are talking about pulling the rug out from an industry that provides 10 percent of the Nation's fuel supply and supports nearly 500,000 jobs. I don't think people quite understand that about biofuels. I think they think it is some boutique industry. Madam President, 10 percent of our Nation's fuel supply at a time when gas is up near \$4 a gallon.

We know there is support for phasing out the current ethanol tax credits. I have a bill to do that. Senator GRASSLEY has another bill to do that. We understand that at a time when our coun-

try is facing severe budget constraints. But the question is not if we should do it—we will—it is when and how.

We all know homegrown energy has played an important part in reducing our dependence on foreign oil and supported thousands of jobs. We also know that as we continue to move our Nation toward energy independence—by the way, we actually are moving up in terms of our own energy independence, which is a goal that I believe every Member strongly supports, and that is that homegrown energy will be a significant part of our solution. We need a glidepath and not a cliff for the only alternative to oil.

Immediately ending all support for the biofuels industry, as the amendments we are considering propose to do, would stifle investment in not only the existing ethanol industry but also the newly developed cellulosic—yes, that is part of this—cellulosic, algae, and the next generation of biofuels, which I think holds the most hope for this country. In fact, many of the first advanced biofuel plants are co-located with corn ethanol plants. You cannot promote next-generation fuels by ending a tax policy for existing biofuels 6 months into a 1-year extension with only a few days' notice.

Again, the real debate is not about whether we end this tax credit—we know we should do it, and I believe we should do it with oil, too, but right now we are on biofuels—it is about how we do it. That is why the Senator from South Dakota, Mr. THUNE, and I continue to work toward the bipartisan compromise to reduce our deficit and offer a reasonable way to reform the biofuels industry and achieve significant deficit savings immediately. And I appreciate our colleagues talking to us. We have had many meetings, and we are working very hard to get this done. We need to work toward a pragmatic solution that reforms the ethanol industry without harming jobs or driving up gas prices at a time when gas is over \$3.70 a gallon.

An article in the Chicago Tribune underscored the fact that if we cease to produce the 13 billion gallons of ethanol we make every year, it will drive up prices at the pump by as much as \$1.40 per gallon in the short term. Does the Senate actually think we can afford to raise gas prices by \$1.40? Do my colleagues think we can afford \$5-per-gallon gas?

I look forward to working with my colleagues on a more responsible option that will reduce the deficit and not suddenly disrupt an industry that supports \$3 billion in economic activity in my State alone.

I also wish to say a few words in opposition to the amendment offered by my friend from Arizona, Senator MCCAIN. Our current policies provide incentives for many different kinds of fuel-dispensing technologies—from hydrogen to natural gas, to electric hook-ups, to ethanol—but the McCain amendment singles out only biofuel



blender pumps and proposes to cut all incentives for investment in these pumps at a time when we need to be expanding our fuel supply options, not limiting them to oil from Saudi Arabia. We should be investing in the farmers and workers of the Midwest and not the oil cartels of the Mideast.

What the McCain amendment does is focus on limiting those blender fuel pumps. Blender pumps do not require customers to use ethanol. That is why they are blender pumps. They give consumers a choice at the pump and help lower gas prices for all consumers, even those who do not use the higher blends of ethanol.

From 2000 to 2010, competition from ethanol reduced wholesale gasoline prices by an average of 25 cents per gallon, saving American consumers an average of \$34.5 billion annually. During the gasoline price runup in 2010, the impact of ethanol and gasoline prices was substantially larger, reducing gasoline prices by a national average of 89 cents per gallon.

Giving consumers a choice of using higher blends of renewable fuel has allowed the country of Brazil to become energy independent, and we can do the same here.

The McCain amendment would also do more than limit consumers' options at the pump. I know North Carolina is a good military State. This would prohibit the U.S. military from constructing blender pumps or storage tanks that can use more fuels that would be more resilient in case of a fuel supply cutoff from OPEC or other disruptions in the global fuel supply.

Our dependence on foreign oil has been widely recognized by our military and diplomatic leaders as a major strategic vulnerability. To respond to this, we have taken important steps in recent years to encourage U.S. Government and military fleet vehicles to be fuel flexible as part of our efforts to reduce both our spending on fuel and our dependence on foreign oil. Shouldn't we allow our homegrown ethanol to compete with foreign oil to fuel these vehicles?

I urge my colleagues to oppose the McCain amendment. At a time when families and businesses across the Nation are battling high fuel costs, we should be giving them more options at the pump, not less.

Today's votes on the Feinstein amendment and the McCain amendment are part of a process. We all know it is not the final result. While I strongly oppose both amendments, I also know that regardless of the outcome today or even the outcome of that vote 2 days ago, we still have work to do.

I appreciate the willingness of the Senator from California and the Senator from Oklahoma to continue to negotiate with Senator THUNE and myself. These are serious ongoing negotiations. I am hopeful that in the coming days we can reach a bipartisan compromise. It is not just about one

amendment on a bill that is not the vehicle where we can get this done, but, in fact, we actually have a bipartisan compromise that balances our need to continue to support homegrown biofuels with our need to reduce our deficit and to do this in a way that actually puts money right now back to our government to pay off this debt.

I see Senator GRASSLEY, who knows a little bit about finances with his major role on the Finance Committee, and also, as a farmer, a little bit about the biofuels industry.

I yield the floor.  
The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Iowa.

Mr. GRASSLEY. I compliment Senator KLOBUCHAR on her leadership in trying to find, first of all, leadership in supporting biofuels and alternative energy but also working very hard for the last few weeks to find a compromise on this issue that is a very difficult issue and very divisive here within the Senate.

So we are voting at 2:00 today on these amendments to which Senator KLOBUCHAR has already referred. The first is an amendment by Senators FEINSTEIN and COBURN repealing the incentive for domestically produced ethanol. I emphasize "domestically produced" because we do not have to worry about oil sheiks robbing us of all of our resources when you burn ethanol the way you do when you burn imported gasoline. The second amendment is offered by Senator MCCAIN, prohibiting the U.S. Department of Agriculture from using funds for the installation of blender pumps.

These amendments won't lower the price of gasoline at the pump. That is what people today are concerned about—the price of gas at the pump. These amendments won't lessen our dependence on foreign oil. We spend \$835 million every day importing oil. And these amendments won't create a single job in the United States. In fact, they will do just the opposite. They will raise the price of gasoline, make us more dependent on foreign oil, and they won't create a single job. Most importantly, these amendments also won't save the taxpayers any money because they stand little chance of being enacted. Even if the amendments were to pass today, they won't get out of this Chamber because of our Constitution that says that revenue measures must originate in the House of Representatives. So when this bill, if it passes the Senate, goes to the House, they are going to reject it, or they use the term "blue slip" this bill, and it is going to come back to the Senate. So this bill, with these amendments, is dead on arrival in the other body.

It is also dead on arrival at the White House. We have had indications in a statement that President Obama opposes repealing the incentives and is open to new approaches that meet today's challenges and save taxpayers money.

I remember one of the first policy discussions I had with then-new Sen-

ator Obama. I was chairman of the Finance Committee. He came up, and we talked about what we could do working together to promote ethanol as an alternative energy. His idea was incorporated into a piece of legislation that became law. I was glad to work with him on it. So I thank President Obama for the statement he recently gave—again, now, as President of the United States—supporting alternative energies, biofuels, and, in this case, specifically ethanol.

The votes at 2 o'clock, then, are a fruitless exercise. So in a sense we are in political theater here as we debate these issues. We have already had this vote, and it was defeated 40 to 59.

Everybody knows oil is now hovering near \$100 a barrel, and everybody knows, as we hear once a month or maybe are reminded every day, unemployment is 9.1 percent. So why has the Senate taken a full week, voting twice, on the same amendment that will increase prices at the pump, increase dependence upon foreign oil, and lead to job loss, or at least do nothing about the unemployment rate?

We should be having this debate in the context of a comprehensive energy plan. This debate should include a review of the subsidies for all energy production, not just singling out ethanol. Nearly every type of energy gets some market-distorting subsidy from the Federal Government. An honest energy debate should include ethanol, oil, natural gas, nuclear, hydropower, wind, solar, biomass, and probably a lot of other alternative energies I don't think of right now. By discussing it in the context of an overall energy policy instead of singling out ethanol right now, we would be able to then make sure we have a level playing field for all forms of energy because the government shouldn't be choosing between petroleum and alternative energy, as an example.

When the oil and gas subsidies were targeted, as the ethanol subsidies are being targeted right now and oil and gas subsidies were targeted last month, the president of the National Petrochemical and Refiners Association had this to say:

Targeting a specific industry, or even a segment of that industry, is what we would consider punitive and unfair tax policy. It is not going to get us increased energy security, increased employment, and it is certainly not going to lower the price of gasoline.

Well, those very same words could be said about the ethanol debate we are having right now because it would surely increase our energy insecurity, it would increase unemployment, and it is certainly not going to lower the price of gasoline.

So it seems to me that the old saying about what is good for the goose ought to be good for the gander applies. So what is good for a subsidy on petroleum and the people who defend that—why would we want the inconsistency we are demonstrating here? Because



that gets back to how I voted on that provision about a month ago. I voted that we ought to deal with oil and gas and ethanol and all of those things in the same context and make sure they fit into an overall national energy policy.

In December 2010, Congress enacted this 1-year extension of VEETC, the volumetric ethanol excise tax credit, also known as a blenders' credit. We extended it for 1 year. That is what is being repealed in the Coburn amendment. This 1-year extension has allowed Congress and the domestic biofuels industry to determine the best path forward for Federal support of biofuels and for the phasing out of that subsidy.

As a result of these discussions, Senator CONRAD and I introduced bipartisan legislation on May 4 that is a serious, responsible first step to reducing and redirecting Federal tax incentives for ethanol. Our bill will reduce and phase out VEETC over a period of a few years. It also would extend through 2016 the alternative-fuel refueling property credit, the cellulosic producers' tax credit that deals with a second generation of ethanol from things other than grain, and the special depreciation allowance for cellulosic biofuels plant property.

Earlier this week, I joined Senator THUNE and Senator KLOBUCHAR in introducing another bipartisan bill to immediately reduce and reform the ethanol tax incentive. It includes many of the same features as the bill I introduced last month with Senator CONRAD, but it enacts these reforms this year, right now. Senator THUNE's approach also leads to significant deficit reduction.

The legislation we have introduced is a responsible approach that will reduce the existing blenders' credit and put those valuable resources into investing in alternative-fuel infrastructure, including alternative-fuel pumps or, as Senator KLOBUCHAR used the term, blender pumps. It would also make significant investments in advanced and cellulosic ethanol. That is the second generation of ethanol. That is where we want to go so we are not using grain for fuel. It is a forward-looking bill that deserves widespread support.

The Thune-Klobuchar bill of which I am a cosponsor will responsibly and predictably reduce the existing tax incentive and help get alternative-fuel infrastructure in place so consumers can decide which fuels they prefer. We shouldn't pull the rug out from under this industry that has made these enormous investments. We need to provide a transition.

I know that when American consumers have the choice, they will choose domestically produced, clean, affordable, renewable fuel. They will choose fuel from America's farmers and ranchers, rather than from oil sheiks and foreign dictators.

Both of the ethanol reform bills I mentioned are supported by the ethanol advocacy groups. In an almost unprecedented move, the ethanol indus-

try is advocating for a reduction in their Federal incentives. No other energy industry has come to the table to reduce or eliminate subsidies. No other energy lobby has come to me with a plan to reduce their Federal support. For sure, Big Oil hasn't come forward with any suggestions on reducing their subsidies.

The best way to get deficit reduction that gets to the President's desk with a Presidential signature is a responsible transition such as the one offered by Senator THUNE and Senator KLOBUCHAR. Otherwise, this exercise today and these two votes today are a waste of time. This vote will simply put many Members of this body on record in support of a \$2.4 billion tax increase.

I would encourage those who wish to reduce incentives and save taxpayers' money to work with Senators THUNE and KLOBUCHAR and the rest of us on a responsible transition that has a chance of being enacted and, most importantly, signed by the President; therefore, I urge my colleagues to oppose these two amendments.

I have always said that ethanol shouldn't be singled out, that it ought to be talked about in the context of an overall energy policy. But one of the reasons it has been able to be separated from all of the rest of the alternative energy as well as from all the rest of our energy policies we have for this country is because there is a great deal of ignorance about ethanol. We can tell that in this town when we hear a lot of people mispronounce the word "ethanol" with a long "e." So I want to refer to some of these things, and I am going to use statements from the sponsor of the bill and refute some of these things I think are really wrong.

The first one:

We can save \$3 billion if we eliminate the VEETC blending subsidy.

Well, there are a lot of numbers thrown around about how much this incentive costs and how much the Coburn amendment would save. I have a letter from the Joint Committee on Taxation with a score of the Coburn amendment. The fact is, the amendment, if enacted on July 1, 2011, would increase revenue to the Federal Treasury by \$2.4 billion, not \$3 billion as the author stated. Again, the Coburn amendment, if enacted, would be saving \$2.4 billion. That is from the Joint Committee on Taxation; that is not my estimation. That is the estimation of the people who score for the Congress of the United States what impact various tax bills have.

Another statement:

All the blenders of gasoline in the United States—all of them—have called and written and said: "We do not want the \$3 billion for the rest of the year."

I have a letter from the Society of Independent Gasoline Marketers of America—and they go by the acronym SIGMA—to the Senate majority and minority leaders opposing efforts to prematurely and abruptly eliminate the blenders' credit, contrary to the statement I just read that all the blenders want to do away with this.

The letter states:

As the leading marketers of ethanol-blended fuel at the retail level, SIGMA members and customers are the beneficiaries of VEETC. Simply put, SIGMA opposes recent moves to prematurely or abruptly end the subsidies without any consideration for future fuel and fuel-delivery costs. To end this incentive immediately would no doubt result in immediate spike in consumers' fuel costs.

That is the end of the quote from the Society of Independent Gasoline Marketers of America.

So I hope somebody will put that in their pipe and smoke it because the fact that all of these people, we have been told here on the floor of the Senate, don't want this—well, that is an incorrect statement.

Another statement:

According to the U.S. Department of Agriculture, 40 percent of last year's corn crop was utilized, converted to ethanol.

It is true that almost 40 percent of the corn crop went into the ethanol plant to produce ethanol. But what it doesn't tell us is that out of a 56-pound bushel of corn, there are 18 pounds of animal feed left over that is more efficient in fattening animals than even the original corn. That is called dried distillers grain. So I do not want people of this body to come to me in their ignorance and tell me we are using too much corn and saying it is 40 percent of the corn crop when 18 pounds out of every 56-pound bushel of corn is for very efficient animal feed. So I am going to take credit for that 18 pounds and refute this statement that 40 percent of last year's corn crop was utilized and converted to ethanol.

One bushel of corn produces nearly 3 gallons of ethanol and 18 pounds of high-value animal feed. In 2010, 4.65 billion bushels of corn were used to produce 13 billion gallons of ethanol. But ethanol production uses only the starch from the corn kernel. More than one-third, or 1.4 billion bushels of dry distillers grain, is left over available as a high-value livestock feed.

On a net basis, ethanol production used only 23 percent of the U.S. corn crop—far less than the 40 percent that Senator COBURN claims. According to the U.S. Department of Agriculture, feed use consumed 37 percent of the U.S. corn supply, much more than the 23 percent consumed by the ethanol production.

The next statement that is incorrect:

The American people ought to take into consideration when they go buy a gallon of fuel today—you already have \$1.72 worth of subsidy in there. It does not have anything to do with oil and gas drilling.

I believe Senator COBURN is referring to a report from the Congressional Budget Office. For the record, that report relied on the questionable assumption that only a tiny fraction of ethanol consumption is attributable to the ethanol tax credit. Regardless, I am glad he raised this point about subsidies and oil and gas drilling.

Our colleagues may be interested to learn of the hidden cost of our dependence upon foreign oil. And these are not my estimates. I am going to give you references for you to look up.

A peer-reviewed paper published in *Environment Magazine* in July 2010 concluded that “. . . \$27 to \$138 billion dollars is spent annually by the U.S. military for protection of Middle Eastern maritime oil transit routes and oil infrastructure, with an average of \$84 billion dollars per year.”

Isn't it convenient to forget those costs of our national defense, such as keeping oil lanes open so we can get oil to the United States that we spend \$835 million every day to import oil?

I wish to refer to another one.

Milton Copulos, an adviser to President Ronald Reagan, a veteran of the Heritage Foundation, and head of the National Defense Council Foundation, testified before Congress in a recent year on the “hidden costs” of imported oil.

Mr. Copulos stated that by calculating oil supply disruptions and military expenditures, the hidden costs of U.S. dependence on petroleum would total up to \$825 billion per year. The military expenditure is equivalent to adding \$8.35 to the price of a gallon of gasoline refined from Persian Gulf oil. There is no hidden—this is important about ethanol—because there is no hidden U.S. military cost attributable to homegrown, renewable, environmentally good ethanol.

Here is another statement I wish to refute:

There is a big difference between a subsidy that is a tax credit and allowing someone to advance depreciation because they are going to write it off anyhow.

The net effect to the Federal Government's revenue, if you take all of those away, is still zero.

That statement wants you to believe that all the tax benefits the oil industry gets are just tax benefits; they are not a subsidy. Well, my response is, I have to refer to a September 2000 report by the Government Accountability Office. But that report concluded that the Federal Government has granted tax incentives, direct subsidies, and other support to the petroleum industry. They describe tax incentives as Federal tax provisions that grant special tax relief designed to encourage certain kinds of behavior by taxpayers or to aid taxpayers in special circumstances.

According to the Government Accountability Office, the tax break allowing for the expensing of intangible drilling costs began in 1916. The percentage depletion allowance was enacted in 1926.

The Government Accountability Office estimated that these two tax incentives led to a revenue loss of as much as \$144 billion between the time studied by the Government Accountability Office, which goes from 1968, to when the report was given in the year 2000.

I would say to my colleagues that those figures I just gave you are a far cry from the zero revenue effect that Senator COBURN claims for the oil industry. These are the Government Accountability Office's words and figures. They refer to them as tax incentives that resulted in the loss of revenue of more than \$100 billion to the Federal Treasury over a 32-year period.

I have heard Senator COBURN on the floor on many occasions talking about the dire fiscal situation our country is in. I find myself voting with Senator COBURN most of the time. But on this issue, I disagree. Yet on this issue, it sounds as though he is arguing about semantics. One is a “subsidy,” yet the other is a “legitimate business expense.” In other words, in the case of ethanol, it is a subsidy. In the case of Big Oil and their taxes, it is a legitimate business expense.

I am not sure this argument over terminology will give our children and grandchildren much comfort when they are picking up the trillion-dollar tab over the next couple of decades.

The last statement I wish to refute is this:

Corn prices are at \$7.65 a bushel.

Well, that had to be a couple days ago because I get a report every day on corn prices at my local elevator in New Hartford, IA. They were \$7.10 yesterday. But let me quote again.

Corn prices are at \$7.65 a bushel. They are 2½ times what they were 3½ years ago. [Ethanol] has been, this last year, the significant driver.

Let me suggest, first of all, that he is right, 3½ years ago, corn was about \$7 a bushel. But 6 months later, it was \$3.58 a bushel. So anybody who thinks corn is going to stay at this historically high price is not very smart. And if farmers are spending money according to that, they better slow up because they are going to be caught off guard and out of business like they were in the 1980s.

So this is my response, in addition to what I said about corn going down to \$3.58: Grain used for ethanol accounts for approximately 3 percent of the world's coarse grain. Let me reflect on that statement for a minute, because you get the opinion, when they say 40 percent of U.S. corn is used in ethanol, that, ye gods, what are people going to eat? But worldwide—and the grain market is worldwide—the global marketplace decides the price of grain. And worldwide, only 3 percent of the coarse grain—and corn is one of the coarse grains—is used for fuel. Because of the increased corn production, the amount of grain available for non-ethanol use is growing.

In the year 2000, there were 2.4 billion metric tons of grain available for uses other than for ethanol. Even with the growth of the ethanol industry, last year there were 2.6 billion metric tons of grain available for uses other than for ethanol.

It is also important to review the cost of corn in retail food prices. The

corn price today: The corn cost in a gallon of milk is about 46 cents. The cost of corn in a pound of chicken is 34 cents. One pound of beef takes 92 cents worth of corn. One pound of pork requires 39 cents.

So you have all these excuses coming from the food manufacturers of the United States that ethanol is the cause of food prices rising. But you can see in the figures I just gave you that what the farmer gets out of a dollar's worth of retail food is about 21 cents. And you could cut this in half, and it will be cut in half, like it was 3½ years ago. But when the price of corn goes down, you are not going to see big food manufacturers reducing their cost of food by 20 percent because they need ethanol as a scapegoat to raise the price of food.

That is all I have to say about ethanol. But I do have an amendment I am submitting to this bill that is before us that is unrelated to ethanol, but it also brings up the same point: that there are a lot of places in this budget we can save money.

Senator JOHNSON of South Dakota and I are submitting this amendment that pertains to setting limits that any one farmer, including this farmer, can get from farm program payments.

I have been pushing for reform of farm program payments for many years. Some folks from outside of Iowa unfamiliar with this issue may be surprised that I am the Member who keeps pushing these reforms. They may think: Iowa's economy relies heavily on agriculture. Why would a Senator from a farm State such as Iowa want a hard cap on farm payments?

But Iowa farmers understand why I continue pushing for a hard cap. This is about making sure the farm programs provide what they are supposed to provide: a safety net for those who need it; basically, farmers who have the economic incapability of overcoming natural disasters and political issues and international politics that they have no control over that affects the impact of farm income. Those are small and medium-sized farmers. They are not these megafarmers that are 10 percent of farmers getting 70 percent of the benefits out of the farm program.

These small and medium-sized farmers—as, of course, bigger farmers do—play a vital role in supplying our Nation and world with food. However, they are continually, as small farmers, faced with the challenge of rising land prices and cash rents. Many times, young and beginning farmers cannot compete because of high land prices and rents. There is no doubt the rise in commodity prices is part of the reason for higher land prices and cash rents.

But, currently, farm program payments are also placing upward pressure on land prices. This is not how it is supposed to work. What I just said means we are subsidizing big farmers to get bigger. There is nothing wrong with big farmers getting bigger. I do not argue with that in any segment of our economy. But we should not be subsidizing big farmers to get bigger.

The farm program was put in place to provide a safety net for farmers. It is meant to help them get through tough times. The farm program was not created to help big farmers get bigger. Let me repeat for you—because it cannot get enough emphasis—10 percent of this Nation's largest farmers receive 70 percent of the farm program payments.

These large farms do not need these program payments to get through tough times. Small and medium-sized farmers do not need nonmarket factors driving up the land prices and cash rents.

This amendment is a commonsense solution to this problem. Reform the farm program so it works as a true safety net for those it was intended for. We can do that by placing limits on how much a single farm operation can receive in program payments. The government should stay out of subsidizing the growth of large farms.

In addition, this amendment tightens the requirements for people to be considered an actively engaged farmer. For too long, people have gamed the system and received farm payments that the law did not intend.

There have been a number of amendments submitted to the EDA bill before us in the name of saving taxpayer dollars. The ethanol amendment—supposedly that is one of the motives behind it.

By setting hard payment caps, and making these other reforms, we will save the U.S. Treasury approximately \$1.5 billion over 10 years.

The headlines around here are dominated by the problems of the budget. Many of my colleagues have come to this floor in recent weeks and discussed government spending and the big debt.

If this body is going to be serious about cutting spending, then this amendment I am laying before you as a limitation on farm payments is a continuation of that effort. Instead of spending time debating the merits of programs that assist the renewable energy industry, an industry that, by the way, helps us wean ourselves off our need for foreign oil, why do we not agree to make cuts in areas we should be able to have an agreement?

This is a simple and commonsense way for us to save money, while at the same time making sure the farm program accomplishes what it is supposed to.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 9 minutes 37 seconds remaining.

Mr. THUNE. Mr. President, I wish to join my colleague from Iowa, who has been a great leader over the years on the issue of biofuels, in trying to transition our country away from the dangerous dependence we have on foreign oil and over the years has worked to put in place policies that have helped build an industry literally from the

ground up. The ethanol industry, in its inception many years ago, sort of started with just a few farmers getting together. Today they are producing about 13 billion gallons of ethanol. It represents 10 percent of our entire fuel supply. There is not any other fuel in the country that provides the alternative to traditional gasoline ethanol does.

That is the result of a lot of investment, a lot of hard work by a lot of people over the years. It has also been as a result of a dependence upon what has been fairly stable public policy. Now there is a debate about whether that public policy ought to change. That certainly is a debate we can have. I do not wish to get into the merits of the individual elements of ethanol policy because obviously people are going to disagree about that.

But I am going to point out that we put this policy in place in December of last year. In December of last year, we told this industry, which represents—these are 204 American-owned plants. These are American companies that employ almost 500,000—indirectly or directly—American jobs and American workers in this country. So we told them, in December of last year, 81 Senators—81 Senators, many of whom are now saying, I am going to vote to do away with this particular tax policy—81 Senators voted for it. We had 81 votes in the Senate in December that said these are going to be the rules of the game until December of this year.

So now we have this effort to completely change the rules in the middle of the game. I have not been here all that long. I served three terms in the House of Representatives. I am in my seventh year in the Senate. But I do not recall an occasion where we have ever done anything such as this, where the Congress has put policy in place, made commitments to American businesses—in this case, people who employ American workers—and then tell them 6 months later, I am sorry, we are going to pull the rug out. You are out there on your own now.

It would be one thing if these decisions were made in a vacuum. But most of these businesses made investment decisions based upon public policy that was put in place by this Congress. We cannot, in good faith, now go tell them we are just going to jerk this policy out of the way. Does our word mean anything around here?

To start with, we have an issue with this particular amendment because it is unconstitutional. We cannot originate a tax measure in the Senate. So it will be blue-slipped in the House of Representatives, which makes everything we are doing right now largely symbolic. This bill is not going anywhere.

But there seems to be people who are intent upon making some sort of statement, I guess, or trying to send some sort of a message. But the end result, if what they were trying to accomplish today were to become law, is we would

raise gas prices because we are talking about a \$2.4 billion increase in taxes on people who inevitably are going to pass it on. So why would we want to start raising gas prices at a time when we have historically high gas prices and people are already being pinched at the pump?

So we single out a specific industry. I have heard people get up today and say: Well, we voted for tax extenders last year, but you know what, they were part of a bigger package. We did not have to agree with all of it. Well, then, do not vote for it and, surely, have the debate then. Why were we not debating the issue last December? If people had issues with this, they should have been brought out then when we put this policy in place.

What, in effect, we are doing is singling out an industry and saying: We are going to punish you by changing the rules in the middle of the game because we do not like your industry or because we do not like this particular tax provision.

Well, we had a similar debate a few weeks ago. There was an effort to do something on oil and gas tax provisions. The argument that was made at the time, myself included, was why would we single out a specific industry? If we are going to do this, let's do this in a comprehensive way when we look at all types of policies, tax expenditures, favorable tax treatment that various industries in this country get, and let's examine them all together. Let's make some changes.

This is selectively singling out a specific industry and changing a tax policy in the middle of the year. There has been a statement made on the floor that people who get the benefit or the blenders credit do not want it. It strikes me at least, if they do not want it, they do not have to take it. They have to file for it. They have to file with the IRS. If they do not want the blenders credit, they do not have to take it. But most of the people who file for the blenders credit, it is assumed, are going to pass it on to the retailer, to the gas station, and ultimately to the consumer so it will result in lower prices.

Most of the refiners anyway are large, integrated oil companies that, frankly, do not want the competition that is represented by the ethanol industry. They do not have to take the blenders credit. They have to do something to get it. They have to file with the IRS in order to receive it.

One other point I wish to make, because there has been some talk as well about ethanol and the environmental benefits, there are certain States in the country that perhaps would like to have even higher standards. But if we compare ethanol to traditional gasoline, according to the EPA, in terms of greenhouse gas emissions—lifecycle greenhouse gas emissions—it is 20 percent lower, corn-based ethanol. When we get to cellulosic ethanol, which is the next generation of biofuels—if we

can get there, if we do not completely do away with the platform we have today with corn-based ethanol—it will have a 60-percent lifecycle greenhouse gas emission advantage over traditional gasoline.

So corn-based ethanol, 20 percent cleaner burning than traditional gasoline; cellulosic ethanol, 60 percent cleaner burning than gasoline. That is according to the Environmental Protection Agency, which does not take a particularly favorable view of these fuels because they like to include in their calculation types of elements, such as indirect land use in other countries around the world, which, frankly, we do not think ought to be part of the calculation, but even with that 20-percent cleaner burning than traditional gasoline for corn-based ethanol and 60 percent for cellulosic ethanol.

I wish to read, if I might, from a letter that I received from an organization called ACORE. That is the American Council on Renewable Energy. This organization is about 500 deep, represents about 500 other organizations; in some cases, American companies, universities, members such as Walmart, such as DuPont. This is what they say:

Current domestic ethanol production is also laying the groundwork and infrastructure for the more advanced biofuels of the future including cellulosic ethanol, algae-derived fuels, and drop-in fuels. We have already crossed the threshold of these home-grown biofuels meeting a substantial portion of transportation fuel demand for cars and light duty trucks; but they cannot be further developed without the infrastructure investments that are fostered by current ethanol production today.

They go on to say that:

The Thune-Klobuchar amendment ensures ethanol production will continue, while directing limited government resources to support infrastructure development and the transition to advanced biofuels.

The ethanol tax credit has been critical to increased domestic ethanol production and corresponding economic growth, job creation, enhanced energy security and lower gas prices. We urge you to oppose the Coburn amendment, which would prematurely terminate support for our domestic ethanol industry while failing to invest in critical infrastructure and advanced biofuels. We ask for your support of the Thune-Klobuchar amendment.

The Thune-Klobuchar amendment—we are working with the Senator from California, Mrs. FEINSTEIN, the Senator from Oklahoma, Mr. COBURN, on a solution that would hopefully lead us to a result. It would do what many of the folks in this Chamber want to see done. It would do away completely with the blenders credit, effective July 1, and with the ethanol tariff. It would also put money back into debt reduction.

We think that is a better way to do this. I hope those discussions will lead somewhere. But this vote today is going to be a largely symbolic vote for reasons I just mentioned: It is unconstitutional. It will be blue-slipped in the House of Representatives and, therefore, it makes absolutely no sense

for us to be having this vote in the first place. It certainly does not make any sense for us to be sending a message to this industry that we want to do away with it.

I understand my time has expired.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak in favor of the Feinstein amendment. I am a proud cosponsor of this proposal because it will save us money, reduce food prices and do so in a responsible manner.

Ethanol enjoys truly unprecedented support from the Federal Government. First there is the renewable fuels mandate that requires ethanol to be blended into gasoline.

Second, there is a 45-cent-per-gallon subsidy to blend ethanol into gasoline that is costing the Treasury nearly \$6 billion per year.

Third, there is a 54-cent-per-gallon tariff on imported ethanol protecting the domestic industry from any serious competition.

And to top it all off the Federal Government spends billions every year to subsidize the growth of corn for ethanol.

In a time of fiscal constraint we simply cannot afford to prop up an industry with such enormous supports.

And these supports are not just costing taxpayers money, but they are also causing food prices to rise and harming our environment.

The USDA estimates that 40 percent of this year's corn crop will be used for ethanol. This is raising grain prices worldwide, especially hurting the needy.

For these reasons, the Feinstein amendment has the support of taxpayer rights groups, religious groups looking out for the needy, budget hawks concerned about our deficit, livestock growers who use grain as feed, the grocers and restaurants who are seeing food prices increase, and the environmental community who understand that corn ethanol requires enormous amounts of fossil fuels to be produced.

My support for the Feinstein amendment is not just because it is the right thing to do for our country and our Federal budget, but because it is the right thing to do for my home State. New Jersey has over 120,000 flex fuel vehicles, but does not have a single E85 ethanol pump in the entire State. 120,000 cars that are built to allow automakers to game fuel economy standards but may never see a drop of E85 fuel.

I know that this issue is important to our friends in the Midwest, but ethanol producers already have a guaranteed market for their product as a result of the Federal mandate. Now we have an opportunity to help families across the country by ending this failed ethanol policy and providing relief both in terms of their taxes and their food prices.

For these reasons, I will be voting in favor of the Feinstein Amendment and urge my colleagues to do the same.

I also think this vote is important for the larger debate over the deficit.

Our friends on the other side of the aisle have said revenues cannot be a part of the strategy to reduce the deficit. I think this vote and the one earlier this week in which 34 Republicans voted to end these wasteful ethanol tax breaks show there is bipartisan support for cutting wasteful tax subsidies and loopholes and that these revenue expenditures must be part of any solution on the deficit.

As I speak about that, let me end on another item I think should be on the table, one I have been promoting. The first place to start in terms of tax expenditures is oil subsidies.

A bipartisan majority of 52 Senators voted recently to end these tax breaks. If these 34 Republicans come into the fold, we could work together to make some real progress. Oil companies do not need these subsidies—I am talking about the big five—with oil trading at nearly \$100 per barrel. They have all the incentive they need in the marketplace. But cutting these subsidies, we can cut the deficit by \$21 billion. This year alone these companies are projected to earn up to \$144 billion in profits—not proceeds but profits. If they can simply live with a mere \$142 billion in profits, then they can do their share to reduce the deficit without raising gas prices.

It is time to come together across party lines and to end wasteful tax subsidies and lower the deficit. This vote is an important first step, and I think by doing so we will—notwithstanding the issues about blue slips and constitutional impediments—send a clear sense of the Senate that will move us in a direction that will end the ultimate subsidies and help us reduce the deficit. I think ending oil subsidies will get us on a path to a bipartisan solution that is critical for the Nation.

Mr. HATCH. Mr. President, I rise today in support of Senator MCCAIN's amendment to prohibit the use of Federal funds for the construction of ethanol blender pumps and ethanol storage facilities. My vote today is not a vote against ethanol as a transportation fuel. I strongly support the greater use of alternative transportation fuels and alternative-fuel filling stations in the United States. In certain cases, I have even advocated for government support of these goals. But government support for a source of energy should create a temporary boost, not a long-term Federal dependency. It is just as foolish to attempt to build an economy on subsidized energy as it is to build a house on the sand.

I have been criticized for opposing a Democratic proposal to raise taxes on domestic oil producer, but there is a difference in the size of the Grand Canyon between allowing oil companies to keep a portion of their own profits, which they use for more domestic energy production, versus handing out

very large amounts of taxpayer cash to ethanol companies. Ethanol companies not only have a lower tax rate than oil companies on average, they also benefit from the ethanol excise tax credit, from government handouts for ethanol filling infrastructure, a large Federal mandate forcing refineries to produce ethanol whether it makes economic sense or not, and an ethanol import tariff.

I cannot conceive of any justification for a program that hands out taxpayer funds for an activity as it does for ethanol blender pumps and storage facilities when it already has a Federal mandate forcing it into what used to be the free market. In my book, there is no greater subsidy than Federal mandate, and that alone is more than ethanol deserves.

I have supported broad-based incentives for alternative fuels in the past, but enough is enough, and in the case of ethanol, it is more than enough by far. Affordable energy is basic to a strong economy just as a healthy blood supply is basic to human life, and a long-term handout is no substitute for affordability.

I will continue to support reducing our dependency on foreign oil by increasing domestic energy production, increasing the efficiency of our transportation sector, and increasing the diversity of our transportation fuels. But those goals should focus on energy sources that can compete in the free market. Reliance on noncompetitive energy sources will only drag down our economy.

Mr. President, I urge my colleagues to support more competitive America by voting for Senator MCCAIN's amendment.

Ms. COLLINS. Mr. President, I am pleased to join Senators FEINSTEIN and COBURN supporting an amendment to repeal the ethanol excise tax credit and the ethanol import tariff. These policies are fiscally irresponsible, environmentally unwise, and economically indefensible. Today we have another opportunity to take action to end them.

Historically, our government has helped a product compete in one of three ways: we subsidize it, we protect it from competition, or we require its use. Right now, ethanol may be the only product receiving all three forms of support.

The ethanol tax break is extraordinarily expensive. The Government Accountability Office has found that the tax credit costs American taxpayers a staggering \$6 billion annually. This is quite a sum to prop up a fuel that is causing land conversion for corn production, commodity and food prices to rise, and is barely putting a dent in our Nation's dependence on foreign oil. With our amendment, we have the opportunity to immediately save American taxpayers nearly \$3 billion for the remainder of 2011 alone.

Ethanol use is mandated under the renewable fuels standard, RFS, which guarantees market for corn ethanol.

Collectively, the first generation biofuels industry will receive tens of billions in unnecessary subsidies through the year 2022. If the current subsidy were allowed to continue for five years, the Federal Treasury would pay oil companies at least \$31 billion to use 69 billion gallons of corn based ethanol that the RFS already requires them to use. We simply cannot afford to pay the oil industry for following the law.

The data overwhelmingly demonstrate that the costs of the current ethanol subsidies and tariffs far outweigh their benefits. Just last summer, the Center for Agricultural and Rural Development at Iowa State University estimated that a 1-year extension of the ethanol subsidy and tariff would lead to only 427 additional direct domestic jobs at a cost of almost \$6 billion, or roughly \$14 million of taxpayer money per job.

While expanding our capacity to generate alternative, domestic fuel sources is an important step toward becoming less dependent on foreign oil, I have serious concerns about the effects of increased ethanol use. There are other alternative sources of energy that make far more sense.

The energy, agricultural, and automotive sectors are already struggling to adapt to the existing ethanol mandates. I have concerns with the partial waiver issued by the Environmental Protection Agency for the use of E15, a blend of gasoline containing 15 percent ethanol. Many residents in my state have already experienced difficulties using gasoline blended with just 10 percent ethanol, finding that it causes problems in older cars, snowmobiles, boats, and lawn mowers. The EPA's E15 waiver fails to adequately protect against misfueling and will add unnecessary confusion at the gas pump for consumers. We simply cannot place so many engines in jeopardy.

These first generation biofuel mandates also present environmental concerns as they could result in energy efficiency losses and increased air pollution because the mechanical failures can jeopardize the effectiveness of engine emission controls.

Over recent years, we have also seen food and feed prices increase as crops have been diverted for the production of corn-based ethanol. We should be raising food crops for food, not for fuel. Senate Homeland Security Committee chairman JOE LIEBERMAN and I held a series of hearings in 2008 to examine the impact of corn based ethanol on food prices and we found that it certainly had a negative impact.

The cost of this policy to our Nation and its taxpayers, particularly given our current fiscal crisis, can no longer be ignored. At a time when we are projecting a deficit this year alone of \$1.5 trillion, how can we justify spending \$6 billion to subsidize ethanol?

I urge my colleagues, especially those who questioned the process used to bring an identical amendment to the

floor just a couple days ago, to join me today in supporting the Feinstein-Coburn amendment to repeal these fiscally indefensible corn-based ethanol subsidies.

Ms. MIKULSKI. Mr. President, I rise in favor of ending lavish and unneeded ethanol subsidies. This is the second opportunity that my colleagues and I have to end unnecessary subsidies to one of the most profitable and wealthy industries in the world. In May, I voted to end \$2 billion a year in tax breaks to the five biggest oil companies that made more than \$36 billion in profits in the first 3 months of 2011. And today I will vote to end \$6 billion a year subsidies for ethanol blenders.

While the Nation is facing record deficits and families and businesses in Maryland are getting crushed with high gas, corn and food prices, ending \$6 billion a year in tax breaks for ethanol producers is a no-brainer. The numbers speak for themselves. This subsidy doesn't help the chicken farmers on the eastern shore of Maryland who are paying corn costs that are three times higher than they were 5 years ago. It isn't making us less dependent on foreign oil. And it certainly isn't reducing the deficit. The only thing this subsidy is doing is padding the pockets of oil companies who blend ethanol. These companies don't need taxpayer help to survive—let alone thrive.

At a time when Congress is considering devastating cuts to FIRE grants for our first responders, home heating oil assistance for seniors, and nutritious foods for pregnant women and newborns, it makes no sense to preserve a \$6 billion a year tax break for an industry that doesn't need it. If we are serious about the deficit, we have to make smart decisions. Ending these subsidies is a long overdue answer to getting this country back on track to fiscal sanity, and not in a way that hurts middle class families or traditional industries in Maryland.

Ethanol blenders have hit the trifecta of government support. First, the law requires that ethanol be used in gasoline. Second, blenders get a 45-cent-per-gallon tax credit. And third, it is protected by a tariff which discourages the import of cheaper, more efficient, and more environmentally sound types of ethanol. The Feinstein amendment does not change the requirement that ethanol be used in gasoline. It simply ends the unneeded and lavish subsidy to oil companies that blend the ethanol.

It is time to stop filling up oil industry profits while draining taxpayer's wallets. Ending these subsidies will right a wrong in the tax code and ensure that middle class families aren't on the hook for more giveaways. Let's pass this bill, end these subsidies, and put our efforts into additional ways to reduce the deficit.

Mr. LEVIN. Mr. President, I will vote to oppose both the amendments offered today.

I share many of the concerns of Senator FEINSTEIN and others in this body about the impact of the volumetric ethanol excise tax credit. I am particularly concerned that this credit may increase the price that Americans pay for food, something few families can afford these days.

But I cannot support Senator FEINSTEIN's amendment, for three reasons.

First, I fear that her amendment, while addressing tax credits for corn-based ethanol, would also remove support for other, non-corn sources. While I applaud Senator FEINSTEIN for maintaining support for cellulosic ethanol production, we should not reduce support for other non-corn sources that have potential to help reduce our dependence on imported oil without affecting food prices. For example, companies in my state and elsewhere are working on production of biofuels from algae. I believe any attempt to address tax credits for corn-based ethanol should leave intact support for these non-corn sources.

Second, I fear that ending this credit now, more than 6 months before it is set to expire, would unfairly burden business that have made plans with the assumption that the credit would remain in place at least until then. These businesses have a right to expect that Congress will not pull the rug out from under them.

Third, I am concerned that by attaching this amendment to an important piece of legislation, we endanger passage of that legislation. I support the underlying bill, which would reauthorize the Economic Development Administration. The EDA is an important resource for communities across the country, and at a time when jobs should be our top priority, we should support programs with proven records of job creation. But by attaching a revenue measure to EDA bill, the House will almost certainly "blue slip" the bill and thereby doom it.

I also will oppose the amendment offered by Senator MCCAIN. I believe that we should support the creation of infrastructure that will support alternative energy development. By prohibiting Federal funding for creating infrastructure to support ethanol production and use—including cellulosic ethanol and other non-corn sources—Senator MCCAIN's amendment would make it more difficult for us to develop these new sources of energy, sources we need to end our dependence on imported fossil fuels.

Mr. JOHNSON of South Dakota. Mr. President, I rise today to discuss two amendments to the underlying bill: amendment No. 411 offered by Senator MCCAIN and amendment No. 476 offered by Senators FEINSTEIN and COBURN.

I oppose these amendments. Abruptly pulling support for ethanol, as these amendments attempt to do, runs counter to vital efforts to reduce dependence on foreign oil. The ethanol industry supports over 400,000 American jobs, offers consumers a choice at

the pump, lowers fuel prices, and displaces millions of gallons of foreign oil with a homegrown alternative.

Amendment No. 476, offered by Senators FEINSTEIN and COBURN, would eliminate the blender tax credit for the use of ethanol and end the tariff on imported ethanol that ensures tax incentives are limited to domestically produced renewable fuels. Senator MCCAIN's amendment, No. 411, would block federal efforts to promote ethanol blender pumps or ethanol storage facilities. Last fall, Agriculture Secretary Vilsack announced a goal of installing 10,000 blender pumps nationwide over 5 years to help give consumers a choice at the pump. Senator MCCAIN's amendment would end this type of important initiative to promote renewable fuel infrastructure.

While I support responsible efforts to reform and significantly reduce the cost of tax incentives for ethanol, we must focus on developing our ethanol infrastructure that will facilitate the transition toward advanced biofuels and cellulosic ethanol. The renewable fuels industry, and ethanol in particular, has played an important role in addressing our energy needs. Our support of renewable fuels to date has brought us to a point where ethanol displaces millions of gallons of oil. Unfortunately, this amendment would not only hinder our existing ethanol industry, but it would also stall the development of the next generation of biofuels like cellulosic ethanol.

Ethanol also has been shown to reduce prices at the pump. A recent study by the Center for Agricultural and Rural Development, CARD, found that the increased use of ethanol reduced wholesale gasoline prices by an average of \$0.89 per gallon in 2010. At a time when high fuel prices are having a detrimental impact of the budgets of millions of Americans, it is important that we not hastily take steps that will further increase those prices.

Rather than voting to abruptly end the current incentives for ethanol, I have worked with colleagues on an alternative proposal that would transition from the existing blender credit to targeted investments, while also reducing the deficit. This effort, led by Senators KLOBUCHAR and THUNE, would end the current form of the volumetric ethanol excise tax credit and redirect a portion of the estimated savings toward deficit reduction and the remaining toward renewable fuels infrastructure, a safeguard credit for ethanol should oil prices fall below certain points, and continued support for small producers and development of advanced biofuels.

I support efforts to reform incentives that promote our renewable fuels industry and reduce the deficit, but I oppose these amendments. I hope that my colleagues will continue to discuss further alternatives that ensure we continue to have a strong renewable fuels industry.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I want to speak for a couple of minutes, until another speaker arrives on the other side. If I might, I want to elaborate on where these discussions are that we have been having with regard to getting a result and a solution that I think actually could get enacted and become law.

Since we first had this vote a couple days ago, I have been in conversations, along with Senator KLOBUCHAR from Minnesota, Senator COBURN, and Senator FEINSTEIN, the sponsors of this amendment, to see if there isn't some way we can find something we could actually do that would accomplish what probably many of them would like to see accomplished but doing it in a way that is not disruptive, that is a thoughtful approach to the future of the biofuels industry, and that actually does something meaningful in terms of dealing with the debt and deficit.

Those discussions continue. I think we continue to get closer and closer to an agreement. I hope my colleagues will continue to talk and discuss this matter. We will continue those discussions after the vote at 2 o'clock. I say that to let my colleagues know that even though this particular vote is going to amend a piece of legislation that perhaps isn't going to go anywhere—and certainly this amendment, because it is a blue slip and has a constitutional issue, isn't going to go anywhere—there are earnest discussions going on that I hope will yield a result.

Again, in my view, there is a better way to do this. Obviously, there are people who feel strongly and deeply, and we have heard the emotion of this debate over the last few days about this subject. But there is, in my view, a right way and wrong way to do this. The right way is to do it so that we are not pulling the rug out from under an industry after we already put in place policy that they have relied on in terms of their investment issues.

I hope we can get that agreement, and I certainly hope my colleagues will bear that in mind. There are a number of Members here who obviously are very supportive of the legislation that Senator KLOBUCHAR and I introduced earlier this week, and we heard Senator GRASSLEY speak to that point and others who are cosponsors.

We continue to work with the sponsors of the Coburn-Feinstein amendment to see if there isn't a path forward that will enable us to pass something through the Senate. I wanted to let my colleagues know that and apprise them of the status of those discussions. I hope we can come to a conclusion that will get a result and not



simply have a vote that ends up being largely symbolic. We will continue to have discussions, and I will continue to keep my colleagues apprised of the discussions.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 476, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent to modify the pending Feinstein amendment with the changes at the desk.

This modification is to correct a drafting error made by legislative counsel.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end, add the following:

TITLE —ETHANOL SUBSIDIES AND TARIFF REPEAL

SEC. 01. SHORT TITLE.

This title may be cited as the "Ethanol Subsidy and Tariff Repeal Act".

SEC. 02. REPEAL OF VEETC.

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking "December 31, 2011" and inserting "the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act".

(2) Section 6427(e)(6)(A) of such Code is amended by striking "December 31, 2011" and inserting "the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act".

(b) ELIMINATION OF INCOME TAX CREDIT.— The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking "2011" and inserting "the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act", and

(2) by adding at the end the following: "After such date ..... zero zero".

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

SEC. 03. REMOVAL OF TARIFFS ON ETHANOL.

(a) DUTY-FREE TREATMENT.—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

"SUBCHAPTER XXIII

Alternative Fuels

Table with columns: Heading/Sub-heading, Article Description, Rates of Duty (General, Special), and a percentage column. Row 1: 9823.01.01, Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol... Free, Free, 20%.

(b) CONFORMING AMENDMENTS.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking heading 9901.00.50; and

(2) by striking U.S. notes 2 and 3.

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the later of June 30, 2011, or the date of the enactment of this Act.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the Feinstein-Coburn amendment No. 476, as modified.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Under the previous order, the amendment requires 60 votes for its adoption.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. SANDERS). The result was announced—yeas 73, nays 27, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—73

- Akaka, Alexander, Ayotte, Barrasso, Baucus, Begich, Bennet, Bingaman, Blumenthal, Boozman, Boxer, Brown (MA), Burr, Cantwell, Cardin, Carper, Coburn, Collins, Coons, Corker, Cornyn, Crapo, DeMint, Enzi, Feinstein, Gillibrand, Graham, Hagan, Hatch, Heller, Hutchison, Inhofe, Inouye, Isakson, Johnson (WI), Kerry, Kyl, Landrieu, Lautenberg, Leahy, Lee, Lieberman, Manchin, McCain, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Paul, Pryor, Reed, Reid, Risch, Rockefeller, Rubio, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Tester, Toomey, Udall (CO), Udall (NM), Vitter, Warner, Webb, Whitehouse, Wyden, Lugar, McCaskill, Moran, Nelson (NE), Portman, Roberts, Stabenow, Thune, Wicker, Grassley, Harkin, Hoeven, Johanns, Johnson (SD), Kirk, Klobuchar, Kohl, Levin, Blunt, Brown (OH), Casey, Chambliss, Coats, Cochran, Conrad, Durbin, Franken, Grassley, Harkin, Hoeven, Johanns, Johnson (SD), Kirk, Klobuchar, Kohl, Levin, Lugar, McCaskill, Moran, Nelson (NE), Portman, Roberts, Stabenow, Thune, Wicker, Alexander, Ayotte, Barrasso, Blumenthal, Boozman, Brown (MA), Burr, Chambliss, Coburn, Crapo, DeMint, Enzi, Feinstein, Gillibrand, Inhofe, Inouye, Isakson, Johnson (WI), Kerry, Kyl, Landrieu, Lautenberg, Leahy, Lee, Lieberman, Manchin, McCain, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Paul, Portman, Risch, Rockefeller, Rubio, Sessions, Shelby, Snowe, Toomey, Vitter, Webb, Wicker, Enzi, Graham, Hatch, Heller, Hutchison, Inhofe, Inouye, Isakson, Johnson (WI), Kerry, Kyl, Landrieu, Lautenberg, Leahy, Lee, Lieberman, Manchin, McCain, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murrow, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Sanders, Schumer, Shaheen, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden, Moran, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Sanders, Schumer, Shaheen, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

The result was announced—yeas 41, nays 59, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—41

- Alexander, Ayotte, Barrasso, Blumenthal, Boozman, Brown (MA), Burr, Chambliss, Coburn, Collins, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Hatch, Heller, Hutchison, Inhofe, Isakson, Johnson (WI), Kyl, Lee, Lieberman, Manchin, McCain, McConnell, Murkowski, Paul, Portman, Risch, Rockefeller, Rubio, Sessions, Shelby, Snowe, Toomey, Vitter, Webb, Wicker, Alexander, Ayotte, Barrasso, Blumenthal, Boozman, Brown (MA), Burr, Chambliss, Coburn, Collins, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Hatch, Heller, Hutchison, Inhofe, Isakson, Johnson (WI), Kyl, Lee, Lieberman, Manchin, McCain, McConnell, Murkowski, Paul, Portman, Risch, Rockefeller, Rubio, Sessions, Shelby, Snowe, Toomey, Vitter, Webb, Wicker.

NAYS—59

- Akaka, Baucus, Begich, Bennet, Bingaman, Blunt, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Coats, Cochran, Conrad, Coons, Durbin, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Hoeven, Inouye, Johanns, Johnson (SD), Kerry, Kirk, Klobuchar, Kohl, Carper, Landrieu, Lautenberg, Leahy, Levin, Lugar, McCaskill, Menendez, Merkley, Mikulski, Moran, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Sanders, Schumer, Shaheen, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden, Grassley, Hagan, Harkin, Hoeven, Inouye, Johanns, Johnson (SD), Kerry, Kirk, Klobuchar, Kohl, Carper, Landrieu, Lautenberg, Leahy, Levin, Lugar, McCaskill, Menendez, Merkley, Mikulski, Moran, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Sanders, Schumer, Shaheen, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

The PRESIDING OFFICER. On this vote, the yeas are 73, the nays are 27.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

VOTE ON AMENDMENT NO. 411

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the McCain amendment No. 411.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Under the previous order, this amendment will require 60 votes.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 59. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.



Under the previous order, the motions to reconsider the previous two votes are considered made and laid upon the table.

The majority leader.

Mr. REID. There will be no more roll-call votes this week. We will work on next week's schedule later today. I ask unanimous consent that the Senators from Massachusetts, Mr. KERRY and Mr. BROWN, be recognized for up to 10 minutes each, and following that time I be recognized.

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

The Senator from Massachusetts.

#### HOCKEY CHAMPIONSHIP

Mr. KERRY. Mr. President, before Mayor Menino ques the Duckboats for the victory parade on Saturday, I want to take a moment with my colleague on the Senate floor to celebrate an extraordinary victory by the Boston Bruins. After a grueling 39 years of so many ups and downs, heartbreaking misses and almosts, the Stanley Cup is coming back to Boston. That is thanks to the extraordinary grit of a special hockey team, a team that had remarkable character. I have to say—and I say this, I hope, cautiously because I know pride comes before a fall. Nevertheless, we in Massachusetts are blessed with an embarrassment of riches right now because last night's heart-stopping 7th game victory against the Vancouver Canucks is now allowing us to celebrate our seventh championship for our city in the last decade. Again, I know pride comes before the fall, but sweeping the Yankees a weekend ago and now winning this isn't too bad.

As a lifelong hockey fan and a guy who still tries to get around the rink occasionally when my hips allow me to do that, the Bruins' win last night was one of the sweetest ever. That is partly because it was in such a long time coming, but it is also because of the determination this team showed in getting there. Not since 1972 have the Bruins brought home a coveted Stanley Cup; and not since the 1970 championship of the legendary Bobby Orr's flying goal has there been so much for Boston hockey fans to cheer about.

This Boston Bruins team made history not just in the championship but in the way they got there. They are the first team in NHL history to win a game 7 three times in the same postseason. They did it with a kind of hard-nosed, selfless, remember-the-fundamentals, play the basics, gritty kind of teamwork that we in Boston admire so much.

During the Bruins' run to the championship, we got to witness a very special kind of pride and encouragement that came from our city. It was a black and gold Bruins jersey on the statue of Paul Revere, and before game 7 everybody got to see our injured forward, Nathan Horton, pouring a bottle of Boston water onto the Vancouver ice. This team couldn't and wouldn't lose at home, and last night Horton's magic water turned Vancouver into our home

ice. Today all of New England is home to the world's champion, the Boston Bruins.

I have to say with last night's victory, yet another Bruin legend was born, goalie Tim Thomas. In seven spectacular games, again and again, Tim turned back Vancouver and held the Canucks to eight goals the entire series. In the final shutout, Tim had 37 saves. So it was more than appropriate that he was named the playoff's Most Valuable Player. I would say what Curt Schilling was to the 2004 Red Sox as Tim Thomas is to the Bruins today.

This Stanley Cup win is a victory for everyone in Massachusetts who has ever laced up a skate and braved the black ice on frozen ponds early in the morning, for every parent who has packed their kids into a minivan at 4 in the morning to get to practice. For everyone who remembers their heart skipping a beat when Bobby Orr sailed through the air in victory, for everyone who never stopped rooting for this team over a four-decade drought, we hear our own voices and the words of Tim Thomas last night when he proclaimed:

You've been waiting for it a long time, but you've got it. You wanted it, you got it. We're bringing it home.

Just as it was for the Red Sox for a long time, some people said this day was never going to come. Just as it was for the Red Sox, and a curse that we no longer hear much about, some even blamed fate for the drought. But after last night, Mr. President, Boston proved once again: Never underestimate an underdog. So, final score: Bruins 1, Fate, 0.

I am proud to offer my congratulations to the Bruins players, the coaches, and the front office for a great series, for a great season, and for being great champions. This team never quit. They never lost focus. They believed in themselves as individuals. Above all, they believed in themselves as a team. So we cannot wait for Saturday when we will see the city of Boston's reflection in the polished silver and nickel of Lord Stanley's Cup. Welcome back to Boston.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I am honored to be able to speak as well with my friend and colleague, Senator KERRY, to celebrate this victory. I was 11 years old when it last happened. I come to the floor to recognize the Boston Bruins and their thrilling season and 4-0 victory in game 7 over Vancouver in the Stanley Cup finals.

I enjoy not being an avid skater like Senator KERRY. I am amazed at the way they go all out and then just slam each other up against the boards and actually get up. I find that amazing. Obviously, they are bringing the Cup back, as Senator KERRY said, for the first time since 1972.

We actually have a couple of Boston fans with us today. As my colleagues

know, it is also the home of the Beanpot tournament and some of the best college hockey in the country.

The Bruins made history last night by becoming the first team in the NHL to win three deciding game 7s in a single playoff run, twice rebounding from being down two games to none. For Bruins fans, including myself and everybody I was with last night, we were very excited about the victories over the rivals from Montreal and then Philadelphia, Tampa, and finally Vancouver. It made for a memorable month.

Being the big underdog before the series began, the Bruins played inspired hockey to win Lord Stanley's Cup, and they did it as a team. They played outstanding defense against one of the best offensive teams in the NHL. Bostonians will never ever forget the sight of Captain Chara standing 6 feet 9 inches tall, which I find truly amazing, accepting the Stanley Cup and lifting it high above the ice. Chara led the incredible defensive effort in that series.

It was also an unforgettable moment for NHL veteran Mark Recchi. Playing in his final NHL game last night, Recchi capped a great career the way most professional hockey players can only dream about—with the Stanley Cup in his hands moving around the ice. Last night, he said it was one of the best groups of players he has ever played with. For those of us who watched, we can attest that it was one fun team to watch. It was a lot of fun. Everyone was so excited, regardless of whether they were a Bruins fan, just to see the intensity with which the series was played.

It was a mixture of youth and experience, hard physical play and great scoring touch that helped put together this run. Brad Marchand, a Bruins rookie, has become a household name also with hockey fans after scoring an impressive 11 goals throughout the playoffs, setting the record for the most playoff goals by a Boston rookie and tying for second most in NHL history.

Patrice Bergeron, coming back from an injury that cost him two games earlier in the playoffs, scored the first goal in game 7 that set the tone. As Senator KERRY said, our clutch goalie, Tim Thomas, took home the Conn Smythe Trophy as the most valuable player during the playoffs. I didn't know a body could move like that, quite frankly. He was the consummate professional, literally unbeatable, with shutouts in games 4 and 7.

Behind the bench, as my colleagues know, Coach Claude Julien led the "Bs" with quiet confidence, even as his team faced daunting deficits and the devastating loss of forward Nathan Horton in game 3 of the Cup finals. The home team had won each of the first three games, so while he couldn't play, Horton was there to, as was referenced, take some Boston water and put it on the ice to make it our home ice. This is vindication for team president Cam

Neely, a Bruins great for so many years; Peter Chiarelli, the general manager who put this great team together; and owner Jeremy Jacobs and his team as well.

With the Bruins' Stanley Cup victory, the city of Boston can, in a classy manner, celebrate this victory, as we have done before. As Senator KERRY also pointed out, we are very blessed in Massachusetts and in New England to have the Patriots, Red Sox, and Celtics to round out a decade that includes many world championships. Upon the arrival of the Stanley Cup in Boston today, the Bay State has hosted all four major championship trophies since 2005. As we all know, since 2002, the Patriots have won the Lombardi Trophy three times, the Red Sox have captured the World Series Trophy twice, and the Celtics have earned the O'Brien NBA Title Trophy once. That is an unprecedented run in sports history.

No longer left out, the Bruins can join a highly decorated group of teams that has never been matched. I didn't come down to the floor to brag about Boston's reputation as the home of the greatest champions in professional sports. No, I have to say that the evidence is pretty compelling on its own.

So with great pride as the junior Senator from Massachusetts, today I also honor the 2011 Boston Bruins for their remarkable season and commend them for their relentless pursuit of Lord Stanley's Cup. Another championship banner will hang from the rafters of the TD Bank Garden, and I am very optimistic it will not be the last one for Boston, the hub of hockey.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Massachusetts.

Mr. KERRY. Madam President, before our time expires, listening to my colleague from Massachusetts, he reminded me about Captain Chara, the defenseman who raised the Stanley Cup last night, the tallest person ever to play in the National Hockey League. So that reminds me that, therefore, we are also making history because never has the Stanley Cup been held so high over the ice.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I am happy to be here to listen to my friends talk about hockey, and I will talk for just a minute about hockey. I was raised in the desert. When I came back as a Member of Congress, I wanted my boys to watch a hockey game. I wanted to watch one. I had never watched one. So we went to a hockey game. I tell my colleagues, it is a game you have to learn something about. For me, with no hockey experience, it was pretty difficult. They are on the ice just a few minutes and then off, back and forth, and it is hard to keep track of it. But I did have the opportunity twice to watch the great Gretzky and that was a great experience.

One of my most difficult, scary experiences of my life: There was a time when—well, they still do—Las Vegas had a minor league hockey team. I was asked to go out in the middle of that ice and drop a puck. I don't do very well, as demonstrated when a few weeks ago I slipped and fell and dislocated my shoulder on regular dirt. So to walk out on that ice was something that was frightening to me, and I have never forgotten that. So to have those men rushing up and down those rinks the way they do is truly astounding. My only heroism in hockey was my own heroism in convincing myself I should go out there.

Mr. President, our staffs have been working diligently for days now to find a path that would allow the Senate to complete action on the jobs bill which is now on the floor. They have worked so hard on this bill because it is legislation to reauthorize the successful Economic Development Administration, which has been so important to this country since 1965. It is not an Obama piece of legislation. It was started by Lyndon Johnson, and every President since then, Democratic and Republican, has wrapped their arms around this legislation because it is so good for our country.

The Economic Development Administration has created jobs where they are most needed—in economically distressed communities. In just the last 5 years, for \$1.2 billion of investment, we have created 314,000 jobs. The merits of reauthorizing this job-creating administration are so very clear. EDA works with businesses, universities, and leaders at the local level, so it creates jobs from the bottom up. For every \$1 we invest as a government, we get \$7 in return. It helps manufacturers and producers compete in the global marketplace, and it is a great investment. Every \$1 from EDA, as I have indicated, attracts \$7 in private sector investment. That is a pretty good return.

Because of this agency's success and because each Senator is on record talking about the importance of creating jobs, including Senator BOXER in her capacity as the chair of that most important committee, the Environment and Public Works Committee, she has produced this bill. She has shown me statements by virtually every Senator in this Chamber about the merits of this bill—Democrats and Republicans alike. So this is the kind of bill that should pass on a bipartisan basis, if not unanimously, and it has passed in the past unanimously. In the past, that is what would have happened. We would have done this so quickly—but no more.

Now we find ourselves struggling just to bring it up for a vote. I heard the Republican leader this morning speak earlier about the state of play on the EDA bill. He said we have gotten this done. We have this to do and this to do and this to do.

Here is a brief review for our colleagues, so far, of what we have had on

this bill. We have already had votes, again, on matters totally unrelated to this bill, including swipe fees, regulatory reform, ethanol—three votes on that. We have 70 amendments that have been filed. We have pending now a number of amendments relating to the debt limit, to Wall Street reform, health reform, Davis-Bacon, and 66 others that could be pending.

In addition, Senators have filed amendments that are related to immigration reform, the border fence, E-Verify, the estate tax, right-to-work laws, gainful employment regulation, a series of amendments dealing with endangered species, light bulbs and other energy-efficient provisions. There has been not a single amendment that has anything to do with this bill, not a single thing that is germane to this bill.

So I am going to continue to work with the Republican leader and hopefully find a way to complete action on this extremely important bill. But it seems, so far, to be a never-ending process. It is filibuster by amendment—amendment after amendment after amendment—amendments that have nothing to do with the legislation.

We can't continue this. This process has to end so we can pass this bill, let the private sector create jobs the American people need, and let the Senate move on to other pressing matters. I hope we can work something out, but in the meantime, I have no alternative as the leader of this Senate but to file cloture on this bill.

#### CLOTURE MOTION

Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that act, and for other purposes.

Harry Reid, Barbara Boxer, Frank R. Lautenberg, Thomas R. Carper, Sherrod Brown, Sheldon Whitehouse, Robert P. Casey, Jr., Christopher A. Coons, Jon Tester, Benjamin L. Cardin, Tom Udall, Jeanne Shaheen, Debbie Stabenow, Patty Murray, Kent Conrad, Richard J. Durbin, Joe Manchin III.

#### REIP ACT

Mr. CARDIN. Mr. President, today I rise to engage the Senator from South Dakota in a colloquy to discuss the Reduce Excessive Interest Payments Act, the REIP Act, which is a stand-alone bill that the junior Senator from Georgia and I introduced in March, and which we offered as an amendment, Senate Amendment No. 407, to S. 782, the pending legislation. The REIP Act protects homeowners from paying additional interest on their Federal Housing Administration-backed mortgages once they have repaid the loan's principal.

At present, FHA allows lenders to charge interest on a mortgagor's loan through the end of the month, even if the mortgagor pays the loan off at the beginning of the month, to cover the contractual obligation to pay investors in mortgage backed securities for the full month. Mortgagors with conventional mortgages or with Veterans Administration-backed mortgages stop accruing interest once the principal is repaid, despite there being a similar contractual obligation to pay such investors. I have deep concerns about the impact these excess interest payments have on FHA borrowers, who typically have limited resources, but may end up paying more interest on their loans than other borrowers. While some might argue that this is merely an issue of educating the borrowers to encourage them to repay their principal at the end of the month, I am skeptical about whether the FHA mortgagors, who often repay their loans through selling their homes or refinancing their mortgages, have much ability to choose the day on which their transaction closes and the principal is repaid.

I understand that the Banking Committee and the Department of Housing & Urban Development, HUD, are willing to work with Senator ISAKSON and me and our staffs to further understand this issue and make sure that FHA policies regarding interest charges protect borrowers to the extent possible. Is that right?

Mr. JOHNSON of South Dakota. Yes, that is correct. My understanding is that HUD has been working to determine the impact of a change in how interest is accrued on FHA loans and the Department is committed to working with the junior Senator from Maryland on this issue. At the Banking Committee, my staff and I will also continue to study the issue and work with the Senator's staff and various stakeholders to discern the impact that such a change would have on interest rates and on the mortgage-backed securities market. With help from the Department and the junior Senators from Maryland and Georgia, we will move this process forward to bring about the best outcome for FHA borrowers.

I want to assure the junior Senator from Maryland that I share his concern for FHA borrowers and am committed to pursuing policies that protect borrowers while also ensuring robust real estate and mortgage markets. I thank my colleague for bringing this issue to the attention of the Senate and I look forward to working with him.

Mr. CARDIN. I thank the distinguished Senator from South Dakota for his consideration, and I compliment him for the excellent work he has done thus far in working to strengthen the real estate market and the economy in general during the economic downturn. I am sure the Senator will be pleased to learn that HUD committed to me and my staff that it would deliver within the next 2 to 3 weeks an anal-

ysis of how many borrowers are affected by the current interest policy and are required to pay excess interest. The last data published are from 2000 to 2003 but indicate what is at stake. Total excess interest payments from that period, according to the National Association of Realtors, amounted to more than \$1.3 billion. If hundreds of thousands of FHA borrowers could save hundreds of millions of dollars in excess interest payments each year, those savings could provide an economic stimulus in communities across the Nation that would not cost taxpayers anything. Additionally, in the next 60 to 90 days, HUD will complete a study on the impact of changing interest calculations on its systems, and those of large and small lenders, and share those results with the Banking Committee and me.

Mr. President, with these assurances and commitments from the chairman and from HUD firmly in place, I will withdraw the amendment I offered on behalf of myself and the junior senator from Georgia, Senate Amendment 407, at the appropriate time.

#### PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 75, S. 679, the Presidential appointment efficiency and streamlining bill.

The PRESIDING OFFICER. The motion to proceed is now pending.

Mr. REID. Madam President, before I leave the floor, I wish to say a word to and about my friend, the Senator from California. As I have indicated, she is the chair of this most important committee, the Environment and Public Works Committee, which I had the good fortune of chairing on two separate occasions. She has been tireless in bringing legislation to this floor—attempting to. She has been talking about this bill for months, about how good it is.

When she sat down and reminded me of the merits of this legislation, I thought: This should be a good one, a job-creating measure. We need that right now. I have been very disappointed that we haven't been able to move forward. But it is not because of any lack of effort on her part.

She and I came to Washington together many years ago and served together in the House of Representatives. She is my friend, but she is also one of the most outstanding legislators we have had in this body, bar none.

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business until 6 p.m. this evening, with Senators permitted to speak for up to 10 minutes each during that time.

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

The Senator from California.

#### ECONOMIC DEVELOPMENT REVITALIZATION BILL

Mrs. BOXER. Madam President, I want to thank the Senator from Nevada, my friend, the majority leader, Senator REID, for his remarks, and I want to thank him for filing cloture on the EDA bill. He said the Economic Development Administration was started by Richard Nixon. Actually it was continued by Richard Nixon. It was started by Lyndon Johnson in 1965 and supported by Presidents whether they were Republican, Democrat, liberal, moderate, or conservative.

Congress has supported this legislation. The last time the EDA was authorized, it was authorized by a voice vote in the Senate when George W. Bush was President and he signed it into law.

So one has to ask one's self: Why do we find ourselves in the middle of a filibuster? Why do we find ourselves with 91 amendments filed to this little bill that takes a \$500 million authorization and, because of the effect it has on the private sector, draws in private sector matching funds 7 to 1 and means it is a \$3 billion a year, basically, jobs bill? This is a jobs bill. Every Republican and every Democrat I know around here says: jobs, jobs, jobs. But they are killing another jobs bill. I think the American people have to understand, this list of amendments that has been filed—Senator REID went through a few of them. There is even one that relates to the prairie chicken. With all due respect, there may be a lot of issues surrounding the prairie chicken, but it has nothing to do with an Economic Development Act bill.

It goes on and on. It talks about protecting free choice for workers to refrain from participating in labor unions. This sounds familiar from a Governor from the Midwest. It talks about amending the Unfunded Mandates Reform Act.

Let's face it, we were not born yesterday. I wish I were, but I was not. The fact is—the print on this list is too small to even show up on the screen—we have a three-page list of amendments. We have 91 amendments filed to this bill—which is a jobs bill, which is a simple bill to reauthorize the Economic Development Administration's programs.

EDA is a great job creator. In our committee, every single Democrat and Republican, save one individual, voted for this bill. So it is bipartisan. It has been supported by Presidents since Lyndon Johnson. It has created, over time, millions of jobs. We know this particular bill, at its current funding level, would support up to 200,000 jobs a year or up to a million jobs over 5 years. And they are good jobs.

How does that happen? Because the EDA goes into local communities that have high unemployment rates. They bring together the local governments,

the State government, the private sector, the nonprofits, and they say: What do you want to do here to attract industry, to attract consumers here? What do you want to do to rehabilitate this community?

Sometimes they say: We need a new road. We need a new water project. We want to build an industrial park for new businesses. And this is what EDA does. So they are locally controlled ideas and a coming together of the Federal Government, the local government, the State government, and the nonprofits in a beautiful package that has resulted in millions of jobs over time since it started.

Here is what I want to say today as I go through my statement. The first thing I want to say is, we know what the other side is doing. They are killing these jobs bills by a frivolous list of amendment after amendment after amendment that has nothing to do with the bill.

This is not the first time. In this very spot, a few weeks ago, stood another Senator with a southern accent, MARY LANDRIEU from Louisiana. She is the chairman of the Small Business Committee. She had a fantastic bill called SBIR. It is a small business innovation research program that has been in place since the 1980s, brought to us by a Republican Senator named Warren Rudman.

Again, it is a bill that has always been without controversy. What did they do to that bill, my Republican friends? Death by filibuster, death by amendment, kill that jobs bill right here on the floor.

If you put that in the context of everything the Republicans have done since they picked up more seats around here, and they took over the House, here is the list: They still have not appointed conferees to the FAA, Federal Aviation Administration, bill conference. That bill will create 280,000 jobs. It modernizes our airports. It gets rid of the old ways we track planes and brings our air traffic control system into the 21st century.

Senator ROCKEFELLER has worked so hard. It is sitting over there waiting for conferees. I am a conferee here on this side. I am waiting to go get this bill done. It is essential. It has a passenger bill of rights attached to it, which is so important. It will make sure our systems work properly. It will put in place safety features. Jobs, jobs, and jobs. They have not done a thing.

The patent bill. I had some problems with the patent bill because I did not like one or two provisions. But the bottom line is, the patent bill is expected to create 300,000 jobs. It is sitting over in the House. No action. So since they took over, they have passed a bill to destroy Medicare, destroy education—it is known as their budget. But when it comes to jobs, there is no beef. And we are perplexed.

This bill has attached to it—the EDA bill—now an ending of the ethanol subsidy. I happened to vote for that. The

fact of the matter is, whether you supported it or you did not, it is going to save billions. So now the EDA bill is not only a jobs bill that leverages billions of dollars to create jobs from the private sector, but it reduces the deficit because it has this amendment on ethanol.

I would say to my friends who may be listening from their offices, when we come back next week, vote “yes” to cut off debate and get this bill done. Get this bill done.

I have talked about the fact that Senate Republicans have supported this program continually. I wish to tell you some of the things they have said about the EDA. Remember, I am quoting Senate Republicans who are trying to kill this bill by loading it up and filibustering it.

Twenty-six of the current Republican Senators have made positive statements about EDA or put out great press releases in their States, and I agree with what they said.

For example, Senator COCHRAN of Mississippi praised the EDA grant intended to help spur economic development in northeast Mississippi. He said:

This region has suffered during the economic downturn, but the Three Rivers has been diligent about working to help create jobs. . . .

This is what he said about an EDA grant.

Senator CORNYN of Texas said a \$2 million EDA grant for a water tower will “pave the way for creation of new jobs and business opportunities” in Palestine, TX.

But they are filibustering this bill.

Senator CRAPO says EDA business grants will help “keep Idaho firms on the cutting edge in various fields. . . .” He says:

This can make Idaho firms successful, which translates into more jobs and revenue in Idaho.

So my Republican friends, while they are trying to kill this bill by filibuster, have said laudatory things about the EDA. You explain it to me. I think I have an answer as to why they are doing it. But I will continue.

Let’s see what Senator WICKER said when he got a grant:

These federal dollars will fund rail improvements and help bring new jobs and economic growth. . . . I am glad the federal government has taken this step to continue its investment in South Mississippi’s recovery.

These are all the Republicans who are killing this bill with a filibuster.

Senator COLLINS—a \$1.1 million grant to fund renovations at Loring Development Authority. She and Senator SNOWE praised the EDA. They said:

This investment by EDA will allow for improvements and upgrades. . . . which in turn, will help encourage further business growth. Loring will continue to be an economic driver for the region, creating good jobs in Aroostook County.

This is just a small sample of more than 26 Republican Senators who have praised the EDA. Yet each one of them seems to be supporting endless debate,

amendments that have nothing to do with the bill. But they all have a chance to do the right thing on Tuesday and vote to cut off debate.

We have had some tough amendments to this bill already. It has gone a couple of weeks. It is time we had a clean vote because—guess what—jobs are what it is all about.

I am going to not go on too much longer, but I felt it is important to explain to the American people—who, by the way, give Congress an 18-percent positive rating. Hello. Is it no wonder? We are doing nothing about jobs. Every time we try to do something, it is stymied.

I laid out what they have done, the Republicans. End Medicare as we know it. By the way, pass a slew of abortion bills. It is unbelievable to me. And these straightforward jobs bills go nowhere. So do not tell me you are for jobs and then come down to this floor and offer amendment after amendment on the prairie chicken, on the border fence, on issue after issue that has nothing to do with this EDA bill.

EDA creates a job for every \$3,000 invested. That is incredibly good. We invest \$3,000 and a good-paying job comes about. Why? Because the matching funds come in.

This is the time we have a chance to create 200,000 jobs a year over the 5 years of this bill. So here is the thing. Again, we need, in these tough times, as we are going to get our arms around this deficit—and here is the thing I find interesting: There is lots of talk about how to cure the deficit from the other side. But they forget some of the easiest ways to do it. One is, say to billionaires: Thank you very much. You have gotten millions back a year. Let’s go back to your rate that you had when Bill Clinton was President. You made a fortune then. You will still make a fortune and help out with this deficit, millionaires and billionaires.

Oh, they do not want to do that, our friends on the other side. They want to destroy the EPA. They want to destroy the Department of Energy. They want to destroy the Department of Education. They want to destroy Medicare. That is their answer. Why? To pay for tax cuts for the richest of the richest of the richest. Explain to me how that helps the middle class in this great Nation.

Another way. You want to cure the deficit and the debt? End the wars. End the combat mission. Bring home the troops. Let’s work diplomatically in Iraq and Afghanistan. I met with the Afghanistan women who are struggling there. They do not want combat troops. They want help to get a peace and reconciliation process going. It is time to end the wars.

Our highway trust fund, which is so critical, is short \$6 billion. And it is difficult. That is the trust fund that pays for the highways, for the bridges that are falling down, for the infrastructure improvements for our transportation system. And I know it is hard to find \$6 billion.

But we are spending \$12 billion a month on the wars in Afghanistan and Iraq. Bring the money home. It is time we spend it in this country for our people. We are not going to walk away from our responsibility. We are still going to have the counterterrorism going on. We are still going to protect our personnel who are there. We are still going to work for peace and reconciliation.

But you want to talk about the ways to cure this deficit, it is not that hard. We did it before, we can do it again. The Democrats balanced the budget under Bill Clinton—the only time it was done in recent history—and we created 23 million jobs, not by threatening Medicare and Social Security, and the Department of Education, and the EPA, and the Clean Air Act, and all of the things they are going after here, but by doing the right thing by our children and our grandchildren and making the right investment, to become energy independent.

So for me, the argument of not being able to do anything because of the deficit, something is wrong with that. You have to cure the deficit problem and make the investments that make sense. Here is an investment that makes sense. For every dollar of EDA investment, you get \$7 in private sector investment. That is what we ought to be doing.

I said this before, I will say it again: For every one job we create, it costs us approximately \$3,000 per job. These are good jobs. It is a smart program for us. That is why it has lasted since the 1960s. I said before, up to 200,000 jobs a year could be created here, 1 million jobs over the life of this bill. What are we doing loading down a beautiful bill such as this with all of these extra-aneous amendments?

We will look at a couple more charts. If you want to know how many jobs were created between 2005 and 2010, 450,000 jobs, and 85,000 jobs were saved. So we are not talking about some ethereal idea of a new jobs bill. This is a jobs bill that has worked, and it is a jobs bill that should not be filibustered. It should not be stalled. It should not be loaded up with things that have nothing to do with it while the American people worry and give us an 18-percent approval rating. I am surprised it is that high at the rate we are going.

Look at some of the folks who support this: the United States Conference of Mayors, the American Public Works Association, the National Association of Counties, the AFL-CIO, the Council on Competitiveness, the Association of University Research Parks, the National Association of Development Organizations, the National Business Incubation Association, the State Science and Technology Institute, and an arm of the Chamber of Commerce has come in with a letter.

I ask unanimous consent that this letter be printed in the RECORD.

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

JUNE 7, 2011.

Hon. BARBARA BOXER,  
U.S. Senator, Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR BOXER: I am writing to share with you the U.S. Chamber of Commerce Business Civic Leadership Center (BCLC)'s positive experience in working with the Economic Development Administration (EDA). BCLC has worked with EDA on numerous projects over the past ten years to help local communities with their economic development, regional sustainability, and disaster recovery initiatives. EDA has served as a valuable partner in many communities that BCLC has worked in including: San Jose, CA, Seattle, WA, Cedar Rapids, IA, Mobile, AL, New Orleans, LA, Atlanta, GA, Boca Raton, FL, Minneapolis, MN, Newark, NJ and many others.

We have worked with EDA on projects including:

Conducting regional forums designed to bring corporate contributions professionals together with economic development experts and civic sector innovators to discuss how businesses' corporate citizenship practices can advance the competitiveness and long-term development of their communities.

Providing opportunities to build up relationships between and among companies and government agencies at the local and national levels.

Developing a report that maps how and why companies invest in communities across the United States.

Writing a report on economic recovery and rebuilding in Cedar Rapids after the flooding in 2008.

Sending economic development teams to cities across the Gulf Coast to provide valuable oil spill recovery resources and information.

Working with local chambers of commerce in disaster affected areas regions to provide local recovery grants.

BCLC is the corporate citizenship arm of the U.S. Chamber of Commerce, and in this capacity we work with thousands of businesses and local chambers of commerce on community development and disaster recovery issues across the country. These local chambers and businesses are consistently looking for national best practices, lessons learned, technical assistance, planning and strategy support, and other insights, tools, and techniques to make their communities as economically competitive as possible.

In our experience, EDA staff members have displayed a high degree of professionalism and technical expertise. They have engaged with us on multiple levels, from consultations at the national level, to sharing valuable field experience at the state and local levels.

We have canvassed many businesses and local chambers about their community development needs, and they almost unanimously tell us that some of their highest local priorities include business recruitment and retention, and helping small and medium-sized businesses grow. They also tell us that support for regional economic development planning that transcends municipal boundaries is an increasing area of interest, and that this is a unique capability that EDA can and does support.

As you consider EDA's future roles and responsibilities, we would be happy to share with you our experiences and lessons learned in working with the agency, and to provide

you with additional information upon request.

Sincerely,

STEPHEN JORDAN,  
Executive Director,  
Business Civic Leadership Center.

Mrs. BOXER. It is a letter from an arm of the Chamber of Commerce. I will tell you, it is rare when you get the AFL-CIO and an arm of the Chamber of Commerce singing from the same book. They do not want to see filibusters. They want to see jobs. They do not want to see filibusters. They want to see progress. They want to see us work across party lines.

So I kept asking during my remarks, why would they do this to us? Why would they do this to the American people? I have an answer. I wish this were not true, but it has been stated by some of the Republican Presidential candidates and it has been stated by the Republican leader here: Their priority is defeating Barack Obama. Their priority is defeating our President. Their priority is not job creation, it is not business creation, it is not fair tax policy, it is defeating this President. When you look at it through that lens, then you say to yourself, wait a minute. If we got something done around here and the President had a signing ceremony—as we used to do in the good old days when we worked together—and he had a Republican here, a Democrat here, and an Independent there, and we all came together as we always have—unanimous consent. We passed this in 2004 by unanimous consent. They are afraid if we did that, the President would take out his pen and he would sign this bill and we would create jobs. I hate to say it, but I am not making it up. That is what they have said. I hope over this weekend when we go home and we meet with our people, and they say, Senators, you have got to do something about jobs, I hope the public will say to us, be we Democrats or Republicans: Do not filibuster jobs bills. We cannot afford to lose more jobs. We need to create jobs.

The EDA bill is a jobs bill. It was created as a jobs bill. It has been a jobs bill since 1965, signed by Presidents, passed by Congress, never loaded down with amendment after amendment that is not germane, that weighs it down. I hope the people at home will pay attention to this.

I will say this: There is a pattern. This is not the first bill. I told you about the small business bill, same thing; FAA bill, sitting over there, no conferees; patent bill, sitting over there, no action. And millions of jobs are at stake.

I just found this out about the small business bill that they killed here a few weeks ago. Each year that bill provides support for 6,000 businesses, and over the lifetime of the program it has provided almost 26,000 awards to firms in California to help them get started. That bill was filibustered to death. I do not get it, except if what I say is true and that is what the motivation is, and

all I can come up with. I have looked into the hearts of my friends and wondered how could they do this. They voted for this bill in committee. Why would they load it up like this and put all of these amendments on it? There is only one reason, to not make progress. And who gets hurt by that? They think the President.

But I have news for them. America is going to wake up, because I am going to be here every day talking about this. I know my colleagues are going to be here talking about it. Jobs, jobs, and jobs. I hope this bill gets cloture and we can move on with it on Tuesday. That would be a wonderful thing, if we do that. That is a change in the atmosphere. Then we can pass this bill and get on with the next jobs bill and pass that bill and get on to the next jobs bill, and the spirits of the people will be lifted. Look, we know government does not create the jobs. The private sector creates most of the jobs. But the beauty of bills such as the SBA bill, that small business bill, is private sector jobs. The beauty of this bill? Private sector jobs. So it would lift the spirits of the people instead of having them watch this, watch me, and think: They will never get together and do anything. Then I will not be shocked if our ratings—the Congress—hit the bottom of the barrel. They are already close. I hope the people will insist on our passing these jobs bills. Things are tough out there. People are unemployed, they are underemployed. Businesses are sitting on mounds of cash. They have learned to be able to be profitable without hiring more people.

Things are shifting. The sands are shifting between the middle class. Thank God this President rescued the auto industry and that we had a majority here to stand with him to do that. Thank goodness we took some of the steps that we took to get banks lending again when credit was frozen. But you know what. Our progress is being stymied because partisanship has taken over the process. Partisanship means when you get bills out of a committee, people who voted for them suddenly disappear. They are nowhere in sight, and they file all of these amendments to bring down the bill.

We can only hope that when we come back next week there will be a change of heart. I certainly hope so. I have been here a long time. I have been in the House 10 years, here a lot of years, since 1993. I have served with Republican Presidents and Democratic Presidents. But I want to say this. I fought hard when election time came. I just had one. It was tough. You know that, Madam President, 2010 was tough. Every time we have elections they are tough. That is the time that politics is in your blood, it is in your veins. You are out there, you are working hard, you are fighting for your life.

But when we are here, we have to do the people's business. And however we feel about who we want to be President, who we admire, who we did not

admire, that ought to be left somewhere else. I hope it will be left somewhere else. I hope that on Tuesday we vote for cloture on this EDA bill. I would hate to see this die. I would hate to see this die. Because when you deal a death blow to the EDA, you deal a death blow to 1 million jobs.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### SECOND OPINION

Mr. BARRASSO. I come to the floor today, as I do each week, as a doctor who practiced medicine in Wyoming for 25 years, as someone who has taken care of families all around the State of Wyoming, as a doctor who has great concerns about what has happened to the American health care system, and will continue to happen under the health care law that has been passed by this body and signed into law at the insistence of this President.

I come as a doctor giving a second opinion, because I have great concerns about this health care law. In talking with patients, in talking with doctors, and from my own personal knowledge, I believe this health care law is going to be bad for patients, bad for providers—the nurses and the doctors who take care of those patients—and bad for the payers, the taxpayers of this country who are going to be left to pay the bill.

Recently my friends on the other side of the aisle have been using what I believe to be significant scare tactics about my party and Medicare.

Medicare is the program for our senior citizens. I believe it is important that the American people receive the truth. They deserve to have the truth about the future of Medicare, not scare tactics.

The fact is, unless Congress takes action, Medicare will go broke in 13 years. Again, in 13 years, Medicare will go broke. Today, more money is going out than is coming in. A bankrupt Medicare equals no Medicare for our seniors. These are people who have paid into Medicare, but a bankrupt Medicare means no Medicare.

If Washington doesn't show leadership now—today, this year—this program will run out of money and Medicare patients will run out of care. Many of my friends on the other side of the aisle continue to ignore the ticking clock and ignore reality.

Let's take a look at some of the reality the other side is ignoring. They are ignoring the fact that the life expectancy in the United States has risen significantly since Medicare was signed into law. When Medicare became law, in 1965, the average life expectancy was about 70. So, on average, you are talk-

ing about people being on Medicare for a certain number of years. Now, with the advances of medicine, the life expectancy is almost 80—the high seventies for men, but the low eighties for women. People are living about 10 years longer now, on average, than at the time Medicare was signed into law in 1965. It is an undeniable fact.

Another fact is that there are about 10,000 new Medicare recipients adding to the rolls every day as the baby boomers turn 65. An entire generation of baby boomers is retiring. The other side seems to ignore the fact that there are far more retirees today than ever before, and they are getting more money paid out of the program than they ever put in. I have townhall meetings and I travel around my State of Wyoming. People say: I paid into Medicare. They are absolutely right. On average, a couple who is retiring this week has paid into Medicare about \$110,000—that is over a lifetime of working. That is significant money they have paid in. What kinds of services will they receive over the remainder of their lifetime, adjusted for today's dollars? It is \$343,000. So you are talking about \$109,000 that they paid into the system, and they are taking out \$343,000.

American seniors know Medicare is in trouble. They understand the math doesn't add up, that this \$3 coming out for every \$1 paid in cannot work forever and ever. My friends on the other side, who attack Republicans for wanting to address this problem in a responsible way, tend to want to ignore this reality.

To make matters worse, Members on the other side actually voted for a health care law that puts Medicare on an even faster track to bankruptcy. In fact, the President's health care law cuts \$500 billion from Medicare—not to save or strengthen or secure Medicare for the next generation. No, they took \$500 billion from our seniors on Medicare to start a whole new government program for someone else. So it was no surprise to me when I read recently that those folks who look at the numbers, who work for the government, say Medicare is going to be broke 5 years sooner than even they had anticipated. It is odd how Democrats never even mention this when they attack Republican plans to save Medicare. Well, when they run advertisements and hold press conferences focused on scare tactics, why don't they ever explain their own \$500 billion cut to Medicare?

It is also odd to me that the Democrats never talk about the other very significant piece of the President's health care law that attacks our seniors on Medicare. Hidden away in the bill is the President's Independent Payment Advisory Board, or IPAB. As a doctor who practiced medicine for 25 years in Casper, WY, I can tell you what this board is. It is a rationing board—a board to ration the health care of our seniors.

Rationing, some may say, is a very strong word. But that is exactly what



it is. The President's health care law puts Medicare on the road to rationing. This health care law creates an unelected, unaccountable board of Washington bureaucrats, who will decide how much Medicare pays for certain Medicare services.

Starting in 2014, after the next Presidential election, members of the board will decide how much they will reimburse hospitals and doctors for taking care of Medicare patients. Then providers all across this country will have to decide whether they can continue to care for American seniors.

Let's face it, even today doctors are running away from taking care of patients on Medicare. According to the American Medical Association, one in three primary care doctors already limits how many Medicare patients they are willing to see. According to the same survey of the American Medical Association, 60 percent of doctors say they are looking for ways to get out of Medicare completely.

Even more providers are going to stop seeing Medicare patients, and this situation will continue to get worse. If you don't believe me, ask seniors in your own community what happens when their doctor retires. Ask somebody on Medicare how easy it is for them to find a doctor to take care of them. If they happen to be with a doctor, and they turn 65, ask if they are allowed to stay with that doctor or if they move to another community to be closer to their children and grandchildren, ask them how difficult it is for those on Medicare to find a doctor. The reason is, of course, because Medicare pays a lot less than the going rate.

Yet, the Democrats' and the President's solution is to pay even a lower amount and continue to ration and ratchet down that amount, resulting significantly in additional rationing of care as our seniors find it harder and harder to find physicians and nurses to take care of them.

The other thing about this rationing board is that it gets worse when you look at the details. It will be practically impossible for this Congress—or any Congress—to overturn the rationing board's recommendations.

Again, to me it seems very odd that my friends on the other side don't talk about this rationing board when they hold their Medicare events. But as NANCY PELOSI said, first you have to pass it before you get to find out what is in it. The American people continue to find out what is in this health care law, and they continue to oppose it. I say to my colleagues on the other side of the aisle, if you are so proud of the work you have done on Medicare, then you should stand and defend this rationing board. My colleagues on the other side of the aisle should explain to American seniors how it will work and how it will impact their care. America deserves a thorough and honest debate about the future of Medicare, how we got to this point, and how we can, in a responsible way, strengthen and secure

Medicare for those on Medicare and for the next generation.

I bring this to you today because today a new study came out in the *New England Journal of Medicine*. It has to do not with Medicare—a program for our seniors—but with Medicaid, a program for low-income people—specifically, in many cases, for children. The study from the *New England Journal of Medicine* today talks about how very difficult it is for people—specifically children—on Medicaid to even get an appointment to see a doctor.

During the health care debate over the last year, I have come to the floor continuously and talked about the fact that many physicians refuse to take patients on Medicaid, because the reimbursement from the government is lower than the cost of actually even treating the patient—considering rent, office expenses, and other costs.

This study out today in the *New England Journal of Medicine* talks about researchers in Chicago who called a number of doctors' offices with an identical voice, the same person calling—actually, the same office—a month apart with the same symptoms, whether it was for asthma or different conditions such as diabetes, for the child's care, and the question came: Do you have insurance or are you on Medicaid?

What they found is that for 89 percent of those with insurance, they were able to get an appointment—regular insurance. Of those saying, no, we have Medicaid—and they called hundreds and hundreds of offices and clinics—only one in three was able to get an appointment. Think about that. It is something for our seniors to think about, as well as the President's rationing board. It pays less and less for a visit to a doctor.

We have talked about the fact that Medicare rates, as a result of the \$500 billion cut from Medicare, will be in many places similar to Medicaid rates. So I would assume that at some point soon seniors will have the exact same amount of trouble getting an appointment to see a physician, as the *New England Journal of Medicine* found today, for children on Medicaid.

With that, I say that I will continue to come to the Senate floor week after week with a doctor's second opinion about the health care law, because week after week we see new information, new relevant information about how the impact of this broad, sweeping law, significant changes for the health care of all Americans—how it is, in my opinion, bad for patients, bad for providers, the nurses and doctors who take care of them, and bad for taxpayers.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ETHANOL

Mr. COONS. Mr. President, I rise today to speak to the proceedings that just occurred in this body with regard to ethanol and to talk about how I see them from the perspective of my home State of Delaware.

Today, the Senate agreed on a path forward to end Federal subsidies for corn-based ethanol. As Senators, we are often asked to make tough choices, and the bipartisan votes on today's amendments were largely a reflection of where we are from.

For Delaware, agriculture is the single largest part of our economy. We grow a lot of corn, we grow a lot of soybeans, we have companies investing in advanced biofuels, and we have a major poultry industry. Today, I voted for Delaware's poultry growers and for our consumers. Lots of folks across this country in the last few years have lost their jobs, lost their homes, and lost their livelihoods. It is very important to me that the people of Delaware know, on the record, that the vote I cast today to end Federal subsidies for ethanol was about making sure we are supporting our home State poultry industry.

My main concerns are that one of the most important economic engines—not just in Delaware but in the whole Delmarva Peninsula—is the poultry industry. That industry has its back against the wall and is struggling to survive. At a time when many other agricultural industries are seeing record prices—and that is a positive, a boon for them—for the poultry industry, the rising cost of feed is forcing decades-old companies to rethink their business models or, sadly, as in one case just last week for one of the most important and vital poultry companies in Delaware, to shut their doors and go into bankruptcy.

We need to move away from corn-based ethanol and toward homegrown advanced biofuels if we are going to accomplish three goals at the same time. One is to reduce our deficit, to end unwise and unnecessary Federal spending; second is to support and advance and defend our poultry industry, whether in Delmarva or throughout the rest of the country; and third is to continue to make progress toward the future of clean, promising biofuels that are not from grain.

The amendment I just voted for closes the door on corn-based ethanol, but that should not prevent us from finding a path forward to advanced biofuels, those not from grain, whether cellulosic ethanol or drop-in biofuels from algae or otherwise.

Today, I also filed an amendment with Senator CARPER, the senior Senator from Delaware, that makes it clear that as we close the door on corn-based ethanol, we need to do two other things going forward: first, use those billions of dollars in savings to reduce the deficit and, second, redirect funds, formerly committed to VEETC, to support an important but just beginning, a nascent advanced biofuels industry.



Ultimately, the policies we pursue should lead to American consumers, producers, and farmers using less petroleum and, more importantly, using less oil from overseas sources. If we are going to reduce our dependence on fossil fuels and especially on those we import from overseas, we are going to need to continue to pursue a range of cleaner and more secure sources of energy. Advanced biofuels are central to this effort. Now that we have taken the important first step by adopting the Feinstein-Coburn amendment and signaling the intent of this body to end Federal subsidies to corn-based ethanol, I hope we will also responsibly pay down our Federal deficit and continue a strong path forward toward the advanced biofuels that Delawareans are making a significant contribution toward making a reality.

As my colleague from California has noted, corn-based ethanol has historically been supported by three policies: the volumetric ethanol excise tax credit, known as VEETC, which provides a 45 cent per gallon tax credit to gasoline suppliers who blend ethanol with gasoline; a tariff of 54 cents per gallon on imported ethanol, which is largely targeted at sugarcane ethanol from Brazil; and a requirement that mandates the use of ethanol in gasoline by set amounts every year, increasing to 36 billion gallons by 2022.

VEETC and the import tariff may have been needed in the past to stand up the nascent corn-based ethanol industry, but experts agree that the industry has matured, and these two supports are no longer needed.

At a time when our federal government is facing a massive deficit and spiraling debt, we need to take a hard look at how we spend our taxpayer dollars. These subsidies are expensive, and studies have shown them to have dramatic impacts on our federal budget as well as on the cost of corn feed used by chicken farmers, including those in Delaware. This year alone, VEETC will cost taxpayers \$6 billion. We just can't afford to maintain this duplicative and wasteful subsidy.

Delaware's chicken farmers can't afford it either. Most economists and market analysts agree that the steady growth in ethanol demand has had a dramatic effect on the price of corn. This cost has trickled down to related agricultural markets, including food, feed, fuel, and land. The average annual price of corn has jumped 225 percent just in the past 5 years. Last week, corn futures reached nearly \$8 a bushel, which is 140 percent over last year.

The No. 1 cost for chicken farmers is feed, and farmers in Delaware are feeling the pinch. One major poultry company declared bankruptcy last week, and it cited the high cost of corn feed as a major factor. Couple this with rising energy costs, trade barriers, and low chicken prices, and you can see why many poultry companies are nearing a breaking point.

Something must be done. The VEETC credit and the tariff are no longer worth the investment. It is past time that we repeal these subsidies, and I was proud to vote for the Feinstein-Coburn amendment to do so.

At the same time, let me be clear: the Feinstein-Coburn approach is only part of a larger effort. In addition to ending VEETC and the tariff, we must also do much more to promote investment in the research, development, and deployment of advanced biofuels, including cellulosic and drop-in biofuels. These will help us reduce our dependence on petroleum and encourage further innovation. We need to provide greater certainty to help launch a next-generation biofuels industry through the extension of tax credits and other federal programs for certain targeted advanced biofuels.

Many concerns are raised because corn ethanol dominates the U.S. biofuels market. But what is our ultimate goal? Shouldn't it be about greater fuel efficiency and product diversity in our domestic transportation sector? First, that can be achieved through increased fuel economy standards. Second, it can also come from technological alternatives like electrification, natural gas and hydrogen fueled vehicles. Third—and most important for what we are debating here today—it will come from developing commercially viable, advanced biofuels.

There are legitimate concerns about corn ethanol's economic and environmental impacts, but we should also not be cutting off our nose to spite our face. For this reason, I have filed an amendment that makes it clear that we should be redirecting the repeal of the VEETC to deficit reduction and the extension of advanced biofuels for 5 years to provide a long-term signal to this small but emerging industry.

I want to be part of a solution that provides a strong, long-term future for our Nation's alternative fuels industry. I want to see domestically produced, next-generation feedstocks grow. This would be from cellulosic, biodiesel, and drop-in fuels like methanol and butanol. They could come from different feedstocks, such as recycled grease, wood, corn stover, switch grass, municipal waste, algae, and livestock manure. Right now there is little to no commercial production, but we need to support those efforts with new incentives for these fuels and bio-refineries. Most importantly, we need to work on bringing down the costs and expanding their markets.

In Delaware, inventive companies are already hard at work researching cutting-edge biofuel systems, including ones that produce energy from soybeans and algae. One such company is Elcriton in Newark, which is producing drop-in fuels from duckweed, an aquatic plant that can be used to produce fuel. Another company headquartered in Delaware—DuPont—working with partners around the country on both cellulosic and biobutanol technologies.

None of these fuels compete with the price of livestock feed. I am proud of the biofuel innovation taking place in my State, and I want to replicate this model across the country.

In addition, this growth of advanced biofuel innovation has the potential to lead to new economic opportunities not only for energy companies and consumers but also for Delaware chicken farmers. Today, of great concern to them is the price of corn on the input end of farm operations, but—hopefully, not too far down the road—a significant factor on their balance-books may soon be earnings from waste that can be sold for biofuels.

Ultimately, the policies we pursue should lead to American consumers, producers, and farmers using less petroleum. If we are going to reduce our dependence on fossil fuels, particularly those imported from overseas, we are going to need to pursue a range of cleaner and more secure sources of energy. Advanced biofuels are central to this effort, and, now that we have taken the first step by adopting the Feinstein-Coburn amendment, I hope the Senate will take the next step as well.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE ECONOMY

Mr. HATCH. Mr. President, our Nation's challenges grow by the day. The citizens of Utah get this. The citizens in this country get this.

A recent NBC News-Wall Street Journal poll found that 62 percent of Americans think the country is on the wrong track. Only 37 percent of Americans approve of the President's job of handling the economy. I would like to meet those people, because when I talk to Utahns, the numbers are much lower than that, and I understand why.

Applications for unemployment have been above 400,000 for 7 straight weeks. Economic growth is stagnant. Job growth is pathetic. The real estate market remains in free-fall. Since 2007, housing values have dropped by more than during the Great Depression.

Medicare is going bankrupt, and when it does, it will take down this country and tens of millions of seniors with it. Yet President Obama and his Democratic allies steadfastly refuse to acknowledge that there is a problem with Medicare. Former Speaker NANCY PELOSI, when asked where the Democrats' reform plan was, responded:

We have a plan. It's called Medicare.

Meanwhile, the President's hand-picked chairwoman of the Democratic

National Committee gleefully demagogues Republicans' efforts to fix this dying program.

There are legitimate fears that the Federal Reserve's loose money policy is creating yet another stock market bubble that could pop and destroy the retirement savings of millions of Americans. Most ominously, PIMCO, the world's largest bond fund manager, is looking to countries such as Australia, Canada, Brazil, and Mexico, countries without our massive fiscal problems, to invest. As I have said before, there is a genuine risk that the United States is in a debt bubble. Because of historically low interest rates, we may be totally underestimating how dangerously leveraged this country is. But the minute rates start going up, citizens are going to realize how much they are on the hook for. When the word on the street is that U.S. Treasuries are not worth investing in, higher interest rates are just around the corner.

So we have a lot of work to do, but I wish to touch on three things we should be doing now, and I mean right now. The people are demanding action, and there are a few things Congress can do that would bring relief to struggling American families.

First, the President needs to submit the Colombia, Panama, and South Korean Free Trade Agreements to Congress. They are long overdue. The failure to submit these agreements has stalled U.S. job growth at a time when it is desperately needed. There is only upside to these agreements. Consider that from Utah alone, South Korea imported more than \$294 million of goods in 2009.

The former Director of the Congressional Budget Office, Doug Holtz-Eakin, has it right. This is what he said earlier this week in a letter to the President:

Opening Colombia, South Korea, and Panama to U.S. businesses is anticipated to increase total exports by \$12 billion, and will add at least \$14 billion to the United States gross domestic product, promoting increased investment and job creation at home.

While the President is down in Florida yukking it up with rich liberals about how he wasted nearly \$1 trillion on his stimulus boondoggle, he seems oblivious to the fact that he could just hit send, deliver these agreements to Congress, and have a trade-driven economic stimulus.

If given a clean up-or-down vote, I am confident these agreements would pass. I have no doubt who would prevail if that debate were allowed to happen. But old habits die hard.

The President's spend-first mentality is cluttering what should be a clean debate on the benefit of these free-trade agreements for the American economy. Rumors persist that the President may include a reauthorization of an expanded trade adjustment assistance bill into one or perhaps all the bills implementing our trade agreements with Colombia, Panama, and South Korea.

This would be a grave mistake. That tactic raises serious procedural concerns which could jeopardize approval of these job-creating agreements.

It also raises serious concerns about the President's commitment to gaining approval of our long-stalled trade agreements with these important allies. It would send a signal that further placating unions is more important than growing our economy, a position I simply cannot understand or support. If the President chooses this course of action, he needs to know I will vigorously oppose him and reserve the right to use all procedural options available to do so. If, as the President says, there is such strong bipartisan support for trade adjustment assistance, it should be considered on its own merits and not thrust upon an unwilling Congress through procedural shenanigans.

These trade agreements are something Washington can do, and should do, to get our economy back on track. But we must also be vigilant in fighting against proposals that would undermine our economy and our sovereignty.

Standard & Poor's recently downgraded Greece's debt rating to CCC, from a B. This is the world's lowest rating, and S&P concluded that a default on Greek debt was increasingly likely.

So what was the President's response? Like the Siren's Call, a bailout beckoned. He seemed to go all in for an IMF bailout of Greece. Greece has already been bailed out once by the IMF, to the tune of \$145 billion. We cannot let this happen again. That is why today I am cosponsoring the anti-IMF bailout amendment with my good friends, Senators DEMINT, VITTER, and CORNYN.

This amendment, which we filed to the Economic Development Revitalization Act, would rescind bailout funds provided in 2009 to the International Monetary Fund. Under the urging of the Obama administration, additional funding of up to \$108 billion was given to the IMF which it can use to bail out heavily indebted European countries such as Greece.

The amendment I am cosponsoring would roll that funding back. Now is not the time, when Americans are struggling to find work and have budget problems of their own, to tap innocent American taxpayers in order to bail out profligate European governments. Rather, it is time to stop our own runaway spending and our continued movement toward European levels of government. If we go down that route, the destination is an America very different than the one our Founders intended, and it is critical we hit the brakes now and save our limited constitutional government.

The American people are tired of bailouts. When ordinary Americans are struggling to get by and when our country faces its own debt crisis, the last thing we need is a bailout of irresponsible Socialist governments and

the irresponsible investors who bet on them, which brings me to my final point.

Earlier this week, my colleague and friend from Florida, Senator MARCO RUBIO, gave his maiden speech in the Senate. He is certainly to be commended. I sat here and listened to him. It was a tour de force, and I recommend that all my colleagues, and, for that matter, all the citizens of this Nation read it. He made it clear that he is confident in this Nation and our ability to weather the current storm and emerge in rich and steady seas.

America's best days are ahead of it. America has been and will always be a shining city on a hill. But for there to be another American century, a century of liberty and prosperity both here and abroad, we have our work cut out for us.

America is over \$14 trillion in debt. We face our third straight year of trillion-dollar deficits. We have entitlement programs that are going bankrupt. Under this Presidency, we have lifted the debt ceiling three times and the last one, if I recall correctly, was about \$1.9 trillion and we have basically just given the administration an open checkbook. We have entitlement programs that are going bankrupt.

Our total obligations, according to one account, are over \$62 trillion. This is a debt burden that is simply unsustainable. We need to get our spending under control immediately; otherwise, American families and citizens will be crushed under the weight of all this debt.

The other side keeps telling us the problem is a lack of revenue. They say all we need to do is raise taxes and eliminate tax loopholes. Never mind the fact that raising taxes threatens to kill the small businesses that will be the engines of our economic recovery, and never mind the fact that these so-called loopholes include the IRAs, 401(k)s, and charitable deductions of American taxpayers.

Let's not make any bones about it. The left's proposal to gut tax expenditures would put a bull's-eye on the backs of working families who have mortgages and save for the future.

In the spirit of bipartisanship, as an aside to some of my friends on my side of the aisle who seem to think all expenditures are wasteful spending, consider the following: The third largest tax expenditure is the current lower rates for capital gains and dividends. Be careful, my friends; otherwise, you might end up inadvertently finding yourselves sharing the stage with my friend, the junior Senator from Vermont, in effect, advocating for a sharp hike in the rates of capital gains and dividends.

Even if liberal Democrats did all these things, raising taxes on middle Americans and further hindering economic growth, we still would come nowhere close to balancing the budget.

This is the dirty secret of President Obama and Democratic leadership to

engage in meaningful efforts to balance the budget. As my colleague from Alabama, the ranking member of the Senate Budget Committee, notes, it has been more than 770 days since Democrats passed a budget. That is disgraceful. For over 2 years, congressional Democrats have simply abdicated their most basic constitutional responsibility, and here is why. They have refused to cut spending, and they know balancing the budget for new taxes alone would be perceived as a full-blown assault on personal liberty and limited government. So instead of offering up a bogus budget, as the President did, and get laughed out of town, or offering up a proposal for balance that satisfies their liberal base, raises the tax burden to historic levels, and inspires the vitriol of their constituents, Democrats decided to keep their mouths shut.

Where does that leave us? The answer, to me, is clear. We need to pass a balanced budget constitutional amendment. This is where the entire Republican caucus stands in the Senate. The amendment I introduced, S.J. Res. 10, is supported by every single Senate Republican. I bet it is the first time all Republican Senators have supported it. It is a good amendment that benefited from the input of many Senators, and it is a necessary amendment.

Some people—the sophisticated set—argue this is not a serious proposal. The American people beg to differ. They know Congress will not balance the budget and shrink the size of government without meaningful constitutional restraints. The actions of Democrats and President Obama over the last few months are all the evidence we need to support this hypothesis. Facing a full-blown debt crisis, they still prefer to kick the spending can down the road.

I want to be clear that I am deadly serious about this proposal, and so are the people of Utah. I have been pleased to work side-by-side with my colleague from Utah, Senator MIKE LEE, on the balanced budget amendment, and Senator CORNYN and all the other Republicans. Some people might say MIKE LEE and I are an odd couple. I have a few years on him, and I don't tend to be as animated as he is. He is a great young man with a lot of energy. But we share at least one thing, an absolute commitment to passing a balanced budget constitutional amendment and sending it to the people in the States for ratification. The people are demanding that we act, and it is well past time that we recognize their constitutional sovereignty and allow them to exercise it through State ratifying conventions.

I would like to commend Senator LEE for his tireless work on this amendment. He is not the only one who deserves thanks, however. My colleagues, Senators CORNYN, KYL, TOOMEY, DEMINT, RUBIO, PAUL, and many other Republicans were essential in the development of this amendment,

but it is special for me to be working with my friend, Senator LEE, on this critical constitutional amendment. He is a legitimate constitutional scholar, a steadfast advocate of our constitutionally limited government, and a hero to many. I could not be more proud to stand with him and lead this fight for the people of Utah and the taxpayers of this country.

If the American people said anything last fall, it is they want their representatives in Washington to listen to them. They know we will not get it right every time, but they know we should always do our best to represent their values and their interests. This Congress needs to listen to the people. It needs to get these trade agreements done without holding them hostage to unrelated spending. It needs to say no to more bailouts, and it needs to pass a balanced budget constitutional amendment.

In this country, the people are sovereign. I would have to say, if we would pass that constitutional amendment through the Senate, I believe we would get it through the House, and then it is up to the States. We still have to get three-quarters of the States to ratify it.

To the extent that Democrats hate the constitutional amendment and hate that kind of restraint on their spending practices, they can lead the battle in the States. The problem is, they know this constitutional amendment would be ratified so fast our heads would be spinning.

We need 38 States to ratify a constitutional amendment, and that is not easy under anybody's view. In this country let's let the people decide that. They are sovereign. It is well past time that Congress and the President listen to them.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### DECLARATION OF WAR

Mr. DURBIN. Mr. President, as has the Presiding Officer, I have served both in the House of Representatives and in the U.S. Senate, and during the course of my career, I have been called on to make many votes. Most of them fade into obscurity after they are cast and are never recalled, but there are a few we will remember for our lifetimes.

I would say the highest level in that category are the times when we are called upon as Members of Congress to consider a declaration of war. Many of us have lost sleep over those decisions. We have thought about those votes long and hard. No matter how just the war may be or how important it may be, we cannot help but reflect on the fact that at the end of the day, people will die as a result of our decisions if we go forward in terms of a declaration of war. I have lost sleep over those decisions.

I have tried during the course of making those decisions to be guided by several principles.

First, as Members of the Congress, both in the House and the Senate, we swear to uphold and defend the Constitution. I feel as though that Constitution is my starting point for my responsibility and my rights as a Member of the U.S. Senate when it comes to this issue.

The Constitution is very clear in article I, section 8, clause 11, that only the Congress can declare war. The decision was made by our Founding Fathers that the people of the United States literally would have a voice in this decision. It wouldn't be a decision made only by the Chief Executive because ultimately the people and their families and their children would pay the price of a war in human terms—the loss of life—and, of course, in the cost of war borne by our Nation.

I am also guided by my responsibility to the people who were kind enough to give me this opportunity to serve. I think about my State of Illinois and the families, the mothers, fathers, and children all across that State who could be affected by a decision if our Nation goes to war.

I also like to think about whether the war is absolutely necessary in terms of the defense of the United States of America.

Some cases are easier calls. When we were attacked on 9/11, many of us knew that 3,000 innocent Americans had died at the hands of terrorists. I didn't hesitate to vote for a declaration of war against those forces in Afghanistan responsible for that attack on the United States.

We went through a parallel debate at the same time about the invasion of Iraq. I did not believe the previous President made a compelling case for the invasion of Iraq. If my colleagues will recall, at that time the debate was about weapons of mass destruction that could threaten the Middle East or even the United States. I voted against that declaration of war on Iraq. Twenty-three of us did in the Senate—22 Democrats and 1 Republican. We came to learn that there were no weapons of mass destruction. Many of the threats which gave rise to the President's request turned out to not be factual at all. Well, we are finally—finally—more than 10 years later, starting to bring those troops home from Iraq, and we have paid a heavy price in Americans

killed and maimed and in the cost to our Nation.

Each time we have been challenged as a Senate and as a House to consider a declaration of war, I have thought long and hard about it: my constitutional responsibilities, my responsibilities to the people of my State, and whether such a war was absolutely necessary.

Now we are engaged in three wars—wars in Iraq, Afghanistan, and in Libya. Shortly, we will be considering the authority of the President of the United States to continue our involvement in Libya. I am going to apply the same constitutional standard and standards of judgment to that decision that I have to every other declaration of war or every other approval of engagement in hostilities by the United States as I have in the past.

This President is my friend. He was my colleague in the Senate. We are of the same political party. But when it comes to an issue of this gravity, we have to move beyond any personal considerations when it comes to the President and think about our Nation, our Constitution, and our responsibility to the people we represent.

We have learned during the course of our history that Presidents don't always come to Congress when they initiate a war. President Franklin Roosevelt did. He came to Congress shortly after—in fact, the day after—the attack on Pearl Harbor in December of 1941 and asked for the authority and permission to go forward with a war that would be waged against those who would attack us. Then came the Korean conflict, which was not characterized in official terms as war because President Truman didn't come to Congress asking for that authority.

I had two brothers, incidentally, who served in the U.S. Navy during the Korean conflict. They always used to jokingly say it was a police action with real bullets, and I know, because many innocent Americans died in the course of that Korean conflict. Yet there was no formal declaration of war.

Vietnam was a war I paid much closer attention to because it came at a time when I was in college and law school, and my friends were being asked to serve. Again, there was no official declaration of war.

After Vietnam and after the tremendous loss of life and all the controversy associated with it, there was a debate in the Halls of Congress about whether we needed to be more specific in terms of the authority of a President to go to war. So Congress enacted the War Powers Resolution in the 1970s, which spelled out in specific terms the responsibility of the President when he would ask this Nation to go to war.

That bill, having passed both the House and the Senate, was sent to President Nixon, who vetoed it. He viewed it, as most Presidents have then and since, as an intrusion on his authority as Commander in Chief. But the Congress decided to pass the War

Powers Resolution over the veto of President Nixon, reaffirming the constitutional authority and right of Congress when it came to a declaration of war.

Now we find ourselves in a situation where Congress has voted on going forward with the war in Iraq—and, as I mentioned earlier, I was one of those who voted against it—going forward with the war in Afghanistan—I was one who voted for it; all Senators did, I might add, from both political parties—and now a question of Libya.

Several months ago, the situation in Libya became so grave that the President of the United States met with our leaders in the military and leaders of other nations to ask what should be done. Muammar Qadhafi, the rogue leader of Libya, was literally attacking and killing his own people in the streets of his country, and there was a widespread public reaction against it from the Arab League, of which Libya was a member, as well as the European Union, the United Nations, and others.

President Obama made the decision then to consult with Members of Congress about what we should do. I was fortunate enough, being a member of leadership, to be part of the conference call when the President was on the line with leaders—Democrats and Republicans—in the House and Senate and spelled out what he believed was the grave threat to the innocent people of Libya.

At that point, this was a question as to whether Benghazi was going to fall and whether Muammar Qadhafi would consolidate power and take retribution against those who had been in opposition to his government. He said he was going to take to the streets with his military and kill them like rats, and we took him at his word, and the President felt the civilized nations of the world had to act.

Acting in consultation and in concert with the Arab League and the United Nations and NATO, the President spelled out a course of action. He told us in these early consultations that the United States involvement would be very limited, perhaps more intense at the outset than as any conflict progressed, and that we would not commit land troops to Libya, and that basically the leadership of this effort would be under the auspices of NATO, and we would be in a supportive role—a role which would diminish over time. That was the President's promise, and that was what was executed.

Now, more than 2 months later, the question has arisen: Well, what is this President's responsibility under the Constitution? What is the Congress's responsibility under the Constitution? Are we engaged in a war?

I might say that I sat down before coming to the floor and carefully reread the War Powers Resolution. Although we characterize it in many different ways, the language of this War Powers Resolution is, in some areas, difficult to apply to every situation. It

makes reference throughout “to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.”

We translate that in our debates, and I have been party to many over the course of the time I have served in the House and the Senate, as to whether we are talking about a defensive military action or an offensive military action.

I do not think there is any question—not in my mind—that a President as Commander in Chief has the authority, without seeking congressional approval, to defend the people of the United States and its territory. Certainly, we would not expect the President to wait for Congress to convene, debate, and vote if the United States and its citizens are under attack.

But what of those other circumstances where we are initiating military action that is not strictly in defense of the United States? Are those so-called offensive military actions hostilities? Do they require a President to come forward and to ask of Congress authority to go forward with the U.S. involvement in those military hostilities? That is where we find ourselves today.

More than 60 days after the initiation of our involvement in Libya, the debate is still on in the Senate as to whether we need to authorize the President to continue our efforts in Libya and whether that authorization should be under the War Powers Resolution.

I think it should. That is why I have come to the floor today. I joined with Senator BEN CARDIN in introducing a proposal, a Senate joint resolution, which we have circulated, which would give the President the authority, if passed, to continue the hostilities in Libya under the War Powers Resolution, expressly stating that it would not involve land forces, ground troops, and that it would have a time certain to end—in our case, by the end of this calendar year—subject to another decision by Congress as to whether it should go forward.

I believe that is still the right course of action. I am hopeful that before the end of the day there will be action taken by some of my colleagues here in Congress to come forward with a bipartisan resolution which parallels what I just described.

I might add there is some controversy, and it is worthy of at least debate, as to our current situation in Libya and whether it fits squarely within the War Powers Resolution.

Bob Bauer, who is general counsel to the President of the United States, argues it does not. Yesterday, in a conference call, Mr. Bauer was asked specifically whether he thought the War Powers Resolution was applicable to the current situation in Libya. Here is what he said. When he was asked: Could you explain? he said:

Certainly. As I mentioned, as my colleague was going through the nature of the mission and how it changed, we're now in a position where we're operating in a support role. We're not engaged in any of the activities that typically over the years in war powers analysis is considered to constitute hostilities within the meaning of the statute. We're not engaged in sustained fighting. There's been no exchange of fire with hostile forces. We don't have troops on the ground. We don't risk casualties to those troops. None of the factors, frankly, speaking more broadly, has risked the sort of escalation that Congress was concerned would impinge on its war-making power.

So within the precedents of a war powers analysis, all of which typically are very fact-dependent, we are confident that we're operating consistent with the resolution. That doesn't mean that we don't want the full, ongoing consultation with Congress or authorization as we move forward, but that doesn't go to our legal position under the statute itself, and we're confident of that.

I respect Mr. Bauer, but I respectfully disagree with him. I believe that what we are engaged in in Libya is a matter that should come under the War Powers Resolution. I believe that we should as a Congress consider it under the War Powers Resolution.

I think that is the right course of action. It will give the President clear authority, and it will also establish the clear authority of Congress in this particular situation.

Let me add quickly, I think the President was right in what he did initially. I believe the use of American military technology—which was primarily our initial investment—was certainly warranted. Working with NATO, we created an atmosphere where the NATO forces could not be in harm's way, would be safe in their early efforts to stop Muammar Qadhafi in his efforts to kill the civilians in his country.

I also believe the President was right from a foreign policy viewpoint by not doing this unilaterally but working with the Arab League, the European Union, and the United Nations.

The fact that we have for the first time in history NATO forces working in concert with the Arab League is, I think, a very positive thing, and I salute the President for doing it.

I think his goal and motives were good in this effort, and I would vote, if asked, to continue this effort under the War Powers Act affirmatively based on all the briefings I have received.

Having said that, I believe we should pursue the course that Senator CARDIN and I suggested in our resolution, that we should, in fact, deal with this matter under the War Powers Resolution. We should debate and take action on it here in the Senate.

I am hopeful that soon—perhaps before the end of the day—there will be some effort under way in a bipartisan fashion to do just that.

At the end of the day, we will be asked by future generations if we kept true to our oath under the Constitution, which requires us to face difficult debates and decisions, and there are none more difficult than this.

We are also going to be asked by the people we represent in terms of the cost in human life and the cost to American taxpayers whether we engaged in the debate and determined it was the appropriate thing to do.

I have, like so many Members of the Senate and Congress, had the sad duty to attend the funerals of those who have fallen in combat in service to our country. It is sad to face their families and realize they have paid the ultimate sacrifice to our Nation. I think that requires us, even in circumstances where the facts are debatable, to err on the side of exercising our constitutional authority.

I hope before the end of the day this bipartisan resolution will come to the floor—and certainly before the end of the week—and that we debate it and act on it before the end of this work period.

Again, let me make it clear, I think the President is right in what he is doing. But I think we have a responsibility that goes beyond Mr. Bauer's conclusion—a responsibility to decide that this offensive use of military force, even for a good purpose, a good humanitarian purpose, is one that requires the authorization of the American people through their Members of Congress.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be closed.

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

Morning business is closed.

#### THE PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume consideration of the motion to proceed to Calendar No. 75, S. 679. I send a cloture motion to the desk and ask the clerk to report.

#### CLOTURE MOTION

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

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 75, S. 679, the Presidential Appointment Efficiency and Streamlining Act of 2011:

Harry Reid, Joseph I. Lieberman, Thomas R. Carper, Frank R. Lautenberg, Sherrod Brown, Barbara Boxer, Sheldon Whitehouse, Patty Murray, Robert P. Casey, Jr., Christopher A. Coons, Joe Manchin III, Debbie Stabenow, Jon Tester, Benjamin L. Cardin, Jeanne Shaheen, Kent Conrad, Richard J. Durbin.

Mr. REID. Mr. President, I am disappointed that we had to file cloture again. I would hope, though, that in the ensuing days, the Republicans on the other side will let us get on this bill.

This is a bill Senator McCONNELL and I started working on when we were both whips many years ago. The purpose of the bill is to eliminate the need to have all of these nominations to these relatively minor posts confirmed by the Senate. And the work done by the chairman and ranking member of the Budget Committee, Senators SCHUMER and ALEXANDER, has been exemplary.

We now will have—when this legislation passes, and I really think it will pass, even if we have to invoke cloture on the motion to proceed and on the bill itself—hopefully that will not be necessary, but if we do, that is what we will have to do. This bill would take away the necessity of our having to do some 200 nominations for some of these minor posts I talked about.

I hope we can get on this bill when we come back next week. It will be the right thing to do. There is so much to do. This would set the tone of this work period that has not been so good to this point.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m. on Tuesday, June 21, 2011, the Senate proceed to executive session to consider Calendar No. 34, the nomination of Michael H. Simon, of Oregon, to be U.S. district judge for the District of Oregon; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on Calendar No. 34; that following this vote, the Senate recess until 2:15 p.m. for the weekly party conferences; that at 2:15 p.m., the Senate consider Calendar No. 183, Leon E. Panetta to be the Secretary of Defense for our country; that there be 2 hours of debate equally divided between the two leaders or their designees; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on Calendar No. 183; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, no further motions be in order to

the nominations, and any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; further, that following this vote, the Senate resume consideration of the EDA bill and vote on the motion to invoke cloture on that bill; that if cloture is not invoked, the Senate proceed to vote to invoke cloture on the motion to proceed to S. 679, the Presidential Appointment Efficiency and Streamlining Act; finally, that the mandatory quorum under rule XXII be waived on both cloture motions.

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 17 minutes.

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

#### CYBERSECURITY

Mr. WHITEHOUSE. Mr. President, I rise today to speak about a serious issue that touches on our national security, our economic well-being, the safety of our families, and our privacy; that is, America's cybersecurity.

I look forward to conducting an in-depth examination of the aspects of this issue that falls within the Senate Judiciary Committee's jurisdiction during the Subcommittee on Crime and Terrorism's June 21, 2011, hearing, "Cybersecurity: Evaluating the Administration's Proposals." However, because of the importance of improving our cybersecurity, as demonstrated by the recent Gmail spear-fishing attacks and hacks at Sony, Epsilon, Lockheed Martin, and even the Senate itself, I rise to make some initial remarks today.

American technological innovation ushered in the Internet age, bringing with it Facebook, YouTube, and the rest of the World Wide Web. It set off an explosion of new commerce, freedom of expression, and economic opportunity even in the smallest details of our lives—allowing a car company, for instance, to unlock your car doors remotely if you have locked yourself out of your car.

However, this increased connectivity allows criminals, terrorists, and hostile nations to exploit cyberspace, to attack America, to invade our privacy, to loot our intellectual property, and to expose America's core critical infrastructure to cyber sabotage. Entire online communities are dedicated to stealing and selling American credit card numbers. Consider the disturbing

fact that the price of your credit card number stolen online actually goes up if the criminal also is selling your mother's maiden name. Some criminals have learned how to spy on Americans, hacking into our home computers and looking out through the video camera attached to the screen. Others run Web sites selling stolen entertainment without paying the American companies that created it. And millions of American computers—millions of American computers—have been compromised by malware slaved to botnets that can record your every keystroke and send it instantaneously across the world to a criminal's laptop.

I firmly believe that cyber crime has put our country on the losing end of the largest illicit transfer of wealth in world history. Whether by copying source code, by industrial espionage of military product designs, by identity theft, by online piracy, or by outright old-fashioned stealing from banks—just doing it the electronic way—cyber crime cripples American innovation, kills jobs here at home, and undermines our economic and national security.

Congress must act to protect Americans from these Internet dangers and to protect our civil liberties. Let me say at the outset that the government must not be allowed to snoop indiscriminately into our online activity, to read our e-mail, or to watch us online. There simply is no need for such an invasion of privacy, and we must move forward with that firmly in mind.

The majority leader has introduced a leadership bill that will be a vehicle for our work. The Commerce Committee, led by Chairman ROCKEFELLER and Ranking Member SNOWE, both of whom I had the privilege to serve with on the Intelligence Committee, and the Homeland Security Committee, led by Chairman LIEBERMAN and Ranking Member COLLINS, reported key bills last year. Chairman LEAHY and the Judiciary Committee have reported important legislation on data breach and other issues central to cybersecurity. The Armed Services, Energy, and other committees have studied the issue from the perspective of their particular jurisdictions and expertise, and under the leadership of Chairman FEINSTEIN, the Intelligence Committee Cybersecurity Task Force completed its classified report last July, authored by me, Senator MIKULSKI, and Senator SNOWE. So we have been ready in Congress.

The administration has now weighed in with its own proposal, recognizing that we need cybersecurity legislation to make our Nation safer and launching in earnest our legislative process.

We have hard work ahead to find the best possible solutions to this complex and grave challenge to our national and economic security. As we begin, I would like to flag five issues that I believe must be addressed as this legislation goes forward.

First, we need to build greater public awareness of cybersecurity threats going forward.

What is the problem? The problem is that information affecting the dot.gov and the dot.mil domains—the government domains—is largely classified. And in the dot.com, dot.net, and dot.org domains, threat information is often kept proprietary by the victim business so as not to worry shareholders, customers, and regulators, or give ammunition to competitors. The result is that Americans are left in the dark about the level of danger that is actually out there on the Internet.

The administration's proposal would require covered businesses to notify customers if their personal information is stolen, expand reporting of cybersecurity threats, and require some public assessments of cyber readiness.

I believe more can still be done on these fronts. I have had the pleasure of working with Senator KYL to introduce S. 931, the Cyber Security Public Awareness Act. I would like to urge interested colleagues to review it and consider including it as part of our larger cybersecurity legislation. That is first.

Second, the Senate needs to ensure that we give private industry the tools necessary for self-defense against cyber attacks.

Proper sharing among and within industries of cybersecurity threat information is vital. The administration took an important step by recommending, subject to various safeguards, enhanced sharing of cybersecurity threat information by the government with private industry. But we may also need to remove legal impediments that unnecessarily limit the sharing of threat information within industries, and we should be prepared to listen here to the private sector's needs as they set up those areas for safe communications about the cyber threats they share.

Third, our Nation does not have basic rules of the road for end users, ISPs, and software and hardware suppliers.

The administration proposal includes important provisions that would move us in the right direction. Assuming that ISPs—Verizon and Comcast and the companies that are actually providing the service—assuming that these companies qualify as critical infrastructure, which is an assumption we should clarify before getting too far down this path, the administration's proposal would require them to develop a standardized framework to address cybersecurity.

Sensible laws and regulations have made our highways safe, and we need similarly to make our information highways safe. Federal procurement can encourage effective cybersecurity standards with appropriate supply chain security so as to improve cybersecurity across the hardware and software industries. These improvements will benefit the government directly, but it will also improve the security of all products on which business and consumers rely.



Americans are too often unaware of dangerous malware that has been surreptitiously inserted into our own computers, and we do not take readily available measures to protect ourselves and those with whom we link.

One leading ISP, Comcast, deserves credit for developing a new mechanism to notify and assist its customers when their computers have been compromised by malicious software or botnets. All other ISPs should work together to join, strengthen, and standardize this program. In Australia, ISPs have developed a code of conduct that may be a model for their American counterparts in this regard.

The fourth point: It is vital that the government have an instant response plan that clearly allocates responsibilities for responding to a major cyber attack or breach. The administration proposal puts the responsibility for such incident response with the Department of Homeland Security Cybersecurity Center envisioned by the proposal. I look forward to working with the administration and my colleagues on that aspect of the proposal.

More generally, the administration proposal, like bills that have been reported in the Senate, gives the Department of Homeland Security a leadership role in our Nation's cybersecurity. We have to remember this is a relatively new role for the Department of Homeland Security. It is one of a great many different responsibilities that the Department of Homeland Security bears, and it is a role in which much of the government's expertise resides in other agencies than the Department of Homeland Security.

The Department of Homeland Security's role must be configured to attract sufficiently high-caliber cybersecurity professionals to ensure that DHS properly leverages the cybersecurity expertise at those other agencies and to assure sufficient independence and credibility of the Cybersecurity Center to perform this vital mission, even as administration change and attention to cybersecurity waxes and wanes. Cybersecurity is a real and present danger, so we must also plan for and minimize the interim period in which DHS builds up its cybersecurity expertise, promulgates necessary regulations, and otherwise grows into any new role with which it is tasked.

Cyber attacks happen at the speed of light, so the best defense requires that we preposition some of our defensive capabilities. Many of our Nation's leading experts who have seen the dark heart of the Internet's dangers and understand the cyber threat in its dimensions recommend rapidly creating secure domains for our most critical infrastructure—our electric grid being the most obvious example. These would be domains in which our Nation's best cybersecurity defenses could be both lawful and effective. Obviously, this would need to be done in a very transparent manner, subject to strict oversight. But we as a country have im-

pressive capabilities in this area, and we need to make sure those impressive capabilities protect our critical infrastructure as soon as possible. They are not deployed to protect critical infrastructure now.

Fifth, countries around the world, including countries that dedicate significant resources to exploiting our cyber vulnerabilities, are working hard to build their cyber workforces. We must not fall behind.

This means enabling our colleges and universities, in partnership with private companies, government agencies, and other cybersecurity innovators, to research the next great cybersecurity technology and to build the cyber human capital our Nation needs to defend itself and continue to flourish on the Internet.

Academic and technological leaders in my State, such as the University of Rhode Island and Brown University, have been hard at work developing new cybersecurity technologies and strengthening our Nation's cyber expertise. I look forward to working with them as we go forward.

There are other vital issues we must address, many of which I have spoken about previously on this floor. We must work, for example, to scale up our Nation's cybersecurity and law enforcement resources to match the seriousness of the threat posed by cyber criminals, by terrorist organizations, and by hostile nation states using cyberspace to attack our Nation.

The bottom line is we have a lot of important work to do. I am glad there is every indication that it will be bipartisan work, undertaken with the country's best interests in mind. I look forward to taking on this task with my colleagues in the months ahead.

I yield the floor.

#### WELCOMING HIS EXCELLENCY TSAKHIAGIIN ELBEGDORJ

Mr. LUGAR. Mr. President, today as ranking member of the Senate Foreign Relations Committee, I am pleased to welcome the President of Mongolia, His Excellency Tsakhiagiin Elbegdorj, a renowned promoter of democracy and a longtime friend of the United States.

As a leader of the peaceful democratic revolution in Mongolia in 1990, President Elbegdorj was a pioneer of freedom in Mongolia. His distinguished service to Mongolia includes serving as Prime Minister and Vice Speaker of the Great Hural/Parliament.

The United States recognized Mongolia in 1987 and established our first Embassy in Ulaanbaatar in 1988. We have supported Mongolia in its move toward democracy and market-oriented reforms.

Our partnership with Mongolia is vibrant and growing with multiple interests covering trade and economic issues, defense cooperation, and people-to-people programs. Mongolia is also active in regional and global affairs and would be an appropriate host for

future multilateral talks related to North Korea and its nuclear weapons program.

Since 2003, Mongolian troops have been deployed in support of coalition operations in Iraq and Afghanistan. In addition, Mongolia has deployed over 3,000 personnel on U.N. peacekeeping missions in approximately 10 countries.

I appreciate this opportunity to convey my appreciation for the personal leadership of President Elbegdorj and his important contribution to the growing of Mongolia-U.S. relations.

#### JUNETEENTH 2011

Mr. CARDIN. Mr. President, I rise today in celebration of the 146th anniversary of Juneteenth, the oldest continually celebrated commemoration of the end of slavery in the United States. This significant historical event is appropriately observed as an important part of American history. Though the Emancipation Proclamation officially took effect on January 1, 1863, many slaves did not find freedom until Union troops were able to reach the Southern States to enforce the order. Lincoln's order initially directed the Confederate States to end slavery, but allowed the States that remained in the Union during the Civil War to maintain the peculiar institution of slavery. It wasn't until December of 1865 that the 13th amendment marked the complete abolition of slavery in this country. Juneteenth was an important first step toward inclusion in the greater American dream.

It is a time of reflection, healing and an opportunity for our country to have meaningful discussions about our legacy of slavery and inequality and our ambitions for a more perfect Union.

With the breadth of technology we have today, it is difficult for many to conceive of a time where news traveled over days, months and even years depending on where the communication began and ended. The real-time dissemination of information via mobile phones, BlackBerries and Skype video chat makes it easy to forget a time when things moved at a much slower pace. In the 1860s horses were widely used for carrying mail, although parts of the country were building out railroads—with locomotives powered by steam traveling approximately 15 miles per hour.

On June 19, 1865, Union troops arrived in Galveston, TX, to deliver freedom to slaves still held in bondage. Because of the amorphous period between the Emancipation Proclamation and the official implementation of freedom for America's slaves, Juneteenth is celebrated not only on June 19, but the entire month of June, to represent the slow spread of freedom during the war. The culminating reading of General Order No. 3 on June 19 sparked spontaneous and jubilant celebration, and the spirit of that celebration has thrived in every African-American community from that day forward.



While Juneteenth represents an important phase in our history, it does not represent the end of discrimination and prejudice. African Americans would continue to struggle to establish equality as citizens, in education, professional careers and socioeconomic status because of Jim Crow laws and other forms of insidious discrimination.

In marking this occasion, it is appropriate to reflect on what was responsible for its creation. Millions of Africans, kidnapped by traders or sold into bondage by warring African kings, were ripped from their ancestral homes and carried across the Atlantic Ocean under hellish conditions known as the Middle Passage. While estimates vary, it is likely that as many as 2.5 million Africans died before ever reaching the shores of the "New World."

No comfort found them upon their arrival, as they were treated as chattel and sold to merchants and farmers. Their daily lives included intense, back-breaking physical labor for long hours in poor conditions, with no hope of attaining freedom or economic advancement. Maryland was complicit in this bondage, and at one point in the late 16th century, slaves made up approximately a third of the State's population.

Maryland, however, helped to lead the abolitionist movement as well. The underground railroad, vital to the freedom of many slaves, ran through Maryland's Eastern Shore and Chesapeake Bay. Its operation relied on the kindness and secrecy of a vast network of often anonymous citizens, many who lived in Maryland, all equally dedicated to ferrying fleeing slaves to freedom in New York, Massachusetts, and Canada.

Indeed, determined slaves from Maryland would leave an indelible mark on our national landscape. Harriet Tubman, a slave from Dorchester County, MD, went on to guide her family as well as 300 other slaves over 19 trips into the South out of slavery and into the North. During her clandestine daring, she never lost a single "passenger."

Frederick Douglass, born in Talbot County, escaped northwards at age 20 and began a long life of fiercely advocating for racial equality not only in the United States but abroad as well. He established the hallmark arguments that abolitionists would echo for years to come, until Emancipation was finally proclaimed.

Emancipation was not the end of the struggle. Explicit laws and implicit associations would continue to create and sustain dire inequalities in the African-American community. Maryland passed 15 Jim Crow laws between 1870 and 1957, laws that would meaningfully segregate almost every area of public life, and would contribute to the man who would later argue the landmark *Brown v. Board of Education* case, Thurgood Marshall, being denied admission to the University of Maryland Law School. Marshall would go on to

become the first Black Supreme Court Justice, and would help to safeguard the rights and freedoms of all Americans, regardless of race.

This Juneteenth, we must recommit ourselves to fighting racial disparity and prejudice. As we look back at the legacy of Juneteenth, and how the slow spread of the news of freedom brought forward a new era in our country's history, we must recommit ourselves to the hard work of ensuring that equal representation, equal opportunity, and equal justice are spread everywhere as well. Though the progress and spread may be slow, it will reach every American if we continue to vigilantly demand equality to access to health care, equal treatment by financial institutions, equal educational opportunities, and adherence to the words of our forefathers that "all men are created equal."

We must continue to eliminate inequality so we can truly honor the spirit of Juneteenth.

#### RECOGNIZING TIM THOMAS HOCKEY LLC

Ms. SNOWE. Mr. President, last night, the Boston Bruins completed a stunning comeback to win the Stanley Cup for the first time since 1972. This monumental victory is a testament to the team's workmanlike approach to the game, and there is much praise to go around. But one of the key players who contributed to the inspired game 7 win was Tim Thomas, Boston's fantastic goaltender. Winner of the Conn Smythe Trophy of Stanley Cup Final Most Valuable Player—at age 37, the oldest player to win this honor—Thomas posted a .967 save percentage in the series, stopping 238 of 246 shots, and stopping a record 798 shots in the entire playoffs. More than just a team player on the ice, Tim Thomas is also involved in the community with his Tim Thomas Hockey Camps. Today, I rise to recognize Tim Thomas and his endeavors to promote both hockey and sportsmanship throughout New England.

Incorporated in Portland, ME, Tim Thomas Hockey Camps got their start 4 years ago to help players of all ages participate and develop skills in the exciting sport of hockey. Camps are held during the summer across Maine, New Hampshire, Vermont, and Massachusetts, and campers have expressed tremendous appreciation of the dedication of the camps' staff to teaching the fundamentals of the game. Tim leads a team of 20 experienced staff members, from former National Hockey League players to college standouts and coaches, who impart their vast knowledge on camp attendees. Aside from the technical aspects of hockey, the camps also teach players about teamwork, camaraderie, and the importance of a strong work ethic. Additionally, the Tim Thomas Foundation helps both hockey players and organizations in need of assistance, and supports a number of

groups and charities from the Greely Hockey Boosters in Cumberland, ME, to the Hunger Mountain Children's Center in Waterbury, VT.

Tim's desire to help others attain their goals in hockey comes from his own moving story, which is a case study in hard work, patience and perseverance. A star goalie at the University of Vermont, he was drafted 217th overall in 1994 by the now-defunct Quebec Nordiques. After spending several seasons in the minor leagues and in Europe, Tim made his debut with the Boston Bruins when he was 28 years old and became the team's starting goaltender 3 years later. Tim has racked up numerous accolades and All Star Game appearances over the course of his career, including winning the Vezina Trophy in 2009 as the NHL's best goaltender. He is almost certainly a lock to win it again this year. Furthermore, what makes this year's accomplishment so special is that Tim had off-season hip surgery last summer.

Tim Thomas' remarkable road to the Stanley Cup is truly noteworthy for aspiring hockey players across New England, and indeed the country. To many, he is a hero who helped bring the Cup back to Boston for the first time in 39 years. But to many more, Tim Thomas is also a role model, who inspires children of all ages to pursue their goals and dreams in the hopes that, one day, with hard work and resolve, they too can attain the ultimate prize. I thank Tim Thomas and everyone who is a part of the Tim Thomas Hockey Camps for their superb work, and offer my congratulations to the Bruins organization on its stellar victory!

#### TRIBUTE TO GERRY COUNIHAN

Mrs. BOXER. Mr. President, today I wish to pay tribute to a wonderful member of our Senate family. After 20 years of public service, Gerry Counihan is retiring from his post as Senate elevator operator.

In 1991, shortly after earning a degree from Franciscan University, Gerry began his Capitol Hill journey working in the mailroom for Senator JOHN MCCAIN.

Gerry then moved on to become a Capitol tour guide in 1997, where he distinguished himself with his enthusiasm and strong work ethic. Ted Daniel, former director for the Capitol's visitor services, hired Gerry, and remembers that on Gerry's first day he came to work thoroughly prepared, standing head and shoulders above his peers.

It was this passion and "can-do" attitude that led Gerry to become an integral part of the tour guide team that every day bring history to life for visitors. Gerry even made Capitol history himself. He gave the first public tour following the fatal shooting of two U.S. Capitol Police officers in 1998. And when the Capitol reopened to visitors following the terrorist attacks of September 11, 2001, Gerry again was chosen to lead the first tour.

Sadly, in 2007 Gerry was a victim of a home invasion as he was getting ready for work one morning. He suffered a near fatal assault and the mailman found him 3 hours later on his neighbor's steps where he had gone for help.

Gerry spent 5 weeks in the hospital relearning basic skills, not certain he would ever walk again. While in the hospital, he met Special Olympics founder Eunice Kennedy Shriver. He describes her as "marvelous" during his time of need.

With an abundance of emotional and medical support, Gerry was able to overcome this significant challenge and return to Capitol Hill as an elevator operator. I know I am not alone when I say that this is one of the best hires to date. Gerry's welcoming demeanor and caring and protective character have been appreciated by all Senators. He will certainly be missed.

Gerry's story is one of strength and determination. While his positions on Capitol Hill may have varied, he always strives to be the best at what he does and never lets circumstances bring him down. Having woven his way into all of our hearts, Gerry is an integral piece of the social fabric of Capitol Hill. We will remember him always.

I wish Gerry Counihan nothing but the best as he moves on to his next endeavor at the Department of Health and Human Services. I hope that he knows he is an inspiration to many and will forever be a part of the Senate community and the Senate family.

#### TRIBUTE TO CATHRYN HILKER

Mr. PORTMAN. Mr. President, I rise today to speak about Cathryn Hilker on the occasion of her 80th birthday. Cathryn is a resident of Cincinnati, OH, who has done incredible work over the last 30 years to help save the world's cheetah population. On Monday, June 20, 2011, the Cincinnati Zoo will be celebrating her 80th birthday and honoring her commitments to cheetah conservation.

Cathryn's work with cheetahs began in 1980, when she brought home a young cheetah cub named Angel. Over the next 12 years, Cathryn and Angel toured the country, giving live presentations to more than 1 million people and appearing on hundreds of television news programs all around the world. Through the Cincinnati Zoo's Cat Ambassador Program, which Cathryn Hilker founded, she and her team of trainers continue to take cheetahs and other endangered cats to schools to teach students about how we can help protect endangered species. Today, because of Cathryn Hilker's commitment and the support of her Angel Fund foundation, the African cheetah has a future in the wild.

Mr. President, for her commitment to cheetah conservation and her numerous contributions to the Cincinnati Zoo and the community of Cincinnati, I would like thank Cathryn Hilker and wish her a happy 80th birthday.

#### RECOGNIZING TREMCO INCORPORATED

Mr. PORTMAN. Mr. President, I rise today to congratulate Tremco, Inc., for its energy efficiency efforts. Tremco, located on Green Road in Beachwood, OH, recently completed a multimillion-dollar renovation of their 40-year-old headquarters to transform it into an energy-efficient example for sustainable design. The unveiling and dedication of the facility, which will be attended by our Governor, Members of Congress, and local officials, will take place tomorrow.

The renovation will allow Tremco to lower its carbon footprint, reduce gas usage by 84 percent, reduce electric usage by 43 percent, save hundreds of thousands of gallons of potable water, and reduce materials sent to landfills by 90 percent. In addition, they are hoping to receive the prestigious U.S. Green Building Council's LEED-Gold certification for their energy-efficient improvements.

In today's world of rising energy prices and instability in the Middle East, I would like to commend the management and employees of Tremco, Inc., for their leadership in sustainability and congratulate them as they celebrate their newly renovated headquarters in a "Building Green on Green" dedication that will take place on Friday, June 17, 2011.

#### REMEMBERING KATHRYN TUCKER WINDHAM

Mr. SHELBY. Mr. President, today I wish to pay tribute to Kathryn Tucker Windham, who passed away in her home on Sunday, June 12, 2011, at the age of 93. Kathryn was a renowned storyteller for whom I had deep respect. She enjoyed an accomplished career as an author, playwright, photographer and journalist. Kathryn also demonstrated a fierce dedication to her community. I mourn her passing.

Born on June 2, 1918, Kathryn spent the majority of her childhood in Thomasville, AL, where she also began her career in writing and photography. She graduated from Huntingdon College in Montgomery and remained supportive of her alma mater for the duration of her long and successful career.

Kathryn's trailblazing accomplishments include publishing many well-loved ghost stories and autobiographical memories as well as three cookbooks. She was also recognized as the first woman journalist in the South to cover a police beat at a major daily newspaper, and she had stints at the Alabama Journal, the Birmingham News, the Selma Times-Journal, the Area Agency on Aging and WUAL radio. Kathryn also wrote several plays, including a one-woman show that she, herself, performed. She was also a contributor to NPR's "All Things Considered" and a regular at the National Storytelling Festival in Jonesborough, Tennessee. Always giv-

ing back to her community, Kathryn founded the Alabama Tale-Tellin' Festival, which takes place each year in Selma.

Kathryn's achievements garnered recognition, both in the State of Alabama and nationally. She received the Alabama Humanities Foundation's Alabama Humanities Award, the University of Alabama's Society of Fine Arts' Alabama Arts Award, the National Storytelling Association's Circle of Excellence Award and Lifetime Achievement Award as well as numerous other distinguished awards and honors throughout her lifetime. Additionally, the Alabama Southern Community College in Thomasville opened the Kathryn Tucker Windham Museum in her honor.

I am honored to have known Kathryn and to have enjoyed her great works of literature and journalism. She was truly an inspiration to her community, the literary world, and the nation. Her legacy will forever be preserved through her timeless stories. My thoughts and prayers are with her friends and family, especially her children, Dilcy Hilley and Ben Windham, as they mourn the loss of this gracious and wonderful woman.

Kathryn cleared a path for women writers and journalists to follow after her and should be revered for her bravery, stamina and grace. Her life's contributions to the State of Alabama will forever be remembered.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DR. PAUL LECLERC

● Mr. SCHUMER. Mr. President, today I honor Dr. Paul LeClerc, president and chief executive officer of the New York Public Library, NYPL, on the occasion of his retirement. On June 30 of this year, Dr. LeClerc will leave his post at the NYPL, having served as its leader since December 1, 1993. Dr. LeClerc is a true scholar and leader and the New York Public Library and the city of New York will deeply miss his leadership at this iconic institution.

The New York Public Library is one of the preeminent libraries in the world and under Dr. LeClerc's leadership it has implemented a series of initiatives that have made it a world leader in the field of information collecting and distribution. Just to name a few, these achievements include strategic alliances with the most important collections in Western Europe, South America and Russia; creating for the public's use one of the most advanced IT systems in any library; and creating a new Center for Scholars and Writers at the historic Stephen A. Schwarzman Building at Fifth Avenue.

In addition to being at the forefront of research, the New York Public Library's over 90 locations bring services to every neighborhood of the Bronx, Staten Island, and Manhattan. Last year alone, 15.4 million New Yorkers

visited these neighborhood branch libraries looking for services that they can't receive anywhere else; 2.4 million individuals visited the NYPL's four research libraries, accessing many of the collections and programs I have already described; and 25.4 million people from around the world visit the Library's Web site and online collections each year. Dr. LeClerc has overseen all of these magnificent resources and we are so thankful to him for his passion and dedication.

As Dr. LeClerc retires from the library, leaving his mark on its past and future, I would like to ask my colleagues to join with me today in honoring him for his over 17 years of dedication to the New York Public Library, the city of New York, and pursuers of knowledge worldwide.●

#### BOWDLE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Bowdle, SD. The town of Bowdle will celebrate its 125th anniversary this year.

Bowdle was founded in 1886 and experienced rapid growth as the rail line running through the town continued to expand westward. Located in Edmunds County, it has now become an agricultural center in the region. It also has a strong local business community and excellent healthcare and educational facilities.

Bowdle has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Bowdle on this landmark occasion and wish them continued prosperity in the years to come.●

#### BRYANT, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Bryant, SD. The town of Bryant will celebrate its 125th anniversary this year. Bryant was named after an official of the railroad, as the town came into being when the railroad came through the southwest corner of Hamlin County. Bryant is also home to the Kant Hotel which is listed in the National Register of Historic Places.

Bryant has been a successful and thriving community for the past 125 years and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Bryant on this important occasion and wish them continued prosperity in the years to come.●

#### CONDE, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Conde, SD. The town of Conde will celebrate its 125th anniversary this year.

Located in Spink County, Conde was founded in 1886 when W.W. Rounds,

Conde's first settler, sold his farm to the Western Town Lot Company. The town was named by the French-born wife of a local railroad executive, who chose to name the town after the fortress of Conde in France.

Today Conde is known for its excellent pheasant and deer hunting, and friendly atmosphere. Conde has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Conde on this landmark occasion and wish them continued prosperity in the years to come.●

#### HECLA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Hecla, SD. The town of Hecla will celebrate its 125th anniversary this year.

Located in Brown County, Hecla was founded in 1886 and was named after a volcano in Iceland. Today Hecla is known for its excellent hunting, abundant bird watching opportunities, and friendly atmosphere.

Hecla has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Hecla on this landmark occasion and wish them continued prosperity in the years to come.●

#### LANGFORD, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Langford, SD. The town of Langford will celebrate its 125th anniversary this year.

Langford was founded in 1886 and named after Sam Langford, the owner of the land where the town was built. Located in Marshall County, it is known for its talented high school band and community pride in their high school athletes.

Langford has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Langford on this landmark date and wish them continued prosperity in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations

which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 5:36 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 bills, in which it requests the concurrence of the Senate:

H.R. 1934. An act to improve certain administrative operations of the Library of Congress, and for other purposes.

H.R. 2112. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

The message also announced that the House has passed the following joint resolutions, without amendment:

S.J. Res. 7. Joint resolution providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 9. Joint resolution providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1934. An act to improve certain administrative operations of the Library of Congress, and for other purposes; to the Committee on Rules and Administration.

H.R. 2112. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2144. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-11-946-2 IR; FV11-946-2 IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2145. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Blueberry Promotion, Research, and Information Order; Section 610 Review" (Docket No. AMS-FV-10-0006) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2146. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, Oregon; Termination of Marketing Order 924" (Docket No. AMS-FV-10-0053; FV10-924-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2147. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Referendum Procedures" ((RIN0581-AD03) (Docket No. AMS-FV-10-0015; FR-B)) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2148. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendment to the National List of Allowed and Prohibited Substances (Livestock)" ((RIN0581-AD04) (Docket No. AMS-NOP-10-0051; NOP-10-04FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2149. A communication from the Administrator of Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "User Fees for 2011 Crop Cotton Classification Services to Growers" ((Doc. No. AMS-CN-10-0111) (CN-11-001)) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2150. A communication from the Acting Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sorghum Promotion and Research Program: State Referendum Results" (Doc. No. AMS-LS-11-0040) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2151. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Modification of the Rules and Regulations" (Doc. No. AMS-FV-11-0024; FV11-946-3IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2152. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2011-2012 Marketing Year" (Doc. No. AMS-FV-10-0094; FV11-985-1FR) received during adjournment of the Senate in the Office of the President of the Senate on June

10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2153. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Standards for Grades of Potatoes" (Doc. No. AMS-FV-08-0023) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2154. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Suspension of Handling Requirements" (Doc. No. AMS-FV-11-0019; FV11-916/917-5 IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2155. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in Designated Area Southeastern California; Increased Assessment Rate" (Doc. No. AMS-FV-10-0104; FV11-925-1FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2156. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California; Increased Assessment Rate" (Doc. No. AMS-FV-10-0090; FV10-989-3FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2157. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "U.S. Honey Producer Research, Promotion, and Consumer Information Order; Termination of Referendum Procedures" (Doc. No. AMS-FV-07-0094; FV07-706-FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2158. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Decreased Assessment Rate" (Doc. No. AMS-FV-10-0115; FV11-932-1IR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2159. A communication from the Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Federal Seed Act Regulations" (Doc. No. AMS-LS-08-0002) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2160. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, De-

partment of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Regulations Issued Under the Export Grape and Plum Act; Revision to the Minimum Requirements" (Doc. No. AMS-FV-10-0091; FV11-35-1FR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2161. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Perishable Agricultural Commodities Act: Impact of Post-Default Agreements on Trust Protection Eligibility" (Doc. No. AMS-FV-09-0047) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2162. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Amendment to Allow Additional Exemptions" (Doc. No. AMS-FV-10-0072; FV10-927-1FIR) received during adjournment of the Senate in the Office of the President of the Senate on June 10, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2163. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transitional Relief under Internal Revenue Code 6033(j) for Small Organizations" (Notice 2011-43) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2164. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alternative Simplified Credit under Section 41(c)(5)" (RIN1545-BH32) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2165. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Requirement for Taxpayers Filing Form 5472" (RIN1545-BK01) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2166. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Request for Comments on Funding of Patient-Centered Outcomes Research Through Fees Payable by Issuers of Health Insurance Policies and Self-Insured Health Plan Sponsors" (Notice 2011-35) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2167. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2011-49) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC-2168. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon

Dioxide Sequestration; 2011 Section 45Q Inflation Adjustment Factor” (Notice 2011–50) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC–2169. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Basis in Stock Acquired in Transferred Basis Transactions” (Rev. Proc. 2011–35) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Finance.

EC–2170. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data and defense services to Mexico for the manufacturing of the Multiple Integrated Laser Engagement System (MILES) Individual Weapon System (IWS) in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC–2171. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Italy to support the Final Assembly and Check-Out Facility (“FACO”) stand-up activities for the F-35 Lightning II program in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC–2172. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the commission’s Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–2173. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Board’s Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–2174. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Defense’s Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–2175. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; 28th Annual Humboldt Bay Festival, Fireworks Display, Eureka, CA” ((RIN1625–AA00) (Docket No. USCG–2011–0167)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2176. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Chelsea St. Bridge Demolition, Chelsea River, Chelsea, MA” ((RIN1625–AA00) (Docket No. USCG–2011–0420)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2177. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Commencement Bay, Tacoma, WA” ((RIN1625–AA00) (Docket No. USCG–

2011–0197)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2178. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Annual Events Requiring Safety Zones in the Captain of the Port Sault Sainte Marie Zone” ((RIN1625–AA00) (Docket No. USCG–2011–0188)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2179. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Ocean City Air Show, Atlantic Ocean, Ocean City, MD” ((RIN1625–AA00) (Docket No. USCG–2011–0391)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2180. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY” ((RIN1625–AA00) (Docket No. USCG–2010–1091)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2181. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Conneaut Festival Fireworks, Conneaut Harbor, Conneaut, OH” ((RIN1625–AA00) (Docket No. USCG–2011–0214)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2182. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Lorain Independence Day Fireworks, Black River, Lorain, OH” ((RIN1625–AA00) (Docket No. USCG–2011–0215)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2183. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Temporary Change to Enforcement Location of Recurring Fireworks Display Event, Currituck Sound; Corolla, NC” ((RIN1625–AA00) (Docket No. USCG–2011–0384)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2184. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Put-In-Bay Fireworks, Fox’s the Dock Pier; South Bass Island, Put-In-Bay, OH” ((RIN1625–AA00) (Docket No. USCG–2011–0417)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2185. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; M/V Del Monte Live-Fire Gun Exercise, James River, Isle of Wight, VA” ((RIN1625–AA00) (Docket No. USCG–2011–0427)) received in the Office of the President of the Senate on June 15, 2011; to the Com-

mittee on Commerce, Science, and Transportation.

EC–2186. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; M.I.T.’s 150th Birthday Celebration Fireworks, Charles River, Boston, MA” ((RIN1625–AA00) (Docket No. USCG–2011–0375)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2187. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Limited Service Domestic Voyage Load Lines for River Barges on Lake Michigan” ((RIN1625–AA17) (Docket No. USCG–1998–4623)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2188. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Vessel Traffic Service Lower Mississippi River; Correction” ((RIN1625–AA58) (Docket No. USCG–1998–4399)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2189. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations for Marine Events; Severn River, Spa Creek and Annapolis Harbor, Annapolis, MD” ((RIN1625–AA08) (Docket No. USCG–2011–0046)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2190. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments” ((RIN1625–AB69) (Docket No. USCG–2011–0257)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2191. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Increase for the Common Pool Fishery” (RIN0648–XA429) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2192. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of Commercial Penaeid Shrimp Trawling Off South Carolina” (RIN0648–XA431) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:



S. 1103. A bill to extend the term of the incumbent Director of the Federal Bureau of Investigation.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Marina Garcia Marmolejo, of Texas, to be United States District Judge for the Southern District of Texas.

Michael Charles Green, of New York, to be United States District Judge for the Western District of New York.

Wilma Antoinette Lewis, of the District of Columbia, to be Judge for the District Court of the Virgin Islands for a term of ten years.

Thomas Gray Walker, of North Carolina, to be United States Attorney for the Eastern District of North Carolina for the term of four years.

Charles F. Salina, of New York, to be United States Marshal for the Western District of New York for the term of four years.

Robert William Mathieson, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

Juan Mattos Jr., of New Jersey, to be United States Marshal for the District of New Jersey for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself and Mr. KYL):

S. 1213. A bill to amend title II of the Social Security Act to extend the solvency of the Social Security Trust Funds by increasing the normal and early retirement ages under the Social Security program and modifying the cost-of-living adjustments in benefits; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mrs. BOXER, Mrs. MURRAY, Mrs. SHAHEEN, and Mr. LAUTENBERG):

S. 1214. A bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions; to the Committee on Armed Services.

By Mr. KERRY:

S. 1215. A bill to provide for the exchange of land located in the Lowell National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORKER:

S. 1216. A bill to waive the requirement that existing traffic signs meet minimum retroreflectivity standards on or before the compliance dates established by the Federal Highway Administration; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. INOUE, Mr. AKAKA, and Mr. BEGICH):

S. 1217. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Finance.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 1218. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

By Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. VITTER):

S. 1219. A bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CONRAD:

S. 1220. A bill to lessen the dependence of the United States on foreign energy, to promote clean sources of energy, to strengthen the economy of the United States, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 1221. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 1222. A bill to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 1223. A bill to address voluntary location tracking of electronic communications devices, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGAMAN:

S. 1224. A bill to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery program through fiscal year 2023; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN:

S. 1225. A bill to transfer certain facilities, easements, and rights-of-way to Fort Sumner Irrigation District, New Mexico; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. INHOPE, Mr. BARRASSO, Mr. HOEVEN, Mr. CORNYN, Mr. BLUNT, Ms. LANDRIEU, Mrs. HUTCHISON, Mr. COATS, Mr. CORKER, Mr. THUNE, and Mr. LUGAR):

S. 1226. A bill to amend the Clean Air Act to address air pollution from Outer Continental Shelf activities; to the Committee on Environment and Public Works.

By Mr. BEGICH:

S. 1227. A bill to improve Arctic health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. GRAHAM, Mr. COONS, and Mr. MCCAIN):

S. 1228. A bill to prohibit trafficking in counterfeit military goods or services; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 1229. A bill to amend the State Department Basic Authorities Act of 1956 to establish a United States Ambassador at Large for Arctic Affairs; to the Committee on Foreign Relations.

By Mr. DURBIN:

S. 1230. A bill to secure public investments in transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. Res. 209. A resolution congratulating the Dallas Mavericks on winning the 2011 National Basketball Association Championship; considered and agreed to.

By Mr. BROWN of Massachusetts (for himself, Mr. KERRY, Ms. SNOWE, Ms. COLLINS, Mrs. SHAHEEN, Ms. AYOTTE, Mr. REED, Mr. WHITEHOUSE, and Mr. LEAHY):

S. Res. 210. A resolution congratulating the Boston Bruins for winning the 2011 Stanley Cup Championship; considered and agreed to.

By Mr. LEVIN (for himself, Mrs. HUTCHISON, Ms. LANDRIEU, Mr. COCHRAN, Mr. CARDIN, Mr. CORNYN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. UDALL of Colorado, Mr. BEGICH, Ms. MIKULSKI, Mr. DURBIN, Mr. BROWN of Ohio, Mr. AKAKA, Ms. STABENOW, and Mr. WICKER):

S. Res. 211. A resolution observing the historical significance of Juneteenth Independence Day; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 52

At the request of Mr. INOUE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 52, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 119

At the request of Mr. VITTER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 119, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 146

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

S. 496

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 496, a bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish.

S. 506

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 648

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 648, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 652

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 652, a bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes.

S. 726

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Alabama (Mr. SESSIONS), the Senator from South Dakota (Mr. THUNE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 792

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 792, a bill to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

S. 815

At the request of Ms. SNOWE, the name of the Senator from South Caro-

lina (Mr. GRAHAM) was added as a cosponsor of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

S. 906

At the request of Mr. WICKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 922

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 922, a bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 960

At the request of Mr. KERRY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 965

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 965, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mr. JOHANNES), the Senator from Alabama (Mr. SESSIONS), the Senator from South Dakota (Mr. THUNE), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the

National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1059

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1059, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 1113

At the request of Ms. MURKOWSKI, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1113, a bill to facilitate the reestablishment of domestic, critical mineral designation, assessment, production, manufacturing, recycling, analysis, forecasting, workforce, education, research, and international capabilities in the United States, and for other purposes.

S. 1174

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1174, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1189

At the request of Mr. PORTMAN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1189, a bill to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.



S. J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 202

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 202, a resolution designating June 27, 2011, as "National Post-Traumatic Stress Disorder Awareness Day".

AMENDMENT NO. 424

At the request of Mr. JOHANNIS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of amendment No. 424 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 433

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 433 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 467

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 467 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 468

At the request of Mrs. HUTCHISON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 468 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 476

At the request of Mrs. FEINSTEIN, the names of the Senator from Virginia (Mr. WEBB), the Senator from Maine (Ms. COLLINS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 476 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself and Mr. KYL):

S. 1213. A bill to amend title II of the Social Security Act to extend the solvency of the Social Security Trust Funds by increasing the normal and early retirement ages under the Social Security program and modifying the cost-of-living adjustments in benefits; to the Committee on Finance.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1213

*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 "Defend and Save Social Security Act".

#### SEC. 2. ADJUSTMENT TO NORMAL AND EARLY RETIREMENT AGE.

(a) IN GENERAL.—Section 216(1) of the Social Security Act (42 U.S.C. 416(1)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "2017" and inserting "2016"; and

(B) by striking subparagraphs (D) and (E) and inserting the following new subparagraphs:

"(D) with respect to an individual who—

"(i) attains 62 years of age after December 31, 2015, and before January 1, 2024, such individual's early retirement age (as determined under paragraph (2)(A)) plus 48 months; or

"(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2015, and before January 1, 2024, 66 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(i));

"(E) with respect to an individual who—

"(i) attains 62 years of age after December 31, 2023, and before January 1, 2027, 68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(ii)); or

"(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2023, and before January 1, 2027,

68 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(B)(i)); and

"(F) with respect to an individual who—

"(i) attains 62 years of age after December 31, 2026, 69 years of age; or

"(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2026, 69 years of age.";

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

"(2) The term 'early retirement age' means—

"(A) in the case of an old-age, wife's, or husband's insurance benefit—

"(i) 62 years of age with respect to an individual who attains such age before January 1, 2016;

"(ii) with respect to an individual who attains 62 years of age after December 31, 2015, and before January 1, 2023, 62 years of age plus the number of months in the age increase factor (as determined under paragraph (4)(A)(ii)) for the calendar year in which such individual attains 62 years of age; and

"(iii) with respect to an individual who attains age 62 after December 31, 2022, 64 years of age; or

"(B) in the case of a widow's or widower's insurance benefit, 60 years of age.";

(3) by striking paragraph (3) and inserting the following:

"(3) With respect to an individual who attains early retirement age in the 5-year period consisting of the calendar years 2000 through 2004, the age increase factor shall be equal to two-twelfths of the number of months in the period beginning with January 2000 and ending with December of the year in which the individual attains early retirement age."; and

(4) by adding at the end the following new paragraph:

"(4) The age increase factor shall be equal to three-twelfths of the number of months in the period—

"(A) beginning with January 2016 and ending with December of the year in which—

"(i) for purposes of paragraphs (1)(D)(ii), the individual attains 60 years of age; or

"(ii) for purposes of paragraph (2)(A)(ii), the individual attains 62 years of age; and

"(B) beginning with January 2024 and ending with December of the year in which—

"(i) for purposes of (1)(E)(ii), the individual attains 60 years of age; or

"(ii) for purposes of (1)(E)(i), the individual attains 62 years of age.".

(b) CONFORMING INCREASE IN NUMBER OF ELAPSED YEARS FOR PURPOSES OF DETERMINING PRIMARY INSURANCE AMOUNT.—Section 215(b)(2)(B)(iii) of such Act (42 U.S.C. 415(b)(2)(B)(iii)) is amended by striking "age 62" and inserting "early retirement age (or, in the case of an individual who receives a benefit described in section 216(1)(2)(B), 62 years of age)".

#### SEC. 3. COST-OF-LIVING ADJUSTMENT.

Section 215(i) of the Social Security Act (42 U.S.C. 415(i)) is amended—

(1) in paragraph (1)(D), by inserting "subject to paragraph (6)," before "the term"; and

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

"(6)(A) Subject to subparagraph (B), with respect to a base quarter or cost-of-living computation quarter in any calendar year after 2010, the term 'CPI increase percentage' means the percentage determined under paragraph (1)(D) for the quarter reduced (but not below zero) by 1 percentage point.

"(B) The reduction under subparagraph (A) shall apply only for purposes of determining the amount of benefits under this title and not for purposes of determining the amount of, or any increases in, benefits under other

provisions of law which operate by reference to increases in benefits under this title.”.

By Mr. WARNER:

S. 1222. A bill to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. WARNER. Mr. President, I rise today to introduce an important new piece of legislation—the Digital Accountability and Transparency Act, or DATA Act.

Sine I have been in Washington, I have been frustrated by the lack of transparency and useful spending information to help inform the decision-making process. Our taxpayers deserve to clearly see how their tax dollars are spent.

As Chairman of the Budget Committee’s Task Force on Government Performance, I have been working to improve the outcomes and results of our Federal investments.

Last year, we passed the Government Performance and Results Modernization Act to more frequently track government outcomes and to help reduce overlap and duplication. Today, I will introduce the DATA Act to help bring a new level of transparency to our Federal spending.

I want to start by acknowledging the work of the administration and the Recovery Accountability and Transparency Board—this legislation was built off the important work they have been leading to reduce waste for the Recovery Act investments.

Under Vice President BIDEN’s leadership, supported by the Recovery Board Chairman Earl Devaney—they have established a new standard for government accountability. The results are impressive.

Out of more than 200,000 Recovery Act fund recipients—there are only 7 recipients that have not filed their required financial reports.

I also need to mention the leadership at the Office of Management and Budget—including director Jack Lew and our chief performance officer Jeff Zients. OMB led the charge with the Recovery Board to ensure the accountability of the Recovery Act funds and have made transparency an important goal government-wide.

The administration, the Recovery Board and OMB have proved that government can respond to the demand for more transparency and accountability. Now we need to expand the Recovery Act model across the whole government. The DATA Act does just that.

First, this legislation will require recipients of Federal funds and government agencies to report spending data into one transparent online portal. Much like they did for Recovery Act funds.

This data will be analyzed and compared proactively in order to identify and prevent waste, fraud and abuse before it happens. There are tremendous

opportunities to reduce improper payments by applying the Recovery Board’s fraud prevention tactics to the entire Federal Government.

This legislation will also create a new Board to oversee transparency efforts and set consistent standards for data across the entire Federal Government. Board membership will be comprised of a select group that will include senior OMB officials, agency Deputy Secretaries and Inspectors General.

All this information will be made publicly available so the American people can track taxpayer funds more closely.

This legislation will create a new structure that could help coordinate and reduce duplicative reporting requirements and burdens felt by many governments, nonprofits and businesses.

Finally, this legislation is an example of how Washington should work. It builds off the work of the administration and the Recovery Board, the work of Chairman DARRELL ISSA in the House and now with the introduction of this legislation in the Senate. By working together in a bipartisan way, we will have the strongest proposal that is poised to change the way the government does business.

I must thank Chairman DARRELL ISSA of California for his leadership on developing this legislation. He has been working tirelessly on improving transparency for years—even starting a House Caucus on Transparency to rally his colleagues on the subject.

I am pleased to be his partner in offering this legislation.

I look forward to working with my colleagues in the Senate and with the administration to make refinements to this legislation and to move forward with this bill.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 1223. A bill to address voluntary location tracking of electronic communications devices, and for other purposes; to the Committee on the Judiciary.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1223

*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 “Location Privacy Protection Act of 2011”.

**SEC. 2. DEFINITION.**

In this Act, the term “geolocation information” has the meaning given that term in section 2713 of title 18, United States Code, as added by this Act.

**SEC. 3. VOLUNTARY LOCATION TRACKING OF ELECTRONIC COMMUNICATIONS DEVICES.**

(a) IN GENERAL.—Chapter 121 of title 18, United States Code, is amended by adding at the end the following:

**“§ 2713. Voluntary location tracking of electronic communications devices**

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered entity’ means a nongovernmental individual or entity engaged in the business, in or affecting interstate or foreign commerce, of offering or providing a service to electronic communications devices, including, but not limited to, offering or providing electronic communication service, remote computing service, or geolocation information service;

“(2) the term ‘electronic communications device’ means any device that—

“(A) enables access to, or use of, an electronic communications system, electronic communication service, remote computing service, or geolocation information service; and

“(B) is designed or intended to be carried by or on the person of an individual or travel with the individual, including, but not limited to, a vehicle the individual drives;

“(3) the term ‘express authorization’ means express affirmative consent after receiving clear and prominent notice that—

“(A) is displayed by the electronic communications device, separate and apart from any final end user license agreement, privacy policy, terms of use page, or similar document; and

“(B) provides information regarding—

“(i) what geolocation information will be collected; and

“(ii) the specific nongovernmental entities to which the geolocation information may be disclosed;

“(4) the term ‘geolocation information’—

“(A) means any information—

“(i) concerning the location of an electronic communications device that is in whole or in part generated by or derived from the operation or use of the electronic communications device; and

“(ii) that may be used to identify or approximate the location of the electronic communications device or the individual that is using the device; and

“(B) does not include any temporarily assigned network address or Internet protocol address of the individual; and

“(5) the term ‘geolocation information service’ means the provision of a global positioning service or other mapping, locational, or directional information service.

“(b) COLLECTION OR DISCLOSURE OF GEOLOCATION INFORMATION TO OR BY NON-GOVERNMENTAL ENTITIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a covered entity may not knowingly collect, receive, record, obtain, or disclose to a nongovernmental individual or entity the geolocation information from an electronic communications device without the express authorization of the individual that is using the electronic communications device.

“(2) EXCEPTIONS.—A covered entity may knowingly collect, receive, record, obtain, or disclose to a nongovernmental individual or entity the geolocation information from an electronic communication device without the express authorization of the individual that is using the electronic communications device if the covered entity has a good faith belief that the collection, receipt, recording, obtaining, or disclosure is—

“(A) necessary to locate a minor child or provide fire, medical, public safety, or other emergency services;

“(B) for the sole purpose of transmitting the geolocation information to the individual or another authorized recipient, including another third party authorized under this subparagraph; or

“(C) expressly required by statute, regulation, or appropriate judicial process.

“(c) ANTI-CYBERSTALKING PROTECTION.—Not earlier than 24 hours, and not later than 7 days, after the time an individual provides express authorization to a covered entity providing a geolocation information service to the individual for the express purpose of authorizing disclosure of geolocation information relating to the individual to another individual, the covered entity shall provide the individual a verification displayed by the electronic communications device that informs the individual—

“(1) that geolocation information relating to the individual is being disclosed to another individual; and

“(2) how the individual may revoke consent to the collection, receipt, recording, obtaining, and disclosure of geolocation information relating to the individual.

“(d) CIVIL REMEDIES.—

“(1) ACTION BY ATTORNEY GENERAL OF THE UNITED STATES.—If the Attorney General of the United States has reasonable cause to believe that an individual or entity is violating this section, the Attorney General may bring a civil action in an appropriate United States district court.

“(2) ACTION BY STATE ATTORNEYS GENERAL.—If the attorney general of a State has reasonable cause to believe that an interest of the residents of the State has been or is threatened or adversely affected by a violation of this section, the attorney general of the State may bring a civil action on behalf of the residents of the State in an appropriate United States district court.

“(3) RIGHT OF ACTION.—Any individual aggrieved by any action of an individual or entity in violation of this section may bring a civil action in an appropriate United States district court.

“(4) PENDING PROCEEDINGS.—

“(A) FEDERAL ACTION.—If the Attorney General has brought a civil action alleging a violation of this section, an attorney general of a State or private person may not bring a civil action under this subsection against a defendant named in the civil action relating to a violation of this section that is alleged in the civil action while the civil action is pending.

“(B) STATE ACTION.—If the attorney general of a State has brought a civil action alleging a violation of this section, an individual may not bring a civil action under this subsection against a defendant named in the civil action for a violation of this section that is alleged in the civil action while the civil action is pending.

“(5) RELIEF.—In a civil action brought under this subsection, the court may award—

“(A) actual damages, but not less than damages in the amount of \$2,500;

“(B) punitive damages;

“(C) reasonable attorney’s fees and other litigation costs reasonably incurred; and

“(D) such other preliminary or equitable relief as the court determines to be appropriate.

“(6) PERIOD OF LIMITATIONS.—No civil action may be brought under this subsection unless such civil action is begun within 2 years from the date of the act complained of or the date of discovery.

“(7) LIMITATION ON LIABILITY.—A civil action may not be brought under this subsection relating to any collection, receipt, recording, obtaining, or disclosure of geolocation information that is authorized under any other provision of law or appropriate legal process.

“(e) EFFECTS ON OTHER LAW.—

“(1) IN GENERAL.—This section shall supersede a provision of the law of a State or political subdivision of a State that requires or allows collection or disclosure of geolocation information prohibited by this section.

“(2) COMMON CARRIERS AND CABLE SERVICES.—This section shall not apply to the activities of an individual or entity to the extent the activities are subject to section 222 or 631 of the Communications Act of 1934 (47 U.S.C. 222 and 551).”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 121 of title 18, United States Code, is amended—

(1) in the table of sections, by adding at the end the following:

“2713. Voluntary location tracking of electronic communications devices.”; and

(2) in section 2702—

(A) in subsection (b), by striking “A provider” and inserting “Except as provided under section 2713, a provider”; and

(B) in subsection (c), by striking “A provider” and inserting “Except as provided under section 2713, a provider”.

**SEC. 4. GEOLOCATION INFORMATION USED IN INTERSTATE DOMESTIC VIOLENCE OR STALKING.**

(a) IN GENERAL.—Chapter 110A of title 18, United States Code, is amended—

(1) by redesignating section 2266 as section 2267;

(2) by inserting after section 2265 the following:

**“§ 2266. Geolocation information used in interstate domestic violence or stalking**

“(a) OFFENSES; UNAUTHORIZED DISCLOSURE OF GEOLOCATION INFORMATION IN AID OF INTERSTATE DOMESTIC VIOLENCE OR STALKING.—A covered entity that—

“(1) knowingly and willfully discloses geolocation information about an individual to another individual;

“(2) knew that a violation of section 2261, 2261A, or 2262 would result from the disclosure; and

“(3) intends to aid in a violation of section 2261, 2261A, or 2262 as a result of the disclosure, shall be punished as provided in subsection (b).

“(b) PENALTIES.—A covered entity that violates subsection (a) shall be fined under this title, imprisoned for not more than 2 years, or both.”; and

(3) in section 2267, as so redesignated, by adding at the end the following:

“(11) COVERED ENTITY; GEOLOCATION INFORMATION.—The terms ‘covered entity’ and ‘geolocation information’ have the meanings given those terms in section 2713.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 10.—Section 1561a(b) of title 10, United States Code, is amended by striking “section 2266(5)” and inserting “section 2267(5)”.

(2) TITLE 18.—Title 18, United States Code, is amended—

(A) in section 1992(d)(14), by striking “section 2266” and inserting “section 2267”; and

(B) in chapter 110A—

(i) in the table of sections, by striking the item relating to section 2266 and inserting the following:

“2266 Geolocation information used in interstate domestic violence or stalking.

“2267. Definitions.”; and

(ii) in section 2261(b)(6), by striking “section 2266 of title 18, United States Code,” and inserting “section 2267”.

(3) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Section 2011(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-5(c)) is amended by striking “section 2266” and inserting “section 2267”.

**SEC. 5. SALE OF GEOLOCATION INFORMATION OF YOUNG CHILDREN.**

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) by inserting after section 2252C the following:

**“§ 2252D. Sale of geolocation information of young children**

“Any person who knowingly and willfully sells the geolocation information of not less than 1,000 children under 11 years of age shall be fined under this title, imprisoned for not more 2 years, or both.”; and

(2) in section 2256—

(A) in paragraph (8), by striking the period at the end and inserting a semicolon;

(B) in paragraph (9), by striking the period at the end and inserting a semicolon;

(C) in paragraph (10), by striking “and” at the end;

(D) in paragraph (11), by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following:

“(12) the term ‘geolocation information’ has the meaning given that term in section 2713.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2252C the following:

“2252D. Sale of geolocation information of young children.”

**SEC. 6. NATIONAL BASELINE STUDY OF USE OF GEOLOCATION DATA IN VIOLENCE AGAINST WOMEN.**

(a) IN GENERAL.—The National Institute of Justice, in consultation with the Office on Violence Against Women, shall conduct a national baseline study to examine the role of geolocation information in violence against women.

(b) SCOPE.—

(1) IN GENERAL.—The study conducted under subsection (a) shall examine the role that various new technologies that use geolocation information may have in the facilitation of domestic violence, dating violence, or stalking, including, but not limited to—

(A) global positioning system technology;

(B) smartphone mobile applications;

(C) in-car navigation devices; and

(D) geo-tagging technology.

(2) EVALUATION.—The study conducted under subsection (a) shall evaluate the effectiveness of the responses of Federal, State, tribal, and local law enforcement agencies to the conduct described in paragraph (1).

(3) RECOMMENDATIONS.—The study conducted under subsection (a) shall propose recommendations to improve the effectiveness of the responses of Federal, State, tribal, and local law enforcement agencies to the conduct described in paragraph (1).

(c) TASK FORCE.—

(1) IN GENERAL.—The Attorney General, acting through the Director of the Office on Violence Against Women, shall establish a task force to assist in the development and implementation of the study conducted under subsection (a) and guide implementation of the recommendations proposed under subsection (b)(3).

(2) MEMBERS.—The task force established under paragraph (1) shall include—

(A) representatives from—

(i) the National Institute of Standards and Technology; and

(ii) the Federal Trade Commission; and

(B) representatives appointed by the Director of the Office on Violence Against Women from—

(i) the offices of attorney generals of States;

(ii) national violence against women nonprofit organizations; and

(iii) the industries related to the technologies described in subsection (b)(1).

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to the Committee

on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes the results of the study conducted under subsection (a).

#### SEC. 7. GEOLOCATION CRIME REPORTING CENTER.

(a) IN GENERAL.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, and in conjunction with the Director of the Bureau of Justice Assistance, shall create a mechanism using the Internet Crime Complaint Center to register complaints of crimes the conduct of which was aided by use of geolocation information.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Attorney General, acting through the Director of the Federal Bureau of Investigation, and in conjunction with the Director of the Bureau of Justice Assistance, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) discusses the information obtained using the mechanism created under subsection (a);

(2) evaluates the potential risks that the widespread availability of geolocation information poses in increasing crimes against person and property;

(3) describes programs of State and municipal governments intended to reduce these risks; and

(4) makes recommendations on measures that could be undertaken by Congress to reduce or eliminate these risks.

#### SEC. 8. NATIONAL GEOLOCATION CURRICULUM DEVELOPMENT.

The Attorney General shall develop a national education curriculum for use by State and local law enforcement agencies, judicial educators, and victim service providers to ensure that all courts, victim advocates, and State and local law enforcement personnel have access to information about relevant laws, practices, procedures, and policies for investigating and prosecuting the misuse of geolocation information.

By Mr. DURBIN:

S. 1230. A bill to secure public investments in transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1230

*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 “Protecting Taxpayers in Transportation Asset Transfers Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ASSET TRANSACTION.—The term “asset transaction” means—

(A) a concession agreement for a public transportation asset; or

(B) a contract for the sale or lease of a public transportation asset between the State or local government with jurisdiction over the public transportation asset and a private individual or entity.

(2) CONCESSION AGREEMENT.—

(A) IN GENERAL.—The term “concession agreement” means an agreement entered into by a private individual or entity and a

State or local government with jurisdiction over a public transportation asset to convey to the private individual or entity the right to manage, operate, and maintain the public transportation asset for a specific period of time in exchange for the authorization to impose and collect a toll or other user fee from a person for each use of the public transportation asset during that period.

(B) EXCLUSION.—The term “concession agreement” does not include an agreement entered into by a State or local government and a private individual or entity for the construction of any new public transportation asset.

(3) PUBLIC TRANSPORTATION ASSET.—

(A) IN GENERAL.—The term “public transportation asset” means a transportation facility of any kind that was or is constructed, maintained, or upgraded before, on, or after the date of enactment of this Act using Federal funds—

(i) the fair market value of which is more than \$500,000,000, as determined by the Secretary; and

(ii) that has received any Federal funding, as of the date on which the determination is made;

(iii) the fair market value of which is less than or equal to \$500,000,000, as determined by the Secretary; and

(I) that has received \$25,000,000 or more in Federal funding, as of the date on which the determination is made; or

(II) in which a significant national public interest (such as interstate commerce, homeland security, public health, or the environment) is at stake, as determined by the Secretary.

(B) INCLUSIONS.—The term “public transportation asset” includes a transportation facility described in subparagraph (A) that is—

(i) a Federal-aid highway (as defined in section 101 of title 23, United States Code);

(ii) a highway or mass transit project constructed using amounts made available from the Highway Account or Mass Transit Account, respectively, of the Highway Trust Fund;

(iii) an air navigation facility (as defined in section 40102(a) of title 49, United States Code); or

(iv) a train station or multimodal station that receives a Federal grant, including any grant authorized under the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4907) or an amendment made by that Act.

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

#### SEC. 3. PROGRAM TO SECURE PUBLIC INVESTMENTS IN TRANSPORTATION INFRASTRUCTURE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program under which a Federal lien shall be attached to each public transportation asset.

(b) PROHIBITION ON SALES AND LEASES.—

(1) IN GENERAL.—A public transportation asset to which a lien is attached under subsection (a) may not be the subject of any asset transaction unless—

(A) the lien is released in accordance with paragraph (2);

(B)(i) the private individual or entity seeking the asset transaction enters into an agreement with the Secretary described in paragraph (3)(A)(i); and

(ii) the State or local government or other public sponsor seeking the asset transaction enters into an agreement with the Secretary described in paragraph (3)(A)(ii);

(C) the Secretary publishes a disclosure in accordance with paragraph (4); and

(D) the State or local government seeking the asset transaction provides for public no-

tice and an opportunity to comment on the proposed asset transaction.

(2) RELEASE OF LIENS.—

(A) IN GENERAL.—A lien on a public transportation asset described in paragraph (1) may be released only if—

(i) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset pays to the Secretary an amount determined by the Secretary under subparagraph (B); and

(ii) the Secretary certifies that the required agreements described in paragraph (3) have been signed, and the terms of the agreements incorporated into the terms of the asset transaction, for the public transportation asset.

(B) DETERMINATION OF REPAYMENT AMOUNT.—The Secretary shall determine the amount that is required to be paid for the release of a Federal lien on a public transportation asset under this paragraph, taking into account, at a minimum—

(i) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset;

(ii) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants;

(iii) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in clause (i) that may be offset by that depreciation; and

(iv) the loss of Federal tax revenue from bonds relating to, and the tax consequences of depreciation of, the public transportation asset.

(3) AGREEMENTS.—

(A) IN GENERAL.—As a condition of any new or renewed asset transaction for a public transportation asset—

(i) the private individual or entity seeking the asset transaction shall enter into an agreement with the Secretary, which shall be incorporated into the terms of the asset transaction, under which the private individual or entity agrees—

(I) to disclose and eliminate any conflict of interest involving any party to the agreement;

(II)(aa) to adequately maintain the condition and performance of the public transportation asset during the term of the asset transaction; and

(bb) on the end of the term of the asset transaction, to return the public transportation asset to the applicable State or local government in a state of good repair;

(III) to disclose an estimated amount of tax benefits and financing transactions over the life of the lease resulting from the lease or sale of the public transportation asset;

(IV) to disclose anticipated changes in the workforce and wages, benefits, or rules over the life of the lease and an estimate of the amount of savings from those changes; and

(V) to provide an estimate of the revenue the transportation asset will produce for the private entity during the lease or sale period; and

(ii) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset shall enter into an agreement with the Secretary, which shall be incorporated into the terms of the asset transaction, under which the State or local government or other public sponsor agrees—

(I) to pay to the Secretary the amount determined by the Secretary under paragraph (2)(B);

(II) to conduct an assessment of whether, and provide justification that, the asset transaction with the private entity would

represent a better public and financial benefit than a similar transaction using public funding or with a public (as opposed to private) entity, including an assessment of—

(aa) the loss of toll revenues and other user fees relating to the public transportation asset; and

(bb) any impacts on other public transportation assets in the vicinity of the public transportation asset covered by the asset transaction;

(III) that, if the private individual or entity enters into bankruptcy, becomes insolvent, or fails to comply with all terms and conditions of the asset transaction—

(aa) the asset transaction shall immediately terminate; and

(bb) the interest in the public transportation asset conveyed by the asset transaction will immediately revert to the public sponsor;

(IV) to provide an estimate of all increased tolls and other user fees that may be charged to persons using the public transportation asset during the term of the asset transaction;

(V) to disclose any plans the State or local government seeking the asset transaction has for up-front payments or concessions from the private individual or entity seeking the asset transaction;

(VI) that the Federal Government and the applicable State and local governments will retain respective authority and control over decisions regarding transportation planning and management; and

(VII) to prominently post or display the agreement on the website of the local government or public sponsor.

(B) TERM.—An agreement under this paragraph shall not exceed a reasonable term, as determined by the Secretary, in consultation with the relevant State or local government.

(4) PUBLICATION OF DISCLOSURE.—Not later than 90 days before the date on which an asset transaction covering a public transportation asset takes effect, the Secretary shall publish in the Federal Register a notice that contains—

(A) a copy of all agreements relating to the asset transaction between the Secretary and the public and private sponsors involved;

(B) a description of the total amount of Federal funds that have been expended as of the date of publication of the notice to construct, maintain, or upgrade the public transportation asset;

(C) the determination of the repayment amount under paragraph (2)(B) for the public transportation asset;

(D) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants; and

(E) a certification that the asset transaction will not adversely impact the national public interest of the United States (including the interstate commerce, homeland security, public health, and environment of the United States).

(5) RENEWAL OF ASSET TRANSACTION.—An asset transaction that expires or terminates may be renewed only if—

(A) the Secretary—

(i) calculates a new repayment amount under paragraph (2)(B) required for renewal, as the Secretary determines to be appropriate;

(ii) takes into consideration the impact of a renewed agreement on nearby public transportation assets; and

(iii) publishes a new disclosure for the renewed agreement in accordance with paragraph (4); and

(B) the State or local government seeking to renew the asset transaction—

(i) provides for public notice and an opportunity to comment on the proposed renewal;

(ii) pays to the Secretary the new amount calculated by the Secretary pursuant to subparagraph (A)(i); and

(iii) enters into a new agreement in accordance with paragraph (3) for the renewal.

(c) AMTRAK.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may permit a private individual or entity to enter into an asset transaction covering all or any portion of the facilities and equipment of the National Railroad Passenger Corporation (referred to in this subsection as “Amtrak”).

(2) CONDITIONS.—A private individual or entity that seeks to enter into an asset transaction described in paragraph (1) shall agree—

(A) to enter into an agreement described in subsection (b)(3) with the Secretary covering the asset transaction; and

(B) to pay to the Secretary an amount equal to the amount of Federal funds provided for Amtrak during the period of fiscal year 1971 through the fiscal year in which an agreement described in subsection (b)(3) covering the asset transaction is entered into, as adjusted by, as determined by the Secretary—

(i) the reasonable depreciation of the portion of Amtrak facilities and equipment covered by the agreement, including that amount of Federal funds provided for Amtrak that may be offset by that depreciation;

(ii) the amount of Federal funding received by a State or local government to upgrade any capital facilities owned or operated by Amtrak to facilitate passenger rail service; and

(iii) the loss of Federal tax revenue from bonds, Federal financing, or any tax advantages granted to Amtrak since fiscal year 1971, including financing and bonding covered by or provided under the Taxpayer Relief Act of 1997 (Public Law 105-34; 111 Stat. 788) or an amendment made by that Act.

(3) TERM, DISCLOSURE, AND RENEWAL.—Paragraphs (3)(B), (4), and (5) of subsection (b) shall apply to an asset transaction entered into under this subsection.

(d) USE OF FUNDS BY SECRETARY.—Funds received by the Secretary as a payment under paragraph (2)(A)(i) or (5)(B)(ii) of subsection (b) or subsection (c)(2)(B) shall be available to and used by the Secretary, without further appropriation and to remain available until expended, for transportation projects and activities in the same transportation mode as the mode of the public transportation asset for which the payment was received.

(e) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to implement this Act.

(f) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress and publish in the Federal Register a report that describes each public transportation asset that is the subject of an asset transaction during the year covered by the report, including the total amount of Federal funds that were received by a State or local government to construct, maintain, or upgrade the public transportation asset as of the date of submission of the report.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act such sums as are necessary.

#### SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be deter-

mined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 209—CONGRATULATING THE DALLAS MAVERICKS ON WINNING THE 2011 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted the following resolution; which was considered and agreed to:

S. RES. 209

Whereas the Dallas Mavericks finished the 2010-11 National Basketball Association (NBA) season with a 57-25 record;

Whereas, during the 2011 NBA Playoffs, the Mavericks defeated the Portland Trailblazers, Los Angeles Lakers, Oklahoma City Thunder, and Miami Heat en route to the NBA Championship;

Whereas the Mavericks epitomized a “never say die” attitude during the 2011 NBA Finals, overcoming losses in games 1 and 3 of the NBA Finals with thrilling fourth quarter comebacks in games 2, 4, and 5 to take a 3-2 series lead;

Whereas, on June 12, 2011, the Mavericks won the 2011 NBA Championship in 6 games over the Miami Heat;

Whereas the Mavericks owner Mark Cuban never wavered in his commitment to bring an NBA championship to Dallas, fulfilling the vision of founding owner Don Carter and past owner Ross Perot, Jr.;

Whereas the President of Basketball Operations and General Manager Donnie Nelson built a team complete with depth, versatility, and humility;

Whereas third-year Head Coach Rick Carlisle and his assistants helped transform the Mavericks from a perennial playoff contender into the NBA’s best;

Whereas Dirk Nowitzki, who has spent his entire 13-year career with the Mavericks, overcame injury and illness to average 26 points and 9.6 rebounds per game during the NBA Finals, earning the NBA Finals Most Valuable Player Award;

Whereas longtime Mavericks guard Jason Terry scored a game high 27 points in game 6 to carry the Mavericks to the championship;

Whereas 17-year NBA veteran Jason Kidd set the tone for the Mavericks’ success through his patient, calm, and disciplined leadership;

Whereas Shawn Marion, Tyson Chandler, DeShawn Stevenson, and Jose Juan “J.J.” Barea provided balance on offense and defense to help pave the way to the championship;

Whereas the Mavericks bench was pivotal to the team’s championship, with valuable contributions being made by the entire roster, including guard Rodrigue Beaubois, forward Corey Brewer, forward Caron Butler, forward Brian Cardinal, center Brendan Haywood, guard Dominique Jones, center Ian Mahinmi, and forward Peja Stojakovic; and

Whereas the Mavericks gave the city of Dallas its first NBA Championship, a unique and special accomplishment for Mavericks fans throughout the Dallas/Fort Worth Metroplex and around the world: Now, therefore, be it



*Resolved*, That the Senate—

(1) congratulates the Dallas Mavericks for their outstanding heart, resolve, and determination in winning the 2011 National Basketball Association Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Mavericks head coach Rick Carlisle;

(B) Mavericks general manager Donnie Nelson; and

(C) Mavericks owner Mark Cuban.

#### SENATE RESOLUTION 210—CONGRATULATING THE BOSTON BRUINS FOR WINNING THE 2011 STANLEY CUP CHAMPIONSHIP

Mr. BROWN of Massachusetts (for himself, Mr. KERRY, Ms. SNOWE, Ms. COLLINS, Mrs. SHAHEEN, Ms. AYOTTE, Mr. REED of Rhode Island, Mr. WHITEHOUSE, and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas on Wednesday, June 15, 2011, the Boston Bruins, the oldest National Hockey League (NHL) franchise in the United States, brought the Stanley Cup back to Boston for the first time in 39 years;

Whereas to accomplish this feat, the Bruins defeated the Vancouver Canucks, the team with the best record in the NHL during the regular season, in Game 7 of the Stanley Cup Finals;

Whereas the Bruins became the first team in NHL history to win 3 deciding Game 7's during a single playoff run and twice came back from 0-2 series deficits;

Whereas Bruins goaltender Tim Thomas won the Conn Smythe trophy, which is awarded to the player deemed most valuable to his team during the Stanley Cup playoffs;

Whereas Tim Thomas shut out the Canucks in the deciding game of the Finals, and allowed only 8 goals over the 7 game series;

Whereas Bruins rookie Brad Marchand scored 11 goals in the playoffs, setting a team record for playoff goals by a rookie, and tying for the second-most playoff goals by a rookie in NHL history;

Whereas Bruins right wing Mark Recchi hoisted his third Stanley Cup, and is retiring as a champion after 1,652 NHL regular-season games and 190 playoff games;

Whereas Bruins captain Zdeno Chara, at 6 feet, 9 inches tall, lifted the Stanley Cup as high above the ice as it has ever been lifted;

Whereas Bruins General Manager Peter Chiarelli made key trades near the trade deadline to put the Bruins in a position for a Stanley Cup run, acquiring Tomas Kaberle, Rich Peverley, and Chris Kelly; and

Whereas Bruins Head Coach Claude Julien ensured that the Bruins played and won as a team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Boston Bruins for winning the 2011 Stanley Cup Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Head Coach Claude Julien;

(B) President and former Bruins All-Star Cam Neely; and

(C) General Manager Peter Chiarelli.

#### SENATE RESOLUTION 211—OBSERVING THE HISTORICAL SIGNIFICANCE OF JUNETEENTH INDEPENDENCE DAY

Mr. LEVIN (for himself, Mrs. HUTCHISON, Ms. LANDRIEU, Mr. COCHRAN, Mr. CARDIN, Mr. CORNYN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. UDALL of Colorado, Mr. BEGICH, Ms. MIKULSKI, Mr. DURBIN, Mr. BROWN of Ohio, Mr. AKAKA, Ms. STABENOW, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 211

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Lincoln's Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas with news that the Civil War had ended and that the enslaved were free;

Whereas African-Americans who had been slaves in the Southwest celebrated June 19th, commonly known as "Juneteenth Independence Day", as the anniversary of their emancipation;

Whereas African-Americans from the Southwest continue the tradition of celebrating Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas, for more than 145 years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas the faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

*Resolved*, That—

(1) the Senate—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of the Senate that—

(A) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

(B) history should be regarded as a means for understanding the past and solving the challenges of the future.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 477. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 478. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 479. Mr. DEMINT (for himself, Mr. VITTER, Mr. HATCH, and Mr. CORNYN) sub-

mitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 480. Mr. GRASSLEY (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 481. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 482. Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 483. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 484. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

SA 485. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 477. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike lines 1 through 6 and insert the following:

(A) in subparagraph (D), by inserting “, with the goal that at least 1 university center is to be established in each State” after “centers”;

(B) in subparagraph (H), by striking “and” at the end;

(C) by redesignating subparagraph (I) as subparagraph (J); and

(D) by inserting after subparagraph (H) the following:

SA 478. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 12, strike the quotation marks and the following period and insert the following:

“(8) PHASE-OUT OF FEDERAL INTEREST.—

“(A) IN GENERAL.—The Secretary shall release any Federal interest in property and income in connection with a grant made from revolving loan funds after the original grant has been fully disbursed and recaptured by the grant recipient at least once if the recipient, as determined by the Secretary—

“(i) retains the grant funds for the overall economic development advancement of the service delivery area; and

“(ii) continues to comply with section 602.

“(B) APPLICABILITY.—This paragraph shall apply to property and income assisted or generated through provision of a grant from revolving loan funds before, on, or after the date of enactment of this paragraph.”

SA 479. Mr. DEMINT (for himself, Mr. VITTER, Mr. HATCH, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 782, to

amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REPEAL OF AUTHORITY TO PROVIDE CERTAIN LOANS TO THE INTERNATIONAL MONETARY FUND, THE INCREASE IN THE UNITED STATES QUOTA, AND CERTAIN OTHER AUTHORITIES, AND RESCISSION OF RELATED APPROPRIATED AMOUNTS.**

(a) REPEAL OF AUTHORITIES.—The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended—

(1) in section 17—  
(A) in subsection (a)—  
(i) by striking “(1) In order” and inserting “In order”; and

(ii) by striking paragraphs (2), (3), and (4); and

(B) in subsection (b)—  
(i) by striking “(1) For the purpose” and inserting “For the purpose”;  
(ii) by striking “subsection (a)(1)” and inserting “subsection (a)”; and

(iii) by striking paragraph (2);  
(2) by striking sections 64, 65, 66, and 67; and

(3) by redesignating section 68 as section 64.

(b) RESCISSION OF AMOUNTS.—

(1) IN GENERAL.—The unobligated balance of the amounts specified in paragraph (2)—

(A) is rescinded;  
(B) shall be deposited in the General Fund of the Treasury to be dedicated for the sole purpose of deficit reduction; and

(C) may not be used as an offset for other spending increases or revenue reductions.

(2) AMOUNTS SPECIFIED.—The amounts specified in this paragraph are the amounts appropriated under the heading “UNITED STATES QUOTA, INTERNATIONAL MONETARY FUND”, and under the heading “LOANS TO INTERNATIONAL MONETARY FUND”, under the heading “INTERNATIONAL MONETARY PROGRAMS” under the heading “INTERNATIONAL ASSISTANCE PROGRAMS” in title XIV of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1916).

**SA 480.** Mr. GRASSLEY (for himself and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, add the following:  
**SEC. 2 . PAYMENT LIMITATIONS.**

(a) IN GENERAL.—Section 1001 of the Food Security of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following:

“(3) LEGAL ENTITY.—

“(A) IN GENERAL.—The term ‘legal entity’ means—

“(i) an organization that (subject to the requirements of this section and section 1001A) is eligible to receive a payment under a provision of law referred to in subsection (b), (c), or (d);

“(ii) a corporation, joint stock company, association, limited partnership, limited liability company, limited liability partnership, charitable organization, estate, irrevocable trust, grantor of a revocable trust, or other similar entity (as determined by the Secretary); and

“(iii) an organization that is participating in a farming operation as a partner in a gen-

eral partnership or as a participant in a joint venture.

“(B) EXCLUSION.—The term ‘legal entity’ does not include a general partnership or joint venture.”;

(2) in subsection (b)—

(A) in paragraphs (1), (2), and (3), by striking “(except a joint venture or a general partnership)” each place it appears;

(B) in paragraph (1)(A), by striking “\$40,000” and inserting “\$20,000”; and

(C) in paragraphs (2) and (3)(A), by striking “\$65,000” each place it appears and inserting “\$30,000”;

(3) in subsection (c)—

(A) in paragraphs (1), (2), and (3), by striking “(except a joint venture or a general partnership)” each place it appears;

(B) in paragraph (1)(A), by striking “\$40,000” and inserting “\$20,000”; and

(C) in paragraphs (2) and (3)(A), by striking “\$65,000” each place it appears and inserting “\$30,000”;

(4) by striking subsection (d) and inserting the following:

“(d) LIMITATIONS ON MARKETING LOAN GAINS, LOAN DEFICIENCY PAYMENTS, AND COMMODITY CERTIFICATE TRANSACTIONS.—The total amount of the following gains and payments that a person or legal entity may receive during any crop year may not exceed \$75,000:

“(1)(A) Any gain realized by a producer from repaying a marketing assistance loan for 1 or more loan commodities and peanuts under subtitle B or C of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731 et seq.) at a lower level than the original loan rate established for the loan commodity under those subtitles.

“(B) In the case of settlement of a marketing assistance loan for 1 or more loan commodities and peanuts under those subtitles by forfeiture, the amount by which the loan amount exceeds the repayment amount for the loan if the loan had been settled by repayment instead of forfeiture.

“(2) Any loan deficiency payments received for 1 or more loan commodities and peanuts under those subtitles.

“(3) Any gain realized from the use of a commodity certificate issued by the Commodity Credit Corporation for 1 or more loan commodities and peanuts, as determined by the Secretary, including the use of a certificate for the settlement of a marketing assistance loan made under those subtitles or section 1307 of that Act (7 U.S.C. 7957).”;

(5) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively;

(6) by inserting after subsection (d) the following:

“(e) SPOUSAL EQUITY.—

“(1) IN GENERAL.—Notwithstanding subsections (b) through (d), except as provided in paragraph (2), if a person and the spouse of the person are covered by paragraph (2) and receive, directly or indirectly, any payment or gain covered by this section, the total amount of payments or gains (as applicable) covered by this section that the person and spouse may jointly receive during any crop year may not exceed an amount equal to twice the applicable dollar amounts specified in subsections (b), (c), and (d).

“(2) EXCEPTIONS.—

“(A) SEPARATE FARMING OPERATIONS.—In the case of a married couple in which each spouse, before the marriage, was separately engaged in an unrelated farming operation, each spouse shall be treated as a separate person with respect to a farming operation brought into the marriage by a spouse, subject to the condition that the farming operation shall remain a separate farming operation, as determined by the Secretary.

“(B) ELECTION TO RECEIVE SEPARATE PAYMENTS.—A married couple may elect to receive payments separately in the name of each spouse if the total amount of payments and benefits described in subsections (b), (c), and (d) that the married couple receives, directly or indirectly, does not exceed an amount equal to twice the applicable dollar amounts specified in those subsections.”;

(7) in paragraph (3)(B) of subsection (g) (as redesignated by paragraph (5)), by adding at the end the following:

“(iii) IRREVOCABLE TRUSTS.—In promulgating regulations to define the term ‘legal entity’ as the term applies to irrevocable trusts, the Secretary shall ensure that irrevocable trusts are legitimate entities that have not been created for the purpose of avoiding a payment limitation.”; and

(8) in subsection (i) (as redesignated by paragraph (5)), in the second sentence, by striking “or other entity” and inserting “or legal entity”.

(b) SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.—The Food Security Act of 1985 is amended by striking section 1001A (7 U.S.C. 1308-1) and inserting the following:

**“SEC. 1001A. SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.**

“(a) SUBSTANTIVE CHANGE.—

“(1) IN GENERAL.—For purposes of the application of limitations under this section, the Secretary shall not approve any change in a farming operation that otherwise would increase the number of persons or legal entities to which the limitations under this section apply, unless the Secretary determines that the change is bona fide and substantive.

“(2) FAMILY MEMBERS.—For the purpose of paragraph (1), the addition of a family member to a farming operation under the criteria established under subsection (b)(3)(B) shall be considered to be a bona fide and substantive change in the farming operation.

“(3) PRIMARY CONTROL.—To prevent a farm from reorganizing in a manner that is inconsistent with the purposes of this Act, the Secretary shall promulgate such regulations as the Secretary determines to be necessary to simultaneously attribute payments for a farming operation to more than 1 person or legal entity, including the person or legal entity that exercises primary control over the farming operation, including to respond to—

“(A)(i) any instance in which ownership of a farming operation is transferred to a person or legal entity under an arrangement that provides for the sale or exchange of any asset or ownership interest in 1 or more legal entities at less than fair market value; and

“(ii) the transferor is provided preferential rights to repurchase the asset or interest at less than fair market value; or

“(B) a sale or exchange of any asset or ownership interest in 1 or more legal entities under an arrangement under which rights to exercise control over the asset or interest are retained, directly or indirectly, by the transferor.

“(b) PAYMENTS LIMITED TO ACTIVE FARMERS.—

“(1) IN GENERAL.—To be eligible to receive, directly or indirectly, payments or benefits described as being subject to limitation in subsection (b) through (d) of section 1001 with respect to a particular farming operation, a person or legal entity shall be actively engaged in farming with respect to the farming operation, in accordance with paragraphs (2), (3), and (4).

“(2) GENERAL CLASSES ACTIVELY ENGAGED IN FARMING.—



“(A) DEFINITION OF ACTIVE PERSONAL MANAGEMENT.—In this paragraph, the term ‘active personal management’ means, with respect to a person, administrative duties carried out by the person for a farming operation—

“(i) that are personally provided by the person on a regular, continuous, and substantial basis; and

“(ii) relating to the supervision and direction of—

“(I) activities and labor involved in the farming operation; and

“(II) onsite services directly related and necessary to the farming operation.

“(B) ACTIVE ENGAGEMENT.—Except as provided in paragraph (3), for purposes of paragraph (1), the following shall apply:

“(i) A person shall be considered to be actively engaged in farming with respect to a farming operation if—

“(I) the person makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of—

“(aa) capital, equipment, or land; and

“(bb) personal labor and active personal management;

“(II) the share of the person of the profits or losses from the farming operation is commensurate with the contributions of the person to the operation; and

“(III) a contribution of the person is at risk.

“(ii) A legal entity shall be considered to be actively engaged in farming with respect to a farming operation if—

“(I) the legal entity makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of capital, equipment, or land;

“(II)(aa) the stockholders or members that collectively own at least 51 percent of the combined beneficial interest in the legal entity each make a significant contribution of personal labor and active personal management to the operation; or

“(bb) in the case of a legal entity in which all of the beneficial interests are held by family members, any stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) who owns at least 10 percent of the beneficial interest in the legal entity makes a significant contribution of personal labor or active personal management; and

“(III) the legal entity meets the requirements of subclauses (II) and (III) of clause (i).

“(C) LEGAL ENTITIES MAKING SIGNIFICANT CONTRIBUTIONS.—If a general partnership, joint venture, or similar entity (as determined by the Secretary) separately makes a significant contribution (based on the total value of the farming operation involved) of capital, equipment, or land, the partners or members making a significant contribution of personal labor or active personal management and meeting the standards provided in subclauses (II) and (III) of subparagraph (B)(i) shall be considered to be actively engaged in farming with respect to the farming operation involved.

“(D) EQUIPMENT AND PERSONAL LABOR.—In making determinations under this subsection regarding equipment and personal labor, the Secretary shall take into consideration the equipment and personal labor normally and customarily provided by farm operators in the area involved to produce program crops.

“(E) SIGNIFICANT CONTRIBUTION OF PERSONAL LABOR OR ACTIVE PERSONAL MANAGEMENT.—

“(i) IN GENERAL.—Subject to clause (ii), for purposes of subparagraph (B), a person shall be considered to be providing, on behalf of

the person or a legal entity, a significant contribution of personal labor and active personal management, if the total contribution of personal labor and active personal management is at least equal to the lesser of—

“(I) 1,000 hours; and

“(II) a period of time equal to—

“(aa) 50 percent of the commensurate share of the total number of hours of personal labor and active personal management required to conduct the farming operation; or

“(bb) in the case of a stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) that owns at least 10 percent of the beneficial interest in a legal entity in which all of the beneficial interests are held by family members who do not collectively receive payments directly or indirectly, including payments received by spouses, of more than twice the applicable limit, 50 percent of the commensurate share of hours of the personal labor and active personal management of all family members required to conduct the farming operation.

“(ii) MINIMUM LABOR HOURS.—For the purpose of clause (i), the minimum number of labor hours required to produce a commodity shall be equal to the number of hours that would be necessary to conduct a farming operation for the production of each commodity that is comparable in size to the commensurate share of a person or legal entity in the farming operation for the production of the commodity, based on the minimum number of hours per acre required to produce the commodity in the State in which the farming operation is located, as determined by the Secretary.

“(3) SPECIAL CLASSES ACTIVELY ENGAGED IN FARMING.—Notwithstanding paragraph (2), the following persons shall be considered to be actively engaged in farming with respect to a farm operation:

“(A) LANDOWNERS.—A person or legal entity that is a landowner contributing owned land, and that meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), if, as determined by the Secretary—

“(i) the landowner share-rents the land at a rate that is usual and customary; and

“(ii) the share received by the landowner is commensurate with the share of the crop or income received as rent.

“(B) FAMILY MEMBERS.—With respect to a farming operation conducted by persons who are family members, or a legal entity the majority of the stockholders or members of which are family members, an adult family member who makes a significant contribution (based on the total value of the farming operation) of active personal management or personal labor and, with respect to such contribution, who meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i).

“(C) SHARECROPPERS.—A sharecropper who makes a significant contribution of personal labor to the farming operation and, with respect to such contribution, who meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), and who was receiving payments from the landowner as a sharecropper prior to the effective date of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651).

“(4) PERSONS AND LEGAL ENTITIES NOT ACTIVELY ENGAGED IN FARMING.—For the purposes of paragraph (1), except as provided in paragraph (3), the following persons and legal entities shall not be considered to be actively engaged in farming with respect to a farm operation:

“(A) LANDLORDS.—A landlord contributing land to the farming operation if the landlord receives cash rent, or a crop share guaran-

teed as to the amount of the commodity to be paid in rent, for such use of the land.

“(B) OTHER PERSONS AND LEGAL ENTITIES.—Any other person or legal entity, or class of persons or legal entities, that fails to meet the requirements of paragraphs (2) and (3), as determined by the Secretary.

“(5) PERSONAL LABOR AND ACTIVE PERSONAL MANAGEMENT.—No stockholder or member may provide personal labor or active personal management to meet the requirements of this subsection for persons or legal entities that collectively receive, directly or indirectly, an amount equal to more than twice the applicable limits under subsections (b), (c), and (d) of section 1001.

“(6) CUSTOM FARMING SERVICES.—A person or legal entity receiving custom farming services will be considered separately eligible for payment limitation purposes if the person or legal entity is actively engaged in farming based on paragraphs (1) through (3).

“(7) GROWERS OF HYBRID SEED.—To determine whether a person or legal entity growing hybrid seed under contract shall be considered to be actively engaged in farming, the Secretary shall not take into consideration the existence of a hybrid seed contract.

“(C) NOTIFICATION BY LEGAL ENTITIES.—To facilitate the administration of this section, each legal entity that receives payments or benefits described as being subject to limitation in subsection (b), (c), or (d) of section 1001 with respect to a particular farming operation shall—

“(1) notify each person or other legal entity that acquires or holds a beneficial interest in the farming operation of the requirements and limitations under this section; and

“(2) provide to the Secretary, at such times and in such manner as the Secretary may require, the name and social security number of each person, or the name and taxpayer identification number of each legal entity, that holds or acquires such a beneficial interest.”

(c) FOREIGN PERSONS AND LEGAL ENTITIES MADE INELIGIBLE FOR PROGRAM BENEFITS.—Section 1001C of the Food Security Act of 1985 (7 U.S.C. 1308-3) is amended—

(1) in the section heading, by striking “PERSONS” and inserting “PERSONS AND LEGAL ENTITIES”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “CORPORATION OR OTHER” and inserting “LEGAL”;

(B) in the first sentence, by striking “a corporation or other entity shall be considered a person that” and inserting “a legal entity”;

(C) in the second sentence, by striking “an entity” and inserting “a legal entity”;

(3) in subsection (c), by striking “person” and inserting “legal entity or person”.

(d) REGULATIONS.—

(1) IN GENERAL.—The Secretary of Agriculture may promulgate such regulations as are necessary to implement this section and the amendments made by this section.

(2) PROCEDURE.—The promulgation of the regulations and administration of this section and the amendments made by this section shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(C) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided

under section 808 of title 5, United States Code.

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

**SA 481.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike lines 23 and 24 and insert the following:

force, or Department of Energy defense-related or other defense-related funding reductions, or funding reductions for government entities on property deeded from military bases, for help in—

**SA 482.** Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . SENSE OF THE SENATE REGARDING USE OF SAVINGS RESULTING FROM REPEAL OF VEETC.**

It is the sense of the Senate that the savings from the repeal of the Volumetric Ethanol Excise Tax Credit should be directed to—

(1) reducing the Federal deficit; and  
(2) extending for 5 years the Federal tax credits for advanced biofuels (as defined by the Renewable Fuel Standard under the Energy Independence and Security Act of 2007).

**SA 483.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

On page 76, after line 6, add the following:  
**SEC. 6. RESCISSION OF UNOBLIGATED APPROPRIATIONS.**

(a) **IN GENERAL.**—Of the unobligated amounts appropriated for high-speed rail projects under title XII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and title I of division A of the Consolidated Appropriations Act, 2010 (Public Law 111-117), \$2,400,000,000 is rescinded.

(b) **DEFICIT REDUCTION.**—All amounts rescinded under subsection (a) shall be used to reduce the public debt of the United States.

**SA 484.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**SEC. 6. BUDGET OF THE UNITED STATES GOVERNMENT.**

(a) **PROHIBITION ON PRINTING THE BUDGET OF THE UNITED STATES GOVERNMENT.**—

(1) **IN GENERAL.**—Chapter 13 of title 44, United States Code, is amended by adding at the end the following:

**“§ 1345. Prohibition on printing of the budget of the United States Government**

“The Government Printing Office shall not print the budget of the United States Government described under section 1105 of title 31, United States Code.”.

(2) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 13 of title 44, United States Code, is amended by adding after the item relating to section 1344 the following:

“Sec. 1345. Prohibition on printing of the budget of the United States Government.”.

(b) **ELECTRONIC AVAILABILITY.**—The Office of Management and Budget shall make the budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, available—

(1) to the public on the website of the Office of Management and Budget; and

(2) in a format which enables the budget to be downloaded and printed by users of the website.

**SA 485.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON PRINTING THE CONGRESSIONAL RECORD.**

(a) **PROHIBITION ON PRINTING.**—

(1) **IN GENERAL.**—Chapter 9 of title 44, United States Code, is amended by striking section 903 and inserting the following:

**“§ 903. Congressional Record: daily and permanent forms**

“(a) **IN GENERAL.**—The public proceedings of each House of Congress as reported by the Official Reporters, shall be included in the Congressional Record, which shall be issued in daily form during each session and shall be revised and made electronically available promptly, as directed by the Joint Committee on Printing, for distribution during and after the close of each session of Congress. The daily and the permanent Record shall bear the same date, which shall be that of the actual day’s proceedings reported. The Government Printing Office shall not print the Congressional Record.

“(b) **ELECTRONIC AVAILABILITY.**—

“(1) **GOVERNMENT PRINTING OFFICE.**—The Government Printing Office shall make the Congressional Record available to the Secretary of the Senate and the Chief Administrative Officer of the House of Representatives in an electronic form in a timely manner to ensure the implementation of subsection (a).

“(2) **WEBSITE.**—The Secretary of the Senate and the Chief Administrative Officer of the House of Representatives shall make the Congressional Record available—

“(A) to the public on the websites of the Secretary of the Senate and the Chief Administrative Officer of the House of Representatives; and

“(B) in a format which enables the Congressional Record to be downloaded and printed by users of the website.”.

(b) **CONGRESSIONAL RECORD.**—

(1) **IN GENERAL.**—Chapter 9 of title 44, United States Code, is amended—

(A) in section 905, in the first sentence, by striking “printing” and inserting “inclusion”; and

(B) by striking sections 906, 909, and 910.

(2) **TECHNICAL AND CONFORMING AMENDMENTS.**—The table of sections for chapter 9 of title 44, United States Code, is amended by striking the items relating to sections 906, 909, and 910.

## NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet on Thursday, June 23, 2011, at 10 a.m. to conduct a hearing entitled “Stories from the Kitchen Table: How Middle Class Families are Struggling to Make Ends Meet.”

For further information regarding this hearing, please contact Zach Schechter Steinberg on (202) 224-5441.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 16, 2011, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 16, 2011, at 10:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate June 16, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “Finding Our Way Home: Achieving the Policy Goals of NAGPRA.”

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m., in SD-192 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

COMMITTEE ON SMALL BUSINESS AND  
ENTREPRENEURSHIP

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m. to conduct a hearing entitled "An Examination of SBA Programs: Eliminating Inefficiencies, Duplications, Fraud and Abuse."

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 16, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR  
SAFETY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works and the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on June 16, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, "Oversight Hearing: The Nuclear Regulatory Commission's Preliminary Results of the Nuclear Safety Review in the United States Following the Emergency at the Fukushima Daiichi Power Plant in Japan."

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Katy Jones, Caitlin Lawrence, and Jean Fleming of my staff be granted the privilege of the floor during today's session.

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

CONGRATULATING THE DALLAS  
MAVERICKS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 209, which was submitted earlier today.

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

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 209) congratulating the Dallas Mavericks on winning the 2011 National Basketball Association Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 209) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 209

Whereas the Dallas Mavericks finished the 2010–11 National Basketball Association (NBA) season with a 57–25 record;

Whereas, during the 2011 NBA Playoffs, the Mavericks defeated the Portland Trail Blazers, Los Angeles Lakers, Oklahoma City Thunder, and Miami Heat en route to the NBA Championship;

Whereas the Mavericks epitomized a "never say die" attitude during the 2011 NBA Finals, overcoming losses in games 1 and 3 of the NBA Finals with thrilling fourth quarter comebacks in games 2, 4, and 5 to take a 3–2 series lead;

Whereas, on June 12, 2011, the Mavericks won the 2011 NBA Championship in 6 games over the Miami Heat;

Whereas the Mavericks owner Mark Cuban never wavered in his commitment to bring an NBA championship to Dallas, fulfilling the vision of founding owner Don Carter and past owner Ross Perot, Jr.;

Whereas the President of Basketball Operations and General Manager Donnie Nelson built a team complete with depth, versatility, and humility;

Whereas third-year Head Coach Rick Carlisle and his assistants helped transform the Mavericks from a perennial playoff contender into the NBA's best;

Whereas Dirk Nowitzki, who has spent his entire 13-year career with the Mavericks, overcame injury and illness to average 26 points and 9.6 rebounds per game during the NBA Finals, earning the NBA Finals Most Valuable Player Award;

Whereas longtime Mavericks guard Jason Terry scored a game high 27 points in game 6 to carry the Mavericks to the championship;

Whereas 17-year NBA veteran Jason Kidd set the tone for the Mavericks' success through his patient, calm, and disciplined leadership;

Whereas Shawn Marion, Tyson Chandler, DeShawn Stevenson, and Jose Juan "J.J." Barea provided balance on offense and defense to help pave the way to the championship;

Whereas the Mavericks bench was pivotal to the team's championship, with valuable contributions being made by the entire roster, including guard Rodrigue Beaubois, forward Corey Brewer, forward Caron Butler, forward Brian Cardinal, center Brendan Haywood, guard Dominique Jones, center Ian Mahinmi, and forward Peja Stojakovic; and

Whereas the Mavericks gave the city of Dallas its first NBA Championship, a unique and special accomplishment for Mavericks fans throughout the Dallas/Fort Worth Metroplex and around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Dallas Mavericks for their outstanding heart, resolve, and determination in winning the 2011 National Basketball Association Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Mavericks head coach Rick Carlisle;

(B) Mavericks general manager Donnie Nelson; and

(C) Mavericks owner Mark Cuban.

CONGRATULATING THE BOSTON  
BRUINS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent—with considerable happiness and pride—that the Sen-

ate now proceed to the consideration of S. Res. 210, celebrating the Boston Bruins' victory, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 210) congratulating the Boston Bruins for winning the 2011 Stanley Cup Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, it would be unimaginable there be objection to such good news.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 210) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 210

Whereas on Wednesday, June 15, 2011, the Boston Bruins, the oldest National Hockey League (NHL) franchise in the United States, brought the Stanley Cup back to Boston for the first time in 39 years;

Whereas to accomplish this feat, the Bruins defeated the Vancouver Canucks, the team with the best record in the NHL during the regular season, in Game 7 of the Stanley Cup Finals;

Whereas the Bruins became the first team in NHL history to win 3 deciding Game 7's during a single playoff run and twice came back from 0–2 series deficits;

Whereas Bruins goaltender Tim Thomas won the Conn Smythe trophy, which is awarded to the player deemed most valuable to his team during the Stanley Cup playoffs;

Whereas Tim Thomas shut out the Canucks in the deciding game of the Finals, and allowed only 8 goals over the 7 game series;

Whereas Bruins rookie Brad Marchand scored 11 goals in the playoffs, setting a team record for playoff goals by a rookie, and tying for the second-most playoff goals by a rookie in NHL history;

Whereas Bruins right wing Mark Recchi hoisted his third Stanley Cup, and is retiring as a champion after 1,652 NHL regular-season games and 190 playoff games;

Whereas Bruins captain Zdeno Chara, at 6 feet, 9 inches tall, lifted the Stanley Cup as high above the ice as it has ever been lifted;

Whereas Bruins General Manager Peter Chiarelli made key trades near the trade deadline to put the Bruins in a position for a Stanley Cup run, acquiring Tomas Kaberle, Rich Peverley, and Chris Kelly; and

Whereas Bruins Head Coach Claude Julien ensured that the Bruins played and won as a team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Boston Bruins for winning the 2011 Stanley Cup Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Head Coach Claude Julien;

(B) President and former Bruins All-Star Cam Neely; and

(C) General Manager Peter Chiarelli;

ORDERS FOR MONDAY, JUNE 20, 2011

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 2 p.m. on Monday, June 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; and that the filing deadline for first-degree amendments to S. 782, the Economic Development Revitalization Act, be 3:30 p.m. on Monday, June 20.

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

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am advised there will be no rollcall votes on Monday. The next rollcall vote will begin at approximately noon on Tuesday, June 21, on confirmation of the Simon nomination.

RECESS UNTIL MONDAY, JUNE 20, 2011, AT 2 P.M.

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 5:37 p.m., recessed until Monday, June 20, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

JOHN EDGAR BRYSON, OF CALIFORNIA, TO BE SECRETARY OF COMMERCE, VICE GARY LOCKE.

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

*To be surgeon*

MARY J. W. CHOI

*To be dental officer*

BROOKS B. HORAN

*To be senior assistant dental officer*

ETHAN F. HIGSON

*To be assistant dental officer*

TIARA L. APPLEQUIST  
TIMOTHY B. HOUSE  
CARA B. SCHRINER  
LAUREN B. SIMS  
MEREDITH A. SNYDER

*To be nurse officer*

PATINA S. WALTON-GEER

*To be assistant nurse officer*

MICHELLE A. KRAYER  
HEIDI M. SABOL

*To be junior assistant nurse officer*

KENIA P. ALTAMIRANO  
SHANNON C. BEST  
REBECCA M. KIBEL  
TIMOTHY N. ONSERIO  
HERBERT P. PARTSCH  
JUSTIN R. PLOTT

BRANDY TORRES

*To be junior assistant health services officer*

JAREN T. MELDRUM  
CHRISTOPHER P. MORRIS

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. STANLEY E. CLARKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. PAUL J. SELVA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. WILLIAM M. FRASER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. TERRENCE A. FEEHAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MICHAEL T. FLYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DANIEL P. BOLGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JOHN F. CAMPBELL

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. JAMES K. BROWN, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. ANTONIO J. VICENS-GONZALEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COLONEL JON S. LEHR  
COLONEL TIMOTHY P. MCGUIRE  
COLONEL BURDETT K. THOMPSON

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) EARL L. GAY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JEFFREY B. WARNER

*To be major*

GARY S. WOLLAM

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

*To be lieutenant colonel*

KARYN L. ARMSTRONG

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

*To be major*

JODI L. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

JAYME M. SUTTON

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

ROBERT HWANG

*To be major*

ANTHONY C. KIGHT

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

FARRUKH HAMID  
KELLY M. MANN  
RICHARD T. MULL  
VIRGINIA A. PITTMAN-WALKER  
ERIC W. SIMONS

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

JENNIFER L. FELTWELL  
JOSHUA P. STAUFFER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

ANDREW C. BROWN  
JOHN W. EANES

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

COLLEEN M. MURPHY

*To be major*

FRANCIS H. BOUDREAU  
DONALD E. LAYNE  
JAMES T. NORA

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

AMY A. BLANK  
MICHAEL E. YAPP

*To be major*

CARLOS M. CEBOLLERO  
PETER V. HUYNH

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

MARTI J. BISSELL  
MARK C. BOLL  
LAPTHE C. FLORA  
GEORGE B. GRAFF  
BENJAMIN H. LACY III  
DOUGLAS R. MESSNER  
MARK S. PARRISH  
CARLA S. ROMERO

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

DAVID A. AUCH  
MARK L. BURKETT  
PETER A. COLDWELL  
THOMAS A. DEVINE  
JEANNE B. JONES  
SHAWN M. OBRIEN  
JAMES M. PABIS  
JAMES M. ROLLINS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

GREGORY A. PINKLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

LI SUNG

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

GREGORY C. PEDRO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CHAD W. GAGNON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JULIE R. WETMORE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

PHILLIP E. LEE, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

PAUL D. HANSON  
MICHAEL J. STIGLITZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

CARMEN I. BOIS  
BRENT B. HUTSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

CHRISTOPHER A. ASSELTA  
KENNETH L. SMITH, JR.  
ERNST K. WALGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

REBECCA L. DUNAVENT  
MARY J. JOHNSON  
CHRISTINE C. RIVERA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

HEATHER C. BEASLEY  
RANDY C. BRYAN  
DALE O. HARRIS

PATRICK E. KELLY  
MATTHEW LEE  
ANN L. LITCHFIELD  
PAMELLA A. MYERS  
BLAIR C. PEREZ  
CARRIE M. STEPHENS  
JEREMIAH J. SULLIVAN  
RUSSELL J. VERBY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

KEVIN J. BARTOL

TIM A. FESPERMAN  
CHRISTOPHER M. HIGGINS  
CHRISTOPHER W. KITCHEN  
DOUGLAS G. MARKHAM  
WILLIAM B. MATTIMORE III  
ALAN J. REYES  
BRUCE J. WEIDNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

SHANE A. BOWEN  
JAMES P. COLE  
EVAN J. DAVIES  
ADRIENNE M. FRENCH  
JEFFREY J. HAWKER  
DOUGLAS L. JOHNSON  
MICHAEL J. LANGWORTHY  
SEAN R. MALONEY  
LEON RONEN  
JEFFREY G. WEYENETH  
PETER J. WITUCKI  
WARREN D. WOLLIN II

WITHDRAWALS

Executive message transmitted by the President to the Senate on June 16, 2011 withdrawing from further Senate consideration the following nominations:

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH KENIA P. ALTAMIRANO AND ENDING WITH BRANDY TORRES, WHICH NOMINATIONS WERE SENT TO THE SENATE ON MAY 11, 2011.

## EXTENSIONS OF REMARKS

HONORING BOY SCOUTS OF AMERICA, TROOP 1 IN PAOLI, PA

**HON. JIM GERLACH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Paoli Troop 1, Boy Scouts of America, Chester County, Pennsylvania on its 100th anniversary.

The history of Paoli Troop 1 is a long and storied one, starting with its founding as the area's first Scout Troop in 1911 at the Good Samaritan Church in Paoli, Pennsylvania. Troop 1 survived some lean early years and diminished activity during World War I, but proudly endured such challenges and, in 1924, relocated to nearby Wayne. In these early years, the Scout Law and Scout Oath were discussed in detail at the end of Troop meetings, a tradition that has been passed down to the present day.

Travel has also been a long-standing tradition of Troop 1. In 1927 and 1929, the Troop took trips to Europe, which included hiking through Scotland and parts of Brittany. On one of these trips, the Scouts met Baden Powell, founder of the Scout movement. The Troop had three mountain climbing expeditions in the Swiss Alps during 1966, 1970 and 1974, with the Troop flag having flown at the top of the Matterhorn.

Today, the Troop functions under the leadership of Scoutmaster Mike Magnotta, his assistants, and the general supervision of the Troop Committee. Its purpose, as set out in its constitution, is to promote, maintain and carry out the principles of the Boy Scouts of America and to work for the best interests of its members. The institutions and traditions of Paoli Troop 1 are many and deserve to be perpetuated for generations to come.

Mr. Speaker, I ask that my colleagues join me today in congratulating Paoli Troop 1 and its storied history on the occasion of its 100th anniversary and to extend best wishes for the Troop's bright future.

RECOGNIZING WORLD ELDER ABUSE AWARENESS DAY

**HON. PETER T. KING**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. KING of New York. Mr. Speaker, I rise today in recognition of the sixth annual World Elder Abuse Awareness Day.

In 2006, the International Foundation for the Prevention of Elder Abuse designated June 15 as World Elder Abuse Awareness Day, which recognizes elder abuse as a public health and human rights concern. Abusive acts toward the elderly can include physical and psychological abuse, physical restraint, deprivation of dignity and the choice of daily affairs, financial

exploitation and neglect. The World Health Organization has reported that between four and six percent of elderly people worldwide have experienced some form of abuse in the home. Additionally, in the United States, thirty-six percent of nursing-home employees have witnessed at least one incident of physical abuse towards an elderly patient, while forty percent admitted to psychologically abusing patients.

The abuse and neglect of older persons is a global problem, and yet it remains largely unrecognized and untreated. I join with the International Foundation for the Prevention of Elder Abuse and encourage all countries, communities, neighborhoods, and organizations to take part in today's efforts to raise awareness of this serious issue, with the goal of bringing about recognition for and ultimately an end to elder abuse and neglect.

HONORING 60TH ANNIVERSARY OF THE FIRST URASENKE TEA GROUP CEREMONY IN THE UNITED STATES

**HON. COLLEEN W. HANABUSA**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Ms. HANABUSA. Mr. Speaker, I rise today to honor the 60th anniversary of the first Urasenke Tea Group ceremony in Hawaii, and the first such ceremony held in the United States. This traditional ceremony was brought to the U.S. by Dr. Genshitsu Sen, who has sought to promote peace and cultural understanding throughout the globe. Dr. Sen returned from service in World War II, making a personal vow to promote "Peacefulness through a Bowl of Tea." He is an heir to a family whose leadership in the tradition of the Japanese Way of Tea, or chado, dates back 15 generations to the 16th century.

While Honolulu was the site of the first Urasenke Tea ceremony in the country, this centuries-old Japanese tradition has extended around the world, fostering international goodwill through cultural exchange. Urasenke tea groups have been established in 33 U.S. locations and in 49 countries. Dr. Sen has conducted this ceremony for world leaders and has helped to establish and teach college courses on the tradition of chado. He has led ceremonies at the United Nations, the U.S. Naval Academy and even for members of this esteemed body here on Capitol Hill.

Mr. Speaker, this occasion will be marked by a tea ceremony on the USS *Arizona* Memorial at Pearl Harbor, a most fitting location for this solemn tradition which is founded on the principles of harmony, respect, purity and tranquility.

I call attention to this significant anniversary, and the ceremony marking the occasion, in the spirit of cultural understanding and building bonds of goodwill.

HONORING CLIFTON GUNDERSON LLP

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Clifton Gunderson LLP of Saint Joseph, Missouri. This business has been chosen to receive the YWCA Women of Excellence Award for Employer of Excellence.

Innovate leadership programs for women help create an atmosphere of achievement at Clifton Gunderson LLP. The Women's Initiative Now (WIN) program helps provide leadership skills, business skills and personal growth opportunities for female employees. Flexible work arrangements help the team balance work and family goals.

The St. Joseph office is led by a female partner—the nation's first and only female company CEO—and 50 percent of office partners and 100 percent of senior managers are female. The Career Development Network program strategically pairs an experienced individual with someone in a similar area as a mentorship, and to form an individual career development plan. Through these efforts, Clifton Gunderson LLP demonstrates its commitment to promoting a culture that continually develops female leadership.

Mr. Speaker, I proudly ask you to join me in recognizing Clifton Gunderson LLP. This business is a tremendous asset to the St. Joseph community and I am honored to represent this business in the United States Congress.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. LEONARD L. BOSWELL**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. BOSWELL. Madam Chair, I rise in opposition to language in the agricultural appropriations bill for Fiscal Year 2012.

H.R. 2112 contains a rider that withholds funding to implement the proposed Grain Inspection, Packers and Stockyards Administration (GIPSA) rule that the authorizing committee directed the USDA to craft in the 2008 Farm Bill.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Today, the USDA is in the process of conducting economic analyses as well as a comprehensive review of the comments submitted on the proposed rule.

H.R. 2112 would stop the USDA in its tracks and prevent it from completing its year of work on GIPSA.

Two of our Nation's largest member organizations who work to support farmers, ranchers and producers are opposed to the provision which would cut off funding for the GIPSA rule—the National Farmers Union and the Farm Bureau.

Like me, these Iowa members and the national organizations believe that this is an issue under the jurisdiction of the authorizing committee, not the appropriating committee, and that regardless of which side of the regulation you may fall, that the comment review and economic analyses deserve completion.

NFU President Roger Johnson said in a recent statement: "I urge that funds for the enforcement of the GIPSA rule be reinstated in future versions of the agriculture appropriations bill."

The American Farm Bureau Federation sent a letter to my colleague, Congresswoman KAPTUR, on May 31, 2011, the day of the full committee markup, that stated: "We oppose language to preclude USDA from reviewing the comments and completing their economic analysis and are strongly opposed to any action that would stop work on that [GIPSA] rule."

However, appropriators ignored this call to action, and instead chose to move forward on behalf of large processors.

The rulemaking process on the GIPSA rule was started with the issuance of the draft rule on June 22, 2010—nearly one year ago and more than 60,000 comments were submitted on the GIPSA rule docket. To end the process now would equate to an unfortunate waste of government resources.

Thirty years ago there were 1.3 million beef cattle operations. Today there are 740,000. In 1980, there were 660,000 hog farms. Today there are 67,000. Last year alone, approximately 2,300 additional hog producers went out of business.

On behalf of producers and competition in our marketplace, I urge my colleagues to oppose defunding the GIPSA rule, and allow the USDA to complete their work and review on this issue.

SALUTING SERVICE ACADEMY  
STUDENTS—CORBIN PALMER

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Corbin Palmer, a United States Air Force Academy Appointee. Corbin is a graduate of Centennial High School and attended the United States Air Force Academy Preparatory School. Corbin was involved in club gymnastics, and actively participated in Preparatory School leadership and in his church as a Priest Quorum Secretary. Corbin aspires to follow gymnastics through college and eventually enter into a medical career through the Air Force as a surgeon. Corbin also plans to become a fighter pilot for the Air Force. He hopes to continue strengthening his leadership abilities and character, and be challenged not just physically but mentally in the United States Air Force Academy.

BERG CONGRATULATES NORTH  
DAKOTAN DR. DORI CARLSON  
FOR BECOMING FIRST WOMAN  
TO SERVE AS PRESIDENT OF  
THE AMERICAN OPTOMETRIC AS-  
SOCIATION

**HON. RICK BERG**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. BERG. Mr. Speaker, today I rise to congratulate Dr. Dori Carlson, who will soon be sworn in as the 90th President of the American Optometric Association, the first woman to ever serve in this prestigious position, at their 114th annual meeting in Salt Lake City, Utah, on June 18, 2011.

The American Optometric Association represents approximately 36,000 doctors of optometry, optometry students and optometric professionals and is centered on improving the quality and availability of eye and vision care. Doctors of optometry provide two-thirds of all primary eye care in the United States; optometrists serve patients in nearly 6,500 communities across the country and in 3,500 of those communities are the only eye doctors.

Dr. Carlson is a 1989 graduate of the Pacific University College of Optometry. Following graduation from optometry school, she completed a residency in hospital-based rehabilitative optometry at the American Lake and Seattle Veterans Affairs Medical Centers in Tacoma and Seattle, Washington. In 1994, she was honored as the North Dakota Young Optometrist of the Year and as the Optometrist of the Year in 2003.

She is a founding member of InfantSEE, a no-cost public health program developed to provide professional eye care for infants nationwide. Through this program, great strides are being made to ensure that potential eye and vision problems are detected early. Infant eye assessments have been available in North Dakota since the InfantSEE program launched in 2005, and Dr. Carlson has made it her mission to see as many infants as she can.

Dr. Carlson is in private practice in Park River and Grafton, North Dakota, where she provides primary care to rural North Dakotans of all ages. Her advocacy on behalf of optometrists and their patients has earned her the respect of her colleagues, and it is a high honor to be recognized by her peers to lead the profession of optometry in the coming year.

Today I join her family, friends and colleagues in congratulating her on this achieve-

ment and wishing her the best of luck in this endeavor.

HONORING SALLY SCHWAB

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sally Schwab of Saint Joseph, Missouri. Sally is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Award for Woman in the Workplace.

As Team Leader and Chaplain for Spiritual Health Services at Heartland Health, Sally is a 25-year employee who is continually described by her coworkers as analytical, caring and loyal. She serves as national president of her professional organization, the Association for Clinical Pastoral Education, Inc., and has received numerous awards, including the Buchanan County Medical Society's Humanitarian Award. She also leads the Ethics Committee and works throughout regional hospitals to advise chaplains and provide education toward meeting patients' spiritual needs.

Sally teaches Clinical Pastoral Education students, has led an educational process on advanced directives, and serves on several organizations including the P-20 Council and the Missouri Hospice and Palliative Care Association.

Mr. Speaker, I proudly ask you to join me in recognizing Sally Schwab. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Ms. ESHOO. Mr. Speaker. I was not present during the rollcall vote No. 417-419, on June 14, 2011. Had I been present, I would have voted as follows: On rollcall vote No. 417 I would have voted, "yes;" on rollcall vote No. 418 I would have voted, "yes;" on rollcall vote No. 419 I would have voted, "no."

THE COMMUNITY FOUNDATION OF  
NORTH LOUISIANA

**HON. JOHN FLEMING**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. FLEMING. Mr. Speaker, I rise today to congratulate The Community Foundation of North Louisiana on its 50 years of exemplary service to the people of North Louisiana. Since its establishment on June 26, 1961, by Colonel John Hellums Tucker, Jr., the Foundation has demonstrated exceptional service and leadership throughout the many communities it serves in my district, bettering the lives of countless families and individuals.

Starting out with a modest \$21,000 in funds, The Community Foundation of North Louisiana



has since grown to being a steward of more than \$75 million of charitable assets. In pursuing its mission of strengthening communities and supporting the citizens of North Louisiana, the Foundation has awarded more than 4,000 grants totaling nearly \$40 million. In addition to its vital stewardship of charitable investments, The Community Foundation has exhibited leadership by working with other non-profits to promote philanthropy and service in the community. Through managing innovative projects, responding in times of disaster, investing in critical research, and convening leaders to discuss issues facing the area, the Foundation's activities have served as a catalyst for positive change.

Today, I am pleased to express my support and gratitude to The Community Foundation of North Louisiana as it celebrates this important milestone. With great honor and enthusiasm, I wish it continued success over its next 50 years of service.

IN HONOR OF LANCE CORPORAL  
ROBERT "BOBBY" THRAILKILL,  
USMC

**HON. BILL HUIZENGA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to honor a real American hero, Lance Corporal Robert "Bobby" Thrailkill of Pentwater, Michigan.

While out on foot patrol in Sagen, Afghanistan, on October 26, 2010, Bobby found a roadside bomb. After motioning for his fellow Marines to step back, the bomb exploded, causing traumatic injuries to Bobby, including the loss of his legs. Bobby faced months of rehabilitation at Walter Reed with courage and has come far in his recovery.

Today, June 16th, Bobby will marry his fiancé Karra Barr. I want to congratulate Bobby on this day and wish him a life of happiness, as well as thank him for his service to our country. In honor of Bobby, the following poem was written by Albert Caswell.

THE KILL ZONE

On battlefields of honor bright. . . .  
There are but all of those who but bring  
their light. . . .  
All in the darkness of these days. . . . these  
nights. . . .  
Are but all of those heroes who but carry  
that fight, all In The Kill Zone. . . .  
Brave Hearts, men of courage  
and might. . . .  
Whose blind faith but wins that battle, that  
fight. . . .  
Who into darken buildings will walk. . . .  
Knowing full well what death before them so  
lies, all in that dark. . . .  
All in that Kill Zone. . . .  
As they but lead with their fine hearts. . . .  
The ones who so kick in all those doors, who  
are thou art. . . .  
Envoys from God, our Lord's heart!  
United States Marines, men like Lcpl  
Thrailkill who so do their part. . . .  
Who all in his most magnificent shades of  
green, is one darn fine United States  
Marine. . . .  
As ever up ahead, out on point as he was so  
courageously seen!  
And on that day Robert when you so faced  
death; lying there with but not much  
left. . . .

As defeat you would not except. . . .  
As Robert your fine heart would so  
crest. . . .  
With two legs gone as on the morning as you  
awoke, with not much left to hold on  
to. . . .  
As deep down inside of you, your fine heart  
so spoke. . . .  
As you wiped all of those tears from your  
eyes, and Marine you so told yourself .  
. . . .  
that you had new mountains to so climb. . . .  
Yea, Michigan Marines are just that  
kind. . . .  
Who all in shades of green, the word courage  
so define. . . .  
For you have miles to go before you  
sleep. . . .  
Hills to climb, all in your heart of courage so  
very deep. . . .  
As Robert, there is nothing from your new  
mission that will you so keep!  
All on your road to recovery . . . , as to all  
souls you so speak!  
For once you walked upon those killing  
fields. . . .  
All for your God and Country Tis of Thee,  
this man of steel. . . .  
As now your new war to be won. . . .  
As for all of your lost Brothers In Arms  
these ones,  
you will feel upon you face the new day's  
sun!  
Because, Strength In Honor . . . , is but from  
where you come. . . .  
The kind of man that every father, so wished  
he had as a son. . . .  
As You So Teach Us Robert, As You So Be-  
seech Us Robert. . . .  
Oh look Marine, from where you've come, so  
far, so fast, shining like the morning  
sun!  
As out on point, up ahead your new life has  
just begun. . . .  
As with your strong heart we now so see you  
run. . . .  
One of Michigan's greatest of all son's. . . .  
And on this day, get down on your  
knees. . . .  
And but thank all of these!  
All of these fine sons, sons like Robert who  
into the Kill Zone must venture to do  
what must be done!  
Could you in your life, so find the strength  
. . . to walk into such that valley of  
death?  
Could you but find the courage and faith,  
to rebuild your life when you've so lost your  
strong legs as left?  
Oh yes Robert how you have so shown us all  
the way!  
As one of the finest Americans, who never  
took . . . but gave!

SALUTING SERVICE ACADEMY  
STUDENTS—MICHAEL ROBERTO

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation. As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so

proud of each one. God bless them and God bless America.

Today I salute Michael Roberto, a United States Military Academy Appointee. Michael is a graduate of Cistercian Preparatory School where he was highly involved in athletics, including being cross country varsity team captain, track team, soccer as a right forward, and football as a receiver and a cornerback. Michael is also the founder and president of his high school debate team, an officer in the Economics club, a writer for his school newspaper, and served on the Third District Congressional Youth Advisory Committee. Michael desired nothing more than to attend a United States Service Academy and become an officer in the military. Michael is not only interested in pursuing the superior education that an Academy will offer him, but he is also seeking the unrivaled development he will experience in becoming one of the best military officers his country deserves.

AGRICULTURE, RURAL DEVELOPMENT,  
FOOD AND DRUG ADMINISTRATION,  
AND RELATED AGENCIES APPROPRIATIONS  
ACT, 2012

SPEECH OF

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. HOLT. Madam Chair, I rise in strong opposition to H.R. 2112, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for Fiscal Year 2012. This bill ignores the plight of hundreds of thousands of women and children who struggle to obtain nutritious food in neighborhoods across America. The measure originally put forward by the Republican majority proposed \$833 million in cuts to the Special Supplemental Nutrition Program for Women, Infants, and Children, commonly known as WIC. This program provides assistance to new mothers, babies, and children under five who have been identified as nutritionally at risk. In any decent society, this is the most basic obligation we have to our fellow citizens. Yet the funding level proposed by the majority would have left 400,000 to 550,000 women and children without this aid.

I am pleased that the Appropriations Committee adopted an amendment by my colleague, Representative DELAURO, to reinstate \$147 million in WIC funding. Even with this restoration, however, between 200,000 and 350,000 low-income women and children around the country would be dropped from the program next year. In New Jersey, as many as 6,500 citizens could lose this assistance.

I would remind those who claim that we cannot afford the cost of this program that just one week of lost revenue from the Bush tax breaks for millionaires, which were extended over my objection, would more than fill the gap in funding for this program to ensure that every mother and child has access to healthy

meals. On average, nationwide, we are talking about just 57 dollars per month for nearly 10 million mothers and infants who cannot afford nutritious foods. Almost one-half of the children born in our country rely on WIC. Many of these enter the Medicaid program, and experience has shown that the nutritional benefit to pregnant women results in up to \$4.20 in Medicaid savings for each dollar spent through WIC. Restoring full funding for this program is the smart thing to do for our budget, just as it is the right thing to do for our citizens.

Women and infants are not the only vulnerable population put at greater risk of food insecurity by this bill. The 22 percent cut to the Commodity Supplemental Food Program will prevent at least 130,000 low-income seniors from receiving desperately needed food packages. The 23 percent reduction to the Emergency Food Assistance Program will leave empty shelves at our local food banks, pantries, faith-based organizations, soup kitchens, and shelters. With food prices continuing to rise sharply and Americans continuing to struggle to get ahead in a tough economy, now is not the time to remove the critical safety net provided by these food assistance programs. In addition, food aid for 1.1 million people around the world will be unavailable as a result of the \$476 million cut to the Food for Peace international humanitarian program and the McGovern-Dole program, which provides for the donation of U.S. agriculture goods to school feeding initiatives around the world.

Furthermore, the drastic reduction to the Commodity Futures Trading Commission budget will leave the U.S. economy and consumers in peril. The Commission will not have the resources necessary to prevent the big banks from making the kinds of speculative bets that led to the recent financial crisis. And as gas prices continue to strain household and small business budgets, this bill will do nothing to help the Commission go after excessive speculation in oil markets—even though recent data suggest that nearly 90 percent of those trading in the oil markets are speculators, not legitimate users of oil. These speculators are driving up the price of petroleum and gasoline, and without an effective CFTC with adequate funding, consumers and taxpayers are the losers.

This bill also includes severe funding cuts for the USDA's Food Safety and Inspection Service and the Food and Drug Administration, FDA, which will undermine food safety in America and weaken efforts to ensure that medical products and new drugs are safe and accessible. It underfunds research programs to improve food production, safety, and quality as well as initiatives designed to advance organic farming and related markets. And it eliminates almost one billion dollars in conservation programs to protect soil and farmland, maintain healthy agriculture in rural America, preserve key resources, and restore wildlife habitat that supports associated recreational and economic opportunities.

Mr. Speaker, the Agriculture Appropriations bill before us today is one more step in the wrong direction for the Nation's budget, our economy, and our people. It leaves vulnerable low-income women, infants, children, and seniors to fend for themselves even though we know that good nutrition improves health and saves money in the long run. It allows Wall Street speculation to continue unchecked, threatening our economy and driving up gas

prices. It says that we should ignore the needs of our faith- and community-based food service organizations as well as those of hungry children and impoverished people around the world. And it leaves us all at greater risk of encountering food-borne illnesses, sets back research programs, and ignores our conservation needs. The American people expect more of their government, and I urge my colleagues to oppose this deeply flawed bill.

HONORING ALISON SCHIEBER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alison Schieber of Saint Joseph, Missouri. Alison is active in the community and she has been chosen to receive the YWCA Women of Excellence Award for Woman in Volunteerism.

As President of the Allied Arts Council, Alison is also serving on the Missouri Citizens for the Arts Board to advocate for the advancement of the arts through education. A Sustainer of the Junior League of St. Joseph, Alison is also a member of the Community Action Committee and a spokesman for the St. Joseph Public Library Modern Library Campaign.

Alison is lauded for her ability to lead by example, understanding the important role the arts play in childhood development. Her advocacy for the arts led to her work with the Missouri Citizen's for the Arts as a lobbyist, working to remove the sunset clause on the Cultural Entertainment tax.

Mr. Speaker, I proudly ask you to join me in recognizing Alison Schieber. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

**HON. JARED POLIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. POLIS. Mr. Speaker, I was not present for votes on Friday, June 3, 2011. Had I been present, I would have voted "no" on rollcall vote 411.

RIDE TO WORK DAY

**HON. JOHN J. DUNCAN, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. DUNCAN of Tennessee. Mr. Speaker, as a Member of the Congressional Motorcycle Safety Caucus I rise to recognize Ride to Work Day.

Each year the third Monday in June is designated as Ride to Work Day and this year, on June 20, more than a million motorcyclists across the Nation will use their motorcycles to commute. In doing so, these riders will make a statement about the utility, fuel economy

and fun of using motorcycles and scooters for transportation.

The Motorcycle Industry Council's most recent information estimates that more than 21.5 million Americans operated a motorcycle in 2009. Many of these riders visited Tennessee, and specifically the 2nd Congressional District, which features some of motorcycle riders' favorite roads in the Country. Two members of my own staff ride motorcycles for both fun and transportation.

As more and more Americans choose scooters and motorcycles as transportation options, or just choose to ride for recreation, it becomes ever more imperative that each of us does all we can to promote motorcycle safety. This means that motorcyclists must ride responsibly, by getting trained and licensed and obeying traffic safety laws. Other road users can do their part by being aware of motorcyclists and sharing the road.

On June 20, I encourage all riders to gear up and ride to work. I also encourage all other road users to take special note of all the riders on the road and remember to always look out for motorcyclists.

HONORING MURIEL REDMOND

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Muriel Redmond of Saint Joseph, Missouri. Muriel is active in the community and has been chosen to receive the YWCA Women of Excellence Lifetime Achievement Award: Woman in Volunteerism.

After her marriage, Muriel became active in St. Joseph's Hospital Guild, continuing her interest founded while a student nurse. With her dedicated involvement, she accepted leadership positions, including president. Muriel started the Candy Striper program in 1947, being the first instructor.

Muriel's lifelong interest in the medical field included membership in the Medical Auxiliary. She has been an active member in the Flower Society, Girl and Boy Scouting, and P.E.O. She is a member of Y Women and a supporter of the Abuse Shelter.

As a member of St. Joseph's Cathedral Church and the adjoining school, she supported her children's education with two periods as president in the PTA. She remains active in the Quarter of A Century Nurses and at her present residence, the Living Community of St. Joseph; she was a founder of the Needles and Pins group.

Mr. Speaker, I proudly ask you to join me in recognizing Muriel Redmond. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

MARKING THE 30TH ANNIVERSARY OF THE DISCOVERY OF AIDS

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mrs. LOWEY. Mr. Speaker, this month marks the 30th anniversary of the first AIDS

diagnosis. On June 5, 1981, the Centers for Disease Control published the first mention of what would later be determined to be HIV. Since that time, the disease has taken a heavy toll on populations both at home and around the world. We remember those who have lost their lives to AIDS and honor those who have dedicated their lives to fighting this terrible disease.

The United States has been a world leader in this fight, and there is reason to be optimistic. The President's Emergency Plan for AIDS Relief, PEPFAR, has directly supported life-saving antiretroviral treatment for more than 3.2 million men, women and children worldwide. In fiscal year 2010 alone, PEPFAR programs treated more than 600,000 HIV-positive pregnant women allowing more than 114,000 infants to be born HIV-free. In addition, PEPFAR directly supported HIV counseling and testing for nearly 33 million people, providing a critical entry point to prevention, treatment, and care.

In recent years there have been real advances in the treatment and prevention of AIDS. A scientific trial of microbicide gel has shown it to reduce the risk of a woman becoming infected with HIV during sex by almost 40 percent. Another trial has revealed that drugs used to treat HIV may also be effective in preventing infection.

We must do more to ensure that scientific breakthroughs in HIV/AIDS reach the most vulnerable populations. Mother-to-child transmission of HIV has been virtually eliminated in the developed world; however, 1,000 babies are still infected with HIV around the world each day. This is deplorable when we have the tools and medicines to end pediatric AIDS. I commend UNAIDS and PEPFAR for their plan to virtually eliminate mother-to-child transmission of HIV by 2015.

U.S. contributions to multi-lateral organizations such as UNAIDS and the Global Fund to fight AIDS, Tuberculosis and Malaria are critical to ending the AIDS epidemic. To date, the Global Fund has provided support to treat three million HIV-positive people, and reached 150 million people with HIV counseling and testing.

We have come a long way since that June day 30 years ago. I am proud of the resources this body has dedicated over the years to fighting HIV and AIDS. Along with saving lives, this funding helps to free developing countries from the burden of disease, allowing economic growth and increased stability. I urge my colleagues to continue our commitment to fighting this disease.

A TRIBUTE TO ARCHBISHOP  
VATCHE HOVSEPIAN

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. SCHIFF. Mr. Speaker, I rise today to honor His Eminence Archbishop Vatché Hovsepian upon his 60th anniversary of consecration and ordination into the priesthood.

Archbishop Hovsepian was born in Beirut, Lebanon, where he received his elementary education at the Mesrobian Armenian National School, and later was accepted as a postulate at the Antelias Theological Seminary. Upon

successfully completing his studies, he was ordained Father Vatché Hovsepian, and served in the capacity of assistant dean and instructor of the Seminary.

In 1953, Father Vatché went to England to further his theological studies, and was simultaneously active in the World Council of Churches Youth Movement. After attending the College of the Resurrection near Manchester, he continued his studies at the University of Edinburgh, Scotland. During his stay in Edinburgh, Father Vatché was a vibrant member of the Theological Commission. When Father Vatché was assigned to the Pastorate of the Holy Cross Armenian Church of Union City, New Jersey in 1956, he diligently continued to pursue his studies and obtained his Bachelor of Divinity Degree at the New Brunswick Theological Seminary at Rutgers University.

Father Vatché's journey continued to Canada during the influx of Armenian immigrants to the region. In 1967, he was designated as "Bishop of Canada," and he immediately organized a new Diocese. Through the efforts, dynamism, and perseverance of the Bishop, a cathedral with school facilities was purchased in Montreal, Quebec.

In 1971, Archbishop Vatché was elected as the Primate of the Armenian Church of North America Western Diocese. Upon attaining his new role, the Primate arrived at the Diocesan Headquarters, which at the time was a rented house in Los Angeles, California. Immediately, he began searching for a potential site for a cathedral, and a church was soon purchased in Hollywood, California. This church was later transformed into the St. John Armenian Cathedral, where the vast Armenian population living in Hollywood frequented every Sunday.

In 1988, when the disastrous earthquake struck in Armenia, the Archbishop established the Orphan's Fund, through which the Diocese sends aid and medical supplies to the orphans in Armenia regularly. In addition, Archbishop Vatché was instrumental in the founding of the St. Gregory Alfred and Marguerite Hovsepian Armenian School in Pasadena, California, as well as numerous other Armenian Day Schools in the community. Under Archbishop Vatché's leadership and guidance, the Western Diocese purchased a multi-purpose complex in Burbank, California, where the present Diocesan Headquarters stands. Archbishop Vatché has also actively participated in civic issues, and has met with five Presidents of the United States and various religious leaders.

I ask all Members to join me in thanking Archbishop Vatché Hovsepian for his selfless dedication and commitment to the Armenian community and wish him well in all future endeavors.

HONORING MICHELLE  
MEIERHOFFER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Michelle Meierhoffer of Saint Joseph, Missouri. Michelle is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Award for Emerging Leader.

Michelle Meierhoffer is a recent addition to the Saint Joseph community, and in her three years here has already garnered awards and appreciation through civic and professional endeavors. Pfizer Pharmaceuticals has recognized her contributions as a Sales Representative with numerous awards, including the company's top honor. She has lent her considerable energy and imagination to the Junior League and the Albrecht Kemper Museum of Art. She embodies her own words to others to "do their best and think outside the box to obtain their goals using new and exciting means."

Mr. Speaker, I proudly ask you to join me in recognizing Michelle Meierhoffer. She has already made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

HONORING JOAN BROWN

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Joan Brown and recognize her contribution to volunteerism and community involvement in Marin County, California. Ms. Brown is retiring as Manager of the Civic Center Volunteers, CCV, program after more than 32 years of fostering citizen participation in local government.

After graduating from Northwestern University, Joan continued a legacy of service begun by her family. Her initial work as an elementary school teacher greatly inspired her career path, and the professional standards she cultivated as a teacher carried over into the environment she created at CCV. A trip to the Soviet Union in 1973 focused her passion for service on participation in local government. Her official guide on the trip insisted that the Berlin Wall was nonexistent, just U.S. propaganda, reminding Joan that citizen involvement is essential for democracy.

The CCV was established in response to Proposition 13, which reduced tax revenue to the counties. Joan was hired temporarily and quickly became a permanent employee in the Personnel Department as she helped to create a place where women, retirees, and recession-impacted professionals could dedicate their skills through volunteerism. Through her leadership, the CCV grew from zero in 1979 to 8,400 in 2010.

Marin County would be a very different place were it not for Joan's success with citizen involvement in each county department, saving the Marin taxpayers millions in the process.

Joan's knack for volunteer management extended beyond the reach of the CCV. She took on the challenge of co-founding the National Association of Volunteer Programs in Local Government which included both national and international training. With Community Mental Health, she engineered volunteer development in her successful 10-year Job Coach program. And she also promoted employee effectiveness by creating a newsletter for employees by employees and establishing an employee recognition event.

For her accomplishments both within Marin County and beyond, she earned the First Acts

of Caring Award from the National Association of Counties and the Volunteer Administrator of the Year Award from the international Association for Volunteer Administrators.

Mr. Speaker, I ask you to join me in commending Joan Brown's contributions of over 32 years to the people of Marin County. Joan leaves our county more enriched through her innovative vision of volunteerism and community service. I wish her an enjoyable retirement with her family and success in her continued service commitments.

SALUTING SERVICE ACADEMY  
STUDENTS—KIOUMARS REZAIE

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Kioumars Rezaie, a United States Merchant Marine Academy appointee. Kioumars is a graduate of Plano West Senior High School where he played football, as well as soccer and served as the team captain. Simultaneously, Kioumars played select soccer and served as his team's captain. Kioumars was actively involved as a member of the Third District Congressional Youth Advisory Board, a JROTC commander, and the National Honor Society. He was also part of the American Legion Texas Boys State where he was a state delegate and was active at St. Andrew United Methodist Church in the Seven Loaves Food Pantry. Kioumars believes that the service academies require young men and women to have honor, courage, and commitment and looks forward to grooming those traits.

HONORING ENSIGN-BICKFORD INDUSTRIES ON THEIR 175TH ANNIVERSARY

**HON. CHRISTOPHER S. MURPHY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor Ensign-Bickford Industries on their 175th anniversary. Since 1836 Ensign-Bickford has called Simsbury, Connecticut home, where its employees have always strived for quality and innovation.

Before setting up shop in Connecticut, William Bickford invented a miner's safety fuse in 1831 that would later make Ensign-Bickford Industries a pioneer of the safety fuse for both mining and military applications.

As the years passed, the country and the company changed and adapted. Ensign-Bick-

ford transformed into a leader in the aerospace industry. In fact, since the beginning of the American space program, the company has provided the technology that allows rockets to separate, and satellites to be launched into orbit.

Ensign-Bickford has also served both our state and the nation by helping to protect our soldiers in battle. The company has developed important landmine clearing technology and strengthened armor for military vehicles. These innovations have undoubtedly saved lives, and taken together with the other industries they serve, Ensign-Bickford has provided thousands of jobs for American families through the years.

For nearly two centuries, Ensign-Bickford Industries has epitomized the American spirit of innovation, perseverance, and responsibility that I believe we need to restore in American manufacturing. So I wish to congratulate Ensign-Bickford on this special occasion, and I ask my colleagues to join me in recognizing Ensign-Bickford Industries on their 175th anniversary.

HONORING MADELEINE MISEMER

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Madeleine Misemer of Saint Joseph, Missouri. Madeleine is active in the community and in her school and has been chosen to receive the YWCA Women of Excellence Future Leader Award.

Leadership is a hallmark of Madeleine's high school career. While earning high academic honors each semester, she remained involved in Student Council and was a delegate to the Missouri Association of Student Council Summer Leadership Workshop. Madeleine has been enrolled for three years in the Leadership Class and has also been a DECA leadership conference delegate. She is often seen at athletic events supporting her peers, and is a member of the varsity tennis team. Her lengthy list of service activities includes chairman of the blood drive and steering committee member for the Senior Citizen's Prom. She is also a natural tutor and mentor, leading activities for struggling students.

Madeleine's nominator states, "Her high morals and ethics are not to be questioned . . . others trust her judgment, and she sees the bright side to all situations."

Mr. Speaker, I proudly ask you to join me in recognizing Madeleine Misemer. She is an amazing individual and a tremendous asset to our community. I am honored to represent her in the United States Congress.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. JAY INSLEE**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. INSLEE. Madam Chair, I am concerned about the underlying legislation's attempt to zero out funding for the USDA Biomass Crop Assistance Program (BCAP), in the Agriculture Appropriations bill for FY2012. BCAP is an important economic development program uniquely focused on advanced, next generation biofuels that can be grown, produced, and refined in Washington state. This biomass can be used for heat, power, bio-based products, and biofuels. In fact, it is the only program that helps farmers transition from growing traditional crops to growing energy crops.

BCAP is vitally important for the development of the clean domestic biomass energy industry. Authorized in Title IX of the 2008 Farm Bill, BCAP received \$552 million in FY 2010, but the final Continuing Resolution that passed into law for FY 2011 reduced BCAP funding to \$112 million. Today, the House Agriculture Appropriations bill goes further, proposing to eliminate funding for this program in its entirety. I believe that eliminating this program is the wrong direction, and will hinder job creation in the emerging biomass and biofuels industries.

It is widely agreed that developing a robust sustainable biomass and biofuels industry will produce significant jobs and generate revenues in rural areas. One national study has found that producing 475 million gallons of biofuel in 2009 resulted in 23,000 jobs across the economy, \$4.1 billion in added GDP growth, \$445 million in Federal tax revenues, and \$383 million for State and local governments. Feedstock production would likely represent half the direct jobs, boosting employment in rural areas and small communities.

For example, in the Pacific Northwest, a coalition of aviation and airline industries, universities, ports and international airports, recently released a report outlining how to commercialize aviation biofuels. Many of the coalition partners are working to bring these aviation biofuels to market and will rely on BCAP, as do countless other biofuel and biomass organizations around the Nation. Because of the prospects for widespread job creation and superb opportunities for positive rural development, I believe that rather than zero out this program, Congress should preserve funding at the Administration's proposed budget of \$201 million.

HONORING COLONEL JAMES  
"BUSTER" HAYDEN

**HON. SILVESTRE REYES**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. REYES. Mr. Speaker, it is with a heavy heart that I rise today to share the news of a great loss to El Paso, to Texas, and to the Nation. My dear friend, Colonel Retired James "Buster" Hayden was a class of 1945 West Point Graduate, retired Army officer with 30 years military service, long time area West Point Admissions Representative, and the Chairman of my Military Academy Advisory Board for over 15 years.

Col. Hayden came from a long and distinguished line of West Point graduates. His great-grandfather was a member of the Civil War Class of 1862, and his grandfather graduated in the Class of 1888. In the 20th Century, his father was in the World War I Class of 1917, and Col. Hayden—well known to everyone as "Buster"—graduated with the World War II Class of 1945 after securing an appointment on his fourth try!

Col. Hayden's distinguished career of 30 years included tours of duty with the Constabulary Force during the occupation of Germany, in an armored field artillery battalion during the Korean War, at the Pentagon, and with the Joint Chiefs of Staff. He retired as the Deputy Assistant Commandant of the Air Defense School in 1975. Just a year later, he started working with the West Point Admissions Field Force, beginning his long and distinguished journey of molding the next generation of leaders.

With his passing, our community has lost one of the greatest advocates for El Paso youth wishing to serve in our Nation's Armed Forces. After his family, what he loved most was inspiring scores of young El Pasoans every year to never give up on their dreams. Since 1976, he helped recruit talented cadets from the El Paso area and Southern New Mexico to West Point.

Over the last 15 years, Col. Hayden devoted countless hours, along with the other members of my Academy Advisory Board for the 16th Congressional district, to overseeing the annual process of nominating El Paso's finest young men and women to our Nation's service academies.

He influenced the lives of hundreds of service academy graduates, who have pursued successful careers in the military, education, business, and industry. In fact, Col. Hayden helped shepherd more cadets into the United States Military Academy at West Point than anyone in the history of the Academy. His efforts in our region have led to over 1,200 offers of admission to young men and women, resulting in no less than 622 graduates.

Col. Hayden never gave up on a single applicant, nominee, or appointee, even when he was feeling sick from the effects of cancer. Even near the end, his daughter found him in his office looking for information to reach a cadet. Once he got the phone number, he spent 30 minutes talking to the cadet. That is how he was with "his" cadets as well as those seeking a future at our military academies. In fact, in one of life's great ironies, I was at an event the night he passed away speaking with a second lieutenant of the 1st Armored Divi-

sion from Fort Bliss who was proud to be "one of Hayden's soldiers." He told me how Col. Hayden had changed his life by mentoring him from prep school to graduation at West Point. I have heard from many soldiers I have visited with around the world who tell of how Col. Hayden kept in touch and mentored them. That was the "Hayden way." He always had words of encouragement for our young applicants and loved to recount the story about the challenges he himself faced in gaining entry into West Point. In his own self-deprecating way, he talked to candidates about how it took him four tries to get in, and he urged them to never give up on their dream.

During 30 years of active duty and another 35 years supporting Admissions and many other programs connected with West Point, Col. Hayden has truly espoused the motto of the United States Military Academy: Duty, Honor, Country.

His love for the Academy and for our Armed Forces was unparalleled, and we will all miss him. It was a privilege to know Buster and to work with him. He leaves a great legacy and will have a lasting impact for many generations to come. Our Nation and our community are deeply indebted to him for his service and dedication to our young people.

CONDEMNING THE ATTACKS ON  
DEMONSTRATORS IN SYRIA

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. KILDEE. Mr. Speaker. I rise today to strongly condemn the violence that Syrian President Bashar al-Assad has unleashed on his people over the past few months.

While the world closely watched the revolutions in Egypt and Tunisia unfold, little attention has been paid to the Assad government's crackdown on peaceful demonstrators. In March 2011, hundreds of Syrians took to the streets to demand freedom and to force the Assad government to lift the emergency law, which has been in place since 1963.

Instead of meeting their demands, the Assad government unleashed a vicious crackdown on demonstrators with security forces firing, arresting and torturing thousands of unarmed Syrians. According to U.N. officials, as many as 1,100 people may have been killed since the protests began and as many as 10,000 people have been reported to be in custody or missing.

In May 2011, the Syrian government widened its military crackdown by sending tanks into several more villages and severing communications. The attacks on civilians and military defectors intensified in June after demonstrators showed renewed strength and determination. The relentless attacks have forced thousands of Syrians to flee Syria into Lebanon and Turkey to escape the escalating violence.

While I applaud President Obama and Secretary Clinton for condemning these brutal attacks and human rights violations, I believe the U.S. and the international community should be doing more to force the Assad regime to stop attacking its own people. I urge my colleagues to join me in condemning this violence and to call on the Obama administra-

tion to take a more active role in forcing the Syrian government to end these attacks.

HONORING JAN SAXTON

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jan Saxton of Saint Joseph, Missouri. Jan is active in the community and has been chosen to receive the YWCA Women of Excellence Lifetime Achievement Award: Woman in the Workplace.

In 1945, after every member of Jan's family worked to save all their earnings through the great depression, her father decided the time was right. Every penny saved was invested into the dream of rebuilding a spot of family entertainment, a golf course. A small lot at 9th and Jules in St. Joseph, provided land for rent. Used lumber and materials started a modest 18 hole course. Jan graduated from Lafayette High School and with the help of her grandmother, Pearl Summers, was put in charge of the business. The little course thrived, yet before the end of the third season, the land was sold.

After her brother and Guy Saxton returned home from the service, she married Guy, her high-school sweetheart. Soon they purchased land to build what is now Cool Crest. His engineering and carpentry skills, and her gardening and "people skills" made for the perfect combination that we still enjoy today.

Mr. Speaker, I proudly ask you to join me in recognizing Jan Saxton. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

IN TRIBUTE TO DETECTIVE JAY  
CARROTT

**HON. ELTON GALLEGLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to Jay Carrott, whose retirement from the Simi Valley Police Department is being recognized this weekend.

Detective Carrott actually retired from the Police Department last year, but was immediately deployed to Iraq as a police advisor to an Army unit out of Fort Benning, Georgia, giving his fellow officers, family and friends no time to honor his service to the community. Jay is a personal friend who I have known for many years. He is home now and it is time to give him his long overdue accolades.

Jay Carrott became a reserve officer for the city in 1985 and was hired as a full-time officer in 1987. He rose to the rank of Senior Officer before leaving for a short stint with the Lacey, Washington, Police Department. He returned to the Simi Valley Police Department in 1995 and was promoted to Detective the following year.

It was as a Detective that Jay Carrott's skills, dedication and passion for law enforcement and the victims of violent acts came to full fruition.

In describing and praising his partner, Greg Gonzales, in 2008, Carrott told the local media that a good homicide detective must be intensely curious, care deeply about others and pay great attention to detail. Those certainly are qualities Carrott brought to the job.

Those qualities led to a nearly 90 percent case closure rate. But Carrott didn't just pursue criminals and bring them to justice. Along the way, he brought empathy to the victims and victims' families, as well.

When Detective Carrott was awarded the Investigative Excellence Award for Cumulative Investigative Excellence in 2009 from the California Commission on Police Officers Standards and Training's Robert Presley Institute of Criminal Investigation, officials said in a statement: "He believes an investigator's job is not only to seek out the truth, but also to ensure that families touched by violence have a voice."

Jay's dedication to the truth and the law are legendary. When a local community service organization refused to rescind the rental of its facility to the Hells Angels motorcycle gang, Jay quit the organization, saying his police badge meant more to him than membership in the club.

But perhaps the best praise to Jay's dedication comes from his daughter, Erin, who wrote this in 2007 as part of a school assignment after Detective Carrott was awarded the City of Simi Valley's Meritorious Service Award:

"Weeks with no sleep, calls in the middle of the night, having to travel to places to search for things you aren't even sure exist, and criminals who get away with it this is what my father faces on a daily basis."

Jay was also a member of the Department's SWAT Team, a Range Master, and a member of the SES—Special Enforcement Section. Among the other awards he earned was SVPD Officer of the Year in 1991 and the SVPD Chiefs Award in 1998. Jay also taught at Moorpark College, where he earned an associate's degree before earning a bachelor's in business from University of Redlands.

Aside from Erin, Jay and his wife, Amy, raised two sons, Joshua and Joseph, and have a grandson, Taylor.

Mr. Speaker, I know my colleagues join me in thanking Detective Jay Carrott for his service to his community and country, and for his dedication to and passion for enforcing our laws, and wish him and Amy a long and happy retirement.

SALUTING SERVICE ACADEMY  
STUDENTS—AMANDA RIGSBY

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending

our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Amanda Rigsby, a United States Merchant Marine Academy Appointee. Amanda is a graduate of Plano East Senior High School in 2010 where she was active in varsity and select soccer. Amanda was involved in Plano Youth Ambassadors as a co-leader, Spanish Club, and Mock Trial as a witness roll, where she earned an award for best witness. She excelled academically in the International Baccalaureate Program and a member of the National Honor Society. She spent the last year at Southern Methodist University on a full scholarship and decided to change courses and apply to the U.S. Merchant Marine Academy. Amanda is a well rounded young woman who has dreams to pursue an international career, to help people, and to make a difference. She recently stated, "I appreciate my service obligations as opportunities as a Merchant Marine following graduation and embrace not only military service but also the maritime industry."

REMEMBERING AND HONORING  
THE LIFE OF WILLIAM P. POWERS SR.

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. COURTNEY. Mr. Speaker, I rise today to mourn the passing and honor the life of William P. Powers. Bill, a long-time resident of Niantic, Connecticut, passed away peacefully on May 29, 2011. Bill's desire to give back to his country and community was without bounds. We are fortunate that he chose to spend his life protecting our nation, teaching our young people, and working tirelessly to ensure a good life for the people around him.

Following the death of their father, Bill and his brother were raised in New Haven by their mother and her extended family. After graduating from high school, Bill went to work at High Standard Manufacturing Co., which made deep hole drills, and eventually .22 caliber pistols and repeating rifles, during World War II.

Bill's impressive work ethic, revealed at a young age, afforded him a life full of rich and diverse experiences. In New Haven, he bused tables of Yale's famous Berkely College dining hall, delivered telegraphs for Western Union on his bicycle, and even worked a maintenance job for the city's railroad. When war erupted and gripped the nation, Bill enlisted in the U.S. Navy. When his number was called up in October of 1942, he trained as a pilot, flying the well-known "Privateer" patrol bomber. He was stationed in Kearney, California.

When the war ended, Bill enrolled at Columbia University on the GI Bill. He kept himself busy as a student and worked as a waiter at the Drake Hotel, where he crossed paths with famous singers and songwriters like Frank Sinatra and Cole Porter.

Education was a lifelong passion and pursuit for Bill. After graduating from Columbia, he took a job back in Connecticut, this time in East Lyme's Niantic village where he would live for nearly 60 years. He served as principal of the Flanders, Niantic Center, and Great Neck schools in eastern Connecticut. He knew

not only the name of every student in his schools, but also an interesting fact about each one of them. While ensuring that his students had a safe and productive place to learn, Bill pursued more education of his own, earning a Master of Arts and Sixth Year degree from UConn. He also led a group of his colleagues as the President of Connecticut's Elementary and Middle School Principals' Association.

It is not surprising that when Bill's time as a professional educator came to a close, he put his signature passion and hard work into making his state and community a better place. For a period, he spent several years in Connecticut's General Assembly as legislative aide for his son, Senator Mark H. Powers, and also as a popular messenger in the senate. He even spent some time as an investigator in the New London Public Defender's office and was a respected and beloved Justice of the Peace. Bill was also an active member of American Legion Post 128.

Bill's contributions as a U.S. Navy veteran, an educator, and civic leader could easily fill three lifetimes, but he packed it all into one. I admire his desire to make education a lifelong experience and his commitment to preserve his deep Connecticut roots. He will be dearly missed by his state, his community and most of all by his loving wife, Jane, and five boys, William Jr., Mark, Joseph, Richard, and Thomas. I ask my colleagues to join me in mourning the loss and celebrating the life of William P. Powers.

IN RECOGNITION OF AND APPRECIATION FOR ROBERT VAN CAMP

### HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. PETERS. Mr. Speaker, I rise today to salute Mr. Robert Van Camp as he retires from his 40-year career as a pioneer in education, valued mentor and dedicated global citizen.

Mr. Van Camp is, and always will be, an educator in the broadest sense of the word. Bob was raised with his brother John on a working farm in the iconic village of Romeo, Michigan. The 19th century farmhouse, in its rambling fields and rural setting, belied their exceptional upbringing. The farm was a frequent gathering place for progressive minds of the time, including the Reuther brothers, and nascent causes like the Macomb County Interracial Society. The family frequently housed exchange students from Africa and helped found the first integrated Cub Scout den in Macomb County. Their mother, Dorothy, was a graduate of Columbia Teacher College, one of just 13 women charter members of the Detroit Federation of Teachers and a fierce opponent of book censorship during her tenure on the Romeo Library Board of Directors.

Imbued with the values of equality and fairness, and inspired by his mother's devotion to education, Bob understood he was a citizen and student of the world. This understanding shaped the path of his life. More significantly, it shaped his life's work and touched thousands of young people who have been inspired to look beyond their home towns to build bridges to other lands and cultures in their own lives.



Bob began his formal career at American University in Cairo, Egypt, after graduating from Central Michigan University. Three years later, he returned home and settled his career in the fast-growing Utica Community School (UCS) district. Much of his career at Utica was spent as the venerated, respected, and highly successful debate and communications coach at Henry Ford II High School. He coached numerous teams and individuals to debate and forensics state championships and was inducted into the Michigan Speech Coaches Hall of Fame in 1983. His debate colleagues knew him as a fierce competitor and a voracious researcher with a nearly photographic memory. But above all, he was ethical, principled and always put first the education and care of the young people in his charge.

In 1984, Bob and his wife, Dr. Donna McMinn, embarked on a new chapter in their lives by moving to Japan where Bob became an English and communications instructor.

Inspired by the experience and potential to enrich the lives of young people back home, they returned to Michigan and Bob established the pioneering East Asian Institute at UCS. For nearly 10 years, countless students from Michigan and Japan spent time in one another's homes and schools as exchange students, building cultural bridges and relationships that endure today.

In 1994, the broader educational community took note of Bob's exceptional dedication and innovative work. He was honored as a Michigan Teacher of the Year by the state, Macomb County Teacher of the Year by WDIV-Newsweek and Teacher of the Year by the Michigan Council for Social Studies.

For the next 15 years, Bob served as a UCS administrator in a variety of roles and shaped curricula for all Utica Schools' students. Among the most innovative programs he spearheaded was the Utica Academy for International Studies, an IB Diploma Programme, and the Utica Center for Science and Industry. Additionally, Bob was the initial project director of a Department of Defense grant to establish a Chinese immersion program for UCS students starting in kindergarten. Thanks to Bob's vision, dedication and tireless advocacy, the Utica Schools remain on the cutting edge of cultural exchange and language programs in the State of Michigan. This "renaissance man" of education will truly be missed by his many colleagues and admirers in UCS and beyond.

Throughout his rich and varied career, Bob has helped shape the development and lives of thousands of young people whose own careers have taken them across the globe. At his retirement party tomorrow evening, many of his former students and debaters will gather from around the country to express their appreciation for his inimitable guidance and friendship.

Mr. Speaker, I ask my colleagues to join me as I salute Robert Van Camp, a shining example of the most dedicated of teachers, mentors and visionaries for education in Michigan, and indeed, around the globe. Although Bob will undoubtedly enjoy his retirement with Donna and their menagerie of animals on Stonecroft Farm, I hope in the next chapter of his life, he continues his work of building bridges to other cultures and countries and enriching the lives of young people everywhere.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. RON KIND**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. KIND. Madam Chair, I rise today in strong opposition to the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012. This bill cuts the Woman, Infant, and Children (WIC) Program by more than \$650 million. With the country in the midst of a fragile recovery, my Republican colleagues have decided to prevent up to 350,000 women and children from receiving benefits from this highly successful program. In Wisconsin alone, up to 4,800 women and children would not be able to enroll. For years, WIC has provided mothers and children with healthy foods, counseling on breast feeding, nutrition guidance, and health care referrals. At a time of economic uncertainty, particularly for lower and middle income individuals, these cuts don't make sense. These cuts are especially alarming because they break a 15 year commitment by members of both parties to allow anyone that qualifies to receive WIC benefits.

Not only would the majority cut funding for WIC, they would also seek to underfund programs tailored to provide American children with nutrition education and more nutritious school lunches. Currently, one in three American children is considered overweight or obese. The number of children who are considered severely obese has more than tripled over a 25 year period. Providing America's children with healthy alternatives like fruits, vegetables, whole grains, and school lunches is a small price to pay to help alleviate this epidemic. In fact, it will provide more long term deficit reduction and put us on a better fiscal path than anything the majority has proposed. The long term medical, financial, and societal costs posed by childhood obesity are a far greater threat to our fiscal stability than healthy foods in schools.

Instead of putting deficit reduction on the backs of the country's most vulnerable citizens, I believe we should target true waste and fraud. For this appropriations bill, the country's outdated agriculture subsidy program is a good place to start.

DEMOCRACY RESTORATION ACT  
OF 2011

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Democracy Restoration Act of

2011. This legislation will serve to clarify and expand voting rights, as well as assist former felons with their reintegration into our democracy.

The Sentencing Project reports that, since 1997, 19 states have amended felony disenfranchisement policies in an effort to reduce their restrictiveness and expand voter eligibility. These reforms have resulted in more than 760,000 citizens regaining their voting rights. Yet, despite these reforms, an estimated 5 million people continue to be ineligible to vote in Federal elections, including nearly 4 million who reside in the 35 states that still prohibit some combination of persons on probation, parole, and/or people who have completed their sentence from voting.

I believe that there are three grave discrepancies in State laws regarding felony convictions that lead to unfairness in Federal elections. First, there is no uniform standard for voting in Federal elections, which leads to an egregious disparity and unequal participation in Federal elections based solely on where a person lives. Second, laws governing the restoration of voting rights after a felony conviction are unequal throughout the country and persons in some States can easily regain their voting rights while in other States persons effectively lose their right to vote permanently. Third, State disenfranchisement laws disproportionately impact ethnic minorities, thus adversely infringing upon citizens of these communities constitutional right to vote.

These concerns about ex-offender disenfranchisement are not rhetorical. In the past two election cycles, flawed voter purges have deprived thousands of legitimate voters of their rights. For example, an erroneous interpretation of state law by the Ohio Secretary of State deprived thousands of ex-felons in that state of even the right to register. Only Federal law can conclusively resolve the ambiguities in this area plaguing our voting system.

Like the States, Congress has recognized the need to address the barriers to full citizenship faced by ex-offenders. This voting legislation is the next step in restoring the ex-felon community to full citizenship. Denying voting rights to ex-offenders robs them of the opportunity to fully participate and contribute to their society. Disenfranchisement laws isolate and alienate ex-offenders, and have been shown to serve as one more obstacle in their attempt to successfully reintegrate into society. Moreover, these obstacles adversely impact the voting participation of their families, further undermining the effectiveness of our voting system.

This legislation is a narrowly crafted effort to expand voting rights for ex-felons, while protecting State prerogatives to generally establish voting qualifications. This legislation would only apply to persons who have been released from prison, and it would only apply to federal elections. Consequently, the bill is fully consistent with constitutional requirements established by the Supreme Court in a series of decisions upholding Federal voting rights laws.

In past Congresses, voting restoration legislation has been supported by a broad coalition of groups interested in voting and civil rights, including the NAACP, ACLU, the National Council of Churches (National and Washington Office), the National Urban League, the Human Rights Watch and the Lawyers Committee for Civil Rights, among many others.

The practice of many states denying voting rights to former felons represents a vestige

from a time when suffrage was denied to whole classes of our population based on race, gender, religion, national origin, and property. Ex-felons who have been lawfully released from prisons have paid their debts to society. To continue denying them the ability to reclaim rights as citizens resurrects historic unenlightened practices of our society. Ultimately, I believe that we fail not only ex-offenders by denying them the right to vote, but the rest of a society that has struggled throughout its history to be legitimate and inclusive. Just like poll taxes and literacy tests, it is long past time that these restrictions be relegated to unenlightened history.

CONGRATULATING BRIGADIER  
GENERAL RICHARD A. HERSACK  
ON THE OCCASION OF HIS RE-  
TIREMENT

**HON. STEVE AUSTRIA**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. AUSTRIA. Mr. Speaker, I rise today to congratulate Brigadier General Richard A. Hersack for his outstanding service to our Nation on the occasion of his retirement.

On behalf of the people of Ohio's Seventh Congressional District, I am honored to congratulate Brigadier General Hersack upon his retirement as Command Surgeon of the Air Force Materiel Command (AFMC) at Wright-Patterson Air Force Base in Ohio.

His 28 years of dedicated service to the citizens of our Nation and our community is both admirable and commendable. Hersack received his commission in 1983 upon his graduation from the St. Louis University School of Medicine. As Command Surgeon, he was the principal medical adviser to the AFMC Commander, promoting the health and well-being of 84,000 military and civilian personnel. He is responsible for the medical policy implementation and treatment execution at eight medical treatment facilities and the U.S. Air Force School of Aerospace Medicine, totaling more than 435,000 beneficiaries. Additionally, he oversees operational medicine research, development, education and training programs conducted at the Air Force Research Laboratory's 711th Human Performance Wing.

Over the course of his distinguished career, he served at Wilford Hall Medical Center as the Arthur B. Tarrow Chairman, Department of Anesthesia. General Hersack was one of the original developers of the Mobile Field Surgical Team and the Critical Care Transport Team. He deployed in response to the bombing of the Murrah Federal Building in Oklahoma City, and operations Joint Endeavor and Assured Response.

General Hersack also commanded the 51st Medical Group, 51st Fighter Wing at Osan Air Base in South Korea. Prior to his most recent assignment, he served as Chief of the Medical Readiness Policy and Operations for the Air Force Surgeon General, overseeing all Air Force Medical operations and deployments worldwide. General Hersack is also a Chief Flight Surgeon with more than 900 flying hours, and 25 combat missions in the C-130 aircraft.

For his many years of service to our Nation, I join the people of Ohio's Seventh Congress-

sional District in extending our best wishes upon his retirement and ongoing success in all future endeavors.

PERSONAL EXPLANATION

**HON. KEITH ELLISON**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. ELLISON. Mr. Speaker, on June 15, 2011, I inadvertently missed rollcall No. 424 and 425 and would have voted "no" on both rollcall votes.

SALUTING SERVICE ACADEMY  
STUDENTS—CONNER WILLCOX

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Conner Willcox, a United States Merchant Marine Academy appointee. Conner is a graduate from McKinney Boyd High School where he played football as a starting inside linebacker, lacrosse where he served as captain his senior year, and also participated in wrestling. Conner was actively involved in the National Honor Society, Peer Assistance and Leadership, Saint Gabriel Church Youth Group and as a lifeguard. Conner wants to attend an academy because of the structure and tradition of excellence offered. It is his dream to be a leader in the military in order to protect the country and preserve the liberties we all enjoy. Conner comes from a military family as his grandfather flew 136 missions in Southeast Asia including more than 100 over North Vietnam and his brother is a Cadet First Class at the U.S. Air Force Academy.

THE INTRODUCTION OF THE  
DEREK M. HODGE VIRGIN IS-  
LANDS IMPROVEMENT ACT OF  
2011

**HON. DONNA M. CHRISTENSEN**

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to introduce the Derek M. Hodge U.S. Virgin Islands Public-Private Investment Act. This legislation would create an innovative pilot program to leverage private pension assets to raise approximately \$250 million a year

dedicated to the infrastructure of the U.S. Virgin Islands, while simultaneously raising an additional \$500 million a year for the U.S. Treasury.

In short, the bill would allow taxpayers a onetime transfer of existing IRA, 401k, and other tax deferred investments—up to a total limit of \$50 billion—into a special fund with no tax or penalties at the time of the initial transfer. The transferred funds would receive "Roth" like treatment at retirement if taxes are paid as follows:

For the first ten years, a 1.5 percent tax would be collected by the U.S. Treasury and divided 1.0 percent to the U.S. Treasury and 0.5 percent to the Virgin Islands.

During the second ten years, a 1.0 percent tax would be divided equally between the U.S. Treasury and the Virgin Islands.

After twenty years, a 1 percent tax would be continually collected only for the benefit of the U.S. Treasury.

The tax funds allocated to the Virgin Islands would be deposited in an escrow account. The Department of Interior would approve the release of the escrowed funds to pay for projects set out under an approved reconstruction plan.

Under my bill, the Virgin Islands would receive a twenty-year dedicated source of revenue that would enable it to build a modern infrastructure to move the islands toward self-sufficiency and reduce unemployment.

Mr. Speaker, the Virgin Islands has neither the tax base nor will it receive sufficient federal assistance to make the necessary investments in basic infrastructure like water, sewer, storm-water, roads, telecommunications, and electric grid. The current infrastructure is not "hardened" against frequent tropic storms, and therefore must be repaired often—further exacerbating the unwillingness of the private sector to invest in basic industries on the islands. These investments would substantially mitigate the federal government's cost for rebuilding after tropical storms and are essential to job creation and providing basic services to the citizens of the Virgin Islands.

Mr. Speaker, the legislation I introduce today is named in honor of former Virgin Islands Lieutenant Governor and former President of the Legislature of the Virgin Islands, Derek M. Hodge, who recently passed away. Derek was the driving force behind this bill and he dedicated the last several years of his life towards its passage because of what it would mean for his beloved Virgin Islands. There would not be a more fitting tribute to his life's work than the enactment of this bill into law.

In these days of budget cuts and growing unwillingness to fund for essential infrastructure, my bill will ensure the necessary investment in the Virgin Islands through a wholly voluntary funding source—a win for the citizens of the U.S. Virgin Islands and the American taxpayers.

COMMEMORATION OF  
LYMPHEDEMA AWARENESS DAY

**HON. DAVID P. ROE**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. ROE of Tennessee. Mr. Speaker, today I hope to raise awareness of lymphedema, a

debilitating disease for which no cure has yet been developed.

Lymphedema is a blockage of lymph vessels that causes an accumulation of fluid, protein, and other cellular waste. This results in a swelling of the body in places where the blockage occurs. Though lymphedema can be passed down genetically, it most frequently occurs after surgical procedures to remove damaged lymph nodes or vessels. Often it is a tragic side-effect to cancer treatments, the highest risk occurring in breast and prostate cancer patients.

Doctors can screen for lymphedema using a number of diagnostic tools, and early detection is important to minimize the effects of this disease. Lymphedema, sadly, is not curable, but it is treatable through compression, specially designed exercises, or, in some cases, surgery.

One of my constituents, Jennifer Onks Hovatter of Johnson City, lost her husband Thomas to complications arising from lymphedema in 2007. Every year on June 18th—the day that Thomas passed away—Jennifer holds the Thomas Hovatter Lymphedema Awareness Day in memory of her husband.

I hope others will join me in tying a turquoise ribbon around their tree the weekend of June 17–19, and help Jennifer bring awareness to this chronic, debilitating disease.

HONORING CALIFORNIA STATE  
UNIVERSITY, FRESNO

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor California State University, Fresno as the University celebrates its Centennial Anniversary Year.

Starting from humble beginnings as the Fresno Normal School, CSU, Fresno has evolved into an acclaimed university. Serving a culturally diverse student body, Fresno State has pledged to be a university accessible to students from all backgrounds with the desire to attain higher education. It is this commitment to serving all students which makes this university indispensable to the Central Valley.

Fresno State attracts both national and international attention for its many academic programs. Among the nationally acclaimed programs is the Jordan College of Agricultural Sciences and Technology. CSU, Fresno operates the first commercially bonded winery on any U.S. university campus, and student-produced wines have won hundreds of awards, bringing much needed interest to the Central Valley. In addition, the Jordan College of Agricultural Sciences and Technology is also working to solve many of the most pressing issues in agriculture. The college has become a pioneer in water-saving irrigation techniques and equipment that has been utilized.

With 64 bachelor's, 44 master's and three doctoral subject areas, CSU, Fresno has come a long way. The University has contributed much to the economic, civic and social well-being of our community.

Mr. Speaker, please join me in honoring California State University, Fresno on its Centennial Anniversary.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. VAN HOLLEN. Madam Chair, I rise today in strong opposition to the misguided Fiscal Year 2012 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act. This bill puts the economic recovery at risk by cutting funding to the Commodities Futures Trading Commission, which will prevent the CFTC from implementing important reforms in the Dodd-Frank Wall Street Reform Act. The bill also slashes critical food security programs aimed at protecting our most vulnerable citizens, children and seniors. The bill also cuts important food safety programs at the Food and Drug Administration.

The Dodd-Frank Wall Street Reform Act took the important step of bringing the vast majority of over-the-counter derivatives out of the shadows and onto regulated exchanges and clearinghouses, where the risk will be borne by the counterparties and the markets they trade on—not the taxpayer. Astonishingly, rather than providing the Commodities Future Trading Commission with the resources necessary to implement this critical reform, the new majority is proposing to slash CFTC funding by 44 percent below President Obama's request—and \$30 million below current levels. This is like telling a cop he's got seven times more territory to patrol but less money to do it with. Unable to repeal the Dodd-Frank Wall Street Reform law, the Republicans are now clearly trying to starve it to death—which is a prescription for continued pain at the pump as speculators run amok in our futures markets and gouge hard-working consumers. This is a step in the wrong direction and ignores the mistakes of the past.

The cuts to food safety net programs in this legislation are devastating at a time when millions of Americans are unable to purchase food. The cuts also target the most vulnerable in our society. The Special Supplemental Nutrition Program for Women, Infants and Children is cut by \$650 million in this bill. The Center on Budget and Policy Priorities estimates that the cuts in this bill would force WIC to turn away 200,000 to 350,000 eligible low-income women and young children next year. The bill would force WIC to turn away 3,200 to 5,600 eligible low-income women and

young children in Maryland. The USDA says WIC has saved more than 200,000 babies from dying at birth. Economists estimate that every \$1 invested in WIC saves between \$1.77 and \$3.13 in health care costs in the first 60 days after an infant's birth by reducing the instance of low-birthweight babies and improving child immunization rates. The bill also cuts food aid for low-income seniors through cuts to the Commodity Supplemental Food Program and assistance to food banks through the Emergency Food Assistance Program. According to the USDA's Economic Research Service, 50.2 million Americans lived in food-insecure households in 2009, including 17.2 million children.

The bill slashes the Food and Drug Administration by \$572 million. These cuts are 21 percent below the President's request and \$285 million or 12 percent below current funding levels. These cuts will prevent FDA from improving food safety efforts and increase the risk of food-borne illnesses. The CDC estimates that 48 million Americans get sick from contaminated food, 325,000 people are hospitalized, and 5,000 of these people die every year. E. coli outbreaks in Europe recently killed 31 people and made more than 3,000 people sick. Outbreaks like this remind us of the importance of strong food safety regulations.

I will monitor the progress of this bill in the Senate and conference. I am hopeful that future changes and improvements will give me a chance to vote on a more acceptable alternative.

HONORING DIANE HARGRAVE

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Diane Hargrave of Saint Joseph, Missouri. Diane is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Award for Woman in Support Services.

Within her 23 years of service to the Northwest Missouri Psychiatric Rehabilitation Center, Diane has continually excelled at a complex set of responsibilities. She has assisted with five successful federal and state inspections, and has served several facility leaders on her journey to her current title as Assistant to the Chief Operating Officer. Diane holds the complete history of the facility in her hands, and has been praised for her assistance through a major leadership reorganization. Her knowledge of the facility has been instrumental for hospital leadership navigating service delivery in the complicated public mental health care setting. Diane has guided coworkers to top administrative leadership positions, while helping NMPRC maintain rigorous accreditation—and all with humor and generosity.

Mr. Speaker, I proudly ask you to join me in recognizing Diane Hargrave. She has made an amazing impact on countless individuals in the St. Joseph Community. I am honored to represent her in the United States Congress.

VIRGINIA BEACH ELKS LODGE  
#2268

**HON. E. SCOTT RIGELL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. RIGELL. Mr. Speaker, I rise today to commend Paul Shoemaker and the Virginia Beach Elks Lodge #2268. On Sunday, June 12, 2011, the Virginia Beach Elks Lodge #2268 held a Flag Day Ceremony at the Flame of Hope Memorial in Virginia Beach, VA, to commemorate the adoption of the Flag of the United States. I would like to thank Chief Warrant Officer Floyd R. Shoemaker, Sr. for attending the ceremony and for his 43 years of service in the Navy, Air Force, and Army. I would also like to thank Colonel Francis X. Cubillo, USMC; Mayor William D. Sessoms, Jr.; Captain Robert N. Geis, USN; Karyn Swenor; Beverly Hamby; the Green Run High School NJROTC; Ron McGregor; and Samantha Spencer for participating in the ceremony. The Elks did an incredible job putting this event together, and I commend them for their continued service in the Hampton Roads community.

**RANDLEMAN WINS CHAMPIONSHIP  
ON THE FINAL OUT**

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. COBLE. Mr. Speaker, unlike other sports, baseball is unique because there is no clock. Unless weather intervenes, the game ends only when the leading team records 27 outs. The baseball team at Randleman High School, located in the Sixth District of North Carolina, discovered that getting the last out can be the most difficult of all. Randleman won the North Carolina High School Athletic Association State 2-A championship on Saturday, June 4, 2011, in dramatic fashion by collecting that final out with a play at the plate.

The Randleman Tigers won this state championship with an 8-7 victory over defending state champion East Rutherford High School. The game was played on Doak Field at North Carolina State University. The Tigers won the best of three series, two games to one. This was Randleman's first appearance in the finals since 1985 and marks an important achievement in the school's history.

In the last inning, a six-run lead dissolved to two. Another hit scored the seventh run for East Rutherford, but as the tying run was heading to the plate, Randleman's Tyler Walls launched a perfect throw to cut-off man Dylan Richardson. The Tiger's shortstop never paused as he whipped the relay to catcher Zach Bach to get the last out and give Randleman its first state title ever. Head Coach Van Hurley, Jr., told the Asheboro Courier Tribune, "To win like that, Curtis [Linthicum] to throw like that. It's all unbelievable. We had three outs to get and six runs to give. I had complete confidence that he was going to do it."

With a grand slam on Friday and pitching the gutty win on Saturday, Curtis Linthicum received the MVP award. Joining him on the state championship team were Will Albertson, Easton Welch, Ted Luna, Jacob Tally, Dexter Allen, Jeremy Taylor, Dylan Richardson, Ryan Vickers, Cody Trogdon, Tyler Walls, Connor Pratt and Zach Bach. The winning team was led by Head Coach Van Hurley, Jr., who was ably assisted by coaches Shawn Barker, Clayton Welch and Scott Clemons.

The Tigers finished their extraordinary season with a record of 28-4 and the satisfaction that comes from experiencing the result of practice and hard work right up until that final out. On behalf of the citizens of the Sixth District of North Carolina, we congratulate the Randleman High School baseball team for winning the 2011 state title.

**IN SUPPORT OF EXPANDING THE  
PRIMARY CARE WORKFORCE  
AND OPPOSING H.R. 1216**

**HON. KATHY CASTOR**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Ms. CASTOR of Florida. Mr. Speaker, I rise today to acknowledge the importance of the primary care workforce and support provisions included in the Affordable Care Act to expand the number of primary care physicians, especially in my home state of Florida.

One of the smartest things we can do in health care today is to bolster primary care and family medicine. Your primary care doctor is your family doctor; the one you and your family see for checkups, and the doctor who is most likely to understand your health care needs. It is widely understood that if we are going to be more efficient in America with our health care dollars, we need to focus on prevention and boost the number of primary care doctors. There is a great demand for primary care physicians across the country and training new doctors in a community teaching setting is vital.

Training doctors is an especially critical issue in my home state of Florida. We have a significant doctor shortage. Florida has great medical schools and are turning out quality medical school graduates, but that is not enough because we do not have a sufficient number of residency slots. Florida is short nearly 3,000 new GME positions to meet current physician demand. Florida is the third most populous state, but ranks 44th in the nation in terms of the number of residency positions under Medicare. Those numbers reflect a brewing crisis situation. Not only does Florida have the largest and fastest growing percentage of citizens over 65, we have a rapidly aging physician population—25 percent of Florida's physicians are over 65. We need to do everything possible to train new primary care doctors all across the country, but especially in Florida. H.R. 1216 will take us backwards and that is why I strongly oppose its passage.

Before we take up legislation to terminate an initiative that encourages the training of new doctors in primary care, family medicine and internal medicine, please understand our

country's need for physicians who are most effective for our families. I urge my colleagues to support a robust primary care workforce. We need to work together to develop modern methods to train primary care physicians—and the Teaching Health Centers GME program, which my colleagues on the other side of the aisle seek to eliminate, is an innovative new model to help train more primary care physicians and encourage them to practice in communities. Physicians who train in a community setting have a better understanding of the needs of the communities they serve. Many organizations—like MedPAC and the Council on Graduate Medical Education—have called for a community-based GME program, so why do Republicans want to eliminate these opportunities before they start? Residency rotation through rural and outpatient locations provide great training opportunities for physician residents; and it encourages the resident to practice in out-patient or rural communities.

If we do not work together to find common sense solutions for our primary care workforce, America will be short of the doctors we need to serve in our communities and our families and neighbors will suffer the consequences. This is why I voted against H.R. 1216 and why I strongly oppose any attempt to eliminate innovated methods for training our future primary care workforce.

**HONORING FIREFIGHTER SCOTT  
DAVIS**

**HON. MIKE PENCE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. PENCE. Mr. Speaker, today I rise to honor the service and sacrifice of one of Indiana's bravest.

Firefighter Scott Davis was tragically killed yesterday while fighting a fire at Tabernacle of Praise Church in Muncie, Indiana. He is the first Muncie firefighter to give his life in the line of duty since 1955.

Those who knew Firefighter Davis were not surprised at his boldness and bravery in the Tabernacle of Praise fire. He was a former Yorktown fire chief, and had been with the Muncie Fire Department since June 15, 2005.

He bravely sacrificed his life protecting the community, and in so doing, he will forever be remembered as a hero and servant leader.

In the midst of great tragedy, I honor Firefighter Davis and the other brave men and women who risk their lives every day to protect their community. We must always be grateful for those who run in when others run out.

Firefighter Davis was a man of faith, a devoted husband to his wife Raeanne, and loving father of three children—Jake, Emma, and Max. My family and I offer our deepest condolences and prayers to his loved ones, and we honor the legacy of Firefighter Davis' life of sacrificial service.

The Good Book tells us that "The Lord is close to the brokenhearted." And that is my prayer for the Davis family and the Muncie community.

CONGRATULATING TEMPLE  
EMANU-EL ON CELEBRATING ITS  
50 YEAR ANNIVERSARY

**HON. LEONARD LANCE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. LANCE. Mr. Speaker, on July 8, 2011, Temple Emanu-El of Edison will celebrate its 50th Anniversary. I am proud to join the more than 250 families in the congregation, the clergy and temple leaders in celebrating this golden anniversary.

This special event will kick off a year-long celebration of the Temple's history, successes and contributions it has made over the course of five decades to its members and to the Middlesex County and surrounding communities.

Over the last 50 years, Temple Emanu-El has earned a reputation for its open door policy, which is a hallmark of its congregational community. The renowned religious school was the first in the area to offer special education programs. The Temple has sheltered the homeless and welcomes interfaith families with no categorizing of Jewish and non-Jewish members.

A good community partner in Middlesex County, the Temple offers adult education programs. Its members deliver weekend meals-on-wheels to those in need and collects and distributes food and funds to the needy in the community.

At the Temple Emanu-El religious school, children learn Hebrew and the traditions of Judaism. Adults study with renowned Scholars-in-Residence and to take part in an Adult Bar/Bat Mitzvah program. Interfaith families can learn how to create Jewish homes.

As Temple Emanu-El celebrates this important milestone, I congratulate Rabbi Deborah K. Bravo, Cantor Jacqueline Shuchat-Marx, Rabbi Alfred B. Landsberg—Rabbi Emeritus, Jill Santoni, Educational Director, and the Temple's Board of Trustees for their dedicated efforts.

As the Temple's journey continues and traditions are passed along Dor v' Dor, I wish the Temple all the best in celebrating the next 50 years.

Mr. Speaker, I am proud to congratulate Temple Emanu-El in Edison, New Jersey in celebrating 50 years of service to the community. I am proud to share this important milestone with my colleagues in the United States House of Representatives and with the American people.

RECOGNIZING THE 146TH ANNIVERSARY OF JUNETEENTH AND THE 18TH ANNUAL CELEBRATION OF THE JUNETEENTH FREEDOM & HERITAGE FESTIVAL IN MEMPHIS, TENNESSEE

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. COHEN. Mr. Speaker, I rise today to recognize the 146th anniversary of Juneteenth and the 18th annual celebration of the Juneteenth Freedom and Heritage Festival in Memphis, Tennessee. On June 19, 1865,

Major General Gordon Granger arrived in Galveston, Texas and announced in the town square that all slaves were free. Although this came nearly 3 years after the issuance of the Emancipation Proclamation, the newly freed men and women rejoiced in the streets with jubilant celebrations, and thus, the Juneteenth holiday was born. The theme of this year's Memphis festival is "Juneteenth Salutes 'The Divine Nine' in 2011."

Founded out of the necessity to combat racial discrimination and segregation, the Divine Nine is a collective group of nine historically African-American sororities and fraternities that together, create the National Pan-Hellenic Council, Incorporated. The Divine Nine works to promote unity, camaraderie, academic excellence and community service.

The Divine Nine is made up of the Alpha Kappa Alpha Sorority, Alpha Phi Alpha Fraternity, Delta Sigma Theta Sorority, Iota Phi Theta Fraternity, Kappa Alpha Psi Fraternity, Omega Psi Phi Fraternity, Phi Beta Sigma Fraternity, Sigma Gamma Rho Sorority, and the Zeta Phi Beta Sorority. They have profoundly impacted the lives of both their members and those they serve. Many of these organizations address issues related to social justice, human rights, poverty and economic security in African-American communities.

Over the years, countless Memphians have become members of these organizations and have made significant contributions to our community. Some include: current city of Memphis Mayor A C Wharton Jr., Alpha Phi Alpha; Shelby County Commissioner Deidre Malone, Alpha Kappa Alpha; 6th Circuit Court of Appeals Judge Bernice Donald, Zeta Phi Beta; and Pastor Kenneth Whalum, Jr., Phi Beta Sigma. Some who have fought for civil rights and equality are: Former president of the Memphis branch of the NAACP Velma Lois Jones, Alpha Kappa Alpha; current NAACP Executive Board member O.C. Pleasant Jr., Kappa Alpha Psi; and the late civil rights leader and former executive director of the NAACP Reverend Dr. Benjamin Hooks, Omega Psi Phi.

As we celebrate sororities and fraternities this Juneteenth, Delta Sigma Theta will host their 43rd Southern Regional Conference in Memphis. Some accomplished Memphian Deltas are cofounder Mary Church Terrell, singer Aretha Franklin, State Reps. Johnnie Turner and Lois DeBerry, Olympian Rochelle Stevens and National Civil Rights Museum Executive Director Beverly Robertson. Delta Sigma Theta has organized many initiatives that have improved African-American communities such as foreclosure prevention workshops, ACT test sessions and raising millions of dollars in college scholarships.

Mr. Speaker, it is in the spirit of these great organizations that I ask my colleagues to join me in observing our nation's 146th anniversary of Juneteenth and the celebrations in Memphis. This is a time to reflect upon the end of slavery in America and to recognize the many contributions of African-American citizens. As the Alpha Phi Alpha, Dr. Martin Luther King, Jr. said, the Emancipation Proclamation "came as a joyous daybreak to end the long night of their captivity."

HONORING MO ANDERSON

**HON. JAMES LANKFORD**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. LANKFORD. Mr. Speaker, I rise today in honor of my constituent, Mo Anderson, for her commitment to volunteer community service which has inspired true acts of kindness all across communities in North America.

Mo was an elementary school music teacher for 14 years, after which she developed her first and very successful real estate office in Edmond, Oklahoma in 1975. In her current role as vice chairman of Keller Williams Realty, Mo spends much of her time traveling across the United States teaching at real estate training events. She has received numerous awards for her hard work and dedication.

Mo is the beloved leader of her real estate firm, significantly influencing her colleagues, and it is her story that has inspired the Keller Williams annual national Renew, Energize and Donate Day. Each year, on the second Thursday in May, thousands of associates from across the United States and Canada participate in projects and devote their time to renewing and energizing aspects of the neighborhoods in which they serve.

As an Oklahoman, I am proud of Mo for setting a wonderful example. She has inspired others to see needs in communities and to be sure those needs are met. Oklahoma is very grateful to Mo Anderson and to her building a legacy of caring.

PHILLIP O. BARRY, PH.D., PRESIDENT, MESALANDS COMMUNITY COLLEGE IN TUCUMCARI, NEW MEXICO

**HON. BEN RAY LUJÁN**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. LUJÁN. Mr. Speaker, Dr. Phillip O. Barry in his 15 years at Mesalands Community College in Tucumcari, New Mexico has transformed Mesalands from an area vocational school into a community college. Dr. Barry's vision for Mesalands Community College has been instrumental to the continued development and success of the College. His efforts include leading the College through a rigorous accreditation process, and establishing the College's foundation to assist students in securing their educational futures. Dr. Barry's leadership also created the Mesalands Community College Dinosaur Museum, the North American Wind Research and Training Center, and a nationally ranked intercollegiate rodeo program.

Dr. Barry has spent decades working at community colleges to improve access and learning opportunities for all students, and especially those of New Mexico. His efforts and leadership in higher education will be a help to New Mexico and to the community college students of today and tomorrow. Thanks to Dr. Barry and the institutions he has led, a growing number of Americans are able to continue their educations, achieve secondary degrees, and help ensure our country's future competitiveness in an increasingly global economy.

HONORING U.S. ARMY FIRST LIEUTENANT JOHN M. RUNKLE OF WEST SALEM, OHIO

**HON. JAMES B. RENACCI**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. RENACCI. Mr. Speaker, my thoughts and prayers are with the family of 1st Lt. John Runkle as we honor his memory and express our deepest gratitude for his service to America. Our Nation and our State lost one its finest last month when Lt. Runkle of West Salem, OH died while serving our country in Operation Enduring Freedom in Kandahar, Afghanistan. A native Ohioan, John Runkle graduated from Northwestern High School in 2002 and then enlisted in the U.S. Army. Following a deployment to Iraq during 2004 and 2005, he entered West Point, where he went on to graduate in the top ten percent of his class.

In 2010 Lt. Runkle graduated from Ranger School and served with the 4th Battalion, 101st Aviation Regiment, based at Fort Campbell, Kentucky. A standout servicemember in our Armed Forces, Lt. Runkle earned numerous commendations and medals during his career, including the Army Commendation Medal, the Army Achievement Medal and the National Defense Service Medal. Lt. Runkle was 27 years old when his unit was struck by an improvised explosive device in Kandahar, Afghanistan on May 26, 2011. Lt. Runkle is survived by his father, John Runkle of Wooster, OH and his mother, Christine Runkle of West Salem, OH. He is also survived by his sister, Jane, and brothers Corey and Brent.

Although Lt. Runkle's life was cut far too short, the achievements he earned and the selfless service he gave to our Nation during his 27 years far exceeded what most of us could hope for in several lifetimes. Lt. Runkle represented the best of what America has to offer and his legacy will serve forever as a shining example of sacrifice, honor and a steadfast commitment to preserving freedom and liberty for all those that he left behind. Our country is a lesser place without him, but remains free and strong thanks to his service and his sacrifice.

**CHINESE SPYING DEVICES  
INSTALLED ON HONG KONG CARS**

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. WOLF. Mr. Speaker, I submit the following article regarding the scope of Chinese espionage. The degree to which China spies on both its own people and foreigners is a reminder of the illegitimate security and economic practices of Beijing.

**CHINESE SPYING DEVICES INSTALLED ON HONG KONG CARS**

(By Albert Ding and Matthew Robertson)

For years now Chinese authorities have been installing spying devices on all dual-plate Chinese-Hong Kong vehicles, enabling a vast network of eavesdropping across the archipelago, according to a Hong Kong newspaper.

The report in Apple Daily states that the recording devices began being installed as "inspection and quarantine cards" in July 2007. They were installed without charge by the Shenzhen Inspection and Quarantine Bureau on thousands of vehicles.

Smugglers were the first to note something strange about the devices. A source told Apple Daily that after the cards were installed mainland authorities had no trouble picking off the cars carrying illicit goods.

"For every ten cars we ran we only had [smuggled goods] in three or four to reduce the risk, but the border agents caught all of them. The accuracy was unreal!" Apple Daily quoted the smuggler saying.

The device, no larger than a PDA, is taped onto the vehicle's front window. Protective tape covers the screws, presumably to prevent tampering—though it didn't stop Apple Daily from removing the devices, taking them to experts for inspection, and presenting pictures of them splayed open on their website, with neat graphics indicating the various internal components.

Apple Daily says they took the device to a university professor and a private investigator, both of whom attested to the espionage potential of the units.

Zhang Dawei, identified as "a private investigator of over 30 years," took a look at the device's internal structure and told the Daily that the card could certainly be used for eavesdropping.

An Associate Professor of Electrical Engineering at City University of Hong Kong, Zheng Liming, took apart one of the devices and confirmed that it can listen in on conversations.

And the range is extensive, he said. "The signal receiving range is up to 20km, which means if the device installer wants to, they can listen even when the vehicles are in Hong Kong," he said.

Two of the regions in Hong Kong where the device can transmit data back to China are Sha tin and Tuen mun.

Much cheaper chips can be used to check inspection status for simple border crossings, Zhang said. "But this device uses chips commonly found in Bluetooth and voice recording devices, designed for receiving voice transmission."

He thus thought it "very likely" that they were being used for surveillance.

The Daily interviewed several Hong Kong drivers to gauge their reactions; predictably, they were often irate.

Ms. Deng, who operates a real estate business, said: "Even if we hired a maid, we are not allowed to install a surveillance camera in her room due to privacy issues! You can't just do whatever you want."

A senior manager in an unidentified company noted that those who qualify for the dual license plate usually have some financial clout. If their business conversations in the car were recorded and the information shared, he said, it may be enough to send people bankrupt.

HKBusiness.net, an online news site, says that businesses that invested more than \$1 million in mainland China and paid more than 30,000 yuan in tax over the past year qualify for a dual license plate.

Apple Daily quotes a source saying there are at least 20,000 cars with dual license plates, and tens of thousands of trucks and buses.

A reporter from the newspaper went to the Shenzhen Inspection and Quarantine Bureau and confronted them with the accusations. Staff on duty flatly denied the idea, Apple Daily said. Speaking Cantonese, they assured him that "It's not that high tech."

**SMALL BUSINESS ROUNDTABLE**

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. BARLETTA. Mr. Speaker, our economy is stalled. Our unemployment rate is still way too high. Two-thirds of all small business owners say it's a bad time to expand.

That's why it was important for me to spend part of last week meeting with local business and economic leaders in a Small Business Roundtable. We discussed how federal overregulation hampers business growth and expansion. We talked about legislative reform and the different needs of businesses and industries of various sizes.

I spoke to the leaders of CAN DO, Greater Hazleton's economic development agency, which celebrated its 55th anniversary this year, and with the Columbia-Montour Chamber of Commerce. Everywhere I went, I spoke with business leaders who are in the trenches every single day. They understand how government impacts their companies. They see how high taxes and burdensome overregulation keep them from growing.

One of the commitments I made to the people of northeastern Pennsylvania was that I would take their voices here to Washington with me. Mr. Speaker, the business leaders back home are crying out for relief. They're asking for us to get off their backs. They want to be able to grow, to expand, to buy more equipment, and to hire more workers.

Roundtable talks are a way for me to stay in touch with groups of constituents who are experts in their fields, and to get their opinions about current and future regulations and legislation. The discussions we've had so far have been extremely helpful, and the free flow of ideas and comments between panel members is fantastic.

Also last week, I convened an education roundtable to talk about fixing our broken system. Local educators and I discussed ways we can improve the synergy between educational programs, and how we can remove classroom hurdles and let teachers teach the workforce of the future.

When I toured the manufacturing and research-and-development Schott North America's Advanced Optics and glass manufacturing facility in Duryea, Pennsylvania, I heard about their need for skilled workers. These are the kind of jobs we need in northeastern Pennsylvania and in the United States. We must make sure that educators are able to prepare young people for those jobs.

One place that is working to prepare the workforce of tomorrow is the Career Technology Center of Lackawanna County in Scranton, a consortium of nine school districts in northeastern Pennsylvania that provides instruction in 26 career areas. I saw firsthand the instruction that is going on in the technology center, and I'm proud of the work they do for our young people.

Of course, nowadays, our children face many hurdles on the road to their future. A serious and growing hurdle is the increasing amount of gang activity. I know northeastern Pennsylvania is about the last place anyone would think about when it comes to gangs, but national gangs are drawn to our quiet towns and our quality of life. Last week, I proudly co-



hosted a gang awareness seminar with Pennsylvania Senator John Yudichak. We were privileged to welcome D. Darell Dones, supervisory special agent of the Behavioral Science Unit of the FBI, to the area. Agent Dones presented startling information about gangs and led a panel of experts who provided a frank assessment of local gang problems and potential gang solutions. Agent Dones noted that this cooperative effort—co-hosted by a Democratic state senator and a Republican congressman—was unlike any he'd seen in the country.

But the most special moment for me was when I helped present a veteran with medals he earned more than 65 years ago. Hazleton resident George Puhak helped liberate the Philippines during World War II, but for some reason, this Army veteran never received all of the medals he was entitled to. Representatives from the Embassy of the Philippines made the trip from Washington to Hazleton to present Mr. Puhak with the medals he earned all those decades ago. It was an honor for me to participate in the presentation, which took place in front of some of Mr. Puhak's children and grandchildren. Mr. Puhak's courage—and the commitment and dedication shown by his fellow members of The Greatest Generation—should stand as a shining example for today's youth, for whom we are working so hard here in Washington.

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NAAMA SHAFIR: RELIGIOUS  
DISCRIMINATION LIVES ON

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**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. POE of Texas. Mr. Speaker, during World War II, Jews were forced to wear the yellow star of David as a symbol of hatred and scorn.

The Jewish people experienced hatred in many forms during the Holocaust, most notably the murder of 4.9 to 6.0 million citizens.

Have we moved past this backward way of thinking? No!

Twenty-one-year-old Naama Shafir is a junior guard for the woman's basketball team at the University of Toledo. This April, she led her team to victory in the Women's National Invitation Tournament championship with a career-high 40 points and was named tournament MVP.

She continues to excel, and has qualified to compete in the European championship as part of the Israeli women's national basketball team.

However, because Naama wears a t-shirt under her jersey in order to comply with the modesty standards expected of Orthodox Jews, she will not be allowed to compete in the European championship.

Tens of thousands of soldiers died during World War II trying to overcome this terrible prejudice, yet Naama still endures that same prejudice that her ancestors were faced with during the war.

And that's just the way it is.

SALUTING SERVICE ACADEMY  
STUDENTS—RYAN MARTINEZ

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Ryan Martinez, a United States Naval Academy Appointee. Ryan is a graduate of Cistercian Preparatory School where he played football as a wide receiver and a free safety, ran cross country, participated in track, and played soccer earning a total of nine letters during his high school career. Ryan was actively involved in Student Council as the vice president, a member of the Third District Congressional Youth Advisory Council, earned the rank of Eagle Scout, and worked as a sports writer for his school's newspaper. He was selected to attend the U.S. Naval Academy Summer Leadership Seminar. Ryan realized there was no other university he would rather attend, and by attending a service academy he would not only be pushing his talents to their fullest potential, but he would also be using them for his ultimate goal of servicing others, and especially his remarkable country.

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STATEMENT RECOGNIZING NA-  
TIONAL SUMMER LEARNING DAY

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. PAYNE. Mr. Speaker, I rise today to recognize June 21 as National Summer Learning Day and draw attention to the importance of high-quality summer learning opportunities in the lives of young people. This day is an opportunity for schools, nonprofit organizations, public agencies, resident camps, sports clubs, businesses, museums and libraries to showcase the contributions they make to the lives of young people during the summer.

The effort to keep kids learning during summer is based on research that shows that without effective summer learning opportunities: most students fall more than two months behind in math over the summer; low-income children fall behind two to three months in reading each summer, while their middle and upper-income peers make slight gains; and by the end of fifth grade, lower-income children can be nearly three years behind their higher-income peers in reading.

Last year, nearly 500 events were held nationwide that highlighted how summer learning programs advance academic growth, support working families, keep children safe and send students back to school ready to learn.

I am proud to recognize National Summer Learning Day and encourage communities across the country to celebrate and acknowledge the importance of providing all young people with high-quality learning opportunities during the summer months.

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REMEMBERING REVEREND L.E.  
LAWSON AND MONSIGNOR  
CHARLES KING

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. BURGESS. Mr. Speaker, today I rise to honor the memory of two of Denton County's most esteemed spiritual leaders, Reverend L.E. Lawson and Monsignor Charles King. Both Reverend Lawson and Monsignor King devoted their lives to serving their respective congregations and compassionately working to improve the lives of the less fortunate in the Denton community.

Reverend Lawson, who passed away May 22nd, spent the last 26 of his 52 years in the ministry as pastor of Denton's Mount Cavalry Baptist Church, during which time he baptized, married, and performed the burials of generations of church members. Reverend Lawson loyally tended to the spiritual needs of the community in which he immersed himself.

Monsignor King, who passed away June 1st and just a week after the Reverend Lawson, served 10 of his 54 ministry years at Denton's Immaculate Conception Catholic Church, but left an equally lasting mark of leadership and compassion on his congregation and his community.

The two men's spiritual work represented different branches of Christianity. Monsignor King's Catholic Church is a centuries-old world religion of grandeur while Reverend Lawson hailed from the much humbler African-American Baptist church. In the end, however, their paths ultimately led to interchangeable legacies that reflect both men's never-ceasing dedication to the Christian faith and the Denton community. Comments from members of both congregations in Reverend Lawson's and Monsignor King's obituaries could be applied to either man.

Mr. Speaker, today I rise to commemorate the exemplary lives of Reverend L.E. Lawson and Monsignor Charles King. With the passing of these men, Denton has lost more than a century of spiritual direction and service. Their passion and enthusiasm for their faith and their fellow man, however, will always be remembered.

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HONORING GRADUATES OF RUT-  
GERS LAW SCHOOL CLASS OF  
2011 AND PROFESSOR JOHN  
BECKERMAN

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. ANDREWS. Mr. Speaker, I rise today offering my sincere congratulations to the Rutgers Law School Class of 2011. I additionally would like to recognize Rutgers-Camden Professor John Beckerman. Professor Beckerman

possesses a keen legal mind and a passion for teaching. He has taught many classes ranging from Medieval European History to Duty and Fairness in Corporate Law at many esteemed schools, including Yale University, the University of Michigan, and Rutgers-Camden Law. This spring, he was selected by this year's Rutgers-Camden graduating class as the 2011 "Professor of the Year." As part of this honor, Professor Beckerman delivered the Class Day Speech to the Rutgers School of Law-Camden class of 2011 on May 18, 2011. It is my privilege to read his remarks into the RECORD:

Honored Guests, Dear Friends, There are a lot of lawyers in our country—something approaching one million two hundred thousand—and despite all who leave the profession every year, loud voices constantly tell us that there are too many lawyers, too much law, too much regulation; that we need fewer lawyers, less law, and especially less regulation.

Not everyone in the audience will agree with me, and that's fine, but I have a different message for you. Quite apart from the ongoing debate about the proper size and scope of government, never have we needed capable and courageous lawyers more than we need you now. Never has our society needed your knowledge; your skills; your policy expertise; your problem solving ability; your good judgment; your sensitivity to the plight of ordinary people, to say nothing of the poor, disadvantaged and oppressed, more than we need it today.

History shows that lawyers and legal doctrine always have served those of wealth and privilege. It is no coincidence that property law in Anglo-American jurisprudence largely developed in its main outlines before the laws of crime, torts, and contract. Because wealthy and powerful persons and entities can better afford lawyers than can the rest of us, they not only hire lawyers more easily, but also elect legislators, influence who become judges, and exert disproportionate influence on both the law enacted by legislatures and doctrine declared by courts.

What difference does this make today? The past thirty years have seen the greatest concentration of wealth upwards ever in the history of our republic. The effects of these economic changes on the law and politics are not surprising, but are cause for enormous concern. As Jay Feinman has demonstrated (*UN-MAKING LAW: THE CONSERVATIVE CAMPAIGN TO ROLL BACK THE COMMON LAW*, Boston, 2004), there has been a movement in legislatures and courts to reduce the legal protections available to ordinary people and to increase the legal benefits our government gives to corporations and individuals of wealth and power.

It's no secret that the General Electric Company paid no federal income taxes in 2010 despite making more than \$5 billion in profits, that the government gives \$4 billion of tax subsidies every year to the oil industry despite the huge profits they are making as gas prices top \$4 per gallon, and that billionaires who have died since the beginning of 2010 paid no federal estate taxes. You don't need me to tell you what's wrong with this picture. We need lawyers and legislators with vision and courage to correct these distributional inequities currently enshrined in law.

Consistent with the trend of reducing protections for ordinary people, in the past month and a half, the conservative majority on the Supreme Court issued two decisions that I find very disturbing. In one (*AT&T Mobility, LLC v. Concepcion*, No. 09-903, April 27, 2011), they held that the Federal Arbitration Act preempts efforts of state

courts to limit contractual arbitration clauses that they deem unfair to consumers. As soon as corporations insert into every contract an arbitration clause limiting your right to sue and waiving your right to represent others, this decision will effectively end all consumer and employment class action lawsuits throughout the United States, as well as their disciplining effects on corporate behavior.

In another case (*Connick v. Thompson*, No. 09-571, March 29, 2011), the majority expanded the doctrine of municipal immunity to overturn a damage award won by a man who served eighteen years on death row in Louisiana for crimes he did not commit as a result of the district attorney's deliberately withholding from the defense the exculpatory evidence that eventually exonerated him, in flagrant violation of well-settled constitutional law. And a year ago, in *Citizens United v. Federal Election Commission*, 558 U.S. 50 (2010), the same majority held that corporations have the same First Amendment rights as people, thus effectively eviscerating most legislative efforts to limit the corrosive effects of money on politics. Do we need educated, proficient and courageous lawyers to restore balance to the law in these areas? Of course we do.

But those aren't the only reasons we need you so badly. The same interests that tell us there are too many lawyers continue to try to cripple protection of the environment from greenhouse gases, to limit protection of the oceans from oil well blowouts such as BP's Deepwater Horizon catastrophe, to hinder protection of the drinking water supply in Pennsylvania and New York from the carcinogenic effects of hydraulic fracturing chemicals used to extract natural gas, to reduce protection of the nation's food supply and pharmaceuticals, to obstruct protection of the capital markets and investors from the same excesses of Wall Street and the banking industry that melted down our financial system in 2008 and gave us the Great Recession; to end protection of severely injured victims of medical negligence and abuse by physicians and hospitals in the guise of tort reform, and to vilify public employees including policemen, firemen and teachers and abolish their collective bargaining rights.

We know from sad experience that free markets don't regulate themselves, that the environment and the public health don't protect themselves, that trickle-down economics doesn't work, and that tax cuts don't pay for themselves. But we need lawyers to translate that experience into law if the public is to be protected from the worst excesses of free market capitalism and corporate greed.

We need you for other compelling reasons also. In 2009, over 6,600 hate crimes were reported in the United States, almost half against victims targeted because of their race, the rest against victims targeted because of their religion, sexual orientation, ethnicity, national origin or disability. We need lawyers not only to prosecute the perpetrators, but also to dispel the dual curses of ignorance and intolerance that cause these crimes and to protect the civil rights of the persons who are their targets.

And throughout the world, peoples emerging from the yokes of tyrannical and dictatorial regimes need the assistance of lawyers to establish laws that will afford them the blessings of fair and peaceful democratic government.

My new lawyer colleagues, the challenges that await you are serious and daunting. Both American society and the world need you desperately. The faculty and staff of the law school and all who have supported you during your time here have the highest

hopes for each and every one of you. We offer you only one challenge as you graduate from Rutgers Law School. Make us all proud of you!

Thank you very much.

#### PERSONAL EXPLANATION

### HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 16, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I was unavoidably detained and was not present for rollcall votes numbered 417 and 418 on Tuesday, June 14, 2011. Had I been present, I would have voted "yea" on both rollcalls.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. GOODLATTE. Mr. Chair, I rise today in support of the gentleman's amendment to this legislation.

First, I want to be clear that I do believe that discrimination against many black farmers occurred. In 1997 a group of black farmers who had been discriminated against filed a case against USDA. By 1999 the courts agreed and approved a settlement for the farmers who had been discriminated against and provided a framework and time frames to settle the claims. Included in this settlement, the court provided a time frame for new claimants to have their cases heard. Anyone who had a claim was given the opportunity to come forward during this court approved window.

Despite this framework, we are still allowing additional payments to others, who had an earlier opportunity to file claims but did not. What is most disturbing is that approximately 94,000 total claims have been filed, yet census data shows that there were only 33,000 black farmers in the U.S. during the relevant time period. Furthermore, whistleblowers have come forward, including a black farmer, alleging widespread fraud in this process. These serious allegations of fraud should be investigated before we spend potentially \$1.2 billion on these claims, especially when the standard of proof for these claims is reduced under this settlement compared to what it would have been in a court.

I believe that we must investigate any allegations of fraud that are occurring before this Congress allows any more funds to be used for the settlement. Just as it would be an injustice to not grant relief to black farmers who had been discriminated against, it would also

be an injustice to grant an award to an individual who had not been discriminated against.

COMMEMORATING CHALLENGE  
DAIRY PRODUCTS 100TH ANNI-  
VERSARY

**HON. DEVIN NUNES**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. NUNES. Mr. Speaker, I rise today to extend my congratulations to Challenge Dairy Products as they celebrate their 100th anniversary. Challenge first opened with 4 employees, a wagon and a rented horse that traveled from the San Joaquin Valley to Los Angeles. Today, Challenge Dairy Products has grown into a cooperative association representing 450 California family-owned dairies that markets and distributes dairy products globally.

Challenge has become the largest butter brand in the West and is the leading dairy foodservice provider in California with eight distribution centers spanning from Lodi to San Diego. Challenge's successes are evidence of the many dedicated California dairy farmers and employees who have ensured the quality of all dairy products they produce.

From the very beginning J.P. Murphy, the first President of then-named Challenge Cream and Butter Association, recognized the importance of quality when he built the Challenge brand's reputation. With skilled marketing, word spread about the quality of Challenge Cream and Butter until they were the best known brand in the West. In an ongoing effort to improve butter quality, Challenge's engineers developed novel methods for butter processing and shipment, effectively replacing wooden churns and containers with aluminum.

Today, Challenge Dairy Products is a wholly owned subsidiary of California Dairies, Inc., CDI, and markets nearly half of CDI's butter supply. As California's largest dairy provider, CDI has six manufacturing facilities that are located throughout the central valley and directly employs over 740 people. The 450 dairy farmer members produce 17 billion pounds of milk annually, allowing CDI to market high quality dairy products in all 50 states and 52 foreign countries.

Challenge has provided generations of families with quality dairy products and has been instrumental in making California the top dairy state in the Nation. I applaud Challenge Dairy Products, their dairy farmers and employees for their hard work and dedication, and I congratulate them on their 100th anniversary.

PERSONAL EXPLANATION

**HON. EARL BLUMENAUER**

OF OREGON  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. BLUMENAUER. Mr. Speaker, I wish to correct a vote that I made in the amendment series of H.R. 2112. During the roll call votes, I voted "no" on the Campbell amendment to prohibit funding from the Animal, Plant and Health Inspection Service account for being used for the purpose of destroying wild ani-

mals in order to protect livestock. I intended to support the amendment, as I firmly believe that the federal government should not support cruel, drastic measures of animal destruction. My record is strongly supportive of these types of provisions, and I regret that I missed another opportunity to state my strong disapproval to many of the trapping and poisoning methods employed in the destruction of wildlife.

I wish to clearly state for the record that I supported the Campbell-DeFazio amendment and did not intend to vote against it.

CONGRATULATING TIM THOMAS  
ON WINNING NHL'S MOST VALU-  
ABLE PLAYER AWARD

**HON. DALE E. KILDEE**

OF MICHIGAN  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. KILDEE. Mr. Speaker, I rise today to congratulate Stanley Cup winner, playoff MVP, Flint Native and Davison High School graduate Tim Thomas.

Tim's road to the championship is a tale of perseverance and staying true to your dreams. Tim was born in my hometown of Flint, Michigan, graduating from high school in nearby Davison. From an early age, he dreamed of playing in the NHL as a goalie. His family was so supportive of his dreams, that his parents sold their wedding rings in order to pay for him to go to hockey camp.

During his four years of college hockey at the University of Vermont, he was the 217th player drafted in 1994 and turned down an offer to play for the NHL's Quebec Nordiques. After graduation, he spent nine years playing for minor league teams in the United States, and for leagues in Canada and Finland. It seemed that his dream of playing in the NHL would not be realized.

But finally, after years of perseverance he finally got the call to the big leagues, becoming a full-time goalie for the Boston Bruins in 2005–2006 season. He continued his uphill battle to keep his place on the team, fighting through critics who wanted him traded and a hip injury that required surgery during the off season. But last night, he showed that all those years of hard work were worth it. Tim helped lead his team to playoff victory, blocking 37 shots to post his fourth shutout of the series. At the age of 37, Tim is only the fourth goalie in history to post a Game 7 shutout in the Stanley Cup finals.

Tim's story is an inspiration to everyone who has been told that they're not good enough and who have struggled to achieve success. He is proof that if you work hard, greatness can be achieved and that dreams do come true.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Tim Thomas for helping to lead the Boston Bruins to the Stanley Cup victory and winning the title of Most Valuable Player in the NHL.

RECOGNIZING RIDE TO WORK DAY

**HON. MICHAEL C. BURGESS**

OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. BURGESS. Mr. Speaker, as Co-Chair of the Congressional Motorcycle Safety Caucus I rise to recognize Ride to Work Day.

Since 1992, this event has been organized by the Ride to Work organization and is intended to increase public awareness of motorcyclists; promote the use of bikes as consistent methods of transportation; and increase motorcycle safety.

This year, on June 20th more than a million riders will commute to work on their motorcycles and scooters. This annual event offers riders an opportunity to highlight motorcycles and scooters as viable, fun, and fuel-efficient modes of transportation.

In 2008, more than 25 million Americans operated a motorcycle at least once—and that number is expected to rise as more Americans recognize motorcycles and scooters as attractive commuting options. Motorcycles and scooters can save riders money at the fuel pump, and help to reduce our nation's dependence on foreign sources of oil, as motorcycles are considerably more fuel-efficient than most other vehicles.

As more Americans choose two wheels over four it becomes even more important to focus on motorcycle safety. As a doctor I know how important safety is when riding and sharing the roads. Riders and their machines are smaller and harder to spot—and given that motorcyclists make up a relatively small percentage of all road users, drivers often do not expect to encounter motorcycles. It is therefore important that we take every opportunity to remind all road users to be aware on Ride to Work Day and every day.

A TRIBUTE IN HONOR OF DORIS  
MOORAD NADDER

**HON. ANNA G. ESHOO**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Ms. ESHOO. Mr. Speaker, I rise today to honor a distinguished woman, Doris Moorad Nadder. A lifetime member of Illinois' Carter-Westminster United Presbyterian Church, an extraordinary wife, mother, grandmother, cousin and friend, Doris is beloved for her spirited community involvement.

A native of Chicago, Illinois, Doris Nadder attended Lake View High School and later Northwestern Business College and Jones Business School. In 1983, she joined Kraft Foods, and spent the next 15 years contributing her considerable energy and talents to the company, rising to become Account Executive for Major Accounts. In her spare time, she wrote a play about the food service business for which she won a Prestigious Achievement Award. That's just how Doris Nadder sees life . . . a wonderful stage on which so many people interact.

Apart from her professional career, Doris Nadder has devoted herself to her church community, serving as an Elder and Financial Secretary. She can always be found mingling

with friends in the pews, or leading the Carter-Westminster Exercise Group. She was recently chosen as Carter-Westminster's "S.Y.S.K." (Someone You Should Know), an honor she has earned and richly deserves.

Above all, Doris Nadder loves her family. She and her husband Dick were married in 1956, and raised three beautiful children—Claudia, Allison, and James. Her three grandchildren, Colin, Adam, and Jason are the lights of her life, whom she rates as "Ten Pluses."

Doris and Dick Nadder are avid readers and world travelers, having visited Spain, Austria, England and France. She has brought new meaning to the word 'retired', walking three miles daily, painting beautiful watercolors, practicing her calligraphy, and occasionally even working part-time.

Mr. Speaker, I ask my colleagues to join me in honoring my very special cousin, Doris Nadder. She enriches the lives of everyone who knows her, and she brings constant joy to her family and wide circle of friends. I'm proud to pay tribute to a woman who lives her faith every day of her life, strengthens each of us with her integrity, and makes her community and our country stronger and better with all she does.

PERSONAL EXPLANATION

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. ANDREWS. Mr. Speaker, on rollcall No. 420 for H.R. 2112, I am not recorded because I was absent. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

**HON. BILL HUIZENGA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. HUIZENGA of Michigan. Mr. Speaker, on rollcall No. 413, I was inadvertently delayed. Had I been present, I would have voted "no."

THE ABILITYONE PROGRAM

**HON. JOHN FLEMING**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 16, 2011*

Mr. FLEMING. Mr. Speaker, I rise today to acknowledge the positive influence of the

AbilityOne Program in my district. Since its establishment in 1971, AbilityOne has grown to become the largest source of employment for those who are blind or have other severe disabilities in the United States.

Individuals employed through the AbilityOne Program provide vital services to hundreds of nonprofit organizations and the federal government. Within my district both the Fort Polk/Joint Readiness Training Center and Barksdale Air Force Base employ individuals enrolled in the AbilityOne Program. By assisting those who are blind or severely disabled in finding and keeping jobs, AbilityOne vastly improves participants' quality of life, giving them the dignity of work and the security of financial support.

I am proud to support the underlying goals and purpose of the AbilityOne Program, and commend the many constituents I have in the 4th District of Louisiana who have found meaningful and productive employment through this program. I realize Fort Polk's and Barksdale's AbilityOne employees are critical to the success of these installations and their important missions.

With great honor, I applaud the AbilityOne Program and its participants for making a difference in unemployment among people with disabilities in Louisiana and throughout the United States.

# Daily Digest

## Highlights

The House passed H.R. 2112, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012.

## Senate

### Chamber Action

*Routine Proceedings, pages S3851–S3904*

**Measures Introduced:** Eighteen bills and three resolutions were introduced, as follows: S. 1213–1230, and S. Res. 209–211. **Page S3891**

**Measures Reported:**

S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation, with an amendment in the nature of a substitute.

**Pages S3890–91**

**Measures Passed:**

*Congratulating the Dallas Mavericks:* Senate agreed to S. Res. 209, congratulating the Dallas Mavericks on winning the 2011 National Basketball Championship. **Page S3902**

*Congratulating the Boston Bruins:* Senate agreed to S. Res. 210, congratulating the Boston Bruins for winning the 2011 Stanley Cup Championship.

**Page S3902**

**Measures Considered:**

*Economic Development Revitalization Act—Agreement:* Senate continued consideration of S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, taking action on the following amendments proposed thereto: **Pages S3852–74**

**Adopted:**

By 73 yeas to 27 nays (Vote No. 90), Reid (for Feinstein/Coburn) Modified Amendment No. 476, to repeal the Volumetric Ethanol Excise Tax Credit. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to). **Pages S3852–71**

**Rejected:**

By 41 yeas to 59 nays (Vote No. 91), McCain Amendment No. 411, to prohibit the use of Federal

funds to construct ethanol blender pumps or ethanol storage facilities. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S3852, S3871**

**Pending:**

DeMint Amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act. **Page S3852**

Paul Amendment No. 414, to implement the President's request to increase the statutory limit on the public debt. **Page S3852**

Cardin Amendment No. 407, to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages. **Page S3852**

Merkley/Snowe Amendment No. 428, to establish clear regulatory standards for mortgage servicers.

**Page S3852**

Kohl Amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal. **Page S3852**

Hutchison Amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits. **Page S3852**

Portman Amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.). **Page S3852**

Portman Amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

**Page S3852**

McCain Amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Bacon Act. **Page S3852**

Merkley Amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements. **Page S3852**

Coburn Modified Amendment No. 436, to repeal the Volumetric Ethanol Excise Tax Credit. **Page S3852**

Brown (MA)/Snowe Amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities. **Page S3852**

Inhofe Amendment No. 430, to reduce amounts authorized to be appropriated. **Page S3852**

Inhofe Amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates. **Page S3852**

Merkley Amendment No. 427, to make a technical correction to the HUBZone designation process. **Page S3852**

McCain Amendment No. 441 (to Coburn Modified Amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities. **Page S3852**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, June 16, 2011, a vote on cloture will occur on Tuesday, June 21, 2011. **Page S3873**

A unanimous-consent agreement was reached providing that following the vote on confirmation of the nomination Leon E. Panetta, of California, to be Secretary of Defense, Senate resume consideration of the bill and vote on the motion to invoke cloture on the bill; and that the mandatory quorum under Rule XXII be waived; providing further, that the filing deadline for first-degree amendments to the bill be 3:30 p.m. on Monday, June 20, 2011. **Pages S3883–84**

**Presidential Appointment Efficiency and Streamlining Act—Agreement:** Senate began consideration of the motion to proceed to consideration of S. 679, to reduce the number of executive positions subject to Senate confirmation. **Pages S3874, S3883**

A motion was entered to close further debate on the motion to proceed to consideration to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, June 16, 2011, a vote on cloture will occur on Tuesday, June 21, 2011. **Page S3883**

A unanimous-consent agreement was reached providing that if cloture is not invoked on S. 782, Economic Development Revitalization Act, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill; and that the mandatory quorum under Rule XXII be waived. **Pages S3883–84**

**Simon and Panetta Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that at 11 a.m., on Tuesday, June 21, 2011, Senate begin consideration of the nomination of Michael H. Simon, of Oregon, to be United States District Judge for the District of Oregon; that there be one hour for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; provided that following this vote, Senate recess until 2:15 p.m., for the weekly party conferences; provided further, that at 2:15 p.m., Senate begin consideration of the nomination of Leon E. Panetta, of California, to be Secretary of Defense, that there be two hours for debate equally divided between the two Leaders, or their designees; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order to the nomination. **Page S3883**

**Nominations Received:** Senate received the following nominations:

John Edgar Bryson, of California, to be Secretary of Commerce.

4 Air Force nominations in the rank of general.

8 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Navy, and Public Health Service. **Pages S3903–04**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nominations:

A routine list in the Public Health Service. **Page S3904**

**Messages from the House:** **Page S3888**

**Measures Referred:** **Page S3888**

**Executive Communications:** **Pages S3888–90**

**Executive Reports of Committees:** **Page S3891**

**Additional Cosponsors:** **Pages S3891–93**

**Statements on Introduced Bills/Resolutions:** **Pages S3893–98**

**Additional Statements:** **Pages S3887–88**

**Amendments Submitted:** **Pages S3898–S3901**

**Notices of Hearings/Meetings:** **Page S3901**

**Authorities for Committees to Meet:** **Pages S3901–02**

**Privileges of the Floor:** **Page S3902**



**Record Votes:** Two record votes were taken today. (Total—91) **Page S3871**

**Recess:** Senate convened at 10 a.m. and recessed at 5:37 p.m., until 2 p.m. on Monday, June 20, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3903.)

## Committee Meetings

(Committees not listed did not meet)

### AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Committee continued consideration of the proposed National Defense Authorization Act for fiscal year 2012, but did not complete action thereon.

### CREDIT UNIONS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine credit unions, focusing on member business lending, after receiving testimony from Debbie Matz, Chairman, National Credit Union Administration; Bill Cheney, Credit Union National Association, Inc., Washington, DC.; Noah Wilcox, Grand Rapids State Bank, Grand Rapids, Minnesota, on behalf of the Independent Community Bankers of America; Mike Lussier, Webster First Federal Credit Union, Boston, Massachusetts, on behalf of the National Association of Federal Credit Unions; and Stephen P. Wilson, American Bankers Association, Lebanon, Ohio.

### UNITED STATES AND PALAU RELATIONS

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine S. 343, to amend Title I of P.L. 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement between the Government of the United States of America and the Government of the Republic of Palau following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended P.L. 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review, and the proposed United States assistant to Palau and its likely impact, after receiving testimony from Frankie Reed, Deputy Assistant Secretary of State for East Asian and Pacific Affairs; Anthony M. Babauta, Assistant Secretary of the Interior for Insular Areas; Robert Scher, Deputy Assistant Secretary of Defense for South and Southeast Asia; David Gootnick, Director, International Affairs and Trade, Government Accountability Office; and President H. E. Johnson Toribiong, Republic of Palau.

### NUCLEAR REGULATORY COMMISSION'S SAFETY REVIEW

*Committee on Environment and Public Works:* Committee concluded a joint oversight hearing with the Subcommittee on Clean Air and Nuclear Safety to examine the Nuclear Regulatory Commission's preliminary results of the nuclear safety review in the United States following the emergency at Fukushima Daiichi power plant in Japan, after receiving testimony from Gregory B. Jaczko, Chairman, and Kristine L. Svinicki, George Apostolakis, William D. Magwood, IV, and William C. Ostendorff, all a Commissioner, all of the United States Nuclear Regulatory Commission.

### NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine achieving the policy goals of the "Native American Graves Protection and Repatriation Act" (NAGPRA), and key Federal agencies' and the Smithsonian Institution's efforts to identify and repatriate Indian human remains and objects, after receiving testimony from Anu K. Mittal, Director, and Jeff Malcolm, Assistant Director, both of Natural Resources and Environment, both of the Government Accountability Office; Peggy O'Dell, Deputy Director, National Park Service, and John Rever, Director, Office of Facilities, Environment and Cultural Resources, Indian Affairs, both of the Department of the Interior; Kevin Gover, Smithsonian Institution National Museum of the American Indian; Mark Macarro, Pechanga Band of Luiseno Indians, Temecula, California; Mervin Wright Jr., Pyramid Lake Paiute Tribe, Nixon, Nevada; and Ted Isham, Muscogee (Creek) Nation, Okmulgee, Oklahoma.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation, with an amendment in the nature of a substitute;

S. 978, to amend the criminal penalty provision for criminal infringement of a copyright; and

The nominations of Marina Garcia Marmolejo, to be United States District Judge for the Southern District of Texas, Michael Charles Green, to be United States District Judge for the Western District of New York, Wilma Antoinette Lewis, of the District of Columbia, to be Judge for the District Court of the Virgin Islands, and Thomas Gray Walker, to be

United States Attorney for the Eastern District of North Carolina, Charles F. Salina, to be United States Marshal for the Western District of New York, Robert William Mathieson, to be United States Marshal for the Eastern District of Virginia, and Juan Mattos Jr., to be United States Marshal for the District of New Jersey, all of the Department of Justice.

### SMALL BUSINESS ADMINISTRATION PROGRAMS

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine Small Business Administration programs, focusing on elimi-

nating inefficiencies, duplications, fraud and abuse, after receiving testimony from Karen G. Mills, Administrator, and Peggy E. Gustafson, Inspector General, both of the Small Business Administration; William B. Shear, Director, Financial Markets and Community Investment, Government Accountability Office; Kevin M. Baron, American Small Business League, Petaluma, California; Gregory A. Clarkson, BBVA Compass, Dallas, Texas, on behalf of the National Association of Government Guaranteed Lenders; Tad DeHaven, Cato Institute, Washington, D.C.; and Fran Pastore, Women's Business Development Council, Stamford, Connecticut.

## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 37 public bills, H.R. 2204–2218, 2220–2241; and 9 resolutions, H. Con. Res. 60–61; and H. Res. 309–315 were introduced. **Pages H4325–28**

**Additional Cosponsors:** **Pages H4329–30**

**Reports Filed:** Reports were filed today as follows:

H.R. 1121, to replace the Director of the Bureau of Consumer Financial Protection with a five person Commission, with an amendment (H. Rept. 112–107);

H.R. 2021, to amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities (H. Rept. 112–108);

H.R. 1573, to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption, with an amendment (H. Rept. 112–109, Pt. 1);

H.R. 1573, to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption, with an amendment (H. Rept. 112–109, Pt. 2); and

H.R. 2219, making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes (H. Rept. 112–110). **Page H4325**

**Journal:** The House agreed to the Speaker's approval of the Journal by voice vote. **Page H4281**

**Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012:** The House passed H.R. 2112, making appropriations for Agriculture, Rural Devel-

opment, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, by a yea-and-nay vote of 217 yeas to 203 nays, Roll No. 459. Consideration of the measure began on June 14th. **Pages H4283–H4314**

Rejected the Hochul motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 185 yeas to 233 noes, Roll No. 458. **Pages H4312–14**

Agreed to:

Gardner amendment that increases funding, by offset, for "Integrated Activities" by \$4,400,000; **Page H4292**

Flores amendment (No. 26 printed in the Congressional Record of June 14, 2011) that prohibits funds from being used to enforce section 526 of the Energy Independence and Security Act of 2007; **Pages H4292–93**

Foxx amendment (No. 1 printed in the Congressional Record of June 13, 2011) that was debated on June 15th that sought to prohibit funds from being used to support any Know Your Farmer, Know Your Food initiative of the Department of Agriculture (by a recorded vote of 212 yeas to 201 noes, Roll No. 438); **Pages H4298–99**

Kind amendment (No. 25 printed in the Congressional Record of June 14, 2011) that was debated on June 15th that prohibits funds from being used to provide payments to the Brazil Cotton Institute (by a recorded vote of 223 yeas to 197 noes, Roll No. 439); **Pages H4299–H4300**

Gibson amendment (No. 23 printed in the Congressional Record of June 14, 2011) that was debated on June 15th that increases funding, by offset,

for broadband loans by \$6 million (by a recorded vote of 221 ayes to 198 noes, Roll No. 442);

**Pages H4301–02**

King (IA) amendment that was debated on June 15th that prohibits funds from being used for mifepristone, commonly known as RU-486, for any purpose (by a recorded vote of 240 ayes to 176 noes, Roll No. 445);

**Pages H4303–04**

Garrett amendment (No. 22 printed in the Congressional Record of June 14, 2011) that prohibits funds from being used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (by a recorded vote of 231 ayes to 189 noes, Roll No. 446);

**Page H4304**

Scalise amendment that was debated on June 15th that prohibits funds from being used to implement the Departmental Regulation of the Department of Agriculture entitled "Policy Statement on Climate Change Adaptation" (by a recorded vote of 238 ayes to 179 noes, Roll No. 448);

**Pages H4305–06**

Hirono amendment that was debated on June 15th that increases funding, by offset, for preventive measures authorized under the Watershed Protection and Flood Prevention Act and the Soil Conservation and Domestic Allotment Act by \$3 million (by a recorded vote of 288 ayes to 132 noes, Roll No. 450); and

**Pages H4306–07**

Flake amendment that prohibits funds from being used for the construction of an ethanol blender pump or an ethanol storage facility (by a recorded vote of 283 ayes to 128 noes, Roll No. 454).

**Pages H4290–92, H4309–10**

Rejected:

Flake amendment that sought to prohibit funds from being used to provide to upland cotton producers counter-cyclical payments for upland cotton, repayment rates for marketing assistance loans at the prevailing world market price for upland cotton, or loan deficiency payments for upland cotton;

**Pages H4286–88**

Pingree amendment that was debated on June 15th that sought to prohibit funds from being used (1) to provide electronic notifications to the Committee on Agriculture on travel relating to any "know your farmer, know your food" initiatives or (2) in contravention of the Agriculture and Food Research Initiative priority research area specified in subsection (b)(2)(F) of the Competitive, Special, and Facilities Research Grant Act (by a recorded vote of 170 ayes to 238 noes, Roll No. 437);

**Page H4298**

Dingell amendment that was debated on June 15th that sought to increase funding, by offset, for the Food and Drug Administration by \$49 million

(by a recorded vote of 178 ayes to 241 noes, Roll No. 440);

**Page H4300**

Jackson Lee amendment that was debated on June 15th that sought to increase, by offset, funding for the Office of the Secretary by \$5 million (by a recorded vote of 167 ayes to 252 noes, Roll No. 441);

**Pages H4300–01**

Blumenauer amendment (No. 3 printed in the Congressional Record of June 13, 2011) that was debated on June 15th that sought to prohibit funds from being used to pay the salaries and expenses of personnel of the Department of Agriculture to provide benefits described in the Food Security Act of 1985 to a person or legal entity in excess of \$125,000 (by a recorded vote of 154 ayes to 262 noes, Roll No. 443);

**Page H4302**

King (IA) amendment that was debated on June 15th that sought to prohibit funds from being used to make payments under section 201 of the Claims Resolution Act of 2010 or section 14012 of the Food, Conservation, and Energy Act of 2008 (by a recorded vote of 155 ayes to 262 noes, Roll No. 444);

**Page H4303**

Jackson Lee amendment (No. 29 printed in the Congressional Record of June 14, 2011) that was debated on June 15th that sought to prohibit funds from being used in contravention of the Food and Nutrition Act of 2008 (by a recorded vote of 181 ayes to 237 noes, Roll No. 447);

**Page H4305**

Jackson Lee amendment (No. 28 printed in the Congressional Record of June 14, 2011) that was debated on June 15th that sought to prohibit funds from being used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act (by a recorded vote of 182 ayes to 235 noes, Roll No. 449);

**Page H4306**

Holden amendment (No. 38 printed in the Congressional Record of June 15, 2011) that sought to reduce each amount made available by this Act by 5.88% and provide that the amounts may not be used to carry out the limitations contained in paragraphs (1) through (8) of section 728 (by a recorded vote of 84 ayes to 335 noes, Roll No. 451);

**Pages H4283–84, H4307–08**

Campbell amendment that sought to reduce funding for "Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses" by \$11 million (by a recorded vote of 132 ayes to 287 noes, Roll No. 452);

**Pages H4284–86, H4308**

Blackburn amendment that sought to reduce each amount made available by this Act by 5% (by a recorded vote of 109 ayes to 310 noes, Roll No. 453);

**Pages H4289–90, H4308–09**

Flake amendment that sought to prohibit funds from being used to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of

1985 to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds \$250,000 (by a recorded vote of 186 ayes to 228 noes, Roll No. 455); **Pages H4293–95, H4310**

Lipinski amendment that sought to prohibit funds from being used to alter contract no. GS–35F–4076D with respect to the location of data storage (by a recorded vote of 162 ayes to 254 noes, Roll No. 456); and **Pages H4295–96, H4310–11**

Flake amendment that sought to prohibit funds from being used to pay the salaries and expenses of personnel to carry out a market access program (by a recorded vote of 101 ayes to 314 noes, Roll No. 457). **Pages H4296–97, H4311–12**

Point of Order sustained against:

Luján amendment that sought to prohibit funds from being used to provide any marketing funds to any entity that advertises, describes, labels, or offers for sale chile peppers as New Mexico chile unless such chile peppers were grown in New Mexico. **Pages H4288–89**

H. Res. 300, the rule providing for consideration of the bill, was agreed to on June 14th.

**Providing for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution:** The House agreed to discharge and agree to S. J. Res. 7, to provide for the reappointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution. **Page H4314**

**Providing for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution:** The House agreed to discharge and agree to S.J. Res. 9, to provide for the reappointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution. **Pages H4314–15**

**Permitting official photographs of the House of Representatives to be taken:** The House agreed to discharge and agree to H. Res. 299, to permit official photographs of the House of Representatives to be taken while the House is in actual session on a date designated by the Speaker. **Page H4315**

**Improving certain administrative operations of the Library of Congress:** The House agreed by unanimous consent to pass H.R. 1934, to improve certain administrative operations of the Library of Congress. **Page H4315**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Monday, June 20th. **Page H4315**

**Quorum Calls Votes:** One yea-and-nay vote and twenty-two recorded votes developed during the proceedings of today and appear on pages H4298,

H4299, H4299–H4300, H4300, H4301, H4301–02, H4302, H4303, H4303–04, H4304, H4305, H4305–06, H4306, H4307, H4307–08, H4308, H4309, H4309–10, H4310, H4311, H4311–12, H4313, and H4314. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 3:37 p.m.

## Committee Meetings

### MISCELLANEOUS MEASURES

*Committee on Appropriations:* Subcommittee on Financial Services held a markup of the Financial Services Appropriations bill, FY 2012. The bill was forwarded without amendment.

### IS OSHA UNDERMINING STATE EFFORTS TO PROMOTE WORKPLACE SAFETY?

*Committee on Education and the Workforce:* Subcommittee on Workforce Protections held a hearing entitled “Is OSHA Undermining State Efforts to Promote Workplace Safety?” Testimony was heard from Elliot P. Lewis, Assistant Inspector General for Audit, Office of Inspector General, Department of Labor; and public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Environment and Economy began a markup and no legislation was considered. The Subcommittee is schedule to reconvene on June 21, at 4 p.m., in 2123 Rayburn, to mark up H.R. 1391, the Recycling Coal Combustion Residuals Accessibility Act of 2011.

### AMERICAN ENERGY INITIATIVE

*Committee on Energy and Commerce:* Subcommittee on Energy and Power held a hearing entitled “The American Energy Initiative.” The hearing focused on pipeline safety oversight. Testimony was heard from Cynthia L. Quarterman, Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; and public witnesses.

### FINANCIAL REGULATORY REFORM

*Committee on Financial Services:* Full Committee held a hearing entitled “Financial Regulatory Reform: The International Context.” Testimony was heard from Sheila C. Bair, Chairman, Federal Deposit Insurance Corporation; Lael Brainard, Under Secretary, Treasury for International Affairs; Gary Gensler, Chairman, Commodity Futures Trading Commission; Mary Schapiro, Chairman, Securities and Exchange Commission; Daniel K. Tarullo, Governor, Board of Governors of the Federal Reserve System; John Walsh, Acting Comptroller of the Currency, Office

of the Comptroller of the Currency; and public witnesses.

#### WHY TAIWAN MATTERS

*Committee on Foreign Affairs:* Full Committee held a hearing on Why Taiwan Matters. Testimony was heard from public witnesses.

#### REPUBLIC OF SOUTHERN SUDAN

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, and Human Rights held a hearing on Africa's Newest Nation: The Republic of Southern Sudan. Testimony was heard from Princeton Lyman, Special Envoy for Sudan, Department of State; Rajakumari Jandhyala, Deputy Assistant Administrator, Bureau for Africa, U.S. Agency for International Development; Roger Winter, former Special Representative on Sudan, Department of State; and public witnesses.

#### MODERNIZING INFORMATION DELIVERY IN THE HOUSE

*Committee on House Administration:* Subcommittee on Oversight held a hearing entitled "Modernizing Information Delivery in the House." Testimony was heard from Rep. Walden, Rep. Honda; and public witnesses.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on legislation regarding the National Petroleum Reserve Alaska Access Act. Testimony was heard from Sen. Murkowski; Joe Balash, Deputy Commissioner, Alaska Department of Natural Resources; and public witnesses.

#### STEM EDUCATION IN ACTION

*Committee on Science, Space, and Technology:* Full Committee held a hearing on STEM Education in Action: Learning Today . . . Leading Tomorrow. Testimony was heard from public witnesses.

#### DODD-FRANK ACT: IMPACT ON SMALL BUSINESS LENDING

*Committee on Small Business:* Subcommittee on Economic Growth, Capital Access and Tax held a hearing entitled "The Dodd-Frank Act: Impact on Small Business Lending." Testimony was heard from public witnesses.

#### SEC'S \$500 MILLION FLEECING OF AMERICA

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled "The Securities and Exchange Commission's \$500 Million Fleecing of America." Testimony was heard from David Matsuda, Administrator, Maritime Administration; and public witnesses.

#### PROTECT YOUTH AT RISK OF ABUSE AND NEGLECT

*Committee on Ways and Means:* Subcommittee on Human Resources held a hearing on improving programs designed to protect youth at risk of abuse and neglect. Testimony was heard from Rep. Rehberg; Rep. Bass of California; Bryan Samuels, Commissioner, Administration on Children, Youth and Families, Administration for Children and Families, Department of Health and Human Services; Patricia R. Wilson, Commissioner, Department for Community Based Services, Kentucky Cabinet for Health and Family Services; Lelia Baum Hopper, Director, Court Improvement Program, Supreme Court of Virginia; Steve Yager, Deputy Director, Children's Services Administration, Michigan Department of Human Services; and public witnesses.

#### U.S. INVOLVEMENT IN LIBYA

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing on United States Involvement in Libya. This was a closed hearing. Testimony was heard from departmental witnesses.

### *Joint Meetings*

No joint committee meetings were held.

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#### COMMITTEE MEETINGS FOR FRIDAY, JUNE 17, 2011

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Armed Services,* closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2012, 9:30 a.m., SR-232A.

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#### CONGRESSIONAL PROGRAM AHEAD

Week of June 20 through June 25, 2011

#### Senate Chamber

On *Tuesday*, at 11 a.m., Senate will begin consideration of the nomination of Michael H. Simon, of Oregon, to be United States District Judge for the District of Oregon, with a vote on confirmation of the nomination at approximately 12 noon. At 2:15 p.m., Senate will begin consideration of the nomination of Leon E. Panetta, of California, to be Secretary of Defense, with a vote on confirmation of the nomination at approximately 4:15 p.m. Following which,

Senate will resume consideration of S. 782, Economic Development Revitalization Act, with a vote on the motion to invoke cloture on the bill. If cloture is not invoked, Senate will immediately vote on the motion to invoke cloture on the motion to proceed to consideration of S. 679, Presidential Appointment Efficiency and Streamlining Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Agriculture, Nutrition, and Forestry*, June 23, to hold hearings to examine farm bill accountability, focusing on the importance of measuring performance, while eliminating duplication and waste, 9:30 a.m., SD-G50.

*Committee on Appropriations*, June 22, Subcommittee on Department of Defense, to hold hearings to examine outside witness statements, 10:30 a.m., SD-192.

*Committee on Banking, Housing, and Urban Affairs*, June 21, to hold hearings to examine cybersecurity and data protection in the financial sector, 10 a.m., SD-538.

June 23, Full Committee, to hold hearings to examine reauthorization of the National Flood Insurance Program, part II, 10 a.m., SD-538.

*Committee on Commerce, Science, and Transportation*, June 21, to hold hearings to examine the nominations of John Bryson, to be Secretary, and Terry D. Garcia, of Florida, to be Deputy Secretary, both of the Department of Commerce, 2:30 p.m., SR-253.

June 23, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine U.S. Coast Guard budget and oversight, 10 a.m., SR-253.

*Committee on Energy and Natural Resources*, June 23, Subcommittee on Water and Power, to hold hearings to examine S. 500, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, S. 715, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects, S. 802, to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, S. 997, to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District, S. 1033, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and S. 1047, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, an original bill entitled, "Bureau of Reclamation Fish Recovery Programs Reauthorization Act of 2011", and an original bill entitled, "Fort Sumner Project Title Conveyance Act", 2:30 p.m., SD-366.

*Committee on Finance*, June 22, to hold hearings to examine preventing overpayments and eliminating fraud in the unemployment insurance system, 10 a.m., SD-215.

*Committee on Foreign Relations*, June 21, to hold hearings to examine the nominations of Anne W. Patterson, of Virginia, to be Ambassador to the Arab Republic of Egypt, Michael H. Corbin, of California, to be Ambassador to the United Arab Emirates, and Matthew H. Tueller, of Utah, to be Ambassador to the State of Kuwait, all of the Department of State, 10 a.m., SD-419.

June 23, Full Committee, business meeting to consider the nominations of William J. Burns, of Maryland, to be Deputy Secretary, Gary Locke, of Washington, to be Ambassador to the People's Republic of China, and Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Afghanistan, all of the Department of State; to be immediately followed by a hearing to examine evaluating goals and progress in Afghanistan and Pakistan, 10 a.m., SD-106.

June 23, Subcommittee on Western Hemisphere, Peace Corps and Global Narcotics Affairs, with the Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection, to hold joint hearings to examine rebuilding Haiti in the Martelly era, 2:15 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions*, June 21, Subcommittee on Primary Health and Aging, to hold hearings to examine senior hunger and the "Older Americans Act", 10 a.m., SD-430.

June 23, Full Committee, to hold hearings to examine middle class families, 10 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs*, June 21, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine inspiring students to Federal service, 2:30 p.m., SD-342.

June 22, Full Committee, to hold hearings to examine the next steps for securing rail and transit, 10 a.m., SD-342.

June 22, Full Committee, to hold hearings to examine transforming lives through diabetes research, 1:30 p.m., SD-G50.

June 23, Full Committee, to hold hearings to examine Federal regulation, focusing on a review of legislative proposals, 10 a.m., SD-342.

*Committee on Indian Affairs*, June 23, to hold an oversight hearing to examine the "Indian Reorganization Act" 75 years later, focusing on restoring tribal homelands and promote self-determination, 2:15 p.m., SD-628.

*Committee on the Judiciary*, June 21, Subcommittee on Crime and Terrorism, to hold hearings to examine cybersecurity, focusing on evaluating the Administration's proposals, 2:30 p.m., SD-226.

June 22, Full Committee, to hold an oversight hearing to examine intellectual property law enforcement efforts, 10 a.m., SD-226.

June 22, Full Committee, to hold hearings to examine the nominations of Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit,



Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, and Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida, 2:30 p.m., SD-226.

June 23, Full Committee, business meeting to consider S. 1145, to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, Executive Office of the President, and Alfred Cooper Lomax, to be United States Marshal for the Western District of Missouri, and David L. McNulty, to be United States Marshal for the Northern District of New York, both of the Department of Justice, 10 a.m., SD-226.

*Select Committee on Intelligence*, June 21, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

June 23, Full Committee, to hold hearings to examine the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency, 2:30 p.m., SH-216.

### House Committees

*Committee on Agriculture*, June 22, Subcommittee on Conservation, Energy, and Forestry, hearing on Agricultural Program Audit: Examination of Conservation Programs, 10 a.m., 1300 Longworth.

June 23, full Committee, meeting to approve the Activity Report of the Committee on Agriculture for the 1st Quarter of the 112th Congress as required by House Rule XI, clause d(1), 10 a.m., 1300 Longworth.

June 23, Subcommittee on Rural Development, Research, Biotechnology, and Foreign Agriculture, hearing to review opportunities and benefits of agricultural biotechnology, 11 a.m., 1300 Longworth.

June 24, Subcommittee on General Farm Commodities and Risk Management, hearing on Agricultural Program Audit: Examination of Crop Insurance Programs, 10 a.m., 1300 Longworth.

*Committee on Armed Services*, June 22, full Committee, markup of the semiannual Committee on Armed Services activity report for the 112th Congress, 10 a.m., 2118 Rayburn.

June 22, Subcommittee on Emerging Threats and Capabilities, hearing on the evolution of the terrorist threat, 1:30 p.m., 2212 Rayburn.

*Committee on the Budget*, June 23, full Committee, hearing entitled "The Congressional Budget Office's Long-Term Budget Outlook." 10 a.m., 210 Cannon.

*Committee on Education and the Workforce*, June 23, Subcommittee on Higher Education and Workforce Training, hearing entitled "Demanding Accountability in National Service Programs." 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce*, June 21, Subcommittee on Health, hearing entitled "Dual-Eligibles:

Understanding This Vulnerable Population and How To Improve Their Care." 2 p.m., 2322 Rayburn.

June 21, Subcommittee on Environment and Economy, reconvene to mark up H.R. 1391, the Recycling Coal Combustion Residuals Accessibility Act of 2011. 4 p.m., 2123 Rayburn.

June 22, Subcommittee on Oversight and Investigations, hearing entitled "Protecting Medicare with Improvements to the Secondary Payer Regime." 10 a.m., 2322 Rayburn.

June 22, Subcommittee on Communications and Technology, hearing entitled "Reforming FCC Process." 10:30 a.m., 2123 Rayburn.

*Committee on Financial Services*, June 23, Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled "Legislative Proposals To Reform the Housing Choice Voucher Program." 9:30 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, June 22, Subcommittee on Asia and the Pacific, hearing on Piercing Burma's Veil of Secrecy: The Truth Behind the Sham Election and the Difficult Road Ahead, 12:30 p.m., 2172 Rayburn.

June 23, Subcommittee on the Middle East and South Asia, hearing on Preserving Progress: Transitioning Authority and Implementing the Strategic Framework in Iraq, Part 2, 2 p.m., 2172 Rayburn.

June 24, Subcommittee on the Western Hemisphere, Subcommittee on the Middle East and South Asia, and Committee on Oversight and Government Reform, Subcommittee on National Security, Homeland Defense and Foreign Operations, joint hearing on Venezuela's Sanctionable Activity, 9 a.m., 2154 Rayburn.

*Committee on Homeland Security*, June 23, Subcommittee on Transportation Security, hearing entitled "Industry Perspectives: Authorizing the Transportation Security Administration for FY 2012 and 2013." 2 p.m., 311 Cannon.

*Committee on the Judiciary*, June 22, Subcommittee on Courts, Commercial and Administrative Law, hearing on legislation regarding the Jobs, Growth and Regulatory Accountability Act of 2011, 10 a.m., 2141 Rayburn.

June 22, Subcommittee on Immigration Policy and Enforcement, hearing entitled "Does the J Visa Program Abuse Foreign Students and American Workers?" 1:30 p.m., 2141 Rayburn.

*Committee on Natural Resources*, June 22, Subcommittee on National Parks, Forests and Public Lands, hearing entitled "Opportunities for Outdoor Recreation on Public Lands." 10 a.m., 1324 Longworth.

June 22, Subcommittee on Indian and Alaska Affairs, hearing on H.R. 1158, to authorize the conveyance of mineral rights by the Secretary of the Interior in the State of Montana, and for other purposes; and H.R. 1560, to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe. 11 a.m., 1334 Longworth.

June 23, Subcommittee on Water and Power, hearing on the following bills: H.R. 461, the South Utah Valley Electric Conveyance Act; H.R. 795, the Small-Scale Hydropower Enhancement Act of 2011; and H.R. 2060, the Central Oregon Jobs and Water Security Act. 10 a.m., 1324 Longworth.

June 23, Subcommittee on Energy and Mineral Resources, hearing on the following bills: H.R. 2170, the Cutting Federal Red Tape To Facilitate Renewable Energy Act; H.R. 2171, the Exploring for Geothermal Energy on Federal Lands Act; H.R. 2172, the Utilizing America's Federal Lands for Wind Energy Act; and H.R. 2173, the Advancing Offshore Wind Production Act. 10 a.m., 1334 Longworth.

June 24, Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs, hearing entitled "Why We Should Care About Bats: Devastating Impact White-Nose Syndrome Is Having on One of Nature's Best Pest Controllers." 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, June 24, Subcommittee on National Security, Homeland Defense and Foreign Operations; and the Committee on Foreign Affairs' Subcommittees on the Western Hemisphere and the Middle East and South Asia, joint hearing entitled, "Venezuela's Sanctionable Activity." 9 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology*, June 22, full Committee, hearing on Examining NOAA's Climate Service Proposal, 10 a.m., 2318 Rayburn.

June 23, Subcommittee on Energy and Environment, markup of legislation regarding the Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2011. 10 a.m., 2318 Rayburn.

*Committee on Small Business*, June 22, full Committee, hearing entitled "The State of Small Business Access to Capital and Credit: The View from Secretary Geithner." 10 a.m., 2360 Rayburn. Prior to the hearing the Committee will hold a business meeting on Adoption of the 1st Semiannual Report of the Activities of the Science, Space, and Technology Committee.

*Committee on Transportation and Infrastructure*, June 23, Subcommittee on Aviation and the Subcommittee on Coast Guard and Maritime Transportation, joint hearing entitled "GPS Reliability: A Review of Aviation Industry Performance, Safety Issues, and Avoiding Potential New and Costly Government Burdens." 9 a.m., 2167 Rayburn.

June 24, Subcommittee on Water Resources and Environment, hearing entitled "Running Roughshod Over

States and Stakeholders: EPA's Nutrients Policies." 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, June 23, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled "Arlington National Cemetery: An Update from the New Administration." 2:30 p.m., 334 Cannon.

*Committee on Ways and Means*, June 22, Subcommittee on Health, hearing on the recently released 2011 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, 9:30 a.m., 1100 Longworth.

June 23, Subcommittee on Select Revenue Measures, hearing on the importance of foreign direct investment (FDI) to the U.S. economy and how tax reform might affect foreign-headquartered businesses that invest and create jobs in the United States, 10 a.m., 1100 Longworth.

*House Permanent Select Committee on Intelligence*, June 23, full Committee, hearing on USD(I) Quarterly Update, 10 a.m., HVC-304. This is a closed hearing.

### Joint Meetings

*Joint Committee on the Library*, June 22, organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress, 11:30 a.m., SC-6, Capitol.

*Joint Committee on Printing*, June 22, organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress, 11:30 a.m., SC-6, Capitol.

*Commission on Security and Cooperation in Europe*, June 20, to hold hearings to examine 2050, focusing on implications of demographic trends in the Organization for Security and Co-operation in Europe (OSCE) region, 2 p.m., 2247 Rayburn Building.

*Commission on Security and Cooperation in Europe*, June 22, to hold hearings to examine addressing ethnic tension in Kyrgyzstan, focusing on the report of the International Commission of Inquiry into the events in Southern Kyrgyzstan in June 2010, 2 p.m., 2118 Rayburn Building.

*Joint Economic Committee*, June 22, to hold hearings to examine manufacturing in the United States, focusing on why we need a national manufacturing strategy, 10:15 a.m., SH-216.

*Joint Economic Committee*, June 21, to hold hearings to examine spending less, owing less, growing the economy, 2 p.m., 1100 Longworth Building.

## Next Meeting of the SENATE

2 p.m., Monday, June 20

## Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Monday, June 20

## Senate Chamber

Program for Monday: Senate will be in a period of morning business until 5 p.m.

## House Chamber

Program for Monday: The House will meet in pro forma session at 10 a.m.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Andrews, Robert E., N.J., E1127, E1130  
Austria, Steve, Ohio, E1122  
Barletta, Lou, Pa., E1126  
Berg, Rick, N.D., E1114  
Blumenauer, Earl, Ore., E1129  
Boswell, Leonard L., Iowa, E1113  
Burgess, Michael C., Tex., E1127, E1129  
Castor, Kathy, Fla., E1124  
Christensen, Donna M., The Virgin Islands, E1122  
Coble, Howard, N.C., E1124  
Cohen, Steve, Tenn., E1125  
Conyers, John, Jr., Mich., E1121  
Courtney, Joe, Conn., E1120  
Denham, Jeff, Calif., E1123  
Duncan, John J., Tenn., E1116  
Ellison, Keith, Minn., E1122

Eshoo, Anna G., Calif., E1114, E1129  
Fleming, John, La., E1114, E1130  
Gallegly, Elton, Calif., E1119  
Gerlach, Jim, Pa., E1113  
Goodlatte, Bob, Va., E1128  
Graves, Sam, Mo., E1113, E1114, E1116, E1117, E1118, E1119, E1123  
Hanabusa, Colleen W., Hawaii, E1113  
Holt, Rush D., N.J., E1115  
Huizenga, Bill, Mich., E1115, E1130  
Inslee, Jay, Wash., E1118  
Johnson, Sam, Tex., E1114, E1115, E1118, E1120, E1122, E1127  
Kildee, Dale E., Mich., E1119, E1129  
Kind, Ron, Wisc., E1121  
King, Peter T., N.Y., E1113  
Lance, Leonard, N.J., E1125  
Lankford, James, Okla., E1125

Lowey, Nita M., N.Y., E1116  
Lujan, Ben Ray, N.M., E1125  
Murphy, Christopher S., Conn., E1118  
Nunes, Devin, Calif., E1129  
Payne, Donald M., N.J., E1127  
Pence, Mike, Ind., E1124  
Peters, Gary C., Mich., E1120  
Poe, Ted, Tex., E1127  
Polis, Jared, Colo., E1116  
Renacci, James B., Ohio, E1126  
Reyes, Silvestre, Tex., E1119  
Riggell, E. Scott, Va., E1124  
Roe, David P., Tenn., E1122  
Roybal-Allard, Lucille, Calif., E1128  
Schiff, Adam B., Calif., E1117  
Van Hollen, Chris, Md., E1123  
Wolf, Frank R., Va., E1126  
Woolsey, Lynn C., Calif., E1117



# Congressional Record

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