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No. 69

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

May 15, 2012.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

NATIONAL POLICE WEEK AND DEPUTY JOHN MECKLENBURG

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

Mr. NUGENT. Mr. Speaker, I rise today in reference to National Police Week, which is going on right now.

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls as National Police Week. This year's National Police Week is Sunday, May 13, through Saturday, May 19.

As George W. Bush once described it:

Peace Officers Memorial Day and Police Week pay tribute to the local, State, and

Federal law enforcement officers who serve and protect us with courage and dedication. These observances also remind us of the ongoing need to be vigilant against all forms of crime, especially to acts of extreme violence and terrorism.

On Sunday, May 13, I attended the candlelight vigil for our fallen officers from 2011. There were 163 peace officers who sacrificed their lives for us in the line of duty. Earlier today, I had the honor of attending the 31st National Police Officers Memorial Service right here on the front lawn of the Capitol. We honored over 19,000 law enforcement officers who have given their lives—the ultimate sacrifice—in the line of duty.

In 2011, 163 police officers gave their lives for this country. So far this year, we've lost over 40 officers in the line of duty. On July 3, 2011—and this is especially close to me—one of those who lost their lives was Hernando County Sheriff's Deputy John Mecklenburg, a deputy that I actually swore in to serve the citizens of Hernando County.

John died while in pursuit of a suspect and gave his life, and John left behind a wife, Penny, and two children. When he left that evening to go to work for the midnight shift, he had all expectations of coming home. But John gave the ultimate sacrifice for his county, for his State, and, ultimately, for his Nation.

I served as a police officer for 36 years before I came up here. I know what it is to go through the grief of losing one of our own. I want to thank the Fraternal Order of Police for highlighting this and working with the COPS organization to actually pay respect to those who have given the ultimate sacrifice.

We've been blessed in America, and we're protected by people who do it because it's the right thing to do, not because they're going to make a lot of money. They do it because they truly believe in the citizens that they serve. They do it with honor and dignity. And

today, the President of the United States spoke to all of the survivors and police officers and their families that were in attendance on the front lawn of the Capitol, rightfully, as he should. We appreciate the President coming forward because it means so much to the survivors of a law enforcement officer who gave the ultimate sacrifice.

Once again, we've been blessed, Mr. Speaker, and we owe a debt of gratitude to our law enforcement officers who protect us 24 hours a day, 7 days a week.

Mr. Speaker, I ask that we also keep our thoughts and prayers, not only for the law enforcement officers that are out there today at this very minute across the United States putting their lives on the line, but also remember those who are serving in harm's way in our military who also have given the fullest measure that they can, and that's their life, in defense of this country.

Mr. Speaker, God bless us and God bless America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

We give You thanks, O God, for giving us another day.

□ 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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We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, enlightened by Your eternal Spirit.

We gather after celebrating Mother's Day. We thank You for the gift of self modeled by our mothers, who chose to place each of us before themselves in giving birth to us and nurturing us as we grew. May we all earn the pride of our mothers in the service we provide to the benefit of this Nation.

Finally, we take special notice this day, May 15, of National Peace Officers' Memorial Day, of the 163 peace officers who died this past year in the line of duty. We ask that You grant them eternal rest for having paid the ultimate price in protecting us, and give their families consolation in mourning their loss. May they be assured that we as a Nation hold them in our hearts and understand that we will always be indebted to them.

May all that is done within the people's House 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.

PLEDGE OF ALLEGIANCE

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

Mr. WOMACK 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.

NATIONAL DEFENSE AUTHORIZATION ACT

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

Mr. WILSON of South Carolina. Mr. Speaker, last Wednesday, the House Armed Services Committee met to mark up the National Defense Authorization Act for fiscal year 2013. Over the past year, the administration has targeted defense spending to shift to other programs, which destroys jobs.

Chairman BUCK MCKEON has successfully developed a bipartisan bill that will limit shifts. The Department of Defense budget accounts for less than 20 percent of our discretionary spending and does not contribute to our growing national debt. The legislation provides the support our brave servicemembers, military families, and veterans deserve as they dedicate their

lives to defend our freedoms and protect our families from foreign threats.

This week, the House will vote on the National Defense Authorization Act. I urge my colleagues to support this bill and give military families the resources they deserve as they fight to promote peace through strength.

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

HAPPY 150TH ANNIVERSARY TO UNITED STATES DEPARTMENT OF AGRICULTURE

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

Mr. SABLAN. Mr. Speaker, I stand today to pay tribute to a great American success story. Today marks the 150th anniversary of the founding of the United States Department of Agriculture.

President Abraham Lincoln founded USDA, as it's commonly called, and directed its focus to advancing America's agriculture industry through science and engineering. Today, our country's advanced system of production agriculture is evidence of how successful we are by being the world leader in food production, conservation innovations, in the development and use of agricultural biotechnology that helps produce biofuels, as well as helping farmers export their products that contribute to our positive balance of agricultural trade.

And so, Mr. Speaker, I pay tribute and extend my personal best wishes to USDA on its 150th anniversary. I also congratulate Secretary Vilsack and all the fine men and women who work or have worked in the Department, and I wish them another 150 years of success.

CONGRATULATING KENNAMETAL

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

Mr. WOMACK. Mr. Speaker, I rise today to honor a milestone achievement at Kennametal, a company headquartered in Latrobe, Pennsylvania, with facilities across the country, including one in the Third District of Arkansas.

The employees at the Rogers facility were presented with the Three Million Work Hour Award by the Arkansas Department of Labor, the Arkansas Workers' Compensation Commission, and the Arkansas Insurance Department for, as the name of the award suggests, going 3 million work hours without a lost-time accident.

Kennametal's Rogers, Arkansas, facility was established in 1953. The facility is home to 500 employees who manufacture round tool blanks, energy compacts, substrates, wear parts, pelletizing dies, hard-facing rod, and powdered metal.

Mr. Speaker, 3 million work hours without a lost-time accident is a great

accomplishment. It's a testament to what can be done when a group of employees, however large, share a common vision and come together to work toward that goal. Today, I'm honored to share this accomplishment with the Nation. Congratulations, Kennametal. You deserve it.

□ 1410

COMMEMORATING PEACE OFFICERS MEMORIAL DAY

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

Mr. CARNAHAN. Mr. Speaker, today is Peace Officers Memorial Day. Throughout the Nation, and in my home State of Missouri, flags fly at half staff at all our State buildings in honor of the members of our police forces who have reached the ends of their watch, including seven in 2011 and two in 2010.

These men and women gave their lives for their Nation, not on a battlefield with a foreign name, but in our neighborhoods, on streets our children walk. They're heroes, seldom recognized, frequently in danger, always ready to give what Abraham Lincoln called "the last full measure of devotion" to protect and serve our friends, our family, our community.

The peace officers lost in Missouri fell as enforcers of law and as first responders in times of need. We remember them all with an empty spot on the force and hearts full of thanks for their sacrifice and service.

MEDIA SPINS JOBS REPORT

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

Mr. SMITH of Texas. Mr. Speaker, according to the American Enterprise Institute, the labor force participation rate has dropped to its lowest level in 30 years. The only reason the unemployment rate fell slightly to 8 percent is because another 522,000 adults quit looking for work and are no longer counted.

Of course, it's no surprise that the liberal national media attempted to spin the numbers. Bloomberg dismissed the lack of new jobs as being a "rounding error." Time magazine described the negative reports as being "statistical noise." The liberal media fed this narrative with misleading statements like the economy is "gaining steam," as The New York Times headlined the news, or that the economy was on a "hiring surge," as the Associated Press claimed.

The liberal media show its bias when it ignores the President's failed promises and failed attempts to create jobs.

Americans are concerned about the lack of jobs and deserve the facts. When will the national media put their responsibility to the people ahead of protecting the President?

EMPLOYING AND FEEDING AMERICA

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

Mr. JOHNSON of Ohio. Mr. Speaker, growing up on that two-wheel wagon rut mule farm, I learned firsthand the critical role that America's farmers and ranchers play in our economy. And on the 150th anniversary of the United States Department of Agriculture, we are reminded that the average farmer in the United States feeds more than 150 people worldwide, creating countless jobs along the way.

Just think about where your bowl of cereal, your toast, and your pancakes came from this morning. The grain was planted, raised, harvested and sold, then bought, produced, marketed, and sold to you for your morning meal. Think about all those jobs that originated from one planted seed.

As the world's second largest producer and the largest exporter of agricultural products, a robust agriculture industry is critical to America's economic success. Today, I honor and thank America's farmers and ranchers who feed the world while putting America to work. And I commend the USDA on its anniversary for helping them do so.

COMMUNICATION FROM THE HONORABLE DARRELL ISSA, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. BISHOP of Utah) laid before the House the following communication from the Honorable DARRELL ISSA, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the District of Columbia, for trial testimony.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,
DARRELL ISSA,
Member of Congress.

COMMUNICATION FROM CHAIR OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 10, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules

of the House of Representatives that the Committee on Oversight and Government Reform has been served with a subpoena, issued by the United States District Court for the District of Columbia, for documents.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,
DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 14, 2012 at 1:34 p.m.:

That the Senate passed without amendment H.R. 4967.

That the Senate passed S. 418.

With best wishes, I am

Sincerely,
KAREN L. HAAS.

RECESS

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

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1606

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Texas) at 4 o'clock and 6 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

MOBILE WORKFORCE STATE INCOME TAX SIMPLIFICATION ACT OF 2012

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1864) to limit the authority of States to tax certain income of employees for employment duties performed in other States, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 1864

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 "Mobile Workforce State Income Tax Simplification Act of 2012".

SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) **EMPLOYEE.**—The term “employee” has the same meaning given to it by the State in which the employment duties are performed, except that the term “employee” shall not include a professional athlete, professional entertainer, or certain public figures.

(3) **PROFESSIONAL ATHLETE.**—The term “professional athlete” means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) **PROFESSIONAL ENTERTAINER.**—The term “professional entertainer” means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) **CERTAIN PUBLIC FIGURES.**—The term “certain public figures” means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) **EMPLOYER.**—The term “employer” has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee’s employment duties are performed, in which case the State’s definition shall prevail.

(7) **STATE.**—The term “State” means any of the several States.

(8) **TIME AND ATTENDANCE SYSTEM.**—The term “time and attendance system” means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee’s employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee’s wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) **WAGES OR OTHER REMUNERATION.**—The term “wages or other remuneration” may be limited by the State in which the employment duties are performed.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) **EFFECTIVE DATE.**—This Act shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(b) **APPLICABILITY.**—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1864, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1864.

On the way back to Washington, D.C., this past weekend, I looked around in my local airport and saw dozens of business travelers preparing to board airplanes to leave North Carolina and conduct business in other States. This happens, Mr. Speaker, every day in every State in America. The American workforce is more mobile in the 21st century than it has ever been.

Nonetheless, the diversity of State income tax laws places a significant burden on people who travel for work and their employers, many of which are small businesses. Currently, 41 States tax the wages earned by a nonresident for work performed there. I do not take issue with the right of those States to impose an income tax, but I am concerned that the disparity of tax rules among those States is damaging small businesses and stifling economic growth.

□ 1610

For example, some States require a nonresident to pay income tax if he or she works in that State for just one day. Other states do not collect tax until the nonresident works for a certain number of days in the particular jurisdiction. Small businesses must expend considerable resources to figure out how much they must withhold for their traveling employees in 41 different jurisdictions. Employees are also confused about when their tax liability is triggered and in which States they must file a tax return.

To alleviate this problem, on May 12 I introduced H.R. 1864, the Mobile Workforce State Income Tax Simplification Act, with the distinguished gentleman from Georgia (Mr. JOHNSON). The bill we introduced establishes a clear 30-day threshold for tax liability and employer withholding. Under the bill, States remain free to set any income tax rate they choose.

Tax simplification—on both the Federal and State level—will allow workers and employers to predict their tax liabilities with accuracy and expend fewer resources researching the nuances of each State’s respective tax law. The money they would have spent hiring accountants and tax lawyers can then be spent on creating meaningful jobs and growing the economy.

I urge all Members to cast a “yes” vote on this bill, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1864, the Mobile Workforce State Income Tax Simplification Act. This is an important bipartisan bill that will help all workers across the country. It will also help businesses, large and small.

I have been working on this bill since I was a freshman in the 110th Congress, at which time Chris Cannon from Utah, a former Member, was the lead sponsor. In the 111th Congress, I was the lead

sponsor on H.R. 1864 as it is known now. This term, the 112th Congress, Mr. COBLE, whom I have been quite pleased to work with, has been the lead sponsor. Again, he is a good friend of mine, and I appreciate the opportunity to work with him.

H.R. 1864 provides for a uniform and easily administered law that would ensure the correct amount of taxes withheld and paid to the States without the undue burden the current system places on employees and employers. From a national perspective, the Mobile Workforce bill will vastly simplify the patchwork of inconsistent and confusing State rules. It would also reduce administrative costs to States and lessen compliance burdens on American workers.

Take my home State of Georgia, for instance. If an Atlanta-based employee of a St. Louis company travels to headquarters on a business trip once per year, that employee is required to file a Missouri tax return, even if her annual visit only lasts for 1 day. However, if that employee travels to Maine, she would not be required to file a Maine tax return unless her trips lasts for 10 days. If she travels to Arizona on business, she would only have to file an Arizona income tax return if she was in the State for more than 60 days.

In each case, her employer is also liable for withholding those States’ taxes out of her paycheck, and the only way she can avoid double taxation is if she files for a credit for each State’s tax in her resident State.

H.R. 1864 would fix this problem by establishing a uniform threshold before State income tax laws would apply to traveling employees. This bill would protect employees who perform employment duties in a nonresident State if they work in the State for less than 30 days. Until that threshold is reached, they will continue to pay in their State of residency.

When I initially started working on this bill, the withholding threshold was 60 days. In response to the concerns by the Federation of Tax Administrators, I sought a compromise and lowered the threshold to 30 days. I understand that the FTA may still have some concerns about the bill, but I believe that it is a good bill that addresses the bulk of their concerns. The FTA’s concerns have certainly not been ignored.

In addition to lowering the day threshold, we also worked to clarify that the bill’s operating rules were not drafted to avoid paying withholding tax, and clarified if an employer has a time and attendance system designed to allocate wages among States, it must be used.

At a time when more and more Americans find themselves traveling for their job, this bill is a common-sense solution that helps workers who are employed in multiple States by simplifying the tax reporting requirements for them and for their employers.

Madam Speaker, for the vast majority of States, this bill carries a minimal or no revenue impact. In fact, this bill will greatly increase compliance rates. This bill will end up saving States the administrative costs of processing and remitting thousands of small returns from nonresidents.

While nothing is perfect, and the Federation of Tax Administrators may still have some concerns, this bill is truly the product of years of working with the States on an approach that balances their concerns with administrative ease and efficiency for employers and employees. This is truly a bipartisan effort that seeks to simplify State tax compliance, not reduce State taxes.

I yield back the balance of my time.

Mr. COBLE. Madam Speaker, I urge my colleagues to cast a "yes" vote on this matter, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, the American workforce is increasingly mobile. Fifty years ago, most people worked in the communities in which they lived. Today, many more Americans travel to other states for work.

The complexity and variation among state income tax laws is a burden on interstate commerce. In some states, for example, a non-resident employee must pay income tax if they work there for only one day. But in other states, income tax liability is not triggered until the 60th day.

Under this current patchwork system, employees who travel out of state for work must file tax returns in other jurisdictions even if their ultimate tax liability to a state is a few dollars.

In addition to burdening our interstate employees, different state income tax laws require employers to comply with a wide variety of tax withholding laws. Many of those employers are small businesses who can least afford these administrative costs.

This bipartisan bill, the Mobile Workforce State Income Tax Simplification Act, is sponsored by the Chairman of the Judiciary Committee's Subcommittee on Courts, Commercial and Administrative Law, HOWARD COBLE. I also appreciate Congressman HANK JOHNSON's cosponsorship of this legislation.

This bill simplifies state income tax policies without infringing on the rights of states to set their own tax rates. The bill provides that a state may not impose its income tax on non-resident employees unless they earn wages in the state for more than 30 days. The employee would still owe an income tax to their state of residence for wages earned during the first 30 days they work in a non-resident state.

This bill eases the burden that the current patchwork of state income tax laws places on traveling employees and small businesses. So rather than increasing the expense of navigating the maze of tax rules, businesses can use their resources to invest in creating jobs for American workers.

Finally, the bill we consider today reflects a few changes that were made at the request of state taxing authorities. I am pleased that the sponsors of the legislation were able to work cooperatively with all interested parties to bring a compromise version to the floor.

I encourage my colleagues to vote "yes" on the bill.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in strong support of H.R. 1864, The Mobile Workforce State Income Tax Simplification Act of 2011. This is a common-sense, bipartisan piece of legislation.

Every day millions of American workers travel outside their home state for business purposes. Each state into which they travel has its own set of unique requirements for filing a non-resident personal income tax return. As a result, in addition to filing a federal and any applicable home state income tax returns, these workers may be legally required to file an income tax return and pay non-resident state taxes in virtually every other state into which they have travelled.

H.R. 1864, the "Mobile Workforce State Income Tax Simplification Act of 2011," would simplify the onerous burdens placed on employees who travel outside their resident states for temporary periods and on employers who have corresponding withholding requirements. The bill would establish fair, administrable and uniform rules to ensure that the appropriate amount of tax is paid to state and local jurisdictions without placing excessive burdens on employees and their employers.

This bill was reported out of the Judiciary Committee, by a bipartisan voice vote, which speaks volumes. I hope you will join me in supporting this important legislation impacting millions of American employees who travel for work to support their families.

Forty-one states currently impose a personal income tax on income earned within their borders regardless of whether an individual is a resident of the state—thereby requiring non-resident employees who must travel to other states for work purposes to pay tax after performing work there for even a limited amount of time. Employers are required to withhold that state's income tax on behalf of the employee and remit it to the state at the end of the year.

The committee notes that while some states require an employer to withhold income tax on the first day of the employee's travel, others use a hybrid system of time spent and dollars earned to trigger withholding, requiring individuals who travel for work to track and comply with the income tax laws of up to 41 different states. For instance, a nonresident's income tax liability is triggered in New York the moment he or she earns wages in the state, but the employer's withholding requirement is not triggered until the 14th day of wage-earning. In Idaho, meanwhile, a non-resident's income tax liability is not triggered until after he or she makes \$1,000 in wages in the state.

I note that some committee Democrats oppose the bill because they fear it will lead to severe state revenue losses but believe that this is a solid bi-partisan piece of legislation.

This bill limits the authority of states to tax the income of nonresident employees who work for a limited amount of time in the state, allowing such individuals to be taxed only if they work in the state for 31 days or more.

Those limits would become effective on January 1 of the second year that begins after the bill's date of enactment, and it would not apply to any tax obligation that accrues before that time.

The bill prohibits states from taxing the wages or other earnings of non-residents unless they work in the state for 31 days or more during the calendar year. Similarly, states could not subject such income to state income

tax withholding and reporting requirements, unless more than 30 days of work was performed.

Under the measure, an individual is considered to be present and performing employment duties within a state for a day if that individual performs more of his or her work within that state than in any other state during the day. If an individual works during one day both in his or her resident state and in just one non-resident state, the individual would be considered to have performed more of his or her employment duties in the non-resident state. Portions of the day during which an individual is in transit would not be considered in determining the location of where work was performed.

The bill provides that for purposes of determining state income tax withholding and reporting requirements, an employer could rely on an employee's determination of the time expected to be spent working for the employer in other non-resident states (absent the employer's actual knowledge of fraud by the employee in making the determination, or collusion between the employer and the employee to evade tax).

Employers could rely on an employee's determination even if the employer regularly maintains records of the location of employees, but if the employer maintains a time and attendance system that tracks where an employee works on a daily basis the data from the time and attendance system must be used instead of the employee's determination.

The bill stipulates that the term "employee" has the same meaning given to it by the state in which employment duties are performed—except the term would not include professional athletes, professional entertainers or certain public figures. States could, therefore, continue to tax those non-residents as they do now.

I urge my colleagues to join me in supporting this bill.

The SPEAKER pro tempore (Ms. FOXX). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 1864, as amended.

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

A motion to reconsider was laid on the table.

BORDER TUNNEL PREVENTION ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4119

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 "Border Tunnel Prevention Act of 2012".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Trafficking and smuggling organizations are intensifying their efforts to enter the United States through tunnels and other subterranean passages between Mexico and the United States.

(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

(3) From Fiscal Year 1990 to Fiscal Year 2011, law enforcement authorities discovered 149 cross-border tunnels along the border between Mexico and the United States, 139 of which have been discovered since Fiscal Year 2001. There has been a dramatic increase in the number of cross-border tunnels discovered in Arizona and California since Fiscal Year 2006, with 40 tunnels discovered in California and 74 tunnels discovered in Arizona.

(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person's land.

(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options.

SEC. 3. ATTEMPT OR CONSPIRACY TO USE, CONSTRUCT, OR FINANCE A BORDER TUNNEL.

Section 555 of title 18, United States Code, is amended by adding at the end the following:

“(d) Any person who attempts or conspires to commit any offense under subsection (a) or subsection (c) of this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.”

SEC. 4. AUTHORIZATION FOR INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS.

Section 2516(1)(c) of title 18, United States Code, is amended by inserting “, section 555 (relating to construction or use of international border tunnels)” before the semicolon at the end.

SEC. 5. FORFEITURE.

Section 982(a)(2)(B) of title 18, United States Code, is amended by inserting “555,” after “545.”

SEC. 6. MONEY LAUNDERING DESIGNATION.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting “section 555 (relating to border tunnels),” after “section 554 (relating to smuggling goods from the United States).”

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) success in combating the construction and use of cross-border tunnels requires cooperation between Federal, State, local, and tribal officials and assistance from private land owners and tenants across the border between Mexico and the United States;

(2) the Department of Homeland Security is currently engaging in outreach efforts in California to certain landowners and tenants along the border to educate them about cross-border tunnels and seek their assistance in combating their construction; and

(3) the Department should continue its outreach efforts to both private and govern-

mental landowners and tenants in areas along the border between Mexico and the United States with a high rate of cross-border tunnels.

SEC. 8. REPORT.

(a) IN GENERAL.—The Secretary of Homeland Security shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross-border tunnels along the border between Mexico and the United States discovered during the preceding fiscal year; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction along the border between Mexico and the United States.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4119, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4119, the Border Tunnel Prevention Act of 2012, strengthens current law and prohibits the construction, use, and financing of unauthorized tunnels across the U.S. border.

I thank the sponsors of this legislation, Mr. REYES of Texas and Mr. QUAYLE of Arizona, for their work on this bipartisan, bicameral bill.

□ 1620

Similar legislation passed the Senate by unanimous consent in January.

This legislation establishes the penalty for conspiracy or attempt to use, construct, or finance a cross-border tunnel. It also identifies the construction, financing, or use of a cross-border tunnel as a predicate offense for a charge of money laundering and for an application for judicial authorization to intercept wire, oral, or electronic communications. H.R. 4119 also allows the criminal forfeiture of property that

enters the United States through a cross-border tunnel.

Reports of drug-smuggling tunnels have increased, particularly in the past 10 years. Drug traffickers have ramped up their use of underground smuggling in light of increased border security, either real or perceived. Mexican drug-trafficking organizations have used tunnels as a smuggling method since at least 1990.

A majority of cross-border tunnels continue to be found in California and Arizona. These tunnels range in sophistication from a simple 16-inch pipe to well-engineered tunnels equipped with electricity, ventilation, and rails. Ownership of the tunnels is often attributed to the Mexican drug cartels.

To find cross-border tunnels, U.S. agents use devices that range from ground-penetrating radar to seismic sensors. Despite these efforts, drug smugglers continue to build the tunnels.

In November 2011, Federal law enforcement agents shut down two sophisticated tunnels that led from an area near Tijuana's airport to an industrial park in the U.S. About 49 tons of marijuana were seized.

Drug traffickers are also skilled at setting up front companies to rent space in busy warehouse districts in the United States. Mining engineers and architects are employed to construct the tunnel and bore directly into the foundation of the front company's rented warehouse.

The Drug Enforcement Administration describes marijuana as “the top revenue generator for Mexican drug trafficking organizations—a cash crop that finances corruption and the carnage of violence year after year.” The profits from marijuana trafficking finance the drug cartels' other drug enterprises, which include the construction and use of cross-border tunnels.

Border tunnels are an unfortunate testament to the ingenuity and determination of the Mexican drug cartels. It is time for Congress to enhance law enforcement's ability to fight transnational organized crime and the drug cartels' construction of cross-border tunnels. This bill reaffirms our determination to bring an end to cross-border tunnels.

When Congress enacted the border-tunnel statute in 2007, it omitted the changes contained in this bill. H.R. 4119 simply corrects this to ensure that investigators are equipped with the ability to locate and shut down these tunnels and hold these dangerous criminals accountable.

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

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

I rise in support of H.R. 4119, the Border Tunnel Prevention Act of 2012. This bill would strengthen the laws that criminalize the use, construction, and financing of border tunnels.

Increasingly, cross-border tunnels are being used to smuggle people, drugs, and contraband into the United States. They can even be used to smuggle terrorists or weapons of mass destruction into the country. Cross-border tunnels present a serious problem for law enforcement, and I support this bill's efforts to stop the growing use of these tunnels.

This legislation is urgently needed because the number of tunnels has substantially increased in recent years. Whereas the first documented tunnel was discovered in 1990, the Department of Homeland Security reported last year that 154 attempted tunnels have been found since 1990, all but one of which were located along the Southwest border. In addition, the sophistication of some of these tunnels is also increasing in recent years. Cross-border tunnels range from small, hand-dug tunnels barely wide enough for a person to crawl through to professionally engineered tunnels built by Mexican drug cartels.

In November 2010, an Immigration and Customs Enforcement task force discovered a tunnel with two separate entrances in warehouses in Otay Mesa, California. One of the tunnel's walls were fortified with wood and cinder block supports, and the tunnel was equipped with rail, electrical, and ventilation systems. The tunnel was being used to import large amounts of marijuana into the U.S.

Current law already criminalizes the construction of a cross-border tunnel, allowing such a tunnel to be constructed on your property, or the use of such a tunnel. H.R. 4119 would strengthen existing law by making it a crime to attempt to engage in any of these activities, as well as to participate in any conspiracy involving any of these activities.

The bill also makes the construction or use of a tunnel a predicate offense for authorization of wiretaps, provides for criminal asset forfeiture of merchandise involved in tunneling, and includes a money-laundering provision. Border tunnels present a real and serious threat as a burgeoning tool for criminal activities.

I urge my colleagues to join me in supporting this measure which will help enhance the safety of our Nation's borders.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I reserve the balance of my time, and we are prepared to close.

Mr. PIERLUISI. Madam Speaker, I yield to the gentleman from Texas (Mr. REYES) as much time as he may consume to address the merits of this bill, which he co-sponsored.

Mr. REYES. Madam Speaker, I rise today to ask my colleagues for their support of H.R. 4119, the Border Tunnel Prevention Act of 2012.

I also would like to express my appreciation and thank my cosponsors, Congressman QUAYLE, who I under-

stand is on his way here and we anticipate that he will be speaking on this, Congressman Chairman DREIER, and Congressman THOMPSON. I would, in particular, like to thank my good friend and colleague from Texas, Chairman SMITH, for his support in bringing this legislation to the floor. I also would like to thank Senator FEINSTEIN and Senator KYL for their work on a bipartisan, bicameral piece of legislation on the Senate side, which is S. 1236, the companion to the Border Tunnel Prevention Act of 2012.

The Border Tunnel Prevention Act of 2012 strengthens the 2006 Border Tunnel Prevention Act, which made it a crime to construct or finance an unauthorized tunnel or subterranean passage across an international border.

This bill seeks to provide law enforcement officials with enhanced investigative tools and additional options for prosecuting crimes related to the construction and financing of cross-border tunnels.

The Border Tunnel Prevention Act of 2012 would criminalize the attempt or conspiracy to use, construct, or finance a cross-border tunnel and also permits the forfeiture of bulk cash and merchandise smuggled into the United States through these illicit passageways.

Thanks to the collaborative efforts of the Obama administration, Congress, Federal, State, local, and tribal law enforcement organizations, as well as ordinary Americans, the Southwest border is more secure than at any point in our Nation's history. Over the past several years, the Federal Government has dedicated unprecedented levels of personnel, technology, and resources towards border security. As a result, apprehensions today are down, and seizures of drugs, guns, and cash are up. Border cities are among the safest in the country, including El Paso, which for the second year is the safest city in America with a population of over half a million people.

While the strengthening of security along the Southwest border has produced impressive results, it has also led those who want to harm our country to seek new ways to undermine our efforts. Enhancing the security of our borders on land, air, and sea has literally pushed drug cartels and transnational criminal organizations underground as they try to smuggle illicit drugs and people and other types of contraband, as my good friend and colleague from Puerto Rico mentioned, to include the potential for terrorists and weapons of mass destruction being smuggled into the United States.

Over the last decade, drug cartels and transnational criminal organizations have been increasing both the use and complexity of cross-border tunnels. As was said earlier, approximately 154 tunnels have been discovered between Mexico and the United States since the 1990s, and more than 90 percent of those tunnels have been detected in this past decade. These cross-border tunnels are becoming more and more complex.

□ 1630

I've got a picture to show, and I know that the chairman was mentioning the complexity of the construction. One such tunnel is the one that was discovered in November of 2011. It was over 600 yards long, and you can see, it's got a rail system built in. It's got sophisticated lighting, and even a system to introduce fresh air into the tunnel.

No longer are these crude, handmade tunnels. These are sophisticated, well-engineered, and well-financed projects. So that is why it is imperative that this legislation be passed. We must give law enforcement officials the tools that they need to combat this growing threat to our national security and stop the flow of illicit drugs and other contraband into the United States.

Accordingly, I am proud to be the author of this, along with Congressman QUAYLE, and I urge all my colleagues in Congress to pass this vital piece of bipartisan legislation so that we can move forward with helping to defeat the drug cartels and the transnational criminal organizations and, further, continue the path towards really securing our borders and protecting our communities.

So with that, let me end by thanking, again, Chairman SMITH and my good friend and colleague from Puerto Rico and urging my colleagues to support this critical and vital piece of legislation.

Mr. PIERLUISI. Madam Speaker, I am prepared to close. We have no further speakers, so I urge my colleagues to vote in favor of H.R. 4119, the Border Tunnel Protection Act of 2012.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I just wanted to say, we were hoping that the other author, the other cosponsor of this bill, the gentleman from Arizona (Mr. QUAYLE), would be here. Unfortunately, he was detained. His flight was delayed from Arizona to Washington, D.C.

But in his absence, I just want to thank him for his work on this bill and for all of his efforts to reduce the amount of cross-border drug smuggling and thereby protect the lives of individuals in Arizona and all Americans. He has done great work on this particular piece of legislation. We all appreciate those efforts.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I submit the following exchange of letters regarding H.R. 4119.

MAY 15, 2012.

HON. LAMAR SMITH,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH,
On March 21, 2012, the Committee on the Judiciary reported H.R. 4119, the Border Tunnel Prevention Act of 2012, as amended, favorably to the House. The Committee on Ways and Means received an additional referral on the bill as a result of section 5(b) dealing with civil asset forfeiture, which

falls within the jurisdiction of the Committee on Ways and Means. As a result of your Committee's agreement to remove section 5(b) of the bill, I agree to discharge the Committee on Ways and Means from further consideration of the bill so that a suspension version, incorporating the amendments to which we have agreed, may proceed expeditiously to the House Floor.

The Committee on Ways and Means takes this action with our mutual understanding that, by foregoing consideration of H.R. 4119 at this time, we do not waive any jurisdiction over the subject matter contained in section 5(b) in this or similar legislation, and that our Committee will be appropriately consulted and involved if that provision moves forward in any legislation so that we may address any issues that arise and fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this provision, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

DAVE CAMP,
Chairman.

CONGRESS OF THE
UNITED STATES
Washington, DC, May 15, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, 1102
Longworth House Office Building Wash-
ington, DC.

DEAR CHAIRMAN CAMP, thank you for your letter regarding H.R. 4119, the "Border Tunnel Prevention Act of 2012," which the Judiciary Committee reported favorably, as amended, to the House on March 21, 2012.

As introduced, H.R. 4119 contained a provision (section 5(b)) that formed the basis of an additional referral of the bill to your committee. Today, on a motion to suspend the rules, the House will consider a version of H.R. 4119 that does not include section 5(b) of the introduced bill. I am most appreciative of your decision to discharge the Committee on Ways and Means from further consideration of H.R. 4119, as amended, so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Ways and Means is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill, including section 5(b) of the bill as reported by the Judiciary Committee, which fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include this letter and your letter of even date herewith in the Congressional Record during floor consideration of H.R. 4119.

Sincerely,

LAMAR SMITH,
Chairman

MARCH 14, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Ray-
burn House Office Building, Washington,
DC.

DEAR CHAIRMAN SMITH: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 4119, the "Border Tunnel Prevention Act of 2012", which the Committee on the Judiciary ordered to be reported out, without amendment, on March 6, 2012.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 4119 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this response and your letter be included in the Committee on the Judiciary report to H.R. 4119 and in the Congressional Record during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

MARCH 15, 2012.

Hon. PETER T. KING,
Chairman, Committee on Homeland Security,
Ford House Office Building, Washington,
DC.

DEAR CHAIRMAN KING, thank you for your letter regarding H.R. 4119, the "Border Tunnel Prevention Act of 2012," which is likely to be scheduled for consideration by the House in the near future.

I am most appreciative of your decision to forego consideration of H.R. 4119 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Homeland Security is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that Homeland Security be represented therein.

Finally, I shall be pleased to include this letter and your letter of March 14, 2012, in the Congressional Record during floor consideration of H.R. 4119.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. SCOTT of Virginia. Madam Speaker, the possibility of terrorists or weapons of mass destruction being transported through border tunnels is frightening. The possibility of narcotics or trafficking victims being transported through tunnels is disturbing. And I have real concerns about tunnels being used for run-of-the-mill illegal immigration and to smuggle goods or merchandise.

But these things are already illegal. And the penalty for doing any of these things through a tunnel is already double what it would be if the unlawful activity had not made use of a tunnel.

When this bill, H.R. 4119, was in the Judiciary Committee, I commented on what I saw as the redundancies in the bill. We already have laws against constructing or financing a tunnel between the United States and another country. The penalty for violating the law is a fine and up to 20 years in prison. And we have laws against knowing, or recklessly disregarding, that land you own or lease is being used by someone else who is building a tunnel. The penalty for that is a fine and up to 10 years in prison.

H.R. adds attempts to the crimes already available to address border tunnels. Yet, I wonder how many cases there have been

where a prosecutor was unable to prosecute someone for attempting to construct a tunnel under the current border tunnel law but would be able to under H.R. 4119? For U.S. prosecutorial jurisdiction, the tunnel would have to be started on the U.S. side and not yet have crossed the border into Mexico to be an attempted border tunnel, because if it has already crossed the border, it IS a border tunnel, so you don't need an attempt law. But even before such an attempt is started, and certainly after it is started, it is already a conspiracy to build a border tunnel, which is already covered by current law.

We have had no hearings in the House on these issues, so it is not clear what information we are operating on in developing this bill. The Department of Homeland Security reports that 154 border tunnels or attempted border tunnels have been found since 1990. Laura Duffy, U.S. Attorney for the Southern District of California, stated in testimony before the Senate Caucus on International Narcotics Control on June 15, 2011, that all of the tunnels discovered thus far were started in Mexico. So if it takes crossing the border to be a border tunnel, and all of them are started in Mexico, the "attempt" provision of H.R. 4119 does not seem like a very useful tool in addressing border tunnels. Conspiracy laws, which already exist, would seem to be of better use. And if existing conspiracy charges are not enough of a prosecutorial incentive, it would seem you would want to wait until the tunnel is actually being used so you can really rack up the penalties for drugs, goods or people smuggling which allows a doubling of penalties.

Duffy also stated in her testimony that in prosecuting tunnel-related crimes, the Department of Justice uses the range of drug charges under Title 21 because the drug charges carry "stiff mandatory minimum sentences and sometimes enable prosecutors to use 'career offender' sentencing enhancements." When you start doubling such drug penalties under the provisions of the current border tunnel law, you can easily get into sentences of many decades.

In addition to adding attempt and increasing the penalty for conspiracy, H.R. 4119 adds provisions for wire tap, forfeiture, and money laundering, which should always be done carefully, in my view. These are extraordinary government powers that were created and authorized to be used in extraordinary cases and circumstances, not to address ordinary crime. We have come to routinely add these authorities to deal with the crime du jour, further cluttering up an already bloated federal code with multiple, superfluous ways to charge every crime. There are no U.S. restrictions on the use of wiretaps outside the U.S. Since the tunnels are seemingly always started in Mexico, it is not clear what wiretap authorizations add to the investigative process.

We should not be decorating the criminal code with more and more pages. We ought to be simplifying the code. While I do think border tunnels are a serious problem, I believe we already have adequate laws with very harsh penalties to deal with the problem.

Mr. DREIER. Madam Speaker, illegal border tunnels pose a risk to our national security and undermine our efforts to protect the border. The threat lies not only in the illegal trafficking of drugs and humans, but also in the potential exploitation by terrorists. That is why

I rise in support of H.R. 4119, the Border Tunnel Prevention Act of 2012. In 2006, I authored the House version of the original Border Tunnel Prevention Act, which criminalized the construction of illegal border tunnels into the United States with fines and imprisonment of up to 20 years. The law also carries a prison sentence of up to 10 years for those who recklessly allow others to build these tunnels on their land. In addition, the law doubled the sentence for using a tunnel to smuggle aliens, weapons, drugs, terrorists or illegal goods.

While the Border Tunnel Prevention Act of 2006 gave law enforcement agencies powerful tools to combat the construction of illegal border tunnels, they are still being used by criminals to smuggle drugs and other materials into our country. For example, last fall, in my home state of California, I was troubled to learn that an elaborate tunnel was discovered in San Diego that linked to a warehouse in Tijuana. The tunnel contained wooden flooring, a rail system and an elevator. Its discovery led to the seizure of more than 32 tons of marijuana. Unfortunately, this is just one example of the more than 40 tunnels that have been discovered in California in the last five years. H.R. 4119 will give law enforcement additional ability to investigate and prosecute criminals using these tunnels. The bill also prohibits attempts to use, construct or finance a cross-border tunnel. Finally, it provides for the forfeiture of cash and merchandise that is illegally brought into our country through a tunnel.

Madam Speaker, H.R. 4119 is a common sense solution that helps combat those who attempt to illegally bring goods into our country. I urge all my colleagues to support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4119, as amended.

The question was taken.

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

Mr. SMITH of Texas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NATIONAL BLUE ALERT ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 365

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 "National Blue Alert Act of 2012".

SEC. 2. DEFINITIONS.

In this Act:

(1) COORDINATOR.—The term "Coordinator" means the Blue Alert Coordinator of the Department of Justice designated under section 4(a).

(2) BLUE ALERT.—The term "Blue Alert" means information relating to the serious injury or death of a law enforcement officer in the line of duty sent through the network.

(3) BLUE ALERT PLAN.—The term "Blue Alert plan" means the plan of a State, unit of local government, or Federal agency participating in the network for the dissemination of information received as a Blue Alert.

(4) LAW ENFORCEMENT OFFICER.—The term "law enforcement officer" shall have the same meaning as in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(6)).

(5) NETWORK.—The term "network" means the Blue Alert communications network established by the Attorney General under section 3.

(6) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 3. BLUE ALERT COMMUNICATIONS NETWORK.

The Attorney General shall establish a national Blue Alert communications network within the Department of Justice to issue Blue Alerts through the initiation, facilitation, and promotion of Blue Alert plans, in coordination with States, units of local government, law enforcement agencies, and other appropriate entities.

SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.

(a) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

(b) DUTIES OF THE COORDINATOR.—The Coordinator shall—

(1) provide assistance to States and units of local government that are using Blue Alert plans;

(2) establish voluntary guidelines for States and units of local government to use in developing Blue Alert plans that will promote compatible and integrated Blue Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Blue Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Blue Alert;

(C) guidelines to protect the privacy, dignity, independence, and autonomy of any law enforcement officer who may be the subject of a Blue Alert and the family of the law enforcement officer;

(D) guidelines that a Blue Alert should only be issued with respect to a law enforcement officer if—

(i) the law enforcement agency involved—

(I) confirms—

(aa) the death or serious injury of the law enforcement officer; or

(bb) the attack on the law enforcement officer and that there is an indication of the death or serious injury of the officer; or

(II) concludes that the law enforcement officer is missing in the line of duty;

(ii) there is an indication of serious injury to or death of the law enforcement officer;

(iii) the suspect involved has not been apprehended; and

(iv) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(E) guidelines—

(i) that information relating to a law enforcement officer who is seriously injured or

killed in the line of duty should be provided to the National Crime Information Center database operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and any relevant crime information repository of the State involved;

(ii) that a Blue Alert should, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local governments), be limited to the geographic areas most likely to facilitate the apprehension of the suspect involved or which the suspect could reasonably reach, which should not be limited to State lines;

(iii) for law enforcement agencies of States or units of local government to develop plans to communicate information to neighboring States to provide for seamless communication of a Blue Alert; and

(iv) providing that a Blue Alert should be suspended when the suspect involved is apprehended or when the law enforcement agency involved determines that the Blue Alert is no longer effective; and

(F) guidelines for—

(i) the issuance of Blue Alerts through the network; and

(ii) the extent of the dissemination of alerts issued through the network;

(3) develop protocols for efforts to apprehend suspects that address activities during the period beginning at the time of the initial notification of a law enforcement agency that a suspect has not been apprehended and ending at the time of apprehension of a suspect or when the law enforcement agency involved determines that the Blue Alert is no longer effective, including protocols regulating—

(A) the use of public safety communications;

(B) command center operations; and

(C) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the network with initiating, facilitating, and promoting Blue Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of a law enforcement organization representing rank-and-file officers;

(ii) representatives of other law enforcement agencies and public safety communications;

(iii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iv) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the network;

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of Blue Alerts through the network; and

(7) determine—

(A) what procedures and practices are in use for notifying law enforcement and the public when a law enforcement officer is killed or seriously injured in the line of duty; and

(B) which of the procedures and practices are effective and that do not require the expenditure of additional resources to implement.

(c) LIMITATIONS.—

(1) VOLUNTARY PARTICIPATION.—The guidelines established under subsection (b)(2), protocols developed under subsection (b)(3), and other programs established under subsection (b), shall not be mandatory.

(2) DISSEMINATION OF INFORMATION.—The guidelines established under subsection (b)(2) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(3) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The guidelines established under subsection (b) shall—

(A) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty and the families of the officers.

(d) COOPERATION WITH OTHER AGENCIES.—The Coordinator shall cooperate with the Secretary of Homeland Security, the Secretary of Transportation, the Chairman of the Federal Communications Commission, and appropriate offices of the Department of Justice in carrying out activities under this Act.

(e) RESTRICTIONS ON COORDINATOR.—The Coordinator may not—

(1) perform any official travel for the sole purpose of carrying out the duties of the Coordinator;

(2) lobby any officer of a State regarding the funding or implementation of a Blue Alert plan; or

(3) host a conference focused solely on the Blue Alert program that requires the expenditure of Federal funds.

(f) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Blue Alert plans that are in effect or being developed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 365, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in 1962, at the request of Congress, President Kennedy proclaimed today as National Peace Officers Memorial Day. Every May 15 we honor our Nation's law enforcement officers who have been killed in the line of duty. Earlier today, on the west front of the Capitol, we honored those

officers who were killed last year while protecting us and enforcing the law.

H.R. 365, the National Blue Alert Act of 2012, establishes a nationwide system for distribution of time-sensitive information to help identify a violent suspect when a law enforcement officer is injured or killed in the line of duty.

Each year, hundreds of law enforcement officers are killed or seriously injured in the line of duty. America's law enforcement officers courageously put their lives on the line every day. They often work long and irregular hours in demanding and dangerous conditions. These officers run a high risk of being injured or killed by the same criminals that prey on Americans.

Just last month, in my home State of Texas, an Austin police officer was shot and killed while responding to a call about a drunk man shoplifting at the local Walmart. What seemed to be a routine call turned out to be a dangerous and deadly situation. We cannot bring Officer Padron back, but we can honor his sacrifice by helping to apprehend and bring to justice criminals who harm our men and women in blue.

In 1789, President George Washington appointed America's first law enforcement officers, 13 United States Marshals. Since then, over 21,000 local, State, and Federal law enforcement officers have been killed in the line of duty.

Despite the fact that national crime rates continue to drop, in 2011, 163 law enforcement officers were killed in the line of duty, a 14 percent increase over the previous year. Unfortunately, criminals are becoming even more violent, and their contempt for law enforcement and the rule of law is more evident than ever.

This bill encourages expansion of an integrated Blue Alert communications network throughout the United States, much like the well-known AMBER Alert system used to locate missing and abducted children. A Blue Alert broadcasts information and speeds apprehension of violent criminals when a law enforcement officer is seriously injured or killed in the line of duty. Blue Alerts use the same principle as AMBER Alerts for missing children and Silver Alerts for missing seniors.

The Blue Alert system is a cooperative effort among local, State, and Federal authorities, law enforcement agencies, and the general public. A Blue Alert provides a description of an offender who is still at large and may include a description of the offender's vehicle and license plate information. Like AMBER Alerts, Blue Alerts will help hinder the offender's ability to escape and will facilitate their capture.

The bill directs the Department of Justice to designate an existing officer as the Blue Alert national coordinator, who will encourage those States that have not already done so to develop Blue Alert plans and establish voluntary guidelines. As of today, 14 States have Blue Alert networks in place, and Ohio will implement its network in June.

An integrated nationwide Blue Alert system ensures that when tragedy strikes, the public is on notice and suspects can be more quickly apprehended and brought to justice. A nationwide Blue Alert network will be particularly effective when a suspect flees across State lines.

I want to thank the gentleman from New York (Mr. GRIMM) and Mr. REICHERT of Washington for their work on this issue. This is a bipartisan, bicameral bill. Similar legislation was approved by the Senate Judiciary Committee last September.

Supporters of this legislation include the National Fraternal Order of Police, the National Sheriffs' Association, the Federal Law Enforcement Officers Association, and the Sergeants Benevolent Association.

Too often, criminals in our society have no respect for authority and the rule of law. The goal of the Blue Alert is to immediately notify the entire community to assist in the location and apprehension of violent criminals who injure or kill police officers. This bill reaffirms our determination to ensure the future safety of our law enforcement men and women and the communities they serve to protect every day.

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

□ 1640

Mr. PIERLUISI. Madam Speaker, I rise in strong support of H.R. 365, and I yield myself such time as I may consume to explain the bill and to respectfully urge my colleagues to vote for it.

The National Blue Alert Act of 2012 has strong bipartisan backing and was approved unanimously by the Judiciary Committee on April 25. I am proud to join my colleague, Mr. GRIMM, as the lead Democratic sponsor of this legislation, and I want to thank the gentleman from New York, a former FBI agent, for his leadership on this and on other law enforcement issues.

This bill constitutes an effort to protect and defend the men and women of law enforcement, who protect and defend us, our families, and our communities. The bill has been endorsed, as has been stated by the gentleman from Texas, by the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the National Association of Police Organizations, the National Sheriffs' Association, and the Sergeants Benevolent Association. In our sister Chamber, an identical companion bill to H.R. 365 has been approved by the Senate Judiciary Committee and currently awaits floor consideration.

The legislation before us directs the Attorney General to establish a national Blue Alert communications network within the Department of Justice to disseminate information when a law enforcement officer is killed or seriously injured in the line of duty and when the suspect has not yet been apprehended. A Blue Alert would provide

a physical description of the suspect and may include a description of the suspect's vehicle and license plate information.

The Blue Alert system is a cooperative effort among Federal, State, and local authorities, law enforcement agencies, and the general public. The Blue Alert system would use the same infrastructure as AMBER Alerts, which are disseminated for missing children, and Silver Alerts, which are disseminated for missing seniors.

Pursuant to the bill, the Attorney General will assign an existing DOJ officer to serve as the national coordinator for the Blue Alert communications network. The national coordinator's duties will include: encouraging State, territory, and local governments to develop Blue Alert plans; establishing voluntary guidelines for these government entities to use in developing such plans; developing protocols for efforts to apprehend suspects; and establishing an advisory group to assist State and local governments and law enforcement agencies to create, facilitate, and promote Blue Alert plans.

In the last 220 years, nearly 21,000 law enforcement officers have been killed in the line of duty in the United States, and many more have been seriously injured. In Puerto Rico, which is the jurisdiction I represent, over 325 law enforcement officers have been killed in the line of duty since 1900, with over 40 island officers killed between the year 2000 and the year 2010.

This year, two veteran Puerto Rico police officers were fatally shot in the line of duty—Abimael Castro Berrocal and Francis Crespo Mandry. Although at least one suspect has been apprehended, other suspects in both of these killings remain at large. This morning, these two officers, along with over 160 of their brothers and sisters in law enforcement who lost their lives in the line of duty in the past year, were honored in front of the Capitol as part of the National Peace Officers' Memorial Service.

The overriding purpose of this legislation is to help deter violent acts against police officers and, in the event such a violent act occurs, to ensure that the perpetrator is quickly apprehended and brought to justice. Police officers, unlike young children and seniors, are not a vulnerable population group in the traditional sense. They are strong, capable, and brave, but every day, they put themselves in harm's way to protect us. They have our backs, and it's important that we have theirs.

I encourage all of my colleagues to vote in favor of this bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. GRIMM), who is the sponsor of this legislation.

Mr. GRIMM. Thank you for giving me this opportunity.

This is truly a very special opportunity for me to speak on this bill,

H.R. 365, the National Blue Alert Act of 2012. As a former FBI special agent, it makes it a very special honor to have the House consider this important legislation, especially during National Police Week. Think about it. Thousands of law enforcement officers from around the world and this country are going to converge on our Nation's Capitol to honor those who have paid the ultimate sacrifice: to protect the citizens back at home.

On a personal note, I would like to extend my sincerest gratitude to New York City's police commissioner, Ray Kelly, and to the very brave men and women of the NYPD for their service to our great city. I encourage all of my colleagues to treat every week as if it were National Police Week, because it is truly those sacrifices made by these individuals that have inspired me to introduce this important legislation.

During my career in the FBI, I witnessed firsthand the danger posed by criminals who attack law enforcement officers and the particular threat that they pose to our communities. Time and time again, we have seen, if criminals are willing to attack police officers to avoid apprehension, then there is no limit to the lengths they will go or to the victims they will target simply to avoid being brought to justice.

According to the National Law Enforcement Officers Memorial Fund, 173 officers were killed in the line of duty in 2011. As Members of Congress representing New York City and Puerto Rico, it is a sad fact for me and for my friend and colleague, Congressman PIERLUISI, who is the lead cosponsor of this bill, that the New York City Police Department and the Puerto Rico Police Department both lost four officers—the most of any other agency—in 2011. Now, it is impossible to completely transform the hazardous nature of the work our law enforcement officers carry out every single day, but there are steps that we can take to enhance their safety and to quickly apprehend those who put them at risk.

The National Blue Alert Act does this by creating a national Blue Alert communications network within the United States Department of Justice to disseminate information on suspects who are being sought in connection with the death or injury of a law enforcement officer. Similar to the nationwide AMBER Alert system for missing children, the Blue Alert would rapidly notify law enforcement agencies, as well as the media and the public, in order for them to help aid in the apprehension of these extremely violent criminals. Additionally, this legislation would further encourage the expansion of the Blue Alert program beyond the handful of States where it currently exists by helping develop the Blue Alert plans, the regional coordination, and the development and implementation of new technologies to improve Blue Alert communications.

This legislation, as we have heard, is supported across the board by many

law enforcement organizations, and I am certain that the National Blue Alert Act will enhance the safety of our communities as well as the law enforcement officers who protect them. I encourage its swift passage in the full House of Representatives, and I would like to thank my lead cosponsor and friend, Mr. PIERLUISI.

Mr. PIERLUISI. Madam Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Madam Speaker, I would certainly be remiss if I did not extend my commendation to the gentleman from New York and to my good friend and colleague from Puerto Rico for their leadership and their service in bringing this legislation to the floor, also and more especially to Chairman SMITH and our ranking member, Mr. CONYERS, for their support in bringing this bill to the floor for consideration.

Madam Speaker, I fully support the fundamental purpose of this bill, which is to create and integrate Blue Alert plans throughout the 50 States and the U.S. territories in order to disseminate information when a law enforcement officer is seriously injured in the line of duty. This program is similar to the Silver Alert public notification system, which broadcasts information about missing persons, especially seniors with Alzheimer's disease; or the America's Missing: Broadcasting Emergency Response, known mainly as the AMBER Alert, a public notification system about a missing child.

□ 1650

Similarly, the intent of this legislation is to expeditiously apprehend the offenders that kill or hurt law enforcement officers.

Law enforcement officers put their lives on the line every day to protect and to serve the public. Each year, hundreds of law enforcement officers are killed or seriously injured in the line of duty. On average, one law enforcement officer is killed in the line of duty every 53 hours. Last year, 173 officers had been killed, up to 13 percent from 153 killed in the line of duty 2 years ago.

The Blue Alert system is a cooperative effort among local, State, Federal authorities, law enforcement agencies, and the general public. It provides a description of an offender who is still at large and may include the description of the offender's vehicle and license plate information.

Madam Speaker, I am concerned to learn just this morning that the initial provision for a grant program to be made available to States and territories in support of the Blue Alert system is nowhere to be found in the language of the bill. Instead, the current bill language will only provide that the Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator

of the Blue Alert communications network.

Madam Speaker, while knowing that the Blue Alert system is not mandatory, resources should be made available to the 50 States and territories in order for the Blue Alert system network to work effectively and efficiently, otherwise the initial purpose of this bill will not be met under the current bill text before us today. However, I fully support the needs of the Blue Alert system. I urge that a grant program be made available to ensure that the law enforcement officers in the 50 States and territories are provided equal and fair treatment.

Again, I want to thank Chairman SMITH and Ranking Member CONYERS for their support of this bill, and I urge my colleagues to support this legislation.

Mr. SMITH of Texas. Madam Speaker, I am prepared to close. I reserve the balance of my time.

Mr. PIERLUISI. Madam Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Speaker, I just wanted to add my support for this legislation and thank my colleagues from New York and Puerto Rico for introducing this very important piece of legislation.

As a former Border Patrol agent and chief in the United States Border Patrol, I had the experience of working both as an agent with all the other law enforcement agencies and then as a chief. I can tell you that there isn't a worse feeling than that phone call in the middle of the night that one of your agents or one of your officers has been injured or killed. That's why this legislation is so important not just to officers and agents across the country, but to their families.

I strongly urge that our colleagues support this very important piece of legislation and agree with my colleague from American Samoa that more than just the legislation, we ought to do everything we can to provide the funding to actually bring this critical program to fruition.

Again, I want to thank my colleagues and also Chairman SMITH for bringing this legislation to the floor, and I ask all our colleagues to strongly support it.

Mr. PIERLUISI. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield back the balance of my time as well.

Mr. BACA. Madam Speaker. I rise today in strong support of H.R. 365, the National Blue Alert Act.

This important bill directs the Attorney General to establish a national Blue Alert communications network within the Department of Justice to broadcast information when a law enforcement officer is seriously injured or killed in the line of duty.

It would also assign a Department of Justice officer to act as the national coordinator of the Blue Alert Communications Network.

The Blue Alert System would operate in a similar fashion as the "Amber Alert" system and would be implemented by law enforcement agencies and officers at all levels—local, State, and Federal.

Law enforcement officers and officials are among the bravest individuals in today's society.

Each day, they knowingly risk their personal safety and their lives to ensure that our communities are safer and more secure.

As such, we need to be sure to do all that we can to ensure their safety when possible.

Building and expanding on the existing blue alert networks in various states will ensure that important information is sent out in an efficient and timely manner.

I am proud to stand here today and offer my support for this important legislation.

I want to thank the gentleman from New York, Mr. GRIMM, for his hard work in bringing this important legislation before us today.

And I also want to thank all the brave men and women who work in law enforcement and sacrifice day in and day out for our safety.

I urge my colleagues to support this bill.

Ms. RICHARDSON. Madam Speaker, today I rise up in support of H.R. 365, the National Blue Alert Act of 2011. This bill would create a Federal information network that would make it easier to track down and prosecute those who seriously injure or kill State and Federal law enforcement officers.

In 2011 a total of 72 law enforcement officers were killed by perpetrators, 10 of which were in my home state of California. For the first time in 14 years there were more officers killed by gunfire than officers killed in traffic accidents.

Gun violence against law enforcement had declined in recent decades; however there was a 70 percent increase from 2008 to 2011. The cause for this increase is unknown, but with technology growing better each day, and methods becoming more sophisticated, these statistics should be going in the opposite direction.

Some officers attribute the rise in deaths to budget cuts and officers not having the necessary resources to ensure their own safety. Others believe that the new trend of sending officers to the most violent areas of the city as a preventative measure has led to the spike. Regardless, this is a problem that needs an immediate solution.

Due to this dramatic increase in only a few short years, the FBI conducted a study which showed many of the officers were killed while attempting to arrest or subdue a suspect who already had a history of violent crimes. With this information they implemented a new Federal program so that now when an officer pulls over a car and runs the license plate they will be informed if the suspect has a violent criminal record so they can be properly prepared.

While this new program is a step in the right direction, law enforcement officers will always be put in high risk situations. It is simply the nature of the job. They put their lives on the line everyday to protect the citizens of this country, and they deserve to know their government is doing everything it can to provide them with as much safety as possible.

The National Blue Alert Act of 2011 would ease the minds of officers, reassuring them of a quick and efficient response should anything happen to them while on duty. The bill would also increase the likelihood of catching a perpetrator who injures or kills an officer.

Madam Speaker, every stop an officer makes can be potentially fatal. Yet these men and women go to work every day because they know their service will save the lives of countless others. With this level of self sacrifice the very least we can do as elected officials is provide them with the reassurances within the National Blue Alert Act.

Today, I ask my colleagues to rise up in support of the National Blue Alert Act of 2011. A quick response may be all it takes to save the life of an officer who gives so much, and asks for so little in return.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 365, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

SECURITY IN BONDING ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3534) to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3534

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 "Security in Bonding Act of 2012".

SEC. 2. SURETY BOND REQUIREMENTS.

Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

"§9310. Individual sureties

"If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

"(1) consist of eligible obligations described under section 9303(a); and

"(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b)."; and

(2) in the table of contents for such chapter, by adding at the end the following:

"9310. Individual sureties."

SEC. 3. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the following:

(1) All instances during the 10-year period prior to the date of the enactment of this Act in which a surety bond proposed or issued by a surety in connection with a Federal project was—

(A) rejected by a Federal contracting officer;

or

(B) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient

or with respect to which the surety did not perform.

(2) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under paragraph (1).

(3) The percentages of all Federal contracts that were awarded to small disadvantaged businesses (as defined under section 124.1002(b) of title 13, Code of Federal Regulations) and disadvantaged business enterprises (as defined under section 26.5 of title 49, Code of Federal Regulations) as prime contractors in the 2-year period prior to and the 2-year period following the date of enactment of this Act, and an assessment of the impact of this Act and the amendments made by this Act upon such percentages.

(b) REPORT.—Not later than the end of the 3-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3534, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. HANNA), who is the sponsor of this legislation.

Mr. HANNA. Madam Speaker, I introduced H.R. 3534 with my colleague, Mr. MULVANEY from South Carolina, to address an issue in the construction industry I know all too well: surety bonding.

Bonding is not something most people think about, but it was a daily reality in my business. The concept is simple. Contractors on a Federal construction project are required to post assets prior to entering a contract to prove that they are capable of paying their subcontractors and downstream paying their suppliers for work. It indicates that a contractor is capable of successfully completing a project and is supposed to protect taxpayers and small businesses downstream in the event of failure or nonpayment.

The business of bonding is predicted on a zero failure rate. The assets pledged to back a project must be real, easily convertible to cash, and held by the contracting officer for the duration of the project—and most are. Unfortunately, a loophole in these laws has been exploited. It has resulted in a number of cases where assets pledged to back a bond issued by an individual surety have been insufficient or illusory. This has left small businesses and

taxpayers without sufficient payment remedies, and in the case of one Colorado woman, nearly put her out of business.

A single stock or private residence, which is subject to huge changes in value or may have an existing first mortgage, are quite simply not acceptable assets to back multimillion-dollar projects. Madam Speaker, the Security in Bonding Act will remedy this problem by requiring individual sureties to pledge solely those assets described in contracting laws as “eligible obligations.” Further, it would require them to be placed in custody of the Federal Government just as they would using a corporate surety or posting an asset in lieu of corporate surety. This loophole is putting small businesses and workers and the taxpayer at risk. It is time to close this loophole and restore the integrity of the bonding process.

H.R. 3534 would ensure that if an individual surety bond is furnished for a Federal construction project, that small businesses and subcontractors providing goods and services on that contract will not need to worry about the integrity of their payment revenue. This bill provides the surety that small businesses need and subcontractors and citizens deserve from the Federal Government. Without it, good jobs and our limited taxpayer dollars will continue to be at risk.

In closing, I would like to extend a personal thanks to Chairman LAMAR SMITH for his leadership in advancing this legislation and for allowing me to join him during the committee’s proceedings.

Madam Speaker, I urge my colleagues to support this legislation.

□ 1700

Mr. PIERLUISI. Madam Speaker, I rise in support of H.R. 3534, the Security in Bonding Act, and I yield myself such time as I may consume.

H.R. 3534 will strengthen the protection that surety bonds are intended to provide by requiring individual sureties to use low-risk cash assets, such as United States bonds, as collateral. At the same time, H.R. 3534 will require the Government Accountability Office to assess the impact of these enhanced collateral requirements on the availability of surety bonds for emerging businesses, and particularly for disadvantaged business enterprises, seeking to be prime contractors on Federal projects.

When the Federal Government enters into a contract, the American taxpayer, as well as those who subcontract with the contractor, should be protected. That is why, under current law, any Federal construction contract valued at \$150,000 or more requires a surety bond as a condition of the contract being awarded. The bond will pay the government and downstream contractors in the event that the contractor fails to perform the contract.

Bonds issued by so-called “corporate” sureties, which have been vet-

ted and preapproved by the Treasury Department, provide financial assurance to taxpayers and contractors in the event that a contractor fails to perform. On the other hand, bonds issued by individual sureties have not been so vetted and are not subject to strong collateral requirements.

Accordingly, I support H.R. 3534 for several reasons.

To begin with, any entity that provides a surety bond should be held to strong underwriting standards. For instance, we know very well what happens when industries, particularly those involving financing, are not closely regulated. Consider mortgage lenders, for example. In a vacuum of regulation, unscrupulous and predatory lenders engaged in practices that hurt not just their borrowers, but ultimately jeopardized the Nation’s economy and the financial well-being of all Americans. Measures such as H.R. 3534 are intended to mandate more reliable collateral standards, which is a commendable goal. Such strengthened requirements should help to ensure that American taxpayers are not made to pay for the consequences of undercollateralized bonds.

In addition, this bill will protect so-called “downstream” subcontractors and suppliers who very much depend on the economic vitality and performance of the general contractor and its surety. Many such downstream subcontractors and suppliers are small businesses owned by members of historically disadvantaged groups, including racial minorities, women, and the disabled. Ensuring that unnecessarily heightened risk is avoided for minority-owned businesses is key to their economic survival as well as to our Nation’s fiscal health. According to the Commerce Department, these businesses are an “integral part of local, national, and global business communities.” Measures such as H.R. 3534 that strengthen collateral requirements lessen the incidence of poor underwriting practices and undersecured surety bonds.

Finally, H.R. 3534, as amended in committee, will help to ensure that it does not result in too much of a good thing. Particularly during these difficult economic times, our role in Congress should not be to construct unnecessary or overly burdensome hurdles to those who want to enter into a particular business or industry.

To the extent that heightened collateral requirements might dissuade individual sureties from providing bonds on Federal projects, there is a risk that new businesses may have a more difficult time bidding on Federal projects. We need to ensure that these businesses continue to be vital contributors to our Nation’s economy, not only as subcontractors, but also as prime contractors. This is why there was bipartisan agreement in committee to add language requiring the GAO to, among other things, assess the impact that the enactment of H.R. 3534 may

have on disadvantaged business enterprises' ability to successfully bid on Federal contracts. This analysis will help us monitor whether H.R. 3534 has any unintended consequences in this regard.

I thank Chairman SMITH for his willingness to work with us to reach a mutually agreeable result. I also commend the bill's sponsor, Representative RICHARD HANNA, as well as Representative JARED POLIS, the lead Democratic cosponsor, for their leadership on this important matter.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY) who is an original cosponsor of this legislation.

Mr. MULVANEY. I thank the gentleman from Texas.

This is not, Mr. Speaker, the most glamorous thing we're going to do in this 112th Congress. If you stop to think about it, there are not that many people who are aware of, let alone care about, what kind of security is offered on surety bonds.

I can assure you, it is important to some people. It really is. If you are the person who is entering into that contract, who is counting on somebody doing that work, the quality of that security in that surety bond is of the utmost importance to you. And as you heard the gentleman from New York (Mr. HANNA) mention, in certain cases, it could be a matter of life or death for your business. So I am proud to be the sponsor of this bill.

But that is not why I rise today, Mr. Speaker. I rise today to bring to light the fact that we are actually doing something on a bipartisan basis to help the country. We get a lot of criticism back home—I know we both do, the Republicans and the Democrats—for not being able to come together to fix things. And, yes, we do struggle, perhaps, to fix the big things, and maybe rightly so. We are unlikely to solve the issue of taxes versus spending here today, but it's nice to know that we're still able to get together from time to time on the small things.

Face it. It used to be, before this bill, that you could take marketable coal as collateral on a surety bond. That's outrageous. With this bill, we'll fix those types of things and actually make it safer to do business on a government contract. Again, is it the big things that stand between our country and its current lack of prosperity? Absolutely not. But it does make business better in the United States of America.

That's why I congratulate the gentleman from Texas (Mr. SMITH) and the ranking member, Mr. CONYERS. I also thank the gentleman from Missouri (Mr. GRAVES) and gentlelady from New York (Ms. VELÁZQUEZ) from the Small Business Committee who also took a look at this bill and also passed it on a bipartisan basis.

So with that, Mr. Speaker, I thank the gentleman. I thank my colleagues

from across the aisle for actually coming together today to try to do something to help the Nation advance. And with that, I encourage everyone to support this bill.

Mr. PIERLUISI. Mr. Speaker, I have no further requests for time, so I will yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time as well.

Mr. SMITH of Texas. Mr. Speaker, today the House continues its effort to restore the financial security of our country with consideration of H.R. 3534, the Security in Bonding Act of 2011. I thank Mr. HANNA for his sponsorship of this bill and Mr. GOWDY and Mr. POLIS, both members of the Judiciary Committee, for their support as well.

This bill protects the federal government from financial loss as it improves the effectiveness of surety bonds contractors must post when they perform construction projects for the United States.

Also, this bill protects small business subcontractors and enhances the financial security of the United States.

The bill amends federal acquisition law to require individual sureties to post only low-risk collateral to back up their bonds. If the prime contractor defaults, the government and subcontractors will have recourse to real, stable, valuable assets to make them whole.

The Miller Act, enacted in 1935, requires a contractor to obtain surety bonds in favor of the government when the contractor undertakes a construction job worth more than \$150,000. These surety bonds protect not only the United States but also subcontractors whom the prime contractor hires.

Unlike in the private sector, subcontractors on federal projects have no mechanic's lien rights; surety bonds are their sole protection.

A bid bond assures the federal contracting officer that the contractor bids in good faith and will complete the job if it is the winning bidder.

Similarly, a performance bond guarantees the United States that the contractor will not walk away from the job even if, for instance, the contractor found a more lucrative opportunity elsewhere.

The Federal Acquisition Regulation (FAR) currently allows a contractor to obtain a surety bond through a corporate surety or an individual surety. Alternatively, a contractor may deposit low-risk collateral, like T-bills or other cash equivalents, with the government to cover the project cost.

Corporate surety companies are regulated by the Treasury Department, which requires the sureties to be sufficiently funded in an amount over the risk of default on the bonds they underwrite. But individual sureties are not approved by the Treasury, and they may pledge collateral whose value may fluctuate. For example, the FAR allows an individual surety to pledge stocks and bonds or real property.

The lax collateral requirements for individual sureties have seriously harmed subcontractors and the federal government.

At a hearing on this bill in the Courts, Commercial and Administrative Law Subcommittee, the President of a minority-owned construction company in Colorado, testified that they lost \$100,000 because the prime contractor's individual surety bond was backed by valueless assets.

The federal government cannot afford to be left in the lurch because an individual surety bond proved to be worthless. American taxpayers deserve a government that acts carefully and with fiscal responsibility when it spends their money on construction projects.

I urge my colleagues to support this bill.

Mr. COBLE. Mr. Speaker, I rise in support of H.R. 3534.

Surety bonds are financial instruments used to provide financial security for large construction contracts. For example, prime contractors typically post payment bonds to assure subcontractors that they will be paid for their work. Prime contractors must also obtain bid and performance bonds to guarantee the owner that the work will be performed according to contract.

The federal government regularly contracts with privately-owned businesses to complete construction projects. In doing so, the government requires contractors to obtain surety bonds. But the security provided to the government by a surety bond is only as good as the capital or assets that stand behind the bond.

There are currently three ways a contractor can satisfy the federal government's requirement for adequate assurance of performance and payment. The contractor can obtain a bond from a corporate surety approved by the Treasury Department, give the United States a possessory security interest in low-risk, liquid assets, such as T-bills, cash, or cash equivalents, or the contractor can secure a bond from an individual surety.

In recent years, there have been a number of instances in which individual surety bonds have not provided the security they purport to offer. In some cases, this was because the value of the pledged assets had decreased significantly, like when the stock market suddenly dropped or real estate values plummeted.

H.R. 3534 addresses this problem by requiring individual sureties to pledge low-risk assets. This will benefit government and subcontractors, who typically get the short end of the stick.

I am happy to report that H.R. 3534 is supported by the American Subcontractors Association and the National Association of Minority Contractors.

I urge all members to vote "yea" on final passage for H.R. 3534.

The SPEAKER pro tempore (Mr. CHAFFETZ). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3534, as amended.

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

A motion to reconsider was laid on the table.

□ 1710

CHIMNEY ROCK NATIONAL MONUMENT ESTABLISHMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2621) to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 2621

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 "Chimney Rock National Monument Establishment Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **NATIONAL MONUMENT.**—The term "national monument" means the Chimney Rock National Monument established by section 3(a).

(2) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

(3) **STATE.**—The term "State" means the State of Colorado.

SEC. 3. ESTABLISHMENT OF CHIMNEY ROCK NATIONAL MONUMENT.

(a) **ESTABLISHMENT.**—There is established in the State the Chimney Rock National Monument—

(1) to preserve, protect, and restore the archeological, cultural, historic, geologic, hydrologic, natural, educational, and scenic resources of Chimney Rock and adjacent land; and

(2) to provide for public interpretation and recreation consistent with the protection of the resources described in paragraph (1).

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The national monument shall consist of approximately 4,726 acres of land and interests in land, as generally depicted on the map entitled "Boundary Map, Chimney Rock National Monument" and dated January 5, 2010.

(2) **MINOR ADJUSTMENTS.**—The Secretary may make minor adjustments to the boundary of the national monument to reflect the inclusion of significant archeological resources discovered after the date of the enactment of this Act on adjacent National Forest System land.

(3) **AVAILABILITY OF MAP.**—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 4. ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary shall—

(1) administer the national monument—

(A) in furtherance of the purposes for which the national monument was established; and

(B) in accordance with—

(i) this Act; and

(ii) any laws generally applicable to the National Forest System; and

(2) allow only such uses of the national monument that the Secretary determines would further the purposes described in section 3(a).

(b) **TRIBAL USES.**—

(1) **IN GENERAL.**—The Secretary shall administer the national monument in accordance with—

(A) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(B) the policy described in Public Law 95-341 (commonly known as the "American Indian Religious Freedom Act") (42 U.S.C. 1996).

(2) **TRADITIONAL USES.**—Subject to any terms and conditions the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the national monument by members of Indian tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(c) **VEGETATION MANAGEMENT.**—The Secretary may carry out vegetation management treatments within the national monument, except that the harvesting of timber shall only be used if the Secretary determines that the harvesting is necessary for—

(1) ecosystem restoration in furtherance of section 3(a); or

(2) the control of fire, insects, or diseases.

(d) **MOTOR VEHICLES AND MOUNTAIN BIKES.**—The use of motor vehicles and mountain bikes in the national monument shall be limited to the roads and trails identified by the Secretary as appropriate for the use of motor vehicles and mountain bikes.

(e) **GRAZING.**—The Secretary shall permit grazing within the national monument, where established before the date of the enactment of this Act—

(1) subject to all applicable laws (including regulations); and

(2) consistent with the purposes described in section 3(a).

(f) **UTILITY RIGHT-OF-WAY UPGRADES.**—Nothing in this Act precludes the Secretary from renewing or authorizing the upgrading of a utility right-of-way in existence as of the date of the enactment of this Act through the national monument—

(1) in accordance with—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other applicable law; and

(2) subject to such terms and conditions as the Secretary determines to be appropriate.

(g) **VOLUNTEERS.**—The Secretary shall allow for the continued access and work of volunteers at the national monument.

(h) **RESEARCH.**—Scientific research, including archeological research, educational, and interpretive uses shall be permitted within the Monument.

(i) **OTHER ADMINISTRATIVE COSTS.**—Any signs, fixtures, alterations, or additions needed in connection with the designation or advertisement of the Monument shall be paid for only with non-Federal funds or amounts made available for such purposes in prior Acts of appropriation.

(j) **DESIGNATION OF MANAGER.**—As soon as practicable after the management plan is developed under section 5(a), the Secretary shall designate an employee of the Department of Agriculture whose duties shall include acting as the point of contact for the management of the national monument.

(k) **OTHER RECREATIONAL USES.**—The Secretary shall allow continued use of the national monument for hunting, fishing, and other recreational uses authorized on the date of the enactment of this Act, except that the Secretary may implement temporary emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, or other purposes authorized by law.

SEC. 5. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date of the enactment of this Act, the Secretary, in consultation with Indian tribes with a cultural or historic tie to Chimney Rock, shall develop a management plan for the national monument.

(b) **PUBLIC COMMENT.**—In developing the management plan, the Secretary shall provide an opportunity for public comment by—

(1) State and local governments;

(2) tribal governments; and

(3) any other interested organizations and individuals.

SEC. 6. LAND ACQUISITION.

The Secretary may acquire land and any interest in land within or adjacent to the boundary of the national monument by—

(1) purchase from willing sellers with donated or appropriated funds;

(2) donation; or

(3) exchange.

SEC. 7. WITHDRAWAL.

(a) **IN GENERAL.**—Subject to valid existing rights, all Federal land within the national monument (including any land or interest in land acquired after the date of the enactment of this Act) is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) subject to subsection (b), operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) **LIMITATION.**—Notwithstanding subsection (a)(3), the Federal land is not withdrawn for the purposes of issuance of gas pipeline rights-of-way within easements in existence as of the date of the enactment of this Act.

SEC. 8. EFFECT.

(a) **WATER RIGHTS.**—

(1) **IN GENERAL.**—Nothing in this Act affects any valid water rights, including water rights held by the United States.

(2) **RESERVED WATER RIGHT.**—The designation of the national monument does not create a Federal reserved water right.

(b) **TRIBAL RIGHTS.**—Nothing in this Act affects—

(1) the rights of any Indian tribe on Indian land;

(2) any individually held trust land or Indian allotment; or

(3) any treaty rights providing for nonexclusive access to or within the national monument by members of Indian tribes for traditional and cultural purposes.

(c) **FISH AND WILDLIFE.**—Nothing in this Act affects the jurisdiction of the State with respect to the management of fish and wildlife on public land in the State.

(d) **ADJACENT USES.**—Nothing in this Act—

(1) creates a protective perimeter or buffer zone around the national monument; or

(2) affects private property outside of the boundary of the national monument.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. BISHOP of Utah. With that, Mr. Speaker, I would like to yield such time as he may consume to the sponsor of this bill, the gentleman from Colorado (Mr. TIPTON), who has done such great work to move this potential issue forward.

Mr. TIPTON. I thank the gentleman for yielding.

Mr. Speaker, this past weekend I had the opportunity to be in a truly remarkable part of the United States in southwestern Colorado, an area called Chimney Rock, which is an area renowned for its cultural heritage and its important archeological traits.

Chimney Rock is considered by the historic preservation community and the archeological community to be one of the most significant archeological sites in the western United States. Centuries ago, hundreds of early Native Americans called the area home. Archeologists have uncovered ancient farming areas, homes, and other structures, indicating that this was a major cultural center for these early Americans. The ancestors of modern Pueblo

Indians made a journey to this northernmost outpost of the Chacoan civilization to witness a rare lunar occurrence that they held to be sacred. Chimney Rock is only one of three sites like this in the entire world.

Despite the scarcity of this gem, the Chimney Rock site of the San Juan National Forest has yet to receive a designation worthy of its historical and cultural significance. The area is currently under the management of the U.S. Forest Service and is covered under the USFS Organic Act, which has no provision to be able to address preservation and the management of such a historic and culturally significant area as Chimney Rock.

H.R. 2621, the Chimney Rock National Monument Establishment Act, requires no additional Federal funds, and therefore no increase in spending. It ensures continued access to the area so that local ranchers will be able to utilize the lands that they depend on for grazing, for outdoorsmen to be able to continue to take advantage of the game opportunities in the area, and for members of the Indian tribes to be able to continue the use of Chimney Rock for traditional ceremonies. The bill also allows for continued archeological research and exploration in the area.

In addition to preserving and protecting the site's historical and cultural treasures, the national monument designation will give Chimney Rock the prestige and protection it deserves and elevate it to a status that will increase its exposure to the region and enable it to generate tourism, creating a potential economic boost for the surrounding communities and generating jobs. Without any new spending, making Chimney Rock a national monument will create a win-win situation for this remarkable place, for the local communities, the State of Colorado, Native Indian tribes, and future generations of American.

Mr. Speaker, it's my pleasure to be able to sponsor H.R. 2621.

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

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

Mr. HEINRICH. I want to applaud the majority for bringing this strong conservation legislation to the House floor today to designate a national monument in Congressman TIPTON's district. There are a number of bills like Congressman TIPTON's waiting for action that would either designate a new national monument or provide designation of a new wilderness area. This includes a bill that I have sponsored to include new areas in the existing Manzano Mountains Wilderness.

Congratulations to Congressman TIPTON for his success in advancing local conservation efforts. I hope that this is the beginning of consideration of similar bills pending before the committee so that we can advance our conservation goals across the Nation.

I yield back the balance of my time.

Mr. BISHOP of Utah. In closing, may I just say that I want to commend the gentleman from Colorado (Mr. TIPTON) for taking the time and the effort to put forth a well thought-out and locally supported piece of legislation that designates an area of special significance in the district that he happens to represent. This legislation is an example of the way this type of designation should be done, as opposed to by administrative fiat under things like the Antiquities Act.

I urge the adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2621, as amended. The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

AMENDMENT TO THE MESQUITE LANDS ACT OF 1986

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2745) to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2745

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

SECTION 1. AMENDMENT TO THE MESQUITE LANDS ACT OF 1986.

Section 3 of Public Law 99-548 (commonly known as the "Mesquite Lands Act of 1986") is amended—

(1) in subsection (d)(3)(B), by inserting "and implementation" after "development";

(2) in subsection (e)—

(A) in paragraph (1)(A), by striking "For a period of 12 years after the date of the enactment of this Act," and inserting "Until November 29, 2020,";

(B) in paragraph (3), by striking "Not later than 10 years after the date of the enactment of this subsection," and inserting "Not later than November 29, 2019,";

(C) in paragraph (5), by striking "the date that is 12 years after the date of the enactment of this subsection," and inserting "the date specified in paragraph (1)(A)," and

(D) in paragraph (6), by striking "of each parcel" and all that follows through the period and inserting "of each parcel under this subsection shall be deposited into the General Treasury," and

(3) in subsection (f)—

(A) in paragraph (1), by striking "Not later than 1 year after the date of the enactment of this subsection, the" and inserting "The";

(B) in paragraph (2), by inserting after subparagraph (C) the following:

"(D) The approximately 218 acres of land depicted as 'Hiatus' on the map titled 'Mesquite Airport Conveyance' and dated January 13, 2012.";

(C) in paragraph (3), by striking "until the date that is 12 years after the date of the enactment of this subsection," and inserting "until November 29, 2020,";

(D) by amending paragraph (4) to read as follows:

"(4) REVERTER.—If the land conveyed pursuant to paragraph (1) is not used by the city as an airport or for another public purpose, it shall revert to the United States, at the option of the Secretary, except that the city shall have an exclusive right to purchase such land." and

(E) by redesignating paragraph (5) as paragraph (7) and by inserting after paragraph (4) the following:

"(5) RIGHT TO PURCHASE LAND.—Until November 29, 2020, the City of Mesquite, Nevada, subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et. seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.), shall have the exclusive right to purchase the parcels of public land described in paragraph (2) that the Secretary did not convey to the city pursuant to paragraph (1).

"(6) PROCEEDS OF SALE.—The proceeds of the sale of each parcel under this subsection shall be deposited into the General Treasury."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. BISHOP of Utah. With that, Mr. Speaker, since this is a significant bill that makes a change that has been long overdue, I yield such time as he may consume to the sponsor of this bill, the gentleman from Nevada (Mr. HECK).

Mr. HECK. I rise in support of H.R. 2745, legislation amending the Mesquite Lands Act of 1986. The original Mesquite Lands Act provided the city of Mesquite, Nevada, the exclusive right to purchase, at fair market value, certain Federal land under the control of the Bureau of Land Management. As the city is landlocked by public lands and was the fastest growing city in the country for much of the 1990s, this legislation was amended in 1996 to allow the city to purchase additional Federal lands to ensure the city of Mesquite could continue to grow and prosper. In 1999, Congress passed the latest Mesquite Lands Act amendment with the specific purpose of providing land to construct a commercial airport and to provide more room for commercial and

industrial development to, again, meet future demands for a rapidly growing tourism industry.

In 2002, the U.S. Fish and Wildlife Service issued a Mesquite Lands Act Biological Opinion, which promulgated certain terms and conditions associated with the land sale. A key term contained in the opinion is a mandate that the city participate in the development and implementation of a Habitat Conservation and Recovery Plan and a Hydrologic Monitoring and Mitigation Plan along the Virgin River.

In response to this opinion, Congress made a technical amendment to the act within the Clark County Conservation of Public Land and Natural Resources Act of 2002 that set aside a portion of the proceeds from the sale of each parcel for the "development" of the Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. It is apparent that during the process language allowing for the "implementation" of these plans was inadvertently omitted from this amendment. Other land acts, such as the Lincoln and White Pine County Lands Act, clearly state that funds shall be expended on development and implementation of multispecies habitat conservation plans. I believe the same process should be applied to the Mesquite Lands Act.

H.R. 2745 is a legislative clarification regarding the special funds allowing for both the development and implementation of the Habitat Conservation and Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. This is consistent with other plans in Nevada, and the same process should be applied to the city of Mesquite.

In addition to the clarification for the Habitat Conservation and Recovery Plan, there's an issue regarding the timing of the land sales identified in the 1999 amendment that is also addressed in H.R. 2745. The legislation originally gave the city of Mesquite 12 years to purchase the land from the date of enactment. However, due to severe economic conditions that continue to plague southern Nevada, along with a delay of the environmental impact statement for the airport site, the city is not in a position to purchase the final sections of property at this time, and therefore was not able to make this deadline. H.R. 2745 provides for an extension of an additional 8 years to allow economic conditions to improve.

In closing, I would again like to thank Chairman BISHOP and Ranking Member GRIJALVA, as well as the Natural Resources Committee Staff, for working with me on moving this legislation forward. H.R. 2745 will allow the city of Mesquite to continue to control the path of its future expansion and economic development, as well as correct an oversight in prior legislation.

□ 1720

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

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

Mr. Speaker, this legislation allows the city of Mesquite, Nevada, to continue acquiring certain lands from the Federal Government for its commercial airport.

Under the original 1986 legislation, some receipts from the sale of Federal lands would be retained to fund habitat improvements along the Virgin River within Clark County. As amended, H.R. 2745 directs the proceeds from the land sales to the Treasury, thus leaving the habitat work unfunded.

While the conservation work is important and deserves funding, we do not object to this legislation.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

Authored by Congressman HECK, H.R. 2745 was amended by the Natural Resources Committee and is further amended today to ensure that there is no cost to the taxpayer. This will treat all proceeds from land sales uniformly and, again, at no cost to the taxpayer.

So I urge adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2745, as amended.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

BLACK HILLS CEMETERY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3874

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 "Black Hills Cemetery Act".

SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LOCATED IN BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) CEMETERY CONVEYANCES REQUIRED.—*The Secretary of Agriculture shall convey, without consideration, to the local communities in South Dakota that are currently managing and maintaining certain community cemeteries (as specified in subsection (b)) all right, title, and interest of the United States in and to—*

(1) *the parcels of National Forest System land containing such cemeteries; and*

(2) *up to an additional two acres adjoining each cemetery in order to ensure the conveyances include unmarked gravesites and allow for expansion of the cemeteries.*

(b) PROPERTY AND RECIPIENTS.—*The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:*

(1) *The Silver City Cemetery to the Silver City Volunteer Fire Department.*

(2) *The Hayward Cemetery to the Hayward Volunteer Fire Department.*

(3) *The encumbered land adjacent to the Englewood Cemetery (encompassing the cemetery entrance portal, access road, fences, 2,500 gallon reservoir and building housing such reservoir, and piping to provide sprinkling system to the cemetery) to the City of Lead.*

(4) *The land adjacent to the Mountain Meadow Cemetery to the Mountain Meadow Cemetery Association.*

(5) *The Roubaix Cemetery to the Roubaix Cemetery Association.*

(6) *The Nemo Cemetery to the Nemo Cemetery Association.*

(7) *The Galena Cemetery to the Galena Historical Society.*

(8) *The Rockerville Cemetery to the Rockerville Community Club.*

(9) *The Cold Springs Cemetery (including adjacent school yard and log building) to the Cold Springs Historical Society.*

(c) CONDITION OF CONVEYANCE.—*Each conveyance under subsection (a) shall be subject to the condition that the recipient accept the conveyed real property in its condition at the time of the conveyance.*

(d) USE OF LAND CONVEYED.—*The lands conveyed under subsection (a) shall continue to be used in the same manner and for the same purposes as they were immediately prior to their conveyance under this Act.*

(e) DESCRIPTION OF PROPERTY.—*The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey for a particular parcel shall be borne by the recipient of such parcel.*

(f) ADDITIONAL TERMS AND CONDITIONS.—*The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as she may consume to Mrs. NOEM of South Dakota, the sponsor of this bill, who has worked so hard and has done such a great job on it, to explain this commonsense bill.

Mrs. NOEM. Mr. Speaker, I thank the gentleman for yielding.

Today I rise in support of my legislation, H.R. 3874, the Black Hills Cemetery Act. This bill is of great importance to many communities in the Black Hills of South Dakota.

The Black Hills in South Dakota is home to a number of historic communities and cemeteries. Many of these originated in old mining towns in the 1800s. They have unique significance to the surrounding communities. These include the Englewood Cemetery, the Galena Cemetery, Hayward Cemetery, Mountain Meadows Cemetery, Roubaix Cemetery, Nemo Cemetery, Rockerville Cemetery, Silver City Cemetery, and the Cold Springs Cemetery.

These cemeteries are currently being managed by local cemetery associations or community groups in the surrounding areas, but have been technically owned by the U.S. Forest Service since the 1900s. This causes unnecessary liability for the U.S. Forest Service because of responsibility for upkeep and dealing with possible vandalism or damage to the property.

The Black Hills Cemetery Act would simply transfer ownership of these cemeteries and up to 2 acres of adjacent land to the caretaking communities that have managed them for generations under special-use permits issued by the Forest Service at almost no cost to taxpayers. It also makes clear that these cemeteries will continue to be used for the same purpose as they have always been used in the past.

I sponsored this bill at the request of these communities and the current caretakers of the cemeteries and in consultation with the U.S. Forest Service. An article by the Rapid City Journal talked about Dennis McMillin, who is chief of the local volunteer fire department that takes care of the Hayward Cemetery. He mentioned that passing this bill would make it less complicated for both the caretakers and for the United States Forest Service. He also mentioned that this bill is important because it allows for some expansion for those families who are still interested in burial plots.

A lot of local residents have relatives buried in these cemeteries, so this coming Memorial Day, many will pay their respects to family members. Many of these communities will hold special services on the cemetery grounds in the coming weeks. After the House passes this bill, these families and communities are one step closer to having these cemeteries officially in their care and will continue to do an excellent job managing them.

I would like to thank the communities and the local residents for their help in working with my office and for advocating for this bill. I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for helping me push this bill forward.

It is important for those reasons that we pass this bill and that the Senate does the same. These communities have been asking for a solution to this

situation for a number of years, and as their Representative, I'm glad we have the opportunity to pass this bill today off the House floor.

I urge my colleagues to support and pass this bill for the communities in South Dakota.

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

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

Mr. HEINRICH. Mr. Speaker, H.R. 3874 conveys cemeteries currently on Forest Service lands to communities in South Dakota. These local communities already manage and maintain these cemeteries, and the legislation requires that these lands continue to be used for cemetery purposes.

We have no objections to this legislation, and with that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

This commonsense piece of legislation moves nine parcels of land to the respective communities that currently manage and maintain these cemeteries. It frees the Forest Service from administering these cemeteries so they can focus on other jobs, like maybe tackling the growing mountain pine beetle epidemic in the Black Hills. It's a great bill, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3874, as amended.

The question was taken.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2011

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 205) to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases," approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 205

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 "Helping Expedite and Advance Responsible Tribal Home

Ownership Act of 2011" or the "HEARTH Act of 2011".

SEC. 2. APPROVAL OF, AND REGULATIONS RELATED TO, TRIBAL LEASES.

The first section of the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U.S.C. 415), is amended as follows:

(1) In subsection (d)—

(A) in paragraph (4), by striking "the Navajo Nation" and inserting "an applicable Indian tribe";

(B) in paragraph (6), by striking "the Navajo Nation" and inserting "an Indian tribe";

(C) in paragraph (7), by striking "and" after the semicolon at the end;

(D) in paragraph (8)—

(i) by striking "the Navajo Nation";

(ii) by striking "with Navajo Nation law" and inserting "with applicable tribal law"; and

(iii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

"(9) the term 'Indian tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a); and

"(10) the term 'individually owned allotted land' means a parcel of land that—

"(A)(i) is located within the jurisdiction of an Indian tribe; or

"(ii) is held in trust or restricted status by the United States for the benefit of an Indian tribe or a member of an Indian tribe; and

"(B) is allotted to a member of an Indian tribe.".

(2) By adding at the end the following:

"(h) TRIBAL APPROVAL OF LEASES.—

"(1) IN GENERAL.—At the discretion of any Indian tribe, any lease by the Indian tribe for the purposes authorized under subsection (a) (including any amendments to subsection (a)), except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary, if the lease is executed under the tribal regulations approved by the Secretary under this subsection and the term of the lease does not exceed—

"(A) in the case of a business or agricultural lease, 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years; and

"(B) in the case of a lease for public, religious, educational, recreational, or residential purposes, 75 years, if such a term is provided for by the regulations issued by the Indian tribe.

"(2) ALLOTTED LAND.—Paragraph (1) shall not apply to any lease of individually owned Indian allotted land.

"(3) AUTHORITY OF SECRETARY OVER TRIBAL REGULATIONS.—

"(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any tribal regulations issued in accordance with paragraph (1).

"(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any tribal regulation issued in accordance with paragraph (1), if the tribal regulations—

"(i) are consistent with any regulations issued by the Secretary under subsection (a) (including any amendments to the subsection or regulations); and

"(ii) provide for an environmental review process that includes—

"(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

"(II) a process for ensuring that—

"(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Indian tribe; and

"(bb) the Indian tribe provides responses to relevant and substantive public comments on

any such impacts before the Indian tribe approves the lease.

“(C) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, upon request of the Indian tribe, for development of a regulatory environmental review process under subparagraph (B)(ii).

“(D) INDIAN SELF-DETERMINATION ACT.—The technical assistance to be provided by the Secretary pursuant to subparagraph (C) may be made available through contracts, grants, or agreements entered into in accordance with, and made available to entities eligible for, such contracts, grants, or agreements under the Indian Self-Determination Act (25 U.S.C. 450 et seq).

“(4) REVIEW PROCESS.—

“(A) IN GENERAL.—Not later than 120 days after the date on which the tribal regulations described in paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

“(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the tribal regulations described in paragraph (1), the Secretary shall include written documentation with the disapproval notification that describes the basis for the disapproval.

“(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Indian tribe.

“(5) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (3) and (4), if an Indian tribe carries out a project or activity funded by a Federal agency, the Indian tribe shall have the authority to rely on the environmental review process of the applicable Federal agency rather than any tribal environmental review process under this subsection.

“(6) DOCUMENTATION.—If an Indian tribe executes a lease pursuant to tribal regulations under paragraph (1), the Indian tribe shall provide the Secretary with—

“(A) a copy of the lease, including any amendments or renewals to the lease; and

“(B) in the case of tribal regulations or a lease that allows for lease payments to be made directly to the Indian tribe, documentation of the lease payments that are sufficient to enable the Secretary to discharge the trust responsibility of the United States under paragraph (7).

“(7) TRUST RESPONSIBILITY.—

“(A) IN GENERAL.—The United States shall not be liable for losses sustained by any party to a lease executed pursuant to tribal regulations under paragraph (1).

“(B) AUTHORITY OF SECRETARY.—Pursuant to the authority of the Secretary to fulfill the trust obligation of the United States to the applicable Indian tribe under Federal law (including regulations), the Secretary may, upon reasonable notice from the applicable Indian tribe and at the discretion of the Secretary, enforce the provisions of, or cancel, any lease executed by the Indian tribe under paragraph (1).

“(8) COMPLIANCE.—

“(A) IN GENERAL.—An interested party, after exhausting of any applicable tribal remedies, may submit a petition to the Secretary, at such time and in such form as the Secretary determines to be appropriate, to review the compliance of the applicable Indian tribe with any tribal regulations approved by the Secretary under this subsection.

“(B) VIOLATIONS.—If, after carrying out a review under subparagraph (A), the Secretary determines that the tribal regulations were violated, the Secretary may take any action the Secretary determines to be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases of tribal trust lands.

“(C) DOCUMENTATION.—If the Secretary determines that a violation of the tribal regulations has occurred and a remedy is necessary, the Secretary shall—

“(i) make a written determination with respect to the regulations that have been violated;

“(ii) provide the applicable Indian tribe with a written notice of the alleged violation together with such written determination; and

“(iii) prior to the exercise of any remedy, the rescission of the approval of the regulation involved, or the reassumption of lease approval responsibilities, provide the applicable Indian tribe with—

“(I) a hearing that is on the record; and

“(II) a reasonable opportunity to cure the alleged violation.

“(9) SAVINGS CLAUSE.—Nothing in this subsection shall affect subsection (e) or any tribal regulations issued under that subsection.”.

SEC. 3. LAND TITLE REPORTS.

(a) IN GENERAL.—The Bureau of Indian Affairs shall prepare and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate a report regarding the history and experience of Indian tribes that have chosen to assume responsibility for operating the Indian Land Title and Records Office (referred to in this section as the “LTRO”) functions from the Bureau of Indian Affairs.

(b) CONSULTATION.—In conducting the review under subsection (a), the Bureau of Indian Affairs shall consult with the Department of Housing and Urban Development Office of Native American Programs and the Indian tribes that are managing LTRO functions (referred to in this section as the “managing Indian tribes”).

(c) CONTENTS.—The review under subsection (a) shall include an analysis of the following factors:

(1) Whether and how tribal management of the LTRO functions has expedited the processing and issuance of Indian land title certifications as compared to the period during which the Bureau of Indian Affairs managed the programs.

(2) Whether and how tribal management of the LTRO functions has increased home ownership among the population of the managing Indian tribe.

(3) What internal preparations and processes were required of the managing Indian tribes prior to assuming management of the LTRO functions.

(4) Whether tribal management of the LTRO functions resulted in a transfer of financial resources and manpower from the Bureau of Indian Affairs to the managing Indian tribes and, if so, what transfers were undertaken.

(5) Whether, in appropriate circumstances and with the approval of geographically proximate Indian tribes, the LTRO functions may be performed by a single Indian tribe or a tribal consortium in a cost effective manner.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

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

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Under current law, each and every nonmineral lease that a tribe executes with a third party is subject to approval of the Department of the Inte-

rior before it can take effect. It doesn't matter whether the tribe and a third party have negotiated the terms of a lease to their mutual satisfaction; Washington, D.C., ultimately decides because, after all, Washington, D.C., always knows better.

Unfortunately, the result of this paternalism is predictable—the leases do not get approved on a timely basis, if at all. The government has erected all kinds of regulatory hurdles for tribes leasing their lands. In the private sector, time is money; and when the government delay costs money, investors take their business elsewhere.

In 2000, Congress agreed with a request by the Navajo Nation to let the tribe lease its land without Federal approval so long as the leasing occurs under tribal regulations and they have been approved by the Secretary. The amendments absolve taxpayers from liability for leasing decisions the Navajo Nation makes.

For years, many tribes have pleaded with Congress to let them manage their lands with less Federal supervision. H.R. 205 simply allows any tribe the same option that the Navajo Nation already enjoys. While this bill does not completely remove the government from tribal lands, which would be our goal, it takes a step in the right direction.

□ 1730

A previous version of this bill was introduced and ordered reported in the very last Congress, but it languished and saw no further action. So I am very pleased today that this bill, sponsored by a Democrat Member, that decreases Federal regulation of Indian lands is poised to pass with very strong bipartisan support.

I urge adoption of this measure, and I reserve the balance of my time.

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

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

Mr. HEINRICH. Mr. Speaker, shortly after being elected to Congress, I met with some New Mexico tribal leaders who brought to my attention the onerous process for securing a long-term lease on trust land—an unnecessary procedural burden that affects every single home mortgage on Indian land.

We all know how important homeownership is to healthy communities, and the last thing the Federal Government should do is stand in the way of families ready and willing to buy a home. That's why I introduced this bill, the Helping Expedite and Advance Responsible Tribal Home Ownership Act, which we call the HEARTH Act.

Native families buying a house go through the same process as everyone else—they find a house they like, work with their bank to gain approval for a mortgage, and make an offer to the seller. But before these families can close on the sale, they must also get approval from the Bureau of Indian Affairs to lease the land that the house is

built on. That approval can take between 6 months and 2 years—an intolerable delay for most buyers.

We all know that a seller is rarely able to wait 2 years to sell their house, and banks are often unable to hold a mortgage approval for anywhere near that long. I know that there are many Native families who would prefer to stay and raise their children in the communities where their families have lived for generations, but instead have had to move from Indian Country to nearby cities because they want to own a home. Families shouldn't be forced to make such an important decision based on how many months, or years, it will take a Federal bureaucracy to approve a mortgage on tribal land.

Similarly, many tribal communities lose out on commercial investment because the process for securing a lease through the BIA takes so long. In these tough economic times, we should not be making it harder for business to develop on tribal land.

The HEARTH Act would allow tribes to develop their own leasing regulations and make leasing decisions on the tribal level rather than waiting for BIA approval. Under the bill, tribes would submit their regulations to the Secretary of the Interior for approval. Once the regulations are approved, tribes would be authorized to make their own decisions about how to lease their land in accordance with approved leases. This process would be completely voluntary for tribes. A tribe that chooses not to submit leasing regulations for approval would continue under the current system of BIA approval.

Many tribes already have a lease approval process through their tribal government that approves land leases before they're even sent to the BIA. For those tribes that want the authority and responsibility for making final leasing decisions at the tribal level, the HEARTH Act would give them the option of doing so.

Our Nation is home to a vast diversity of tribes, and Federal policy should reflect that diversity. The HEARTH Act will allow tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in tribal communities.

Mr. Speaker, before I close, I want to make sure to thank Representatives MARKEY, HASTINGS, BOREN, YOUNG, KILDEE, COLE, and LUJÁN for their meaningful work on this important legislation. Again, I ask my colleagues to vote "yes" on this important bipartisan bill to support Native families and communities.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Oklahoma (Mr. COLE), who has proven an expert as well as totally versed on the issues of Native Americans in the United States.

Mr. COLE. I thank the gentleman for yielding, and I thank him for those exceptionally generous comments.

Mr. Speaker, I rise today in support of H.R. 205, the HEARTH Act, by the gentleman from New Mexico (Mr. HEINRICH). I want to commend him for bringing forward and working so hard to secure the passage of this genuinely important piece of legislation.

Increased opportunity for economic development in Indian Country is the best way to raise the standards of living for tribal members. This legislation will help break down the barriers to economic development by making needed reforms to tribal leasing regulations.

H.R. 205 will streamline the existing bureaucratic process for leasing tribal trust lands by providing Indian tribes with the option to develop and manage their own surface leasing regimes.

Existing law requires that each lease of tribal surface lands be approved by the Secretary of the Interior. The secretarial approval process is costly, time consuming, often results in lost business and economic opportunities for tribal communities, and is far too cumbersome to be helpful to those it's designed to protect. These lease reforms come from a pilot program which implemented this same regime on the Navajo reservation over a decade ago. Based on the success of that pilot, it's only natural that these reforms be available to all tribes.

Under H.R. 205, once a tribe's own surface leasing regime is approved by the Department of the Interior, the tribe can proceed to negotiate, approve, and administer leases of tribal trust lands under its control. Passage of H.R. 205 will enable tribal governments to assume responsibility for the management of their lands, reduce Federal costs and government liability, and encourage more housing and economic development on Indian lands, resulting ultimately in job creation.

This bill has strong bipartisan support, is a priority for Indian Country, and is strongly supported by the administration. It empowers tribes, encourages tribal self-government, decreases the dependency of tribes on the Federal Government, and speeds up economic development in Indian Country.

I urge my colleagues to vote in favor of H.R. 205, the HEARTH Act. Again, I want to commend the gentleman from New Mexico for his hard work on this important legislation.

Mr. HEINRICH. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I could not help but listen with tremendous interest, and also to commend my good friend from Oklahoma, who also is the cochairman of our Native American Congressional Caucus. I fully

associate myself with the eloquent remarks that he has made in addressing the needs of this legislation that needs to be passed.

I also want to commend my good friend from Utah and the gentleman from New Mexico for their management of this piece of legislation that is so important to our Native American community.

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

Mr. BISHOP of Utah. I urge adoption of this bill, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I rise in support of the legislation introduced by the gentleman from New Mexico (Mr. HEINRICH). The HEARTH Act will further tribal self-governance and self-determination by authorizing willing Indian tribes to take control of surface leasing on their own lands. Once tribal regulations are approved by the Secretary of the Interior, tribes will be able to lease their lands without federal oversight. H.R. 205 is groundbreaking legislation that enhances tribal control over tribal resources and I ask my colleagues to vote for its passage.

Importantly, H.R. 205 authorizes leasing activity for residential, business, and other purposes. A tribe could therefore use its authority under the HEARTH Act to engage in renewable energy projects on their lands. Indian country has the potential to develop millions of megawatts of wind and solar energy. This bill will help Tribes pursue the economic, environmental and national security benefits that clean energy provides to all Americans.

During the Natural Resources Committee markup, a Democratic amendment added language to authorize tribes to seek the Secretary's technical assistance in developing a regulatory environmental review process for all types of leasing activity. If a tribe chooses to use its new authority to engage in leasing activity for renewable energy projects, for example, it can call upon the expertise of the Department of the Interior to inform development of an appropriate environmental review process. I'm confident that this will enhance tribes' ability to be the best managers of their own lands.

H.R. 205 also requires that approved tribal regulations must be "consistent with" existing federal regulations. The United States recognizes tribal primacy for a number of programs under three critical environmental laws—the Clean Water Act, the Safe Drinking Water Act and the Clean Air Act. Tribes have successfully demonstrated their ability to implement these laws. I fully expect that tribes will do the same with the HEARTH Act requirement that their leasing regulations, at a minimum, meet existing federal standards and may even choose to regulate more stringently where appropriate.

I applaud Mr. HEINRICH's leadership on this bill and again encourage my colleagues from both sides of the aisle to vote in favor of H.R. 205.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 205—The HEARTH ACT, and recognize the vital importance of homeownership and tribal self governance.

I am proud to serve as a cosponsor of this legislation and wish to thank Congressman HEINRICH for sponsoring this bill.

Homeownership is an essential part of the American dream.

Native American families desire to own their own homes just like other citizens of our nation.

Currently Native families can face up to a two year wait to purchase a home on tribal lands because of the bureaucratic red tape at the Bureau of Indian Affairs.

This long wait can be harmful to Native people because sellers often cannot wait for the time it takes for Bureau of Indian Affairs approval. This could result in lands within reservation borders being sold away from tribal members.

The HEARTH ACT allows tribal governments to approve trust land leases directly, significantly reducing the wait for approval and easing the home buying process for tribal families.

In the current housing market, the last thing the federal government should be doing is standing in the way of families looking to buy a home.

I urge my colleagues to join me in supporting homeownership for our Nation's first people, and ask that they vote yes on H.R. 205.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 205, the Helping Expedite and Advance Responsible Tribal Home Ownership (HEARTH) Act of 2011. As a member of the Native American Caucus and a proud co-sponsor of this legislation, I believe the HEARTH Act is an important step forward in supporting tribal self-determination and self-governance.

Native American families buying homes have to go through a unique and burdensome process that involves securing approval from the Federal Bureau of Indian Affairs to lease tribal land. This application process can take as long as two years to complete, often making the dream of owning a home on their tribal land unattainable. Sellers and mortgage lenders are usually unable or unwilling to wait this long, and buyers often resort to moving off tribal land.

The Bureau of Indian Affairs (BIA) plays an important role in the education, healthcare, infrastructure maintenance and law enforcement, among other services, for Native Alaskans and American Indians. The BIA oversees more than 55 million acres of some of the most economically depressed and isolated areas of the United States and is critical in improving the quality life of its members.

The HEARTH Act is a plan for reform that will improve the efficiency of the Bureau of Indian Affairs and will shift important responsibilities to tribes. Under this Act, tribes. Under this Act, tribes will develop their own regulations to be approved by the Secretary of the Interior, and local leaders can assume control over their own leasing processes. Families will avoid the lengthy wait and can seize the opportunity to invest in land that has been in their family and tribe for generations.

Mr. Speaker, I encourage my colleagues to join me in voting for this critical legislation. This is a bill we can all support as it will improve the efficiency of one of our federal bureaus while simultaneously improving housing opportunities for Native American populations. Home ownership is an important part of the American dream, and the HEARTH Act will help hard-working American families achieve that goal.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 205, as amended.

The question was taken.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

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**AMBASSADOR JAMES R. LILLEY
AND CONGRESSMAN STEPHEN J.
SOLARZ NORTH KOREA HUMAN
RIGHTS REAUTHORIZATION ACT
OF 2012**

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4240) to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4240

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 "Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7801 et seq.) and the North Korean Human Rights Reauthorization Act of 2008 (Public Law 110-346) were the product of broad, bipartisan consensus regarding the promotion of human rights, transparency in the delivery of humanitarian assistance, and the importance of refugee protection.

(2) In addition to the longstanding commitment of the United States to refugee and human rights advocacy, the United States is home to the largest Korean population outside of northeast Asia, and many in the two-million strong Korean-American community have family ties to North Korea.

(3) Although the transition to the leadership of Kim Jong-Un after the death of Kim Jong-Il has introduced new uncertainties and possibilities, the fundamental human rights and humanitarian conditions inside North Korea remain deplorable, North Korean refugees remain acutely vulnerable, and the findings in the 2004 Act and 2008 Reauthorization remain substantially accurate today.

(4) Media and nongovernmental organizations have reported a crackdown on unauthorized border crossing during the North Korean leadership transition, including authorization for on-the-spot execution of attempted defectors, as well as an increase in punishments during the 100-day official mourning period after the death of Kim Jong-Il.

(5) Notwithstanding high-level advocacy by the United States, the Republic of Korea, and the United Nations High Commissioner for Refugees, China has continued to forcibly repatriate North Koreans, including dozens of presumed refugees who were the subject of international humanitarian appeals during February and March of 2012.

(6) The United States, which has the largest international refugee resettlement pro-

gram in the world, has resettled 128 North Koreans since passage of the 2004 Act, including 23 North Koreans in fiscal year 2011.

(7) In a career of Asia-focused public service that spanned more than half a century, including service as a senior United States diplomat in times and places where there were significant challenges to human rights, Ambassador James R. Lilley also served as a director of the Committee for Human Rights in North Korea until his death in 2009.

(8) Following his 18 years of service in the House of Representatives, including as Chairman of the Foreign Affairs Subcommittee on East Asian and Pacific Affairs, Stephen J. Solarz committed himself to, in his words, highlighting "the plight of ordinary North Koreans who are denied even the most basic human rights, and the dramatic and heart-rending stories of those who risk their lives in the struggle to escape what is certainly the world's worst nightmare", and served as co-chairman of the Committee for Human Rights in North Korea until his death in 2010.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should continue to seek cooperation from foreign governments to allow the United States to process North Korean refugees overseas for resettlement in the United States, through persistent diplomacy by senior officials of the United States, including United States ambassadors to Asia-Pacific countries, and close cooperation with its ally, the Republic of Korea; and

(2) because there are genuine refugees among North Koreans fleeing into China who face severe punishments upon their forcible return, the United States should urge the People's Republic of China to—

(A) immediately halt its forcible repatriation of North Koreans;

(B) fulfill its obligations pursuant to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the 1995 Agreement on the Upgrading of the UNHCR Mission in the People's Republic of China to UNHCR Branch Office in the People's Republic of China; and

(C) allow the United Nations High Commissioner for Refugees (UNHCR) unimpeded access to North Koreans inside China to determine whether such North Koreans are refugees requiring protection.

SEC. 4. SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.

Section 102(b)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking "2012" and inserting "2017".

SEC. 5. RADIO BROADCASTING TO NORTH KOREA.

Not later than 120 days after the date of the enactment of this Act, the Broadcasting Board of Governors (BBG) shall submit to the appropriate congressional committees, as defined in section 5(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7803(1)), a report that describes the status and content of current United States broadcasting to North Korea and the extent to which the BBG has achieved the goal of 12-hour-per-day broadcasting to North Korea pursuant to section 103 of such Act (22 U.S.C. 7813).

SEC. 6. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.

Subsections (b)(1) and (c) of section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended by striking "2012" and inserting "2017" each place it appears.

SEC. 7. SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.

Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) by striking "2012" and inserting "2017".

SEC. 8. REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.

Section 201(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in the matter preceding paragraph (1), by striking “2012” and inserting “2017”.

SEC. 9. ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.

Section 203(c)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended—

(1) by striking “\$20,000,000” and inserting “\$5,000,000”; and

(2) by striking “2005 through 2012” and inserting “2013 through 2017”.

SEC. 10. ANNUAL REPORTS.

Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking “2012” and inserting “2017”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend and to submit extraneous materials for the RECORD.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4240, the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012. I would like to thank my co-author and ranking member, my good friend, Mr. BERMAN, and the dozens of bipartisan cosponsors who have joined us to continue the important human rights work that Congress began 9 years ago.

The North Korean regime remains one of the world's worst human rights abusers as the legacy of tyranny has been passed on to a new generation.

South Korea's National Human Rights Commission detailed, in a 380-page report released earlier this month, that Kim Jong-Un maintains the same hellish gulag as his father and grandfather before him.

Hundreds of thousands of men, women, and children are forced into slave labor, starved, and tortured to death in isolated camps. Even outside the camps, the North Korean people enjoy no freedoms of speech, religion, press, or assembly.

□ 1740

Officials crush any dissent and have reportedly authorized the on-the-spot execution of those attempting to flee the country.

A regime that maims its own people with impunity, cannot be trusted to keep its agreements with foreigners. Thus, solving the North Korean human rights issue is also an integral part of addressing the North Korean security threat.

North Korean women and girls are brutalized and trafficked in China, where they are sold into forced marriage and sexual slavery. And China, which sits on the Executive Board of the U.N.'s Refugee Protection Body, continues to forcibly repatriate North Koreans into danger.

H.R. 4240, Mr. Speaker, will continue the important bipartisan work of the North Korean Human Rights Act by extending, until the year 2017, its authorities to promote human rights, refugee protection, and freedom of information for the people of North Korea.

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

Mr. BERMAN. Mr. Speaker, I rise in strong support of H.R. 4240.

Mr. Speaker, I rise in strong support of H.R. 4240, The Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korean Human Rights Reauthorization Act of 2012, and I yield myself as much time as I may consume.

I'd like to begin by thanking the gentlelady from Florida and Chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for her leadership on this issue.

H.R. 4240 reauthorizes the North Korean Human Rights Act of 2004, along with some provisions that were included in the 2008 reauthorization. This bill, like its predecessors, is the product of a broad, bipartisan consensus regarding the atrocious human rights situation in North Korea.

This legislation continues to provide resources to assist North Korean refugees, support democracy and human rights programs, and promote freedom of information in the North. It also extends the Special Envoy for North Korean Human Rights Issues—a vital position that plays a central role in advocating for improved human rights in the North.

As innocent men, women and children flee the repressive North Korean regime at great personal risk, we have a moral obligation to assist these refugees and prevent their forcible repatriation. We must continue working with our close ally South Korea, other friends in the region, and the human rights community to expose the horrendous abuses being committed in the North.

Despite North Korea's efforts to appear “strong and prosperous” this year to celebrate the 100th birthday of the country's founder, vast numbers of its citizens continue to face starvation. Sadly, the North Korean regime's misguided priorities—pouring hundreds of millions of dollars into its so-called space program, its nuclear programs and its massive military—only underscore its cold-hearted callousness and blatant disregard for its own people.

For the vast majority of North Koreans, life remains as bleak as ever, with the average citizen enjoying no real political, religious, or personal freedoms. Hundreds of thousands of North Korean political prisoners remain imprisoned in gulags.

Some North Koreans endeavor to escape their country by any means possible—even if it means crossing into China, where many refugees are forced into prostitution and servitude. Others are sent back across the border to face torture or even death.

This bill calls on China to halt its forcible repatriation of North Koreans and allow the

United Nations High Commissioner for Refugees unimpeded access to North Koreans inside China to determine whether fleeing North Koreans require protection.

Mr. Speaker, H.R. 4240 is an important demonstration of our bipartisan commitment to assist the North Korean people, and I urge my colleagues to support it.

I yield such time as he may consume to my friend and colleague from American Samoa (Mr. FALEOMAVAEGA), the ranking member of the Asia and Pacific Subcommittee.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend my good friend, the chairwoman of our Foreign Affairs Committee, as well as our ranking member, Mr. BERMAN, for bringing this legislation. And I am in full support, and I do associate myself with the comments and the statements made earlier by our great chairman as well as our ranking member, Mr. BERMAN.

I urge my colleagues to support this piece of legislation.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 4240, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes. First, I want to thank House Foreign Affairs Chairwoman ILEANA ROS-LEHTINEN of Florida and Ranking Member HOWARD BERMAN of California for their leadership on this very critical issue. I also want to thank all the cosponsors and supporters of this legislation. This is an important piece of legislation because of the humanitarian assistance the U.S. provides North Korean refugees and for the promotion of democracy and freedom in North Korea.

H.R. 4240, or the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012, will allow the U.S. to continue to work with foreign countries in the assistance and migration of North Korean refugees to the U.S. It will also urge foreign countries, especially China, to stop the punishment and return of North Korean refugees. Importantly, H.R. 4240 will assist those who are providing humanitarian aid to North Koreans who are outside of North Korea.

Given that the U.S. has one of the largest Korean populations outside of the Korean Peninsula with millions who have ties to North Korea, the U.S. must continue its firm commitment to the aid of refugees and advocacy of human rights for the victims in North Korea. Even after the death Kim Jong-Il, North Korea continues to deprive its people of the most basic human rights. Both the international media and nongovernmental organizations continue to report of the severe military crackdown and brutal punishment for those who attempt to defect from North Korea.

Although it is estimated that there are less than 200 North Korean refugees who have resettled in the U.S. since 2004, I strongly believe that we must empower the North Korean people by continuing to promote democratic values and support of human rights programs.

On a personal note, I think it is only appropriate that this legislation is named in honor of the late Ambassador Lilley and the late Congressman Solarz who were the champions of human rights issues for the people of North

Koreans. I even had the privilege to work closely with the late Congressman Solarz, who was Chairman of the East Asian and Pacific Affairs, the same subcommittee of which I am the Ranking Member today. I am grateful for his leadership and understanding of the Asia Pacific region.

Just as Ambassador Lilley and Congressman Solarz worked hard to protect the human rights of the North Korean people, we must remain vigilant in helping the people of North Korea who struggle daily to escape the oppression and tyranny of the North Korean regime.

Again, I thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for their leadership and I urge my colleagues to pass H.R. 4240.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H.R. 4240, the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korean Human Rights Reauthorization Act of 2012. I commend Chairman ROS-LEHTINEN and Ranking Member BERMAN and the members of the House Foreign Affairs Committee for bringing this important measure to the floor.

Ambassador Lilley, as director of the Committee for Human Rights in North Korea and Congressman Solarz, as chairman of the House subcommittee on East Asia and later as co-chairman of the Committee on Human Rights in North Korea, refused to stand by silently as the North Korean government oppressed, abused and murdered its own people. Their leadership and advocacy helped to raise awareness about the deplorable conditions endured by the North Korean people, including the government's practice of executing on-the-spot attempted defectors.

This resolution encourages the United States government to continue working with foreign governments and with the Peoples Republic of China in particular, to help resettle refugees who escape North Korea. Additionally, the bill recognizes the efforts undertaken in North Korea by the Broadcasting Board of Governors and encourages the board to meet its goal of broadcasting 12 hours of daily radio transmissions into that country.

The United States has the largest international refugee resettlement program in the world. Since this Act was originally passed, 128 North Koreans have been successfully resettled, including 23 in the last year. The success of this program is a fitting tribute to the memory and work of Ambassador Lilley and Congressman Solarz.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4240, as amended.

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

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF HOUSE REGARDING IMPORTANCE OF PREVENTING IRAN FROM ACQUIRING A NUCLEAR WEAPONS CAPABILITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 568) expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 568

Whereas since at least the late 1980s, Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear capability;

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding the full and sustained suspension of all uranium enrichment-related and reprocessing activities by the Iranian Government and its full cooperation with the International Atomic Energy Agency (IAEA) on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas Iran remains in violation of all of the aforementioned United Nations Security Council resolutions;

Whereas, on November 8, 2011, the IAEA issued an extensive report that—

(1) documents "serious concerns regarding possible military dimensions to Iran's nuclear programme";

(2) states that "Iran has carried out activities relevant to the development of a nuclear device"; and

(3) states that the efforts described in paragraphs (1) and (2) may be ongoing;

Whereas as of November 2008, Iran had produced, according to the IAEA—

(1) approximately 630 kilograms of uranium-235 enriched to 3.5 percent; and

(2) no uranium-235 enriched to 20 percent;

Whereas as of November 2011, Iran had produced, according to the IAEA—

(1) nearly 5,000 kilograms of uranium-235 enriched to 3.5 percent; and

(2) 79.7 kilograms of uranium-235 enriched to 20 percent;

Whereas, on January 9, 2011, IAEA inspectors confirmed that the Iranian Government had begun enrichment activities at the Fordow site, including possibly enrichment of uranium-235 to 20 percent;

Whereas Iran has repeatedly refused requests by IAEA inspectors to visit its Parchin military facility, a suspected site of Iranian activities related to testing of a nuclear weapon;

Whereas if Iran were successful in acquiring a nuclear weapon capability, it would likely spur other countries in the region to consider developing their own nuclear weapons capabilities;

Whereas, on December 6, 2011, Prince Turki al-Faisal of Saudi Arabia stated that if international efforts to prevent Iran from obtaining nuclear weapons fail, "we must, as a duty to our country and people, look into all options we are given, including obtaining these weapons ourselves";

Whereas top Iranian leaders have repeatedly threatened the existence of the State of Israel, pledging to "wipe Israel off the map";

Whereas the Department of State—

(1) has designated Iran as a "state sponsor of terrorism" since 1984; and

(2) has characterized Iran as the "most active state sponsor of terrorism";

Whereas Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hezbollah, and Shiite militias in Iraq that are responsible for the murders of hundreds of American forces and innocent civilians;

Whereas, on July 28, 2011, the Department of the Treasury charged that the Government of Iran had forged a "secret deal" with al Qaeda to facilitate the movement of al Qaeda fighters and funding through Iranian territory;

Whereas in October 2011, senior leaders of Iran's Islamic Revolutionary Guard Corps (IRGC) Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on United States soil;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran, including torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and "the systematic and serious restrictions on freedom of peaceful assembly", as well as severe restrictions on the rights to "freedom of thought, conscience, religion or belief";

Whereas the Governments of the P5+1 nations (the United States, the United Kingdom, France, Russia, China, and Germany) have made repeated efforts to engage the Iranian Government in dialogue about Iran's nuclear program and its international commitments under the Treaty on the Non-Proliferation Nuclear Weapons;

Whereas talks between the P5+1 and Iran regarding Iran's nuclear program resumed on April 14, 2012, in Istanbul, Turkey, and the parties agreed to meet again on May 23, 2012, in Baghdad, Iraq;

Whereas in the 2006 State of the Union Address, President Bush stated that "The Iranian Government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons.";

Whereas, on March 31, 2010, President Obama stated that the "consequences of a nuclear-armed Iran are unacceptable";

Whereas in his State of the Union Address on January 24, 2012, President Obama stated, "Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.";

Whereas Secretary of Defense Panetta stated, in December 2011, that it was unacceptable for Iran to acquire nuclear weapons, reaffirmed that all options were on the table to thwart Iran's nuclear weapons efforts, and vowed that if the United States gets "intelligence that they are proceeding with developing a nuclear weapon then we will take whatever steps necessary to stop it";

Whereas, on December 1, 2011, Deputy Secretary of State William J. Burns and Israeli Deputy Foreign Minister Daniel Ayalon issued a joint statement in Washington, DC, which emphasized that "Iran is the greatest challenge we face today in the Middle East" and that "[c]ontinued efforts by the international community are critical to bringing about change in Iranian behavior and preventing Iran from developing a nuclear weapons capability.";

Whereas the Department of Defense's January 2012 Strategic Guidance stated that United States defense efforts in the Middle East would be aimed "to prevent Iran's development of a nuclear weapons capability and counter its destabilizing policies";

Whereas, on March 4, 2012, President Obama stated that “Iran’s leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.”; and

Whereas, on April 9, 2012, President Obama stated “[T]his continuing pursuit of nuclear weapons capability continues to be a major challenge.”; Now, therefore, be it

Resolved, That the House of Representatives—

(1) warns that time is limited to prevent the Government of Iran from acquiring a nuclear weapons capability;

(2) urges continued and increasing economic and diplomatic pressure on Iran to secure an agreement with the Government of Iran that includes—

(A) the full and sustained suspension of all uranium enrichment-related and reprocessing activities;

(B) complete cooperation with the IAEA on all outstanding questions related to Iran’s nuclear activities, including—

(i) the implementation of the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons; and

(ii) the verified end of Iran’s ballistic missile programs; and

(C) a permanent agreement that verifiably assures that Iran’s nuclear program is entirely peaceful;

(3) expresses support for the universal rights and democratic aspirations of the Iranian people;

(4) affirms that it is a vital national interest of the United States to prevent the Government of Iran from acquiring a nuclear weapons capability;

(5) strongly supports United States policy to prevent the Government of Iran from acquiring a nuclear weapons capability;

(6) rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran; and

(7) urges the President to reaffirm the unacceptability of an Iran with nuclear-weapons capability and opposition to any policy that would rely on containment as an option in response to the Iranian nuclear threat.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend and to submit extraneous materials for the RECORD.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 568, which I introduced, together with the distinguished ranking member of the committee, the gentleman from California (Mr. BERMAN), my friend.

The Iranian regime continues to pose an immediate and growing threat to the United States, to our allies, and to the Iranian people. In fact, just over the weekend, it was reported that the IAEA discovered a drawing that shows an explosive containment chamber of

the type needed for nuclear arms-related tests. This was based on information from inside an Iranian military base.

Iran remains the world’s leading state sponsor of terrorism, aiding multiple groups, including Hezbollah and Hamas, which continue to destabilize the Middle East and which are responsible for the deaths of Americans. It was only a few months ago that U.S. officials foiled a planned attack on U.S. soil that was commissioned by the Iranian regime, and the Iranian regime is believed to have been behind the attacks against Israeli Embassies that took place earlier this year.

I have much more to say, Mr. Speaker, but at this time I will reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H. Res. 568, expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, and yield myself 3 minutes.

Mr. Speaker, this resolution is extremely timely, as next week the five permanent members of the U.N. Security Council and Germany will once again sit down with Iran to negotiate secession of Iran’s nuclear weapons program. What better time for this body to send an unambiguous message that Iran must never be allowed to achieve a nuclear weapons capability and that its nuclear weapons program must end once and for all? That’s exactly what this resolution does.

The United States must continue to take the lead in preventing Iran from obtaining the capability to build a nuclear weapon. If Iran were to achieve that capability, neighbors like Saudi Arabia and Egypt would want that capability as well. Others in the region would begin to defer to Iran as if it already were a nuclear power. And worst of all, once Iran acquires the capability, it would be able to build an actual nuclear weapon so quickly that we may not be able to stop it.

Stopping Iran from acquiring a nuclear weapons capability is not simply an American priority, but a global responsibility.

I want to be straightforward about my view. A regime that brutalizes its own people, trains, arms, and dispatches terrorist proxies, props up the repugnant Assad dictatorship, denies the Holocaust, and incites violence against and kills Americans should never be allowed to reach the nuclear threshold.

The urgent nature of the Iranian nuclear threat demands that the United States work with our allies to do everything possible diplomatically, politically, and economically to prevent Iran from acquiring a nuclear weapons capability. No option, as the President has said, can be taken off the table.

Mr. Speaker, the policy of preventing Iran from obtaining a nuclear weapons capability is not unfamiliar to the House of Representatives. Since 2009,

we have passed five bills expressing congressional support for this policy. These bills have been supported by nearly every Member of the House.

The resolution before us today reminds us, as well as the world, how Iran has flaunted its flagrant disregard for U.N. Security Council resolutions, is an active state sponsor of terrorism, has engaged in serious human rights abuses against its own citizens, and plotted a heinous terrorist attack on American soil.

This resolution also reminds us of the urgency, as well as the seriousness, of the nuclear issue. And so, as the window is closing, we send a clear message that the House is aligned with the administration in thoroughly rejecting containment, a policy that would have us sit back and watch Iran get the bomb, then try to contain it as we contained the Soviet Union.

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

Mr. BERMAN. I yield myself an additional 30 seconds.

In fact, we have no choice but to stop Iran’s nuclear weapons program before it ever reaches that point.

Mr. Speaker, I urge all of my colleagues to support this important resolution. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we know, Iran continues to sponsor violent extremist groups in Iraq and Afghanistan that have killed our men and women in uniform. With a nuclear weapons capability, the regime would dramatically increase its ability to threaten the United States and our allies.

We are running out of time to stop the nightmare of a nuclear weapons-capable Iran from becoming a reality. Estimates from the U.S. and Israeli officials indicate that Iran could develop nuclear weapons in less than 1 year. And even before the regime actually develops nuclear weapons, Iran may enter into what the Israeli Defense Minister calls a “zone of immunity,” and after that point we would have very few options left to actually stop Iran from going nuclear.

Right now, the regime is doing all it can to run down the clock and enter that zone of immunity. The most recent set of negotiations are just another way for Iran to hold off Western sanctions and buy more time to further their capabilities.

□ 1750

We need to stop the regime before it possesses the capability to develop nuclear weapons, not before it makes a decision to develop nuclear weapons, because we may not know that they have actually made that decision until it is too late. Once that regime enters into the zone of immunity, it can decide at any time to develop nuclear weapons, and we would probably not be able to stop them.

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

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the minority whip, my friend from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, the gentleman from California has been a leader on this issue as has the chair of the committee, ILEANA ROS-LEHTINEN. Representative BERMAN has been a leader in Congress when it comes to reminding us of how important it is to prevent the rise in nuclear war and a nuclear-armed Iran. We are fortunate as a country to have a partnership between the chair and the ranking member focused like a laser on this issue. So I thank my friend, Mr. BERMAN, and my friend, ILEANA ROS-LEHTINEN. Mr. BERMAN has also been instrumental in securing funding for the deployment of the Iron Dome anti-missile system to counter the threat from Iranian-supplied short-range rockets in the hands of terror groups like Hamas and Hezbollah.

I rise in strong support of the chair and ranking member's resolution, and I am proud to be a cosponsor with them of the resolution.

The most significant threat to peace, regional security, and American interests in the Middle East is Iran's nuclear program. This resolution makes clear that it is in America's security interest not to contain a nuclear Iran, but to prevent one. A nuclear Iran would destabilize an already volatile region where so many American troops are stationed—and a region so vital to the world's energy supplies.

Iran continues to be a sponsor of groups committed to the destruction of our ally Israel and of groups that threaten Americans throughout the world. Iran is believed to be pursuing not only a nuclear capability but also delivery technologies that could threaten our allies in Europe and the Middle East as well as American assets in the region.

Thankfully, the Obama administration has taken a strong lead in confronting Iran. President Obama has built a wide coalition of support that has imposed the strongest sanctions Iran has ever faced. In particular, we are hitting the Iranian Government where it hurts most—its oil exports and its banking sector. From the very start, his policy has been not containment but prevention.

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

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

Mr. HOYER. This resolution reaffirms the administration's prevention policy, and I urge my colleagues to pass it as a strong sign that Iran must not be allowed to obtain a nuclear weapon.

Again, in closing, I want to congratulate the chair, ILEANA ROS-LEHTINEN, and the ranking member, HOWARD BER-

MAN, on their strong and unwavering leadership on this critically important issue to the national security of the United States of America and to international and global security as well.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

For the Iranian regime, the possession of the capability to produce a nuclear weapon would be almost as useful as actually having one. Tehran would be able to intimidate its neighbors and engage in even more threatening actions by reminding us that they could develop nuclear weapons anytime the regime wanted. Tehran might even decide not to reveal whether or not it had developed nuclear weapons, thereby keeping the world guessing and off balance indefinitely, all while claiming innocence. Tehran would be in the driver's seat, and the security of the United States, Israel, and our many other allies would be in their hands.

We need to make clear that containing a nuclear Iran is not an option, that nothing short of stopping Iran from developing a nuclear-weapons capability is good enough. So that is why Ranking Member BERMAN and I have introduced the resolution before us, House Resolution 568, which strongly supports preventing the Iranian regime from acquiring a nuclear-weapons capability. It rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran. It supports the right and democratic aspirations of the Iranian people. Lastly, it urges the President to reaffirm the unacceptability of an Iran with a nuclear-weapons capability and to oppose any policy that would rely on containment as an option.

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

Mr. BERMAN. I am very pleased to yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend from California, but, unfortunately, I must disagree with him.

This resolution contains broad and dangerous language that would undermine any diplomatic solution regarding Iran's nuclear program. Without explicit language stating there is no authorization for military action, this could be interpreted as a blank check for war. Former Secretary of State Colin Powell's chief of staff, Colonel Lawrence Wilkerson, stated:

This resolution reads like the same piece of music that got us into the Iraq war.

Did not Congress learn anything from being hustled into a war based on misrepresentations?

At a time when the U.S. is engaging in its first successful direct talks with Iran in years, it is more critical than ever for Congress to support these negotiations. Even if language were added to H. Res. 568 to make it absolutely clear that this bill does not constitute an authorization for war and that only Congress can make such an authorization, it still puts Members of

Congress on record as opposing a diplomatic solution, paving the way toward war with Iran. In the past, Congress has rejected its power to declare war, and now we want to tell the President that he can't declare diplomacy. Congress must reject resolutions that could lead the U.S. into yet another disastrous and costly war and tie the President's hands as he endeavors for a peaceful solution.

Have we not lost enough of our brave men and women to causes that are not in the interests of the U.S.?

H. Res. 568 lowers the bar for war by changing longstanding U.S. policy that Iran must not acquire nuclear weapons by, instead, drawing the red line for military action at Iran's achieving a nuclear-weapons capability. The term "capability" is undefined in the underlying resolution, and it could be applied to any country with a civilian nuclear program, including Japan and Brazil. This resolution, therefore, sets a precedent which could cause us to stumble from one war into another.

And, what, we haven't had enough wars?

Not all enrichment is devoted to building bombs. This resolution marks a significant shift in U.S. policy that could threaten critical upcoming negotiations with Iran on May 23. It is likely that a negotiated deal to prevent a nuclear-armed Iran would provide for Iranian enrichment for peaceful purposes, under the framework of the nonproliferation nuclear weapons treaty, with strict safeguards and inspections.

I want to point out, in conclusion, that Yuval Diskin, the former Shin Bet chief, has stated that attacking Iran will encourage them to develop a bomb.

Meir Dagan, the former Mossad chief, echoed his sentiment by saying:

Attacking Iran is the stupidest thing I've ever heard of. It will be followed by a war with Iran. It's the kind of thing where we know how it starts but not know how it will end.

I think our diplomacy is having an effect, said General Martin Dempsey, Chairman of the Joint Chiefs of Staff.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

This resolution reaffirms the position of the House with respect to U.S. policy on Iran's nuclear program. Efforts to misrepresent this resolution really distract from the real problem, which is the increasing threat posed by Iran's nuclear program and the need to prevent Iran from obtaining a nuclear weapons capability.

Tehran has repeatedly lied to the world about its secret nuclear activities; Tehran has violated international nonproliferation obligations; and it has repeatedly threatened to destroy our ally Israel.

Just earlier this year, Ayatollah Khamenei said:

The truly cancerous Israel must be destroyed in the region, and this will without doubt come to fruition.

□ 1800

It is abundantly clear that Iran cannot be trusted with uranium enrichment or any component of the nuclear program. Even the U.N. Security Council resolutions have demanded that Iran stop all uranium enrichment and reprocessing.

Unless compelled to change course, Iran will soon have all of the basic components or capabilities to produce a nuclear weapon. The only thing that would be left for them to do will be to put the pieces together.

According to the International Atomic Energy Agency, Iran is expanding its stockpiles of uranium, advancing its missile capabilities, and burying and hiding its nuclear infrastructure. As if that were not enough, the smoking gun in the IAEA's November 2011 report was that Iran carried out, "work on the development of an indigenous design of a nuclear weapon, including the testing of components." In addition, the IAEA uncovered evidence that Iran was attempting to miniaturize a warhead to fit on top of a ballistic missile.

As we fast-forward to this weekend, drawings were revealed showing a secret chamber at an Iranian military facility of the type needed for nuclear weapons testing. Again, the regime is building up its capacities on all fronts. When it has mastered all of these, Tehran would be able to intimidate its neighbors and engage in even more threatening actions, always with the threat that it could flip the switch and produce nuclear weapons at any time. At that point, the U.S. and other responsible nations would have no other option but to sit in fear of this nuclear-armed state sponsor of terrorism.

We must reaffirm our commitment to adoption of this resolution and stronger sanctions legislation to prevent this doomsday scenario from becoming a reality.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the Delegate from American Samoa, the ranking member of the Asia and the Pacific Subcommittee of the House Foreign Affairs Committee, Mr. FALEOMAVAEGA.

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

Mr. FALEOMAVAEGA. Mr. Speaker, it is imperative that the United States and the international community understand that a nuclear-capable Iran is a global threat and a danger to the United States and, just as important, to the State of Israel, where Iranian leaders have continued to threaten Israel's existence by pledging that Israel must be wiped off the map. This is a direct threat to our closest ally in the Middle East.

Iran's reckless attitude continues to be a stimulus for the instability in the Middle East. My greatest fear is that a nuclear-capable Iran will cause other

countries in the region to also build their own nuclear program.

With that, Mr. Speaker, I want to associate myself with the eloquent statements made earlier by our good chairman, Chairman ROS-LEHTINEN, and my good friend, Ranking Member BERMAN.

Mr. Speaker, I rise today in support of H. Res. 568, expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. I want to thank House Foreign Affairs Chairwoman ILEANA ROS-LEHTINEN of Florida and Ranking Member HOWARD BERMAN of California for their leadership on this very important matter. I also want to thank all the cosponsors and supporters of this critical resolution.

H. Res. 568 reiterates the United States policy against the Government of Iran from ever acquiring nuclear arms capability and expresses the U.S.'s strong support for ensuring that the universal rights and aspirations for democracy of the Iranian people are protected.

It is imperative that the U.S. and the international community understand that a nuclear-capable Iran is a global threat and a danger to the U.S. and just as important to the State of Israel where Iranian leaders have continued to threaten Israel's existence by pledging that Israel must be "wiped off the map." This is a direct threat to our closest ally in the Middle East. Iran's reckless attitude continues to be a stimulus for instability in the Middle East. My greatest fear is that a nuclear-capable Iran will cause other countries in the region to build their own nuclear weapons.

The United Nations Security Council has passed many resolutions demanding the suspension of Iran's nuclear program but it has fallen on deaf ears. In 2011, the International Atomic Energy Agency (IAEA) has reported that Iran's nuclear program was suspected of having "possible military dimensions" in their program and that Iran has continued to enrich uranium to levels that are capable of building a nuclear weapon.

The U.S. and our international community must continue to enforce economic and political sanctions on Iran. I certainly commend President Obama and his Administration for maintaining his position in not "taking any options off the table" in preventing Iran from ever having a nuclear weapon. The Administration must continue to pressure Iran to agree in having full and complete cooperation with the IAEA in addressing concerns relating to their nuclear activities.

I thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN again for their leadership and I urge my colleagues to pass H. Res. 568.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Thank you, Ranking Member BERMAN, for yielding the time. I would like to engage the gentleman in a colloquy.

After reading the resolution and studying it, I just have a couple of questions that I would ask that you clarify your understanding about the resolution, and that is the resolved

clauses, especially clauses 4 through 7, which are of some concern to me, but I'm interested in hearing from you.

In your view, does this resolution in any way constitute an authorization for the use of military force?

Mr. BERMAN. Will the gentlelady yield?

Ms. EDWARDS. I yield to the gentleman from California.

Mr. BERMAN. Absolutely not. This resolution is no way intended and in no way can it be interpreted as an authorization for the use of military force. It is a nonbinding resolution that endorses a diplomatic resolution to the Iranian nuclear program. It includes no operative authorizations regarding the use of force.

The SPEAKER pro tempore. The time of the gentlewoman from Maryland has expired.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Some may put forth the argument that this resolution undermines and threatens the ongoing P5+1 negotiations. The truth is, Mr. Speaker, that the Iranian regime is using these negotiations as a way to buy time and continue enrichment without any additional sanctions.

Time and again, the United States has come to the table with Iran, made concession after concession, and left with nothing in return. In one example, last month, the Los Angeles Times reported that U.S. officials are now willing to let Iran continue enriching uranium, even though multiple U.N. Security Council resolutions demand that Iran immediately halt uranium enrichment. And today's New York Times included a report, entitled, "Iran Sees Success in Stalling on Nuclear Issue," and the report states:

Iran's negotiation team may be less interested in reaching a comprehensive settlement than in buying time and establishing the legitimacy of its enrichment program.

I couldn't say it better. It's time to stop glorifying negotiations for the sake of negotiations. This resolution strengthens the U.S. position and our leverage.

With that, I reserve the balance of our time.

Mr. BERMAN. I am pleased to yield 1 minute to a member of the Foreign Affairs Committee, my friend from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank the gentleman from California, and I rise today in strong support of House Resolution 568, a resolution making clear that the United States' policy towards Iran is not one of containment but is one of prevention.

I'm pleased to have co-introduced this resolution with a bipartisan group of colleagues, including the chair, Ms. ROS-LEHTINEN.

Indeed, this Congress, this administration, and this President understand that failing to prevent a nuclear-armed Iran would ignite a destabilizing arms race in the Middle East, would threaten the very existence of our ally Israel,

and would endanger the security of the American people.

As Iran faces growing international isolation, now is not the time to roll back crippling economic sanctions, nor should we fall victim to this regime's penchant of hiding behind the pretense of negotiations simply to buy more time. With this resolution, we will send a message to Iran's regime and to the world that the U.S. will accept nothing less than a strict policy of prevention when it comes to this regime's illicit quest for nuclear weapons.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time to close on the resolution.

Mr. BERMAN. Mr. Speaker, I do have a few more speakers.

I am now pleased to yield 1 minute to the ranking member of the Europe and Eurasia Subcommittee of the House Foreign Affairs Committee, the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I rise today in support of H. Res. 568. This resolution supports President Obama's policy towards Iran.

As the President stated during the AIPAC annual convention in March:

Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.

President's Obama's commitment to Israel's security is ironclad. America has stood with Israel under this administration which has facilitated unprecedented levels of security assistance for Israel, increasing every single year, even in a tough domestic budget environment. Above all, President Obama has directed his administration to prevent—not merely contain—Iran achieving nuclear weapons capability.

I urge my colleagues to vote in favor of this resolution, supporting the President's position and affirming that the U.S.-Israel relationship is too important to be distorted by politics.

I thank Chairman ROS-LEHTINEN and Ranking Member HOWARD BERMAN for bringing us together in a united way and passing this resolution.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey, an individual who knows a lot about this subject, Mr. HOLT.

□ 1810

Mr. HOLT. Mr. Speaker, I thank the ranking member.

The threat of nuclear proliferation is the greatest threat to world peace. A nuclear Iran would destabilize the region and threaten the United States and our allies.

This resolution is not an authorization for military force. It is not a call for war. I would not support this resolution if it were.

Our shared goal must be to persuade Iran to end its nuclear weapons program. That's President Obama's purpose in agreeing to negotiations. That's our purpose here. The world does not have many tools available,

but we should use, and the world is united in using, economic and diplomatic pressure. This does not preclude diplomatic resolution. In fact, it makes diplomatic resolution more possible.

Of course, ultimately, Iran should decide that it's not in her people's interest for Iran to pursue nuclear weapons. And we and all nuclear powers should stop behaving as if we think nuclear weapons are beneficial for a country. This resolution will help move us in that direction.

Mr. BERMAN. Mr. Speaker, could we get an indication of the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California controls 6 minutes, and the gentlewoman from Florida controls 10 minutes.

Mr. BERMAN. I thank the Speaker.

I yield 1½ minutes to the other expert from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I would like to thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for bringing this resolution forward. I regret but do not doubt its necessity.

The issue raised in this resolution is not whether we are authorizing war—because we clearly are not. The issue is not whether the President would have to come to this Chamber—any President—should he conclude that war is necessary—because he clearly would. The issue in this resolution is not whether we should conduct negotiations but how we should conduct negotiations. And this resolution gives us an emphatic opportunity to say that when we are negotiating with a country that has conceived its nuclear weapons program in secret, that has brandished its nuclear weapons program with the rhetoric of hostility, and for whom the attainment of a nuclear weapon would be fraught with peril for free people everywhere, then in the context of that negotiation, our position must be that we will not support or stand for an Iran with nuclear weapons.

This is the issue. I would urge a “yes” vote. And, again, I thank the chair and the ranking member for their patriotic and unified leadership on this question.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to my friend from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this.

This is no dispute in this Chamber that a nuclear armed Iran is completely unacceptable. That's why it was so encouraging to hear the Democratic whip say with assurance—and I think we all agree—that we are hitting Iran where it hurts the most.

The news this weekend was filled with accounts of “dark” ships of oil tankers of Iran that are unable to deliver oil. They are having their oil

trade significantly constricted. Their economy is being battered, their currency in free-fall.

The President has assembled the broadest coalition we have seen uniting behind this diplomatic effort. We have had a range of people in the past who have been, I think, too sympathetic to Iran or at least have not stood up to them. But they are falling in place with us.

Now we are on the verge of what hopefully will be encouraging diplomatic efforts scheduled to start next week. The resolution claims to support an endorsed diplomacy but, in fact, the timing and the wording undercuts that.

Now is the time that we ought to be united and we ought to be focused. We ought to make sure that we have a positive environment to seize on the pain that is being inflicted on the regime, to be able to capitalize on the coalition and be able to make progress. Instead, we have a resolution—and these concepts have been bandied about now for several months—but we have a resolution that's rushed to the House floor, unsettlingly timed before the negotiations.

It never had a hearing. It never had a markup. There was no opportunity to find out what, actually, the implications are of changing a standard from preventing Iran from “acquiring” nuclear weapons to preventing Iran from “obtaining” a nuclear weapons capability. These are not small matters, and they bear on the ultimate success of our coalition, the diplomacy, because every expert has concluded that an armed intervention, a military attack against Iran would be disastrous for all involved. And my colleague from Ohio quoted people from the Israeli Government who are convinced that military action would be folly.

But the point is, we shouldn't be at this point. We shouldn't be casting a cloud over the negotiations. It's unnecessary. It's nonproductive. I would urge a “no” vote.

Mr. BERMAN. Mr. Speaker, I yield myself the remainder of my time.

Ms. EDWARDS. Will the gentleman yield?

Mr. BERMAN. I yield to the gentleman from Maryland.

Ms. EDWARDS. Mr. Speaker, if I could just ask the ranking member whether, under this resolution, the President would be required to come to the Congress for a specific authorization for the use of military force.

Mr. BERMAN. I thank the gentleman for the inquiry.

The President is the Commander in Chief. There is no authorization for the use of force.

Contrary to what was said earlier by my friend from Ohio, whatever one thought about the decision to go to war in Iraq, 5 months before that, Congress very explicitly provided an authorization for the use of force. There is nothing in this resolution, and there is no intention in this resolution, to provide that authorization.

Nuclear weapons capability—there are three elements, as defined by the Director of National Intelligence: fissile material production, one. Design, weaponization, and testing of a warhead, two. A delivery vehicle. To be nuclear-capable, you really have to have to master all three elements.

While Iran has the delivery system, they have not yet mastered—but they are making progress—on steps one and two. And if one day, when they've mastered all the other elements and they kick out the inspectors and they shut off the cameras, I will consider them nuclear-capable.

This is about achieving a goal through economic sanctions rigorously applied to achieve a diplomatic resolution. It is the perfect time to bring up this resolution.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Just 2 months ago, President Obama extended the national emergency, as we heard, with respect to Iran, declaring that the regime's activities pose "an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States."

Well, this resolution is an important statement, clarifying congressional commitment to countering the Iranian threat. However, our focus must be on rapidly and dramatically ratcheting up sanctions, without the glaring exceptions that we now have, in order to put our boot on the throat of this dangerous regime.

□ 1820

We must compel the Iranian regime to permanently and verifiably dismantle its nuclear program, abandon its unconventional and missile development programs, and end its support for violent extremism. We do not want to look back, Mr. Speaker, and wish that we had heeded the warning signs.

We anxiously await the other body's strengthening and passage of companion legislation to the measures that the House passed months ago. We must meet our responsibility to the American people and protect the security of our Nation, our allies, and the world from this threat of a nuclear capable Iran.

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

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H. Res. 568.

This bi-partisan resolution signifies the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.

I want to thank my friend from Florida, Congresswoman ILEANA ROS-LEHTINEN, for introducing this resolution.

For over 20 years Iran has engaged in a sustained and well-documented pattern of deceptive activities to acquire a nuclear capability outside of what can be considered for peaceful use.

The UN Security Council has adopted a number of resolutions since 2006 demanding the suspension of uranium enrichment-related

and reprocessing activities by Iran and its cooperation with the IAEA on all nuclear activities, including the possible militarization of its nuclear program.

The IAEA's extensive report documents "serious concerns" regarding military dimensions to Iran's nuclear activity in hopes of developing a nuclear device.

If Iran is successful in acquiring a nuclear weapon capability, it will force other countries in the region to consider developing their own nuclear capabilities; notably, Saudi Arabia.

Iranian leaders have previously threatened the existence of Israel, pledging to "wipe Israel off the map" and since 1984 Iran has been recognized by the State Department as an active sponsor of terrorism.

I feel just as President Obama has previously stated, "that the consequences of a nuclear-armed Iran are unacceptable" and we are determined to prevent Iran from getting a nuclear weapon.

Our Congress must stand in one voice and prevent Iran from acquiring a nuclear weapons capability.

I ask my colleagues to join me in condemning Iran's nuclear ambitions and vote in favor of H. Res. 568.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of H. Res. 568, a bipartisan resolution affirming that it is our nation's policy to prevent Iran from acquiring nuclear weapons capability and emphasize that containment is not a viable option.

Iran is developing the capability to quickly produce a nuclear weapon at a time of its choosing. Iran's acquisition of such a capability would create a significant new regional danger and be an immediate threat to America's interest and allies in the Middle East.

A nuclear Iran would most likely trigger an arms race in the region that could de-stabilize an already fragile peace and threaten the global economy.

It is imperative that our nation continue to strengthen existing diplomatic and economic pressure on Iran and force it to change course before it is too late.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H. Res. 568, "Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability." As a member of the Homeland Security Committee and a proud cosponsor of this resolution, I believe it is of critical importance to American security to continue dialogue with Iran. However, we must also take a clear stance that the United States will take the necessary steps to prevent Iran from obtaining nuclear weapons.

H. Res. 568 rejects the possibility of containing a nuclear Iran. If Iran is able to develop nuclear weapons, Tehran will be able to leverage its new capabilities to secure its own agenda at the expense of broader American interests. Such a program would also likely spur other Middle Eastern countries to develop their own nuclear capabilities, leading to an arms race and massive instability. The development of these weapons is not just bad for the region. It is dangerous to the global community.

The United States has always maintained a strong relationship with the State of Israel and is committed to its security and prosperity. I was particularly alarmed to hear of top Iranian officials threatening to "wipe Israel off the

map," and I urge my colleagues not to take this threat lightly. The United States has a demonstrated history of supporting democracy, human rights, and peace throughout the Middle East. A nuclear arms race would be an affront to this ideal.

Mr. Speaker, I also stand with the people of Iran and strongly advocate for their rights and security. The United Nations' General Assembly has condemned Iran for failing to meet international human rights standards and expressed concern over a high frequency of executions and violations of minority groups' rights. As the United States exercises sanctions against Tehran, I would like to highlight the message that we are not seeking to punish the Iranian people and that we wish for them a responsive and stable government.

Mr. Speaker, we cannot afford to watch this situation continue to escalate while we sit idly by. President Obama, Secretary of Defense Panetta, and other American leaders have united and pledged to prevent Iran's nuclear weapons capability at any cost. I am proud to be a cosponsor of H. Res. 568 and hope that Congress can also unite to become another powerful voice against Iranian aggression.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to support H. Res. 568, "Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability." This measure affirms that it is vital to our national interest to prevent Iran from acquiring weapons of mass destruction. It also makes clear that our time is limited and we must act to prevent Iran from acquiring full nuclear weapons capability. As a Ranking Member of the Homeland Security Subcommittee on Transportation Security, I am well versed in the dangers posed by allowing countries who are against our interests to gain nuclear weapons. I have always been and will continue to be concerned for the average citizen of Iran. This measure is not a reflection of the will of the average Iranian but a reflection of the government which currently represents them. H. Res. 568 represents our commitment to national security.

The United States of America should increase economic and diplomatic pressure on Iran to secure an agreement that includes: (1) the suspension of all uranium enrichment-related and reprocessing activities, (2) ensures Iran's complete cooperation with the International Atomic Energy Agency, IAEA, regarding their nuclear activities, and (3) a permanent agreement that verifiably assures that Iran's nuclear program is entirely peaceful.

I support the Iranian people's universal human rights and access to inclusive, democratic representation. H. Res. 568 urges the President to reaffirm the unacceptability of an Iran that has nuclear weapons capability. This piece of legislation calls for enforcing tougher sanctions against Iran. Iran has been involved in the proliferation of weapons of mass destruction, whether they are nuclear or chemical or biological.

This timely piece of legislation addresses the need for the U.S. to take a strong stance against the aggressive and hostile behavior of these three countries. These governments are not our friends. We must not underestimate their ability to manufacture nuclear weapons. The government of Iran, under its president and leader, Mahmoud Ahmadinejad, has pursued policies undermining democracy and

threatening regional security as well as our own national security.

Iran's actions regarding its nuclear program have been highly troublesome. Investigations conducted by the U.N.'s International Atomic Energy Agency, IAEA, have revealed that Iran has been in violation of the Nuclear Non-proliferation Treaty time and time again. In 2003, Iran confirmed that there are sites in the cities of Natanz and Arak that are under construction. But Iran insisted that these sites, like Bushehr, are designed to provide fuel for future power plants and nothing else.

Subsequent actions, however, have led us to believe otherwise. Stemming from the most recent IAEA report, experts believe that, with further enrichment of its existing stockpile of uranium, Iran already has enough raw material to make two or three nuclear weapons. Even though having the raw material is different from having an actual weapon, Ahmedinejad's belligerent and hostile actions create an atmosphere dangerous to U.S. national security.

Iran also has a horrific human rights abuse record. On December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran.

The resolution included torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and "the systematic and serious restrictions on freedom of peaceful assembly" as well as severe restrictions on the rights to "freedom of thought, conscience, religion or belief."

The Iranian regime's treatment of women is particularly heinous. Prominent human rights activist Shirin Ebadi, the 2003 Nobel Peace Prize Laureate, has faced intensified persecution from the Iranian government for her courageous activism and efforts to promote women's rights in Iran.

On 21 December 2008, dozens of government agents carried out a raid on the Defenders of Human Rights Center, run by Ms. Ebadi. The Center provides legal assistance to victims of human rights violations.

The raid on the Center occurred hours before they were planning on holding an event there to commemorate the 60th anniversary of the Universal Declaration of Human Rights. Center staff members and guests were harassed and intimidated and the center was forcibly closed. Later, officials identifying themselves as tax inspectors came to the Center to remove documents and computers, despite Ms. Ebadi's protests that they contained protected lawyer-client information. Ms. Ebadi has repeatedly been subjected to threats and intimidation for the work she does. Occurrences like this must stop.

The United States' relations with Iran have been volatile and tumultuous for almost 60 years. We are engaging with a hostile regime that has not demonstrated a desire to compromise or an ability to admit to its wrongdoings. Our focus now is to address the security concerns in the region.

The provisions put forth in this bill are vital to ensuring our nation's security interests. Those who govern Iran must be held accountable for its actions.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 568, as amended.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

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

H.R. 2072. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill, H.R. 4310.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 365, by the yeas and nays;

H.R. 3874, by the yeas and nays;

H.R. 205, by the yeas and nays.

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

NATIONAL BLUE ALERT ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the mo-

tion to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 36, as follows:

[Roll No. 250]

YEAS—394

Adams	Connolly (VA)	Hahn
Aderholt	Cooper	Hall
Akin	Costa	Hanabusa
Alexander	Costello	Hanna
Altmire	Courtney	Harper
Amodi	Cravaack	Harris
Andrews	Crenshaw	Hartzler
Austria	Critz	Hastings (FL)
Baca	Crowley	Hastings (WA)
Bachmann	Cuellar	Hayworth
Bachus	Culberson	Heck
Baldwin	Cummings	Heinrich
Barletta	Davis (CA)	Hensarling
Barrow	Davis (IL)	Herger
Bartlett	Davis (KY)	Herrera Beutler
Barton (TX)	DeFazio	Higgins
Bass (CA)	DeGette	Himes
Bass (NH)	DeLauro	Hinojosa
Becerra	Denham	Hirono
Benishek	Dent	Hochul
Berg	DesJarlais	Holden
Berkley	Deutch	Holt
Berman	Diaz-Balart	Honda
Biggert	Dicks	Hoyer
Bilbray	Dingell	Huelskamp
Billirakis	Doggett	Huizenga (MI)
Bishop (GA)	Donnelly (IN)	Hultgren
Bishop (NY)	Doyle	Hunter
Bishop (UT)	Dreier	Hurt
Black	Duffy	Israel
Blackburn	Duncan (SC)	Issa
Blumenauer	Duncan (TN)	Jackson (IL)
Bonamici	Edwards	Jackson Lee
Bonner	Ellison	(TX)
Bono Mack	Ellmers	Jenkins
Boren	Emerson	Johnson (GA)
Boswell	Engel	Johnson (OH)
Brady (PA)	Eshoo	Johnson, E. B.
Brady (TX)	Farenthold	Johnson, Sam
Brooks	Farr	Jones
Broun (GA)	Fattah	Jordan
Buchanan	Fitzpatrick	Kaptur
Bucshon	Fleischmann	Keating
Buerkle	Fleming	Kelly
Burgess	Forbes	Kildee
Burton (IN)	Fortenberry	Kind
Butterfield	Fox	King (IA)
Calvert	Frelinghuysen	King (NY)
Camp	Gallely	Kingston
Canseco	Garamendi	Kinzinger (IL)
Cantor	Gardner	Kissell
Capito	Garrett	Kline
Capps	Gerlach	Kucinich
Capuano	Gibbs	Lamborn
Carnahan	Gibson	Lance
Carney	Gingrey (GA)	Lankford
Carson (IN)	Gohmert	Larsen (WA)
Carter	Gonzalez	Larsen (CT)
Castor (FL)	Goodlatte	Latham
Chabot	Gosar	LaTourette
Chaffetz	Gowdy	Latta
Chandler	Granger	Lee (CA)
Chu	Graves (GA)	Levin
Cicilline	Graves (MO)	Lewis (CA)
Clarke (MI)	Green, Al	Lewis (GA)
Clarke (NY)	Green, Gene	Lipinski
Clay	Griffin (AR)	LoBiondo
Cleaver	Griffith (VA)	Loeb sack
Clyburn	Grijalva	Lofgren, Zoe
Coble	Grimm	Long
Coffman (CO)	Guinta	Lowey
Cole	Guthrie	Lucas
Conaway	Gutierrez	Lujan

Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter

NAYS—1

Amash
NOT VOTING—36

Ackerman
Boustany
Braley (IA)
Brown (FL)
Campbell
Cardoza
Cassidy
Cohen
Conyers
Crawford
Dold
Filner

□ 1855

Messrs. THOMPSON of Pennsylvania and ENGEL changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LANGEVIN. Mr. Speaker, on rollcall vote No. 250, I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. FILNER. Mr. Speaker, on rollcall 250, I was away from the Capitol due to prior com-

mitments to my constituents. Had I been present, I would have voted “yea.”

BLACK HILLS CEMETERY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 1, not voting 30, as follows:

[Roll No. 251]

YEAS—400

Adams
Aderholt
Akin
Alexander
Altmire
Rush
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishak
Berg
Berkley
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu

King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeback
Lofgren, Zoe
Long
Lowey
Lucas
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter

NAYS—1

Amash
NOT VOTING—30

Ackerman
Boustany
Brown (FL)
Cardoza
Cassidy
Cohen
Crawford
Dold
Filner
Fincher

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1902

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

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota."

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 251, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 205) to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 31, as follows:

[Roll No. 252]
YEAS—400

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks

Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cansco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw

Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Esho
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Fox
Frelinghuysen
Gallegly

Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack

Lofgren, Zoe
Long
Lowey
Lucas
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauly
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Neal
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Townsend
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry

Luetkemeyer
Manzullo
McIntyre
Paul
Poe (TX)
Richmond
Rohrabacher

Ruppersberger
Shuler
Slaughter
Speier
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1909

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

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the Act titled 'An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes."

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 252, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Tuesday, May 15, 2012 I had obligations that necessitated my attention in Champaign, Illinois, in my district and missed suspension votes H.R. 365—National Blue Alert, H.R. 3874—Black Hills Cemetery Act, H.R. 205—HEARTH Act of 2011.

Had I been present, I would have voted "yea" on the above stated bills.

DEPARTMENT OF DEFENSE PROGRAM GUIDANCE MODIFICATION RELATING TO POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS

Mr. KLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4045) to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4045

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

NOT VOTING—31

Ackerman
Boustany
Brown (FL)
Cardoza

Cassidy
Cohen
Crawford
Dold

Filner
Fincher
Flake
Flores

SECTION 1. TREATMENT OF PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS AND FORMER MEMBERS OF THE RESERVE COMPONENTS UNDER DOD INSTRUCTION 1327.06.

(a) **DISCRETION OF THE SECRETARY OF DEFENSE.**—The Secretary of Defense may determine that the changes made by the Secretary to the Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence program administrative absence days or other benefits described in subsection (b) to members and former members of the reserve components under DOD Instruction 1327.06 effective as of October 1, 2011, shall not apply to a member of a reserve component, or former member of a reserve component, whose qualified mobilization (as described in such program guidance) commenced before October 1, 2011, and continued on or after that date until the date the mobilization is terminated.

(b) **AUTHORIZED BENEFITS.**—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may provide a member or former member of the Armed Forces described in subsection (a) with one of the following benefits:

(1) In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, payment of an amount not to exceed \$200 for each day the individual would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the individual, as authorized by such subsection.

(2) In the case of a member of the Armed Forces on active duty at the time of the provision of benefits under this section, either one day of administrative absence or payment of an amount not to exceed \$200, as selected by the member, for each day the member would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the member, as authorized by such subsection.

(3) In the case of a member of the Armed Forces serving in the Selected Reserve, Inactive National Guard, or Individual Ready Reserve at the time of the provision of benefits under this section, either one day of administrative absence to be retained for future use or payment of an amount not to exceed \$200, as selected by the member, for each day the member would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the member, as authorized by such subsection.

(c) **EXCLUSION OF CERTAIN FORMER MEMBERS.**—An individual who is a former member of the Armed Forces is not eligible under this section for the benefits specified in subsection (b)(1) if the individual was discharged or released from the Armed Forces under other than honorable conditions.

(d) **FORM OF PAYMENT.**—The payments authorized by subsection (b) may be paid in a lump sum or installments, at the election of the Secretary concerned.

(e) **RELATION TO OTHER PAY AND LEAVE.**—The benefits provided to a member or former member of the Armed Forces under this section are in addition to any other pay, absence, or leave provided by law.

(f) **DEFINITIONS.**—In this section:

(1) The term “Post-Deployment/Mobilization Respite Absence program” means the program of the Secretary concerned to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in re-

integrating into civilian life after deployment or mobilization.

(2) The term “Secretary concerned” has the meaning given that term in section 101(5) of title 37, United States Code.

(g) **COMMENCEMENT AND DURATION OF AUTHORITY.**—

(1) **COMMENCEMENT.**—The authority to provide days of administrative absence under paragraphs (2) and (3) of subsection (b) begins on the date of the enactment of this Act and the authority to make cash payments under such subsection begins, subject to subsection (h), on October 1, 2012.

(2) **EXPIRATION.**—The authority to provide benefits under this section expires on October 1, 2014.

(3) **EFFECT OF EXPIRATION.**—The expiration date specified in paragraph (2) shall not affect the use, after that date, of any day of administrative absence provided to a member of the Armed Forces under subsection (b) before that date or the payment, after that date, of any payment selected by a member or former member of the Armed Forces under such subsection before that date.

(h) **CASH PAYMENTS SUBJECT TO AVAILABILITY OF APPROPRIATIONS.**—No cash payment may be made under subsection (b) unless the funds to be used to make the payments are available pursuant to an appropriations Act enacted after the date of enactment of this Act.

(i) **FUNDING OFFSET.**—The Secretary of Defense shall transfer \$4,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

The **SPEAKER pro tempore** (Mrs. ROBY). Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

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

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

There was no objection.

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

I rise today in support of the bill, H.R. 4045, legislation that would ensure members of the National Guard and Reserve—including members of Minnesota's famed Red Bulls—receive the benefits they have earned.

Simply put, this legislation ensures that promises made are promises kept. The bill will grandfather the Minnesota National Guard and more than 49,000 other servicemembers around the country who mobilized and deployed under the Pentagon's original Post-Deployment/Mobilization Respite Absence program policy, providing them the benefits they were promised prior to deployment.

Since September 11, 2011, members of the Reserve component have been uniquely affected by long deployments, leaving their families and careers to

answer their Nation's call. In January of 2007, the Department of Defense instituted the PDMRA program to allow servicemembers the opportunity to spend more time with their families and readjust after multiple deployments in excess of 12 to 24 months. I would ask my colleagues to reflect on that number, 12 to 24 months. That is 1 to 2 years away from their families and their homes, putting their own lives on hold to protect and defend our families and our Nation.

Madam Speaker, last year, after more than 2,000 Minnesota soldiers were deployed, the Pentagon changed the PDMRA program, significantly reducing the leave available to the Red Bulls and many others across the Nation. With little notice, many soldiers and their families were forced to cope with unexpected financial challenges, less time at home with loved ones, and an increased urgency to find employment.

H.R. 4045, as amended, provides the Pentagon the authority to grandfather members of the National Guard and Reserve whose mobilization and deployment commenced before the Pentagon's PDMRA reduction policy took effect in October of last year. The legislation does three things:

First, for servicemembers still on active duty, the bill provides DOD the authority to immediately restore their PDMRA leave days lost and gives them the option of selling their leave in lieu of taking the PDMRA day if they determine that that is in their best interest;

Second, for servicemembers still in the service but off active duty, the bill provides DOD the authority to award a leave payment in lieu of the days they would have received for their service during the change; and

Finally, the former servicemembers who have left the military altogether but were affected during the PDMRA policy change, the bill provides DOD the authority to reward a leave payment in lieu of the PDMRA days they would have received for their service during the change.

In short, we're making these soldiers whole again and keeping our promises. The legislation is critical to ensuring our sons and daughters in uniform receive the benefits they were promised and have rightfully earned.

Sergeant Matthew Hite recently returned home to Minnesota after his third deployment with the Minnesota National Guard. While he's been in Kuwait the past 11 months, his 7-year-old son, Charles, has learned to play T-ball. Sergeant Hite wasn't there to see Charles get his first hit or make his first catch. “It's frustrating” Sergeant Hite told the Star Tribune, “frustrating that the time we thought we had to spend with family is being taken away.”

Every day, members of the reserve component are stepping off planes, beginning the process of reintegration, and returning to their civilian lives.

Every day, units are receiving their final orders specifying an end date to their mobilization. I am hopeful that this commonsense effort to do right by our men and women in uniform will become law.

I urge my colleagues to support H.R. 4045, and I reserve the balance of my time.

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

I rise in strong support of this bill, and I thank the gentleman from Minnesota (Mr. KLINE) for bringing this measure to the floor. I also appreciate his continued leadership on pre- and post-deployment issues for the National Guard. The bill will correct an injustice for our National Guardsmen and reservists who have been putting their lives on the line to defend our Nation.

The fiscal year 2013 Defense authorization bill includes a provision that also addresses this problem; but, regardless, this sends a clear message to the Department of Defense that we want to fix this problem, and quickly. The bill gives DOD the clear authority they need to make the necessary changes and to do so before the Defense authorization bill is likely to be completed.

The bill is widely supported by outside groups, including the Military Officers Association of America, the National Guard Association of the United States, and the Enlisted Association of the National Guard of the United States, to name just a few.

However, while I support the bill, I must raise the concern that this bill bypassed the normal committee process, and the minority was not included in the decision to bring this measure to the floor, which violates our tradition of bipartisanship. Still, in the interest of protecting our men and women in uniform, I stand in support of the bill, and I urge all of my colleagues to support it as well.

I reserve the balance of my time.

□ 1920

Mr. KLINE. Madam Speaker, I am very happy to yield 3 minutes to my friend and colleague, a naval officer, another helicopter pilot, and a member of the Minnesota delegation, Mr. CRAVAACK.

Mr. CRAVAACK. I thank Chairman KLINE for the recognition.

Madam Speaker, I rise today in support of a critically important bill which I am a cosponsor of, offered by a fellow member of the Minnesota delegation, Chairman JOHN KLINE.

The Post-Deployment/Mobilization Respite Absence program is an important program that allows servicemembers the opportunity to readjust after deployments and spend more time with their families. This earned leave further provides returning servicemembers with more time and a less stressful environment in which to seek employment in a time where a job search

is becoming increasingly more difficult. These earned benefits will help combat the high stress experienced by those who have returned home from prolonged deployments.

The Minnesota National Guard and tens of thousands of other guardsmen and reservists who have been deployed to the Middle East and were impacted by the PDMRA change were charged with the promise to defend our country. They have more than lived up to their end of the bargain to keep their promise. Now it is time for the Department of Defense to live up to its end of the deal and provide these individuals with the full benefits they were promised at the time of their mobilization deployment.

As Chairman KLINE addresses in his support for this bill, some of the servicemembers affected by this policy change have performed multiple deployments in excess of 12 to 24 months since the beginning of the Iraq war. That is 1 to 2 full years that these servicemembers have been away from their families, halfway across the world in a combat environment. Some of the same servicemembers—specifically, the 2005–2007 Iraq deploying servicemembers—could stand to lose up to 24 days under the changes in the PDMRA policy.

I do not think it is too much to ask that those who were promised 24 days of leave for up to 2 years of deployed service to receive that leave. Therefore, it is imperative that we respect and honor the promises made to these individual families who have sacrificed so much in defense of our Nation.

Recently, I have had the great privilege of welcoming the Minnesota National Guard Red Bulls home from their deployment in Iraq and Kuwait. When I attended their deployment ceremony last year in Pince City, Minnesota, one of the commanding officers in the brigade, Lieutenant Colonel Eddie Frizell said to the families, "I'll bring them all home." True to his word, the first thing Lieutenant Colonel Frizell said in a hand salute to Major General Rick Nash, the adjutant general of the Minnesota National Guard, when his feet touched the ground in Minnesota was, "I brought them all home, sir."

Madam Speaker, it is now time to bring them all the way home. I urge my colleagues to support the troops and support H.R. 4045, which will protect the promises made to our National Guard and Reserve, including members of the Minnesota's Red Bulls, by ensuring these servicemembers receive the benefits they were promised and highly deserve.

Ms. BORDALLO. Madam Speaker, I yield such time as she may consume to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Madam Speaker, I rise today in strong support of H.R. 4045. This bill will ensure that all the servicemembers returning from overseas, including the Minnesota National

Guard's Red Bulls, will receive the full benefits they were promised.

Last year, after more than 2,000 of Minnesota's brave soldiers had already been mobilized for war, the Department of Defense reduced the amount of leave that the servicemembers would receive.

For the Pentagon to apply this change to soldiers already deployed is simply unacceptable. Our men and women in uniform must be able to count on the benefits their Nation promised them when they left home.

H.R. 4045 will correct this serious error by exempting servicemembers, like the Red Bulls, who had already deployed before the Pentagon's policy shift.

Passage of this bill is a victory for the entire Minnesota delegation, which worked so hard on it. I especially want to thank Mr. KLINE for his perseverance on this issue and for getting it to the floor today. Thank you very much, Mr. KLINE.

But, as I said, I applaud all my colleagues for coming together on behalf of the Minnesota Red Bulls and all of the servicemembers and their families. America's men and women in uniform dedicate their lives to defending our Nation and its values, and we are grateful for their outstanding service.

As a daughter of a World War II disabled veteran of the Army Air Corps and as a member of the Appropriations Subcommittee on Military Affairs, it is a special honor to work on behalf of those who have served our country and to make sure that they receive every benefit that they've earned.

As the Red Bulls return to Minnesota from another deployment, they know they can count on their entire Minnesota congressional delegation to have their back.

I urge my colleagues to support this critical legislation.

Mr. KLINE. Madam Speaker, I am pleased to yield 3 minutes to another member of the Minnesota delegation, Mr. PAULSEN.

Mr. PAULSEN. I thank the gentleman for yielding.

I also rise in strong support of H.R. 4045.

Madam Speaker, the promises that we make to our young men and women and those who serve and have volunteered to put our Nation's uniform on should always, always be kept. And this important legislation does exactly that by assuring that nearly 50,000—tens of thousands servicemembers will receive the benefits that they, in fact, were promised.

In October of last year, the Department of Defense significantly changed the amount of earned time and leave time for our troops and began providing less time off for servicemembers after a long deployment. But in that process, they failed to take into account those reservists who were already deployed, including the 2,000 members of the Minnesota National Guard.

Madam Speaker, if we don't pass this legislation, members of the National Guard and the Reserve, including members of Minnesota's famed Red Bulls, will stand to lose approximately 27 days of leave that they were promised. They've already earned that leave.

Let's do the right thing. This is simple. This is straightforward. We need to keep the promises out there for our service men and women.

I want to applaud Chairman KLINE. I want to applaud all the members of the Minnesota delegation for working together on something so critical and important and for sending a bipartisan message that we will stand behind our promises to our troops and our men and women in uniform.

Ms. BORDALLO. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the gentlelady from Guam who, as always, is an absolute stalwart supporter of our military forces and has a long tradition, coming from Guam, in defense of this Nation.

Also, a special thank you to Colonel KLINE, my colleague from Minnesota, for his unwavering support of our veterans and for bringing this forward and trying to correct this injustice.

You've heard it today, Madam Speaker, about a change in policy. And while a stroke of the pen at the Pentagon may not seem like that much, it impacts our veterans and their families. These are folks that have deployed, in many cases, three times. For example, the Red Bulls from Minnesota: once for 9 months, once for 22 months, and once for a year.

We came up, as a Nation, to make the determination that these folks should have a little bit of time of leave when they come back, readjust with their families, see children they maybe have never celebrated a birthday with, and then try to go back and get into the job market.

As a Nation, these are our best and brightest. These are our future leaders. We want them getting readjusted. We want them back into the job market. And by the Pentagon changing this midstream, it's not so much the financial or the monetary insult; it's the insult to what these folks went through. When they went, they were promised a benefit. When they came back, we had cut it in half.

We hear a lot about a 99 and a 1 percent. There is a 99 and a 1 percent in this country—1 percent who are serving in uniform and have served overseas, 99 percent of us who have benefited from that sacrifice.

So I commend the delegation. I commend this House. If there is an issue that binds this Nation together, it's the absolute unwavering support of those who are willing to lay down their lives and sacrifice time with their families to serve each and every one of us. The least we can do is make sure that the benefits that were promised, that

were guaranteed, are delivered upon. It's the right thing to do. It's the right thing for the country. It binds us together.

And I want to thank all of the folks here who made this possible. I urge my colleagues to support this piece of legislation.

□ 1930

Ms. BORDALLO. I thank the gentleman from Minnesota (Mr. WALZ), especially for his assistance with the Reserve Component Caucus.

I have no further requests for time, and I yield back the balance of my time.

Mr. KLINE. I have no further requests for time, and I'm going to close by thanking Members on both sides of the aisle. You've heard from members of the Minnesota delegation here tonight, my good friends, the Democrats Mr. WALZ and Ms. MCCOLLUM, Mr. CRAVAACK, and Mr. PAULSEN. This legislation affects members of the Guard and Reserve all over the country.

I'm especially pleased that my friend and fellow committee member and fellow traveler, Ms. BORDALLO, was managing the debate on the other side of the aisle. She and I have traveled to some fairly remote corners of Iraq and Afghanistan and places like that over the years, and I must say I've never been anywhere where our Nation was at conflict and where we had men and women serving in uniform that we didn't come across somebody from the Guam National Guard. So I really want to thank her for her support on this legislation and the support of men and women in uniform everywhere. I know from the reaction I see from those soldiers that when they see Ms. BORDALLO, there is great affection and respect there—both ways.

Again, I want to thank all who weighed in on this. It was clearly an injustice. It needed to be fixed, and this is one of those times when we've come together as Democrats and Republicans working together. We have Senators, Republicans and Democrats, in the Senate working the other body to move this through. Speed counts here. Every day that this is delayed, another soldier loses the opportunity to take advantage of this paid leave.

With that, Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and pass the bill, H.R. 4045, as amended.

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

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note), as amended, and the order of the House of January 5, 2011, of the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014:

Mr. Elliot Abrams, Virginia

MILITARY MENTAL HEALTH AWARENESS DAY

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, today I rise to recognize Military Mental Health Awareness Day, which is tomorrow, May 16, 2012. Our servicemembers have made tremendous sacrifices for our country, and many face serious conditions, including the potential for anxiety, depression, anger; and a growing number of those experience post-traumatic stress injury. For one reason or another, too many, tragically, result in suicide. According to the Army, during 2011, there were a total of 164 confirmed active duty suicides. For 2012, there have been 61 potential active duty suicides—35 confirmed and 26 still under investigation.

Madam Speaker, these statistics are daunting. One servicemember taking his or her own life is too many. In Congress, we have worked to increase access and availability and also to remove the stigma associated with these conditions in hopes that more soldiers, sailors, airmen, and marines will be more easily diagnosed and seek the available resources and treatments.

I want to thank everyone involved in Military Mental Health Awareness Day as we continue the important work of delivering care to these brave men and women who have served this country with honor and distinction.

BULLYING PREVENTION LAW

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

Ms. JACKSON LEE of Texas. Mr. Speaker, there's nothing more precious than the Nation's children. Of course, we love and respect our seniors, respect our families, and respect our men and women in the United States military. In fact, America has a great future. But all of us realize that that future is grounded not only on our democratic principles, but on what we do for our children.

Bullying in the Nation's schools is at epidemic proportions. Two weeks ago, in my community, one young person

took a sock with a lock in it and caused another young person to leave that school in an ambulance to go to the hospital for some 15 to 20 stitches. We've seen the results of bullying that resulted in the suicide of one college student and the suicide of a 13-year-old. And we've certainly seen the movie "Bully."

I want to thank Lee Hurst for joining me last week in listening to the stories of those who tell real stories. Today, I introduced H.R. 5770, which is a bullying prevention law, including the reauthorization of the Juvenile Block Grant. It is imperative that this Congress make a national statement that bullying is unacceptable, but more importantly, that we give the tools to school districts around the Nation and communities to intervene and prevent bullying.

Our children are precious. I ask my colleagues to join in a bipartisan manner on this legislation.

FISCAL YEAR 2013 NATIONAL DEFENSE AUTHORIZATION ACT

THE SPEAKER pro tempore (Mr. RIGELL). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ROBY. Thank you, Mr. Speaker.

It is truly an honor tonight to stand with other freshman colleagues to discuss the ever-important number one constitutional responsibility of this Congress, in my opinion, very clearly spelled out: to provide for the common defense. Of course, this week the House will debate H.R. 4310, the Fiscal Year 2013 National Defense Authorization Act.

As you know, Mr. Speaker, we marked this up in committee last week into the wee hours of the morning and it passed the House Armed Services Committee on May 10 with a bipartisan vote of 56-5. This legislation specifically provides for pay, funding, and authorities for America's men and women in uniform; and it's the key mechanism by which we fulfill our constitutional duty to provide for the common defense.

This bill does many things. But I thought what I would do in the beginning of this hour, as I see some of my freshman colleagues joining us tonight, is that I would start by just telling you what happened to me just this morning, as it often does. I, of course, have two very large military installations in Alabama's Second District. So I often-times have military men and women in uniform on my planes as I fly back and forth to and from Washington.

This morning, my husband had come in with me because I had some extra bags and he was helping me. And I could tell that there was a family sitting there, and I suspected that the young man was about to be deployed. The father came over to me and spoke. Now, I'm away from my children, as

are all Members of Congress, but they're usually for very short periods of time, and whereas that sacrifice is difficult in a lot of ways, it pales in comparison to the sacrifice of our men and women in uniform who put themselves in harm's way, not to mention their family members, who are also sacrificing their children and their spouses and their loved ones.

This morning, on this plane ride, not unlike many others, it was a stark reminder to me and to my family as my husband stood by and watched this family as they greeted us, as clearly the mom had a little tear in her eye, and it was just such a huge reminder to us of what individuals who have chosen to enter into our military service do for us to fight for the very freedoms that allow for me, Mr. Speaker, to stand in front of you tonight to discuss this ever-important act.

□ 1940

And so to the young man that I met this morning in Montgomery, Alabama's regional airport, to all of our young men and women serving all over this great Nation and this world, thank you from the bottom of my heart for the privilege to serve them as a member of the House Armed Services Committee and as a Member of this Congress. It is a tremendous honor and a privilege, and one that I certainly do not take lightly.

Overall, this bill that we passed out of committee that we will take up this week restores fiscal sanity to our defense budget and keeps faith with America's men and women, as I have already mentioned. It aligns our military posture in this very, very dangerous world and rebuilds the force after a decade of war.

Now, do not be mistaken. You know, Mr. Speaker, that we are currently working, under the law, \$487 billion in cuts to the Department of Defense. We have sat as members of the House Armed Services Committee in committee hearing after committee hearing where our joint chiefs and our commanders have sat in front of us and told us that, yes, in fact, we will have a smaller force as a result of these current cuts. I think we can all agree in these fiscal times that there is not an area that is funded by hardworking taxpayer dollars of this Federal Government that doesn't deserve harsh scrutiny when it comes to fiscal cuts. And our military is certainly going to sustain those with these \$485 billion in cuts.

But under the Budget Control Act and the joint committee's failure to provide the necessary cuts under that law, the automatic trigger that we here in Congress call sequestration is set to take place at the beginning of January next year. What we have heard in our committee hearings over and over and over again from Secretary Panetta, from General Dempsey, and others, is that our military cannot sustain another half-trillion or more in

cuts. Not only would we have a smaller force, but there is a danger of a less capable force, particularly in this time in our Nation's history as we continue to fight the war on terror both here at home and abroad.

I bring all of this up to say that, again, the light in our military is our military families and the men and women who serve this country so honorably. And we, as members of the House Armed Services Committee and as Members of this United States Congress, have a duty to ensure that we are not only acting fiscally responsibly, but we are doing it in a way that ensures that those men and women have everything that they need to accomplish the task and the mission that we send them into.

There are several suggestions that have been made as it results to the \$487 billion in cuts as we downsize our force. One of them that came out and has been scrutinized particularly is the C-130 decision. I just want to spend a little time, since I, as a member of the committee, had an amendment before the Armed Services Committee last week to deal with the way that our military looked at these potential cuts, and actually provide us with the information that we need to then in turn provide oversight as members of this committee as to whether or not these are decisions that are going to provide us with the fiscal restraint that we need.

The committee passed this amendment during markup. Representative CONAWAY from Texas and Representative PALAZZO from Mississippi also were on this amendment regarding the Air Force's C-130. I look forward, with the other Members of the Alabama delegation, to have a conversation specifically with Secretary Donley and General Schwartz as it relates to decisions regarding the C-130. Mind you, and I want to be very clear when I say this, this could be the C-130, this could be the Abrams tank, this could be MEADS, this could be any other aspect of our military where we need to be asking these same questions. Certainly this is important to us, the Representatives that signed on to this amendment, because the C-130 is located in our districts, but I want to be clear, because this is not about just protecting the mission at home. This is about making sure that across the board we are asking the right questions to protect the missions, as I've already stated, as well as making decisions that are going to find the savings that we need.

So our amendment very clearly just says, how did you determine which C-130 aircraft will be retired and relocated, and the methodologies underlying such determinations, including what assumptions were made to define and shape these specific determinations. And the rationale for selecting various C-130 aircraft from regular and reserve components, and the details of the costs incurred, avoided or saved, with respect to these C-130s.

And here's the most important part—and again, this is why I believe this amendment could be applied throughout our military: the GAO has to audit the Secretary's report to make sure that the true cost and benefit of the planned retirement and relocations are realized. This amendment, like so many others in this National Defense Authorization Act, is straightforward. This is a straightforward provision to make sure that the Congress received the necessary information to make our authorizing decisions in an objective manner that will benefit our men and women in uniform and the American taxpayer.

I have my friend here from New York and hopefully others that will be joining us. I know we have many difficult decisions, but I just urge all of my colleagues this week, as we move through the National Defense Authorization Act and all of the amendments that will be debated and voted upon, that we will do so with this young man whom I spoke to this morning who is now deployed to Kuwait for a year, that we will do so with him and so many thousands of others in mind as we move through, making sure that we always do our best because we are supposed to keep faith with our military families and provide all that our men and women need to accomplish the mission.

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

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. REED) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. REED. Mr. Speaker, I rise tonight to join with my colleague from Alabama (Mrs. ROBY) and applaud her leadership in establishing and taking the lead this evening to discuss a critical issue that we are dealing with here in Washington as we go forward with the debate on the National Defense Authorization Act.

Mr. Speaker, as you know, this is the authorization bill that takes care of our men and women in our military ranks. Mr. Speaker, I tender my comments this evening based on the fact that I am the son of a career military officer who spent 20 years in the Army, saw active duty in World War II and Korea, received the Silver Star, multiple Purple Hearts, multiple Bronze Stars, for his efforts and his sacrifices that he made in those forums defending America and standing up for all of the freedoms and the beliefs that we all hold dear in America coast to coast. So I am honored to be a son of such a distinguished individual in our Armed Services, and though I never did wear the uniform, I carry with me the commitment that he passed on to my 11 older brothers and sisters that you always stand with our military, you always stand with our veterans, Madam Speaker, and that's why I join you tonight to come to the floor and discuss this important issue, because as we

face the national debt crisis that we all know on both sides of the aisle is real, \$15.7 trillion of national debt, it is clearly unsustainable.

We have to have a conversation, an open and honest conversation with all of the hardworking taxpayers of America and say here in Washington, D.C., we are going to try to get our act together, and to make the commonsense decisions when it comes to our fiscal house. And in that conversation, and as we go forward as we did last week with the issue of sequestration and the replacement, the reconciliation that Mr. RYAN from Wisconsin led, as we go forward with the debate on the National Defense Authorization Act this week, we need to go forward recognizing the cuts that have already occurred on the defense side of the ledger.

It is my understanding, looking at some of the numbers, that essentially 50 percent of the deficit reduction efforts to date has come at the expense of defense expenditures. That is approximately 20 percent of our Federal budget dedicated to defense spending.

□ 1950

So that 20 percent of defense spending is already absorbing 50 percent of the deficit reduction efforts that we have led here in Washington, D.C., primarily with the leadership of people like the lady from Alabama and other leaders in the freshman class.

So we have to make sure that when we go forward in this debate, we recognize the sacrifice and the hard decision—and rightfully so—that defense has been part of this conversation of getting our fiscal house in order, and every dollar has to be scrutinized, and that does include the defense budget.

But I think we're at the point, Madam Speaker, where we have to be very sensitive to any additional cuts—or those cuts that are going to be necessary because of the fiscal condition we find ourselves in America—that we do not cross that line in the sand that we must never break. That line in the sand is making sure that our men and women in harm's way are given the resources, the equipment, the tools to not only protect them when they're afield fighting for us and defending freedom of America, but when they come home as veterans and enjoy the benefits that they've earned by engaging in that sacrifice, by being in harm's way for all of us. We must make sure that we never cross that line with our cuts to our military that put those men and women in harm's way or those families that sacrifice so much with them, to have to endure the situation where those benefits that they earned are taken away. So we will stand, I think, united in a strong voice to make sure that doesn't happen. I know I am committed to it, Madam Speaker. And I will always stand—as my father taught me and taught my older brothers and sisters and my mother—you stand with the vets, you stand with the military. And though they have to be

part of this conversation because of the harsh reality that we find ourselves in with \$15.7 trillion worth of national debt, we cannot go that far that we jeopardize their very well-being and their sacrifices that they have recognized on our behalf.

So I was pleased to see in the proposal out of the FY13 National Defense Authorization Act the fact that we were able to beat back the administration's proposal to make significant fee increases in the TRICARE program—TRICARE being the health benefits that our veterans earned and enjoy—and which serve over 9.3 million beneficiaries, including 5.5 million military retirees. I am glad to see that the NDAA, the National Defense Authorization Act, stopped that approach to dealing with the cuts on TRICARE or in fee increases on the TRICARE side. I will always want to stand for those commonsense principles that say: Cuts, yes, we have to do them, but we cannot do them across that line.

There is one area that I would like to also address before I yield to some of my colleagues that have joined us here on the floor, and that's the detainee provisions of the National Defense Authorization Act, which is the language in the bill that deals with making sure that the rights that we enjoy as American citizens are protected when it comes to the detention of individuals in America.

I am pleased to see that language that I cosponsored with gentlemen such as Mr. RIGELL, who has joined us this evening from Virginia, and Mr. LANDRY from Louisiana. When this issue came up in previous debates in last year's National Defense Authorization Act, there was a spirited debate, if you recall, Madam Speaker, in which the issue came up: Do American citizens still retain the rights as guaranteed under the Constitution when it comes to the writ of habeas corpus? There was a spirited debate, and I clearly came down on the side that we need to make sure that we protect those rights for American citizens, and that any issues of detainment are done in respect to the Constitution and all the rights that we enjoy as free citizens in America. I believe the bill did address that last year, but there was a legitimate question raised about it. So I'm pleased to see in this bill language, it is my understanding, that will make sure and be very clear that any American citizen detained in America has the rights as guaranteed under the Constitution. I hope my colleague from Virginia will touch on those issues, and I'm proud to stand with him to make sure that we send a clear message that American citizens continue to enjoy and will always continue to enjoy the rights and freedoms and protections as afforded to us under the Constitution, and that the writ of habeas corpus is secure and will continue to be secure as we move forward.

We can go on and on, but I know I have some colleagues. I notice I've got

a non-freshman Member to join us tonight, Madam Speaker, to address this critical issue, and we are pleased to have our senior Members down with us.

With that, I yield to the gentleman from Kentucky.

Mr. DAVIS of Kentucky. I thank the gentleman for the opportunity to share with you tonight, as I remember those days being both a freshman doing Special Orders, and also serving on the Armed Services Committee before moving over to the Ways and Means Committee. I appreciate the chance to share.

One thing that I would emphasize: you know, over the last 18 months we've heard a lot of interesting arguments in the media about the 99 percent and the 1 percent and on and on, and it fueled lots of politics. I think the whole argument got best clarified by a group of Army men and women who put together a little video called "The Real 1 Percent." It was focused on servicemembers and servicemembers' families.

Most recently, a little company called Ranger Up T-shirts—admittedly with a tie to my alumni in the Rangers—more accurately stated it was the 0.45 percent. It just talked about the descending level of public involvement in the military to almost a minimal level. People don't understand right now, at this time, that we are in the midst of two wars, we have threats of a wide spectrum that we've never had before. When I enlisted in the military 36 years ago next month, our Army was twice as big as it is today. We're carrying an operations tempo that's significant.

I'm very concerned about the cuts and have made that clear. I'm grateful for the leadership on the Armed Services Committee of Chairman MCKEON to try to keep moving these numbers in the right direction because it's my West Point classmates—who are commanding divisions today—who are out there facing these challenges of increased operations tempo. And what an operations tempo is is this, Madam Speaker: that's how often the units have to rotate or deploy into some type of a theater of operations, whether it's peaceful or hostile.

With the drawdowns in personnel, if operations in Afghanistan continue through 2014 and beyond, potentially, that means the deployment rate of our marines and our soldiers could actually be greater than it was in recent years and actually exceed the time during the surge in Iraq in 2007. That's unconscionable to me.

The key to successful doctrine and to successful defense policy ultimately begins with investing in people. The second thing we do is address the threat. Then, after we address the threat, we look at doctrines to deal with that, and finally systems.

Are there opportunities to make cuts in defense to save money? Absolutely. But one of the challenges that often gets missed in debates in Washington,

whether it's add money or cut money, is dealing with the root causes that demand that spending. For example, if we look at acquisition spending rather than cutting people, there's tremendous opportunities for cutting of spending. The Federal acquisition regulations, the defense acquisition regulations prescribe a level of overhead that would be considered unacceptable in the private sector.

The gentleman from Virginia, who's about to speak, who is a successful executive in the automotive industry, watched great changes take place over time in terms of what it took to bring a car to marketplace. I'm going to mention this in perspective of a defense example that I personally have been touched by.

Toyota, which is headquartered in my district, redesigns every part on every vehicle and retrains every employee—the entire customer service network and distribution and supply chains are redone every 3 years. The average time to bring an end item, a vehicle, online in the United States military right now is about 15 years.

Now, I keep in my office a little memento. As a former Army aviator who flew here and in the Middle East and had two delightful tours in lower Alabama, which the current Speaker pro tem represents, at Fort Rucker, Alabama, I was very excited about the V-22 Osprey coming online. I got to go to the factory in Fort Worth and was out on the floor, and I managed to pick up a piece of scrap that was cut off from flight test article number 1, the wing spar for flight test article number 1 for the V-22 Osprey. That was 22 June, 1987. Now, here we are almost 25 years later and that aircraft has just come into service. There were starts, there were stops, there were huge additional costs that were put in by requirements that in many cases are entirely unnecessary to get a safe and flight-worthy vehicle.

What this comes down to is, if we can collapse these acquisition timeframes from 15 years to 5, we're going to save all of that cost. We can afford to make the investments that are necessary in our active duty soldiers and in our veterans. It allows us to minimize the institutional impact of these deployment tempos and these wars. I think, furthermore, it's going to allow a more agile defense industrial base that will have predictability and can adapt our technology and our tools to new threats as they emerge, because a lot of the weapon systems that come online now in fact were designed for another era and another timeframe.

□ 2000

To overcome that, we've got to change the process, and that's going to come by a long period of interagency reform and other efforts. But I want to tell you, in this Defense authorization, the keys to beginning that process are addressed.

I think, in a very difficult political environment between the administra-

tion calls for spending cuts without bringing about the regulatory acquisition reform that's necessary to really sustain that, the political impasse with the Senate, it's been tremendously helpful to see the leadership of Chairman MCKEON, members of the Armed Services Committee to make sure that everything that's possible to be done will keep the money flowing before these rules and regulations can be changed.

The other thing that I would say as well is I voted against the Budget Control Act last year precisely because of defense sequestration. There was an unfair toll that was taken because the root causes were not addressed in that and, hopefully, this lays the foundation for that, along with other reforms that are going to be included in the bill.

At the end of the day, we have the ability to debate tonight freely. American citizens who are watching this can share whatever views they want to. They can go to bed and not be in fear because of men and women who volunteer to stand in harm's way to answer that call when it comes in the middle of the night, and I'm grateful for that, and they're the last people that we need to let down. And that's why I'm a strong supporter of this Defense authorization.

I thank you for the time to share tonight.

Mr. REED. I thank the gentleman from Kentucky for his comments and for coming this evening and spending some time with us. And your comments, before I yield to the gentleman from Virginia, have spurred some thoughts that I would like to add to the conversation.

One of the things you touched upon is the fact that, as we make cuts and we downsize government, defense has to be part of that conversation, and the gentleman from Kentucky recognized that in his comments, and I recognize that.

But I recall a conversation, as a freshman Member I came here and we've met some individuals over the time, and one conversation that really sticks out in my mind when it comes to this issue is a conversation that we had, a handful of us, with Secretary of Defense, then-Secretary of Defense Bob Gates. And what Mr. Gates expressed to us is he says, Lookit, we can go through this process, and we need to go through this process and downsizing our military and downsizing and tightening our belt where we can because of the national debt crisis that we now found ourselves in.

As former Joint Chief of Staff Admiral Mullen advised the President, the biggest threat to America was not a military threat; it was the national debt. And that type of sentiment is shocking to me, and it should scare all of us in that we have to get this fiscal threat under control.

But the conversation with Bob Gates was we're going to do this. But as we were engaging in that conversation, Madam Speaker, he pleaded with us

and said, as we do this, as we make these cuts, please do not take these cuts or these dollars and apply them to other government spending or expand government in other areas because, what he was essentially saying was, if you take the money from defense and you put it in another area and further expand government, every year we are going to have this problem. We are going to compound the problem so that you take money from defense, grow government on other sides of the ledger, or other areas, and you're going to continuously take meat and bone eventually out of the military spending, and you're going to downsize the military to a point where it will not be able to do fundamentally what we need it to do, and that's to protect American citizens.

And the other thing I wanted to comment on, as the gentleman from Kentucky has rightfully pointed out, is that the threat that we face as we downsize and pull back from Iraq and Afghanistan, and I'm glad we're coming to an end in those engagements, and I see the finish line, obviously, in Afghanistan and the Iraqi situation where we have downsized ourselves and pulled ourselves back, and that's good.

But what we cannot do is we cannot get into a situation where we downsize our military, where we put them into a position where they no longer can be effective to annihilate the threats that are out there, because the threats are still there. The threats are still real, and we need the platform across the world to make sure that we have the ability to use the brightest and strongest people we have in America, the men and women of our armed services, so that they have the platforms to go, strike, annihilate that threat, and then come back home.

And that is what we need to make sure we do not cross and we go too far in these cuts, that the men and women, when we ask of them to go and defend America and annihilate those threats so that we can fight them over there, rather than here on American soil, because we never want to have that experience of 9/11 again.

We have to make sure they have the resources and we stand with them so that they have those platforms in which to deploy and protect us, as they have been doing for generations.

With that, I would like to yield to my colleague from Virginia, and I'm so happy he has joined us this evening.

GENERAL LEAVE

Mr. RIGELL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. RIGELL. I thank the gentleman for yielding. And I rise tonight, Madam Speaker, in strong support of the

NDAA that we'll vote on this week. And I also rise to really sound the alarm, Madam Speaker, about a budgetary cut to our Defense Department that is looming. It's right around the corner. And early January of next year, if not averted, it would have a most serious and detrimental impact on our ability to defend our great country. And I want to talk about that and share this with the American people. It's a matter of serious and grave importance, and it really should be understood by every American.

Now, Madam Speaker, I have the great privilege of serving and representing the Second District of Virginia, southeast corner, all the Eastern Shore, all of Virginia Beach, a good part of Norfolk and a bit of Hampton. Includes the Norfolk Naval Air Station, Norfolk Naval Station, Norfolk Naval Air Station Oceania, with the Dam Neck Annex, the Joint Expeditionary Base, Little Creek, Fort Story, Joint Base Langley, Eustis, Wallace Island Surface Combat Systems.

The 1 percent, they live in our district, they serve in our district. You see them in the lines at a Starbucks or the restaurants and businesses around town. They're hardworking men and women. They love their country, and they serve with great distinction.

Indeed, it's the district, of all 435, it has the highest concentration of men and women in uniform of all 435 districts. And it really is a high honor and really a high responsibility and duty to serve and represent the Second District.

I completely identify with my friend, the gentleman from New York, when the gentleman was referring to how he was inspired by his father's service. Indeed, that's why I sought this office is to honor my father's service, who was in World War II as a marine at Iwo Jima, and really the generation he represents, and also to meet the deep obligation that we have to our grandchildren and our children, and that is to pass on the blessings of liberty and freedom. And the principal way we do that is by meeting our constitutional duty to defend this great country.

Where we're headed, in January of next year, is in direct conflict with us meeting that deep obligation, the cuts that potentially will come if we don't avert it, and I'm doing everything I can with my colleagues here tonight to avert that. The formal term is "sequestration." And as a businessman, I refer to it as a violent reduction. It's between 8 and 12 percent reduction. And it happens immediately.

Even for those who believe that our budget for defense ought to be less, there's no person that I know of that would agree that this is the responsible way to do it.

Now, as I look for leadership, the House has passed a mechanism by which sequestration would be completely averted and, indeed, I have already introduced an amendment to the NDAA which will come to the floor and

I hope will pass, which will incorporate that mechanism into the NDAA, so a vote for the NDAA is also a vote to avert sequestration.

To put this in perspective, in addition to the \$487 billion that was reduced by the President's budget, this is another \$492 billion. It's almost a \$1 trillion reduction over 10 years. It would have disastrous consequences for soldiers, veterans, national security and the economy.

□ 2010

I'll share with you a few examples of, really, the practical implications of this and how detrimental they are: the smallest ground force since 1940; a fleet of fewer than 230 ships when we know that our maritime needs are not decreasing—they're increasing—principally, in the Pacific. Now, that would be the smallest level since 1915; the smallest tactical fighter force in the history of the Air Force.

I know that there are other Representatives here tonight, my colleagues, who want to speak on this issue, so I want to close with this thought: I mentioned earlier that leadership is really about setting a clear and compelling vision for our country and then laying out that it's incumbent upon that person to also have a practical plan—the steps that the country needs to take to make that vision a reality.

I am very proud of the House in that we passed a comprehensive plan to do just that. As I look at where the administration is, there truly isn't a plan, and our Commander in Chief has not risen to address sequestration. In fact, he has made it clear that he would veto efforts to avert sequestration. I look to the Senate, and there is absolutely no action coming out of there. It hasn't passed a budget in over 1,000 days.

I am respectfully asking the American people to look at the record. I believe we are an imperfect party in that we haven't done everything just right, yet the record is clear: We have a plan; it's there; it has been passed. In the Senate, there is no plan. The administration really has no plan particularly when it comes to averting sequestration.

So, when my amendment comes to the floor tomorrow—or whenever it does hit the floor—I trust that my colleagues will see the wisdom of incorporating that into the NDAA. It would avert sequestration. This needs to happen in order to meet the deep obligation that we have to every American in order to honor the veterans who have served, to honor those veterans who are serving now and our gold star families—those who have lost loved ones in service to our country. I trust and believe we will do the right thing.

Mr. REED. I so appreciate the gentleman from Virginia for being down here and expressing the sentiments that he did.

Before I yield to the gentleman from Colorado, I had a thought as you were

expressing your words for the RECORD and were addressing the Speaker.

Madam Speaker, I think it needs to be clearly laid out because I have seen some reports in our national media that have kind of set the stage a little bit, in my opinion, that what is going on here in Washington, D.C., with the sentiment and the debate is to try to avoid sequestration. Yes, that is true. We're trying to have an open and honest dialogue with all Americans as to how we can make sure that our men and women are not put in harm's way in our armed services, but what we cannot do is in any way deflect from what is causing this debate to occur, Madam Speaker. The reason this debate is occurring is that the national debt is forcing this debate to occur. What we are having is the conversation of how to address the national debt and to make sure that defense and the cuts are part of this conversation, but we cannot go too far and cross that line in the sand that I referred to earlier.

What I am deathly afraid of is that this is going to turn into some folks trying to paint us on this side of the aisle as just trying to avoid making cuts to the military. Yes, we are trying to do what is responsible and make sure that our military is protected, that our men and women are protected, and that we stand with our veterans and stand with the benefits that they have earned and that they so deserve. But we cannot let the debate end there. The debate has to reflect what is causing this.

This is why I truly do believe that Admiral Mullen echoed those words to the President—that the biggest threat to America is our national debt—because with the national debt, what Admiral Mullen was pointing out to Madam Speaker and to everyone across America is that the national debt is going to cause us to have the debate in Washington, D.C., as to whether or not we are cutting too much out of defense and putting our men and women in harm's way. That is where we are in Washington today, and we cannot have the simple conversation that we are trying to avoid cuts for the purposes of avoiding cuts. No, Madam Speaker, we are dealing with a national debt crisis that is forcing us to have this debate.

What we are trying to do on this side of the aisle is to make sure that we do the responsible thing and to make sure that our military is strong—that she is ready to defend us on a moment's notice from any threats, foreign and domestic—and that we do not put men and women in harm's way when we ask them to go and fight for our freedom.

With that, I yield to the gentleman from Colorado, who has joined us this evening on this important topic.

Mr. GARDNER. I thank the gentleman from New York for his words and for his comments on sequestration, on defense spending, on the challenges that we face in this country. I also want to thank the Speaker, who is our colleague from Alabama, for her work

in making sure that we are providing the leadership necessary for our Armed Forces.

The gentleman from Virginia mentioned a key word. He mentioned the word "leadership." The leadership is obvious that this House has shown in making sure that we are strengthening and keeping our defense strong in this Nation while also addressing the very serious crisis that we face with our national debt and deficit: passing a reconciliation plan, working with Members of this House to make sure that we come up with ways to find spending cuts, to reduce spending but to do so in a way that is responsible, to do so in a way that provides the leadership that our Armed Forces deserve and that the people of this country deserve.

Last week, a week ago yesterday, I had the incredible opportunity to go to the Iwo Jima Memorial where I was able to join over 100 veterans from my district in northern Colorado who had served in World War II and the Korean war. These veterans came from Greeley, Fort Collins, and from across the State's eastern plains. They were there to spend one day in Washington to visit the World War II Memorial and to visit the various monuments that are here in their honor for their service and their sacrifice.

I met three brothers who served on the same ship in the Korean war. I met a gentleman who was 92 years old who had never been on an airplane since his time in World War II. As I was leaving, as they were departing for their bus, a gentleman who was 85 years old came up to me and put his hand on my shoulder. He stopped me and I turned around.

He said, You know, I don't have much time left here—I really didn't know where he was going and what he was talking about—but he said, We're counting on you.

And I've thought about that. I thought long and hard about those words: "we're counting on you" to do the right thing, to do what is right for our country, to do what is right for our military, to do what is right for our men and women across this country who go to work each and every day to try to make ends meet but who are protected by people they've never met around the globe.

There is no doubt that we have a very serious fiscal challenge in front of us. There is no doubt that we are \$15 trillion in debt. There is no doubt that \$1.5 trillion deficits must make tough decisions around this place happen. The one thing that we cannot do is jeopardize the safety and security of this country and put our men and women in uniform at risk.

I am somebody who has come to the House floor time and time again, who has gone back to the district, and who has stood with many of my colleagues—with the gentleman from New York—to say, You know what? I believe we can reduce spending at the Department of Defense. I believe there

are ways that we can reduce spending. We can find waste, abuse. We can reduce duplicative programs, including those programs that may be within the Department of Defense. But we can never, never jeopardize the security of this country, the security of our men and women in uniform—those people who are serving on the front lines of freedom around the world—by cutting too far and too deep.

The question that, I think, every American and every person in this Chamber ought to be asking is: Where is the leadership from the White House? Where is the plan to avoid these cuts that jeopardize not only our men and women but the very security of this country? Where is that plan to avoid very costly cuts that jeopardize the future of this Nation?

We passed a plan out of this Chamber to reduce spending by \$1.2 trillion but to do so in a way that provides the leadership that this Nation desperately needs.

Our men and women are standing up around this country—those men and women I met at the Iwo Jima Memorial a week ago, who stood in the trenches in Korea and World War II, who are counting on us to do what is right. Their legacy of freedom didn't end when the wars ended. It continues to this very day as they stand with their brothers and sisters in arms to make sure that this country has the ability to protect and defend itself.

□ 2020

Ultimately, the leadership provided by this House will make sure that we continue to fund our defense, that we continue to fund our men and women in uniform appropriately, and that our national security will remain protected against any and all threats. I believe the Secretary of Defense has even recognized the grave challenges that the sequestration poses for our men and women in uniform. But I think it's time the question be asked to the President of the United States:

Mr. President, where is your plan to protect our men and women in uniform? Where is your plan to continue the great protection of this country?

While my colleague from New York and my colleague from Virginia come and speak about the great risks and challenges that we face, everybody recognizes that we have to address our debt-and-deficit situation. It reminds me of a time when Zell Miller, a Senator from Georgia, asked the question: What are we going to do? Are we going to provide the ammunition for our men and women in uniform with spitballs, or are we going to do what is right, by providing them the ability to defend themselves?

With that, I thank again our colleague from Alabama (Mrs. ROBY) for her leadership on this very important issue.

Mr. REED. I so appreciate the gentleman from Colorado coming and offering his comments on this important issue.

Just briefly before I yield, I am reminded from the gentleman's comments when he referenced leadership and the story that the gentleman tells of the 85-year-old veteran who put his hand on his shoulder and said, We're counting on you, because that is the sentiment that forced or caused me to run for Congress in the beginning and to become a part of this freshman class of 2010.

I look at the national debt, I look at the economic turmoil that we find ourselves in, the fact that we cannot create jobs in America to the level so that people can put food on their table and put a roof over their head and go to bed comfortable and confident that they're going to get up tomorrow with a job to go to. I see the turmoil we face in America right now at the same magnitude as that generational crisis that that 85-year-old war veteran stood up for in World War II to stand as a united country to save Lady America and the freedom that she represents.

What I'm hearing in Washington, D.C.—and I'm sad to say out of the gentlemen in the administration, I see leadership that is trying to divide this country when we face a crisis the magnitude of such that is generational. Ladies and gentlemen of America and Mr. Speaker, the time is now to unite, not divide, and conquer this issue of the national debt because it is forcing us to have the conversation of cuts to our military that is going to put men and women in harm's way. That is not acceptable on our watch.

Mr. Speaker, at this point in time I know the gentleman from Virginia would like to speak, but I'm going to yield the balance of the time to the leader of the freshman class, the gentlelady from Alabama (Mrs. ROBY) who scheduled this Special Order.

Mrs. ROBY. Thank you to my friend from New York. I appreciate you being here tonight and controlling the time for a little while.

As we have a few more minutes, I would like to yield to the gentleman from Virginia.

Mr. RIGELL. I thank the gentlelady, my friend. It's a pleasure and a privilege to serve with the gentlelady on the House Armed Services Committee. I appreciate her leadership on the House Armed Services Committee and in holding this time tonight to talk about just the critical subject of defending this great country.

Just last night, I was with Congressman FORBES and Congressman WITTMAN in Chesapeake, Virginia, listening for over an hour to local contractors speaking about how this looming issue of sequestration is already affecting not only our larger economy in our region, but also just our ability to defend our great country. Companies are making decisions right now and critical and talented people are being laid off right now in advance of the sequestration that very well could occur in January of next year.

If I go back to my previous comments, I was talking about the failure

of leadership, as I see it, the administration and also the Senate, because it's so important to understand kind of how we got here. In the role of Commander in Chief, it is really incumbent upon the President, in my view, to articulate and put forth a plan that would avert what his Secretary of Defense has made so clear is completely unacceptable. The level of cuts, the severity of the cuts, the suddenness of the cuts is really what we're referring to here. It's not the almost half a trillion that was already proposed in the administration's budget. That's bad enough. We're here tonight, I think in part, to sound the alarm to the American people that this is an additional almost half a trillion dollars of cuts. Mr. Speaker, you cannot build 90 percent of a submarine; you cannot build 90 percent of a carrier. It will be a legal nightmare. Contracts will have to be broken and then renegotiated. It will be a quagmire from just a legal standpoint.

So I thank the gentlelady for yielding and for the opportunity to again address this critical issue. And I call upon the administration and I call upon the Senate to meet the House where we are, which is to put forth specific plans. This is leadership.

I thank the gentlelady for yielding. Mrs. ROBY. Thank you to my friend from Virginia.

I just point back to H.R. 5652, which is the Sequester Replacement Reconciliation Act that we passed in this House. Here we spend so much time while we're here in Washington, when we're back home in our districts, for me when I'm at the grocery store or pumping gas or taking my kids to school, talking about jobs and the economy. We're talking about the things that we here in this Congress have done to create so much uncertainty for you, the small business owner, and the reflection of the lack of jobs because of decisions that are made here.

All you have to do is look at the Sequester Replacement Reconciliation Act to see that what we need to be focusing on is priority. It's about priority. What is our job as Members of Congress as laid out by the Constitution of the United States? As I've already pointed out, it's to provide for a strong national defense. When we talk about jobs and the economy and then the stripping away of the tools that our men and women in uniform need in order to defend this country—I just want to give you a little snapshot to end on what that picture looks like.

Specifically, 200,000 soldiers and marines would have to separate from service, bringing our force well below pre-9/11 levels. We would have a fleet of fewer than 230 ships. That would be the smallest since 1915. We would have the smallest tactical fighter force in the history of the Air Force and a reduction of 20 percent in defense civilian personnel to go to your point.

These industries—aerospace, defense, and industrial base—directly employ

more than 1 million people and support more than 2 million middle class jobs across the United States, all in an effort to protect our men and women who are fighting for and defending the freedom and liberty that everyone in this room so enjoys.

□ 2030

I could go on and on. You know that we could talk well past the hour, although we don't have that time.

Very quickly, I will thank my friend from Virginia once again. And is there anything else my friend from Colorado would like to add?

Mr. GARDNER. I know our friend from Virginia talked about the concerns of the Secretary of Defense, yet we still have no plan from this White House on how to deal with the very serious problem that faces our troops and jeopardizes our country's security.

I thank the gentlelady from Alabama for her leadership tonight.

Mrs. ROBY. I thank you both. Again, to all of our veterans and military servicemembers and personnel, we just say thank you.

And I urge my colleagues to support the National Defense Authorization Act this week, as we move through the open process that we have, so that we can continue to give those men and women and their families all that they need to ensure that they are able to accomplish the mission.

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

Mr. SCHILLING. Mr. Speaker, I want to thank Congresswoman ROBY for holding this important leadership hour. I rise today to speak on some important issues facing our military as well as some provisions within the National Defense Authorization Act.

Here is the bottom line: Our national debt, which is approaching \$16 trillion—or \$50,000 for every person in this country—is a national security threat and we must find ways to bring our spending under control.

This House has acted to change the debate from how much can Washington spend to how much spending can we cut? We've led by example and cut our own office budgets by almost 12 percent. With the belief that more common sense in Washington can lead to uncommon savings for the taxpayer we have taken a government wide approach to cutting spending.

The House has also stressed efficiencies when it passed a bill by my colleague ALLEN WEST that would cut the Department of Defense's printing budget by 10 percent.

However, placing our warfighters at risk is not the solution to our debt problem. There are proposals out there to make deep cuts to the Department of Defense that would only create dangerous consequences for the stability of our fighting forces. One proposal would reduce Department of Defense civilian employee levels beyond what our organic industrial base can handle. As a member who represents a vital part of our organic base, the Rock Island Arsenal, these proposals strongly concern me.

The largest concentration of civilians in the Army is within the Army Materiel Command and the largest concentration of civilians within Army Materiel Command is found in our

arsenals and depots—or our organic base. This organic base is what ensures that our military is warm and ready to go at a moment's notice.

That is why I am also concerned about proposals that would reduce organic base specialization in areas like manufacturing.

Without the ability to specialize in these areas, our warfighters could be left flatfooted when emergencies happen. For example, the Rock Island Arsenal was able to produce up-armor kits for the doors of Humvees for our troops in Iraq and Afghanistan when their vehicles were being attacked with IEDs. The Arsenal's ability to do this work quickly gave industry the time it needed to create long-term fixes for them and provided our troops with the tools they needed to most safely and effectively accomplish their missions.

During this time of fiscal constraint we must be careful not to penalize our organic base—which provides quality to the warfighter and value to the taxpayer. We must preserve and strengthen our organic base, not weaken it. The workers at the Rock Island Arsenal are a great example of how manufacturing skill can yield success for our warfighters.

In addition to serving on the House Armed Services Committee, I also serve on the Small Business Committee where our focus is solely on job creation through helping small businesses.

Small businesses have proven that they can perform a service or produce goods for the government at a lower cost and often at a faster pace than their larger counterparts, but many challenges remain for businesspeople seeking to break through the bureaucracy.

My colleague on the Small Business Committee, Representative JUDY CHU, and I introduced H.R. 3985, the Building Better Business Partnerships Act in February, which passed through the Small Business Committee last month, to reform mentor-protégé programs that exist to help small businesses win government contracts.

The Building Better Business Partnerships Act allows the Small Business Administration to oversee civilian mentor-protégé programs to streamline the process for each agency and ensure the programs are benefitting all small businesses.

This bipartisan language was successfully included in the FY 2013 NDAA in Committee to help small businesses compete for and win more government contracts so they can create jobs and get folks back to work.

This week, the House will debate the Defense Authorization bill. Our Constitution requires that we “provide for the common defense” and for fifty years in a row, Congress has acted to authorize defense programs. I look forward to working on a bipartisan basis to deliver a strong, common sense defense bill for the United States of America.

Again, I want to thank Congresswoman ROBY for holding this leadership hour. This July, the Rock Island Arsenal will celebrate 150 years of protecting our brave men and women. As a member of the House I will continue to pursue policies that allow our arsenals to thrive and grow their workload so that the Rock Island Arsenal can celebrate another 150 years and beyond.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4970, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Ms. FOXX (during the Special Order of Mr. REED), from the Committee on Rules, submitted a privileged report (Rept. No. 112-481) on the resolution (H. Res. 656) providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REAUTHORIZING THE VIOLENCE AGAINST WOMEN ACT

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

Mr. GARAMENDI. Mr. Speaker, I thank you for the opportunity to take this 1 hour.

We want to spend this hour discussing a piece of legislation that is extraordinarily important to every woman and every man who lives within the United States. It's the Violence Against Women Act, which is up for renewal, and we'll be discussing that. But before I go into that, we've just heard an hour of discussion on an extremely important matter, which is the issue of national defense.

I do sit on the House Armed Services Committee, and I spent about 16 hours last week working to move that bill out of committee. Every single person on that committee and every single person in this House and in the Senate cares deeply about this Nation's security and providing the necessary support for the men and women who are currently in the military and those who have served in the past. There's no doubt about that.

There is, however, a very important debate underway about how we provide those services, given the ability of this Nation to find the money to pay for it. You heard a most remarkable debate this last hour—or a discussion this last hour, not a debate—but a discussion that basically, on the one hand, said, we've got this terrible deficit problem, and we have to deal with it; and on the other hand, we have to spend more and more money on the military.

Now recognizing that the war in Afghanistan is drawing down and hopefully will very soon be over, we are moving away from carrying on two

major wars to a period in which we will not be having men and women overseas in these wars. That allows this Nation to draw down the military in an appropriate and very careful manner. Unfortunately, the bill that moved out of the House Armed Services Committee didn't do that. In fact, it moved away from the current law, which is one that was voted on by all of our Republican colleagues, which was the Budget Control Act that actually said the military had to be brought down. And the discussion you heard here about the President not having a plan, it simply isn't true. The President has put forth a balanced solution to the deficit within the confines of the Budget Control Act, a balance that has been rejected by the Republicans, a balance that calls for revenues, ending unnecessary tax breaks—for example, for the oil industry. Why should they receive \$5 billion a year of our tax money on top of the tens of billions of dollars in profits that they are making in the sale of overpriced gasoline and diesel to the American public?

So the President says, take away those unnecessary subsidies and bring those back into dealing with the necessary things that we must do in this Nation. He also said that men and women who earn over \$1 million a year in adjusted gross income ought to be paying their fair share.

There was discussion a moment ago about the budget reconciliation bill that passed this House. Understand that the budget reconciliation bill, as proposed by the Republicans, would increase the national deficit by \$4 trillion. How does it do it? By giving an extraordinary new tax break to those at the very top. Those who earn more than \$1 million a year would see their taxes reduced. So at \$1 million a year in earnings, they would receive an additional tax reduction of \$394,000. That's neither fair, that's neither balanced, and that clearly leads to an additional \$4 trillion.

Back to the defense. We need a wise Defense appropriations bill out of this House. Unfortunately, though, what did pass was not wise, and it actually increased the number of men and women in Afghanistan. These are our Armed Forces. Under that bill, there would be an increase of 20,000 new soldiers into Afghanistan. That's not where we want to go.

Having said enough about that, I just thought we ought to put a little balance on the previous hour of discussion. So let us get on to what we really wanted to talk about tonight, which is, how do we protect women in America?

In 1994, a previous Congress passed the Violence Against Women Act, and that act provided a level of protection to every woman in America to be protected from domestic violence. I have with me tonight one of the key architects of that piece of legislation. She is now a Member of Congress. She is from the great State of Maryland. Her name is DONNA EDWARDS. Back in the nineties, she was the founding director and

the executive director of the National Network to End Domestic Violence.

The National Network to End Domestic Violence was an organization that Representative EDWARDS put together composed of State organizations that were dealing with domestic violence, many different kinds of organizations throughout the United States. Representative EDWARDS put that together. And she's here tonight to lead the discussion on how we can renew the Violence Against Women Act in a way that expands the protection to all women in the United States, all women. And central to this discussion will be that issue of all women within the United States.

But before I turn it over to her, as the Republicans always want us to do, I would like to read a couple of clauses of the United States Constitution. The 14th Amendment, in the end of section 1, says:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. And section two of the 14th amendment of the United States Constitution, says, "The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

"Any person," a key subject for tonight's debate.

Representative EDWARDS, you've been at this for many years. Please share with us the background, the history, and why this is such an important part of what we must do here.

Ms. EDWARDS. I thank the gentleman from California for yielding and for your leadership.

I was thinking here, as I was sitting, that 18 years ago almost this month, I testified before the House Judiciary Committee before the passage of the Violence Against Women Act on behalf of the domestic violence advocates and survivors all across this country. And 18 years ago, we were discussing with a bipartisan group of Members, Republicans and Democrats, men and women who believed that it was finally time for the Federal Government to provide resources for shelters and services and programs and support for law enforcement and for protections for women who were experiencing domestic violence.

□ 2040

And I am actually saddened today that here we are in the Congress with Republicans taking one track and Democrats on another track on an issue that for the time that I have had professional experience on working on this issue in State legislatures and in the Congress has always been worked across both sides of the aisle with great agreement about the need to protect women against violence, and that in fact we stand here today with a partisan divide that I think for so many millions of women across this country

who are experiencing violence is not something that we understand.

Today, we had an opportunity on the grounds of the Capitol to honor peace officers from across the country. Some of those peace officers lost their lives because they were responding to situations of domestic violence.

When the Violence Against Women Act was passed in 1994, it was passed because of several years of prior work. I remember working on the Violence Against Women Act and its various iterations as early as 1990 with ORRIN HATCH, a Republican from Utah, and Senator JOSEPH BIDEN, now Vice President, a Democrat from Delaware, working on the House side with Republicans and Democrats as we sought the right kind of compromise so that we can end the scourge of domestic violence in homes all across this country.

Since the passage of the Violence Against Women Act as a bipartisan piece of legislation, it really revolutionized the way that violent crimes against women are prosecuted and prevented and the way that communities respond to survivors. I can recall as long ago as when I was in second grade living on a military installation in very close quarters where you could hear through the thin walls the family that was experiencing domestic violence. And our experience then is that the military police would respond. They would drive the servicemember around the block and he would be back in the home. That was happening not just on military installations, but in communities all across the country.

With the passage of the Violence Against Women Act, it was a real message to law enforcement: we're going to provide you the tools and training and capacity to respond appropriately to victims of domestic violence.

That's what we did in 1994. It's what we reauthorized with bipartisan support in 2000, and then again in 2005.

I can remember as a resident adviser in college the horrible situation of having to call an emergency service for a young woman who had attempted suicide because she was in a violent relationship. In 2005 and 2000 we put resources in the Violence Against Women Act that enabled colleges and universities and communities to provide the kind of support and services that that young woman would have needed.

I can recall being a coworker of a young woman who showed up at work every day, working in a high-technology field, fully educated, but she was experiencing violence. She calls me on the telephone in the middle of the night from a phone booth, naked, having been battered by her abuser, not having anyplace to go and a shelter very far away. Today, because of what we've done in the Federal level on violence against women, that particular survivor, that victim has recourse and has the ability to seek shelter and services available to her.

When I testified 18 years ago before our House Judiciary Committee, I told

the story of my own family, a family of four girls—and they say one in four women experiences violence at any time in their lifetime. Well, that was my family. My one sister was held at gunpoint and at knifepoint in my household.

And I think that what we did in 1994, what we've done in constituent legislation reauthorizing the Violence Against Women Act in 2000 and 2005, has gone a long way to ensure that women like my sister, women like my coworker, like the students in college, like battered immigrant women who, under threat of deportation from their abuser, under the threat of their own physical safety, afraid—because they might be deported—from going to seek shelter and services.

Well, in 2005, when we reauthorized the Violence Against Women Act, we said to those battered immigrant women: you don't have to be under threat of deportation if you're experiencing domestic violence. And yet here we are today in a Congress where the other side of the aisle, the Republicans in the Congress, are actually proposing rollbacks in the protections that we have offered to those who have experienced domestic violence, whether they are citizen survivors or they're immigrant women or they require cultural and linguistic services or they're lesbians and gays and transgender people in relationships that also require services.

This is not the kind of country we are. I think certainly in 1994 and in the subsequent reauthorizations of the Violence Against Women Act in 2000 and 2005 that passed with overwhelming bipartisan support, that we did not envision that in 2012 we would actually be rolling back the protections that we had offered those who experience violence.

I will have more to say about this because I think when I think back to my history of working on this issue—and so many of us have in this Congress—across the aisles to provide the kinds of supports and services and shelters and programs and training and law enforcement and prosecution that hold people accountable, that it is really sad that we're here on this floor of the House today rolling back the protections for those who experience violence.

With that, if you would not mind, Mr. GARAMENDI, I know that we've been joined by others.

Mr. GARAMENDI. Why don't we work together here. But before we pass the baton to our colleagues here, I think we all need to recognize the extraordinary work that you have done over these many, many years on this issue, and understand now how it affected your family. And I dare say it affects every family in America. If it's one in four women are at some time in their life abused and threatened with violence, we're talking some 40 million women. It's an extraordinarily serious problem. And the legislation that you helped write back in 1994 needs to be

reauthorized and strengthened, not weakened.

I would like now to turn to SHEILA JACKSON LEE, our colleague from Texas, who is deeply interested in this and has spoken on this before. And then, with your permission, Representative EDWARDS, I'll let you conduct the rest of this meeting.

Ms. EDWARDS. Thank you, Mr. GARAMENDI.

Ms. JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank the gentleman from California and applaud the gentlewoman from Maryland for her early, early involvement and leadership on this issue. It was certainly advocates like herself that allowed members of the Judiciary Committee, of which I was a very young member, to be able to draw upon that advocacy and write the VAWA legislation at that time. And I did it with bipartisan support. Chairman Hyde was the chairman of the Judiciary Committee at the time, and I remember distinctly. In fact, I was with Senate Members today who remember us from the House coming down to the swamp on the Senate side in a bipartisan manner to stand and support VAWA and its writing. And it couldn't have been done without the many stories and the many advocates like yourself. And so I'm delighted to serve on the Judiciary Committee on each and every reauthorization that has come about. I have been involved with it and been involved legislatively in a bipartisan manner.

The sadness today to all of us is that we're not able to do this in a bipartisan manner. And I will just briefly recount, if I can, what it means to a woman—and the enormous range of ages—and then conclude my remarks by indicating that the legislation that will be on the floor of the House tomorrow, H.R. 4970, is sad because it has not given the opportunity to do the right thing for women in a bipartisan manner.

□ 2050

Just let me cite these stories: Jonathan Barnes, 23, strangled his girlfriend, Jessica, to death. Barnes was charged with Jessica's murder.

Carlos Rodriguez, 38, strangled his wife, Rumalda, who was found deceased in her bed. She was 27.

Lucy Garcia, 63. Florentino Suchil, 54, beat and then ran over his girlfriend, Lucy, with a vehicle. She died from severe trauma.

Yolanda Punch, 47. Lonnie Punch, 47, shot his wife, Yolanda, to death at her friend's apartment complex.

Lucinda Bernard, 34. Donald Bernard, 44, stabbed his wife, Lucinda, to death in their home.

Rosa Limon, 25. Victor Azua, 28, shot his girlfriend, Rosa, to death before he shot and killed himself.

Shannon Strickhausen, 38, was shot by Jimmy Yarbrough. He shot Shannon to death before he turned the gun on himself. Her 14-year-old daughter who was at home called the police.

Vanessa Favela, 23, was shot and killed.

Donna Baeza, 48, was stabbed to death by Harold.

Marquita Brown, 25, was shot to death.

Another unidentified victim was shot by someone they believed to have been her husband, and the children discovered both deceased.

Someone by the name of Fortunata was killed by Juan Perez, shot to death.

It goes on and on in terms of the violence. It is not a respecter of age.

And what we have in this legislation, H.R. 4970, that is so striking for those of us who have dealt with women, I sat on the Houston Area Women's Center that provided refuge for women. I have dealt with women who have had their faces shot off and have had to run for their life.

Here's what we have in this legislation, very briefly. As we commemorated law enforcement officers who lost their lives today, we know when they come upon a domestic violence circumstance, they are in jeopardy. But what they want most of all is for that victim to be able to talk to them.

In a series of amendments to this legislation that is not in the Senate bill, we have taken to do immigration reform or immigration enforcement or immigration oppression, and we have used it in the wrong way. We have decided to take victims who happen to be immigrant women who happen to be here legitimately through the visa of their spouse, and we've indicated these three points. It would unduly restrict what we call the U visas. Currently to obtain a U visa for victims of serious crime, Federal, State or local law enforcement certifies that the applicant has or is likely to be helpful in the investigation, but this bill would restrict the law enforcement agency certification only to victims for 60 days. Some of these women are running for their lives. Some of these women cannot be found.

Another provision on this would encourage vulnerable victims of particularly serious crimes, this would deny them the opportunity for a green card. That has always been law, that you have the access. And then, of course, it would suggest that these victims are using their abuse to fraudulently get a status or to get an immigration process. So it would enhance the penalties for those women if they found some flaw in their testimony.

Clearly, a whole segment of the population would be ruled, in essence, ineligible for relief or help. But, more importantly, you would cast a whole litany of women who have been involved in this violence who happen to be immigrants, whose children happen to be immigrants, it would, in essence deny them the rights that they had before. It would take away current law.

Let me close by saying the Senator from Minnesota offered an amendment that I have offered and hope even

though it may be a closed rule to be able to provide 70 percent funding to end the backlog of rape kits. There is a massive backlog of rape kits, which means that a woman is denied justice because those rape kits are not being processed. These rape kits are in hospitals. They are in evidence rooms. They are in back-door pantries. They are in places where they cannot be found, but they are there. We need to be able to put an emphasis on ensuring that these rape kits, sometimes years old, sometimes women haven't gotten justice. Sometimes the perpetrator, having raped again, has not been brought to justice because we have not been able to process those kits.

So there are many things that we could have done in a bipartisan manner. Tomorrow we will be debating this bill. Many people will be left out. I only say to the women and men who are on the floor tonight and those who may be listening to us, let's put this back. Let's go forward in a bipartisan manner. Let's make this bill the kind of bill that answers all of the concerns that have been expressed, and let's do better than H.R. 4970 because the women of this Nation deserve it.

Mr. GARAMENDI. I thank the gentlewoman from Texas for her very thoughtful and thorough discussion of this piece of legislation. It is about all women. We should never exclude any women from the protection of this law.

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

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 35 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, I thank the gentleman for yielding his time, and I thank the gentlelady from Texas and for your leadership on the Judiciary Committee, and just a reminder to the Chair that at the latest count, the bill that the gentlelady from Texas refers to, H.R. 4970, that would reauthorize the Violence Against Women Act, is currently opposed by 325 advocacy organizations from around the country who remain concerned that the legislation proposed by the Republicans actually rolls back many protections for immigrant women, for Indian women, and for the LGBT community.

With that, I would like to yield to the gentlelady from California (Ms. LEE).

Ms. LEE of California. First, let me thank you, Congresswoman DONNA EDWARDS, for your long-time and steady support and work on behalf of so many issues relating to women, especially those as they relate to violence against women. You have consistently over the years done this work, oftentimes when no one else was doing it, and thank you for staying the course. It is so important that we come together again in a bipartisan way to get the right bill, the correct bill, passed; and so thank you very much.

I want to thank Congressman GARAMENDI for your leadership in helping to put together this Special Order but also for your leadership on behalf of women all around the world. I know your wife very well and your children, and you have always really stood on the side of what was right for equity and for justice as it relates to women, so thank you very much.

I believe we all can agree there really is an acute need to put an end to domestic violence, dating violence, stalking, and sexual harassment. It's critical that we continue to speak out against intimate-partner violence at every opportunity and call attention and awareness to it whenever we can. And so that's why we really have to get this bill back in the shape that it needs to be in so we can protect women, because I can remember when I was in the California legislature. For example, I wrote California's Violence Against Women Act for the State of California; and I worked on many domestic violence bills that were signed into law, mind you, by then-Governor Pete Wilson, a Republican Governor. And, of course, I continue to cosponsor and work on numerous bills here in Congress to support victims of domestic violence and to prevent domestic violence.

Now, as someone who understands domestic violence on a deeply personal level, I know how traumatic this experience is. I know the strong and consistent support system needed to emerge as a survivor. There was no Violence Against Women Act in the late sixties and early seventies when I had to deal with many, many issues that we're talking about tonight. There was no place to turn. I also know from personal experience that domestic violence is not only physical. It is emotional. It is brutal. It is dehumanizing to the batterer and the battered. And without strong and enforceable criminal laws and services in place, one's life really can be shattered and destroyed.

Unfortunately, instead of being serious about the Federal reauthorization of VAWA, Republicans are attempting to roll back current law and weaken protections for women. This bill, H.R. 4970, would further marginalize LGBT victims, tribal victims, and immigrant victims by removing the limited, but important, protections that the Senate version extends to LGBT domestic violence victims, including key non-discrimination provisions. Those are essential.

It removes the commonsense and constitutionally sound provisions in the Senate version that would allow the prosecution of nontribal violators who commit domestic violence against tribal women. This is horrible. It's wrong. It's immoral.

□ 2100

Under this bill, the protection of immigrant victims would be subject to unsubstantiated, abuser-provided evidence, among other bureaucratic bar-

riers to protection, including delays in the prosecution of abusers.

Now, without changes and rollbacks like these—and these are only a few of them—I question, really, if the Republican proposal should even be called a Violence Against Women Act. I understand that Congresswoman ADAMS' amendment would make some small changes to this bill; however, it would still roll back key protections for immigrant victims, allowing the abuser to have the power during investigations and to maintain control of the victim's immigration status.

Under the guise of fraud concerns, Republicans are attempting to roll back important protections even as the Department of Homeland Security officials say that VAWA petitions are among the hardest immigration programs to defraud because of the already high evidence requirements.

Now, our colleagues in the Senate recognized the need to modernize and expand protections for victims of domestic violence, sexual assault, stalking, and dating violence. On April 26, the Senate version of the Violence Against Women Reauthorization Act passed with a rare show of bipartisan support, and that is what we are here to say we should do tomorrow in this House.

In this bill, though, that the House is considering, this would really pose a serious threat to the lives of victims. This is happening while all around the world nearly one in three women has been beaten, coerced into sex, or otherwise abused in her lifetime—one in three, here in the United States. As many as one in three American women report being physically or sexually abused by a husband or a boyfriend at least once in their lives. That's shocking.

In my home State of California, the statistics are even more staggering, where approximately 40 percent of California women experience physical intimate partner violence in their lifetimes. Of these women, three out of four had children under the age of 18 at home.

Children who see or experience domestic violence have a much greater chance to become either victims or perpetrators as adults. They are also more likely to attempt suicide, abuse drugs, run away from home, engage in teenage prostitution, and commit other crimes.

So there is unquestionable evidence of the need for a serious proposal to reauthorize the Violence Against Women Act. So I urge my colleagues to pass the Senate Violence Against Women Reauthorization Act.

We cannot afford to play political games with women's lives. We must not go back to the days, which many of us remember, where there were no protections, no safe places, where the courts would not allow battered women syndrome as admissible evidence in court, and women were incarcerated for defending themselves against their abusers.

So I have to thank Congresswoman EDWARDS, again, for your tremendous leadership in bringing us all together and continuing to try to work in a way that's in a bipartisan fashion—because that's the only way we can do this—on behalf of all women. This really is, in many ways, about life and death.

Ms. EDWARDS. I thank the gentlelady. And thank you so much for pointing out, especially with these diverse communities, the real importance of developing programs and services that respond directly to those communities, whether they're immigrant populations, LGBT populations, native populations, and others, that require the services and support that have been offered traditionally in the Violence Against Women Act and its subsequent reauthorizations up until now.

I'm actually reminded that, years ago, one of the most horrible calls that I responded to on a hotline was a woman in a lesbian relationship that was abusive and the difficulty of getting her into a program and services that were uniquely tailored to make sure that she could live safely. It is so sad for me to think, as the gentlewoman has pointed out, that we are going to roll back provisions in the Violence Against Women Act that would deny that woman the protections that would be offered to any other person who was experiencing domestic violence because we made some political and partisan decision about who should get services and who should be denied. So I thank the gentlelady.

With that, I'd like to yield to my good friend, the gentleman from California (Mr. FARR).

Mr. FARR. Thank you very much, Congresswoman EDWARDS, for your leadership before you even became a Member of Congress, but especially tonight to lead this discussion.

I can't believe what we're about to do tomorrow in a vote to reauthorize. I was here in 1994 when we were so proud of creating this historical legislation to protect women against violence. It wasn't some women; it was all women. And now we're on the verge, 18 years later, of saying, well, let's change that.

What's so appalling about it is we're going to take that in a debate tomorrow in this room, where every time we're in session we start that session by getting up and taking a pledge to that flag behind you saying "justice for all." That's our role. We're elected here to bring about justice for all.

We just had a census in the United States. In that census, we didn't just count some people because they were citizens, some people because they were rich, some people because they were this or that or had an education. We counted every living being in the United States. Why? Because the laws of this country are supposed to be protecting and enhancing and providing a quality of life for every living being. Now we're on the verge, in an election year—when the majority of voters in this country are women—to say to the

women of this country, Oh, by the way, we're going to start taking back some of the provisions that have protected you.

You know, I rise, as Mr. GARAMENDI did before me, we rise as brothers, as husbands, as fathers, as a grandfather. In every one of those situations, the brother is because I have a sister, the husband is because I have a wife, the father is because I have a daughter, and the grandfather is because I have a granddaughter. My world in politics is about their lives and the future and growing up in the great country of the United States of America.

So here we are with this law that we passed back in 1994. We reauthorized it. We didn't have takeaways when we reauthorized that law in 2000. We didn't take away things when we reauthorized it in 2005. And now we're in 2012 and the vote before the Congress is: Let's take away some stuff. Why? It doesn't make any sense at all.

Why do you say, well, you can exclude Native Americans? Why? Aren't they? They're Americans. They're Native Americans. They're probably more American than anybody. Take away rights that those women have been given and now are being taken away.

Noncitizen women? Noncitizen women. Those are a lot of immigrants. It doesn't matter whether you have a green card or no card, taking away your rights to complain about violence.

To those in the lesbian, gay, bisexual, and transgender communities, they're individuals. You take away their rights? Shame.

It's an election year. Women are voting. I hope they will wake up and understand that the Congress, led by the Republican leadership in this House, is about to destroy the ability for people to access justice in a Congress and in a Nation where we pledge allegiance and pledge justice for all. Not tonight.

Thank you for having this special session.

Ms. EDWARDS. I thank the gentleman. And I thank him for his leadership because it took real courage for a bipartisan consensus to develop in this Congress, in this House of Representatives, in the Senate, with virtually no opposition because Members of Congress came together from every single State, from every community, from every congressional district and said that this kind of violence that happens in intimate relationships is not right, and that the Federal Government has a special role to play in making sure that those who experience violence have the ability to receive the kinds of programs and services and shelter and law enforcement protections, no matter what their status, because violence is wrong.

I thank the gentleman from California and other Members of the Congress who, in 1994—and then again in 2000, and then again in 2005—reauthorized the Violence Against Women Act across party lines because we share an oath and an obligation to provide those

kinds of protections and services to all who experience violence. It is such a sad day that here we are here in the House of Representatives, and tomorrow we will have before us legislation that strips away that bipartisan effort that we engaged in just 18 years ago.

□ 2110

With that, I'd like to yield to my good friend, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I want to thank Congresswoman EDWARDS for her phenomenal leadership throughout her adult life on this issue, before she came to Congress and, obviously, now, a tremendous leader here on an issue of vital concern, and I underline the word vital, to America's families, to America's women, to those in tribal communities, to lesbian, gay, bisexual, transgender communities, to our immigrant families, to our immigrant spouses.

Let me just say that I don't recall ever the Violence Against Women Act being controversial. We have always, on a unanimous basis practically, passed it year after year after year. But this year, House Republicans have decided that they want to make an issue where they shouldn't be an issue. How sad. Sort of devolutionist, trying to move America backwards rather than forwards.

Every American should be free from fear. They should be free from abuse, and they should have equal protection under the law. The Violence Against Women Act does exactly that.

And I have two cases I just wanted to briefly mention, one from my district, where a horrible crime occurred. A woman was literally dismembered by her spouse, and each body part was put in a different trash can in the western part of one of the counties that I represent. And I thought about the agony that that woman suffered, year after year after year, fear for her own life, and eventually it was lost, and not reporting this, not going anywhere, being completely consumed by the fear that eventually resulted in her death. No American should face that.

And then I recall being called in our office by a gentleman saying, Marcy, you know, up the street from me, a woman has moved in with a man, and she's an immigrant from Russia. And my wife and I believe she's being beaten, but she's not a citizen. What can we do? How can we help her? This was years ago. This was a few years ago.

And I think of these cases that have come across during my period of service, and I know how important the Violence Against Women Act is to reduce domestic violence in our country and give women and give individuals a place to go. Even today, since 1994, we know that domestic violence has dropped more than 50 percent. However, the other 50 percent is still there. And I see this, sadly, in the regions that I represent. And I'm not alone. But there's still a lot of people that don't know where to go.

I recall one time traveling with then-Congresswoman, now Secretary of Labor Hilda Solis. We were down at the border in Texas, and we went to one women's shelter with this gigantic electric fence around it to try to protect the women in those border communities for the violence that they were enduring.

And so I want to thank Congresswoman EDWARDS for taking this lead tonight, to help to reauthorize this important program, to assure that we have adequate refuge for those who are living in fear in order to save their lives.

My goodness. This is the greatest country in the world, and we know that statistics show 1 in 4 women, this is a shocking number, have been the victims of severe physical domestic violence, and 1 in 5 women have been raped in their lifetimes, many in the U.S. military.

And I want to compliment Congresswoman JACKIE SPEIER for her phenomenal leadership on that issue to try to get justice inside the military, as well as in civilian society.

So I just want to say that I'm sorry that there are those who don't want to protect the lives of all citizens that live inside our borders, and immigrants that have come here who face tremendous obstacles of various kinds that many people can't imagine, but they're actually happening, and to make sure that all those within our borders are given equal protection under the law and justice and the opportunity to live in freedom without fear.

So I want to thank Congresswoman EDWARDS for bringing us together this evening and for making such a tremendous contribution to doing what's right and what's necessary for our country. Thank you for leading us forward.

Ms. EDWARDS. I thank the gentle lady, and thank her also for her leadership and commitment to all those who experience violence. And I think the message here tonight is that clearly we need to reauthorize the Violence Against Women Act. I think we agree about that.

But the question is, what do we do that actually expands the protections of a really vital piece of legislation for women all across this country, however they're situated? Unfortunately, H.R. 4970 simply doesn't do that. It eliminates protections for crime victims that are offered by the U visa, as our colleagues have pointed out. It deters immigrant victims from reporting crimes by denying nearly all U visa recipients the protections offered by lawful permanent resident status.

If anyone has ever held the hand of an immigrant woman whose status is in question and whose abuser has known that and uses that as part of the instrument of violence against her, you could not be possibly for legislation that would, in fact, roll back the protections that she deserves. I've held that woman's hand.

There's no reason, in this great country, that we should not have protections for those who've come here, for those whose legal status is actually under threat only because they're a victim of violence.

Now, there are some who suggest that somehow there's great fraud going on, and that principally, women are saying that they are experiencing violence so that they can receive protections.

I have to tell you, in my more than 20 some years of working on issues of domestic violence, on responding to telephone calls, and taking intakes in shelters, and sitting with victims and survivors in court, I can't recall anyone saying that they had experienced violence when they hadn't. And so I don't know what fraud the other side is trying to get at.

What I do know is that H.R. 4970 would roll back protections from the very women, from the very victims who are the most vulnerable, who need those protections. It would endanger victims by making it difficult for them to obtain visa protection.

H.R. 4970 needlessly requires that an investigation or prosecution is actively pursued. Can you imagine that a batterer would love the idea that you'd have to pursue an active investigation and prosecution, otherwise that person is free to continue battering, free to continue the abuse because they know that they, in effect, have the protection of the law. This is, unbelievable.

H.R. 4970 would require that a victim help to identify the perpetrator. All of us who have worked, particularly, with victims of sexual assault and other victims, would know what a dangerous position it puts a victim in of having to identify a perpetrator. Very often a sexual assault victim will not even know who the perpetrator is.

So I would urge my colleagues, as we consider reauthorizing the Violence Against Women Act, which we know we need to do for those who experience violence all across this country, that we consider those who are the most vulnerable, and that we stop down this path of politicizing and turning the Violence Against Women Act into a partisan issue, when we know that since 1994, to 2000, to 2005, Republicans and Democrats in this Congress have come together to reauthorize the Violence Against Women Act because we stand together against domestic violence.

I've been joined by my colleague from Vermont, PETER WELCH, and I'm sure that he has a few words to share with us about supporting a robust, bipartisan Violence Against Women Act.

□ 2120

Mr. WELCH. Thank you.

You've been a leader on this; but the challenge that we face in Congress is whether we're going to take seriously the epidemic of violence that's inflicted on women throughout this country. This legislation has to address what is a very serious problem in this

country, which is that women are being subjected to violent attacks and that do we have it in our heart—do we have it in our will?—to provide legal protections to women who are the victims of assaultive and violent conduct in this country? It's really that simple.

That should apply to all women. Any person who is attacked on the basis of gender should be protected. What their views are about anything—what their views are on politics, what their views are on sexual orientation—are really irrelevant to the basic, independent, individual right that all of us have—men and women, incidentally—which is to live our lives in peace and with protection and with the confidence that our physical integrity will not be violated. It's really as simple as that.

So this is a question of whether this country has it in its heart to understand that there is violence out there that is affecting half of our population. Do we as a society have the desire and have the will to provide legal protection to people who are on the receiving end of violent conduct?

In my view, we have that in our heart, we have it in our soul, we have it in our will, and we can do it.

Ms. EDWARDS. I think the gentleman from Vermont raises an interesting point. We do have it in our heart. The question is whether we have the will to do the right thing.

This is not a selfish question, because, in fact, while we can sympathize and empathize with the experiences of victims and can provide support and services to them, we also recognize that it is really costly to us as a society when people are experiencing violence in their homes. It impacts our workplaces; it impacts our communities; it impacts our streets. When young people witness violence—when children witness violence in their homes—it is more likely that they will either experience violence themselves or they will become perpetrators. Our prisons and jails are filled with young people, men and women, who, when you get down to the core and ask them the question about their life experiences, will repeat to you their experiences of violence.

So this isn't an abstract question about whether we feel good in doing it. The impact for all of our communities and for society is really tremendous. Domestic violence spills out onto our streets and into our workplaces. It is estimated that the cost to our Nation is on the order of \$8 billion in lost productivity because of domestic violence. It's attributed to productivity and to health care costs—the violence that causes 2 million injuries each year, three deaths each day, untold amounts of suffering to women and others who experience violence.

I know that we talk about women because the overwhelming majority of those who experience intimate partner violence are women, but we want to acknowledge that there are some men who experience violence. Some of those

men are in same-sex relationships, and for some of those men, the women are perpetrators of violence; but the overwhelming majority of violence is violence that takes place between men and women, with men being the principal perpetrators.

It is why we've supported at the Federal level through the Violence Against Women Act a system of shelters and services and support for those who experience violence. It's why we've provided training for police officers, for all in law enforcement—for our prosecutors so that they become better prosecutors, for our judges so that they actually understand in our family courts and in our criminal courts what's going on with violence and so that it makes them better at meting out justice. It's the reason that we provide training in workplaces and with medical practitioners—so that they are able to identify when violence is happening in the emergency rooms and other health care facilities. It is the reason that here in this Congress we have this debate.

The fact is, under H.R. 4970, which we are considering, if you are an immigrant woman, you can say, You know what? The abuser, because he knows about my immigration status, can abuse me all he wants because I will not be afforded any protection. There is no place that I can go. If you are from the LGBT community, you can experience untold violence, and there will not be protections and services for you.

So H.R. 4970 actually turns on its head what we began to do in 1994 with the first passage of the Violence Against Women Act and with its subsequent reauthorizations, which is that we began to expand the protections. Then we began to ask: What are the levels of services that we can provide to communities, however they're situated, so that we can make sure we have culturally sensitive programs and services, linguistically sensitive programs and services, and programs targeted at specific communities so that they can take advantage of them?

Mr. WELCH. What about the kids? Whether they're lesbian or immigrants who take care of the children, isn't it the mothers who have the burden of that at the end of the day? Aren't we doing something that's going to protect those kids as well?

Ms. EDWARDS. The gentleman makes an amazing point.

When children witness violence, and especially as they grow older, children will often want to protect their mothers, and that actually puts them in greater danger. That is especially true for young boys, for male children, who will want to protect their mothers and think that they can intervene. There are children who grow up thinking that they were the reason that their mothers were experiencing violence, and then that has an untold downstream impact on them as they grow older.

The fact of the matter is we need to reauthorize the Violence Against

Women Act, and we need to do that in a bipartisan fashion. We need to make sure that whether you're an immigrant woman, whether you're a Native American woman, or whether you are in the LGBT community that you have the full protections of the law against experiencing violence in your intimate relationships. This is the least that we can do. It is just unfortunate that the Republicans aren't even going to allow an amendment that would actually allow us to expand these protections so that we could come to a bipartisan solution.

I can't tell you—I will just say to the chair—how sad it makes me as somebody who was in the trenches in 1990 to 1994, with advocates from across this country who were seeking to expand protections and services and programs for those who were experiencing violence, to know that we were able to do that with Republican ORRIN HATCH from Utah; with JOE BIDEN from Delaware, a Democrat; with Connie Morella, a Republican from Maryland; with JOHN CONYERS, a Democrat from Michigan. We were able to do that across the aisle; but today, instead, what we are doing is a Republican bill that would roll back the protections that many of us had sought to have.

Mr. WELCH. You make a good point.

Is it the case in this country that it's Republican women or Democratic women or Republican children or Democratic children who are on the bad end of violence? We know that's not the case. There is a lot of human emotion that goes into this, and it's uncontrolled emotion. We know that whether you are a Republican or a Democrat child or woman that you're entitled to the physical integrity of your own safety.

So it's not an issue that should be decided on partisan grounds. It should be decided on the basic right of human beings to physical security, and it should be about the goal all of us, I believe, have—that we want to have respectful and loving relationships, particularly in our intimate relationships.

Ms. EDWARDS. I thank the gentleman for pointing out the baseline, which is, when you're experiencing violence, you don't identify yourself as a Republican or as a Democrat.

□ 2130

You're not a Christian or a Jew or a Muslim. Children witness violence, women—and some men—experience violence. Native American women experience violence, and so do immigrants experience violence. Our law should afford the full protection of the law against those who would perpetrate and provide services and programs for those against whom violence is committed.

I strongly urge the passage of the Violence Against Women Act that is a bipartisan bill. Unfortunately, H.R. 4970 simply misses the mark and would tip the scales in favor of abusers, that would tip the scales against immigrant

women, that would tip the scales against the LGBT community, and would tip the scales across the board.

With that, I urge that we would defeat H.R. 4970 and come back to the table with sensible bipartisan legislation in the tradition of the Violence Against Women Act.

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

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 8, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 3247. To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3246. To designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3004. To designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 2244. To designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. To designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 3248. To designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

H.R. 2767. To designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 298. To designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. To designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Michael E. Phillips Post Office".

H.R. 2079. To designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. 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".

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 16, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

5990. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2011 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2011, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

5991. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 14 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

5992. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John C. Koziol, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5993. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5994. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2011, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

5995. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5996. A letter from the Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5997. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Federal Employee Antidiscrimination Retaliation Act of 2002 (No FEAR Act) Report for FY 2011; to the Committee on Oversight and Government Reform.

5998. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2011 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

5999. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2011 Annual Report pursuant to Section 203, Title II of the Notification and Federal Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

6000. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2011 prepared in accordance with Title II 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.

6001. A letter from the Chief, Office of Special Counsel, transmitting the Office's annual report for FY 2011 prepared in accordance with Title II 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.

6002. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the semiannual report of receipts and expenditures of appropriations and other funds for the period October 1, 2011 through March 31, 2012; (H. Doc. No. 112-108); to the Committee on House Administration and ordered to be printed.

6003. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Acting Director, Office of Sustainable Fisheries, NMFS, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB113) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6004. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB142) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6005. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Altus AFB, OK [Docket No.: FAA-2011-0630; Airspace Docket No. 11-ASW-8] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6006. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; [Docket No.: FAA-2011-1146; Airspace Docket No. 11-ASO-36] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6007. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Compulsory Points; Alaska [Docket No.: FAA-2010-1398; Airspace Docket No. 11-AAL-21] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6008. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Inverness, FL [Docket No.: FAA-2011-0540; Airspace Docket No. 11-ASO-20] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6009. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rugby, ND [Docket No.: FAA-2011-0433; Airspace Docket No. 11-AGL-12] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6010. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-3704A and R-3704B; Fort Knox, KY [Docket No.: FAA-2011-1274; Airspace Docket No. 11-ASO-34] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6011. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kwigillingok, AK [Docket No.: FAA-2011-0881; Airspace Docket No. 11-AAL-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6012. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jackson, MI [Docket No.: FAA-2011-1143; Airspace Docket No. 11-AGL-23] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6013. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Saginaw, MI [Docket No.: FAA-2011-1144; Airspace Docket No. 11-AGL-24] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6014. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Galbraith Lake, AK [Docket No.: FAA-2011-0865; Airspace Docket No. 11-AAL-14] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6015. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, MO; Lincoln, NE; Grand Rapids, MI [Docket No.: FAA-2011-1406; Airspace Docket No. 11-AWA-5] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6016. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Greenfield, IA [Docket No.: FAA-2011-0846; Airspace Docket No. 11-ACE-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6017. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Portsmouth, OH [Docket No.: FAA-2011-0850; Airspace Docket No. 11-AGL-17] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6018. A letter from the Director, Government Relations, Tennessee Valley Authority, transmitting the Statistical Summary for Fiscal Year 2011; to the Committee on Transportation and Infrastructure.

6019. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Greater Rochester International Airport, Rochester, NY, Tupelo Regional Airport, Tupelo, MS, and Key West International Airport, Key West, FL will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920 Public Law 107-71, section 108; to the Committee on Homeland Security.

6020. A letter from the Chairman and Vice Chairman, U.S.-China Economic and Security Review Commission, transmitting notification of a public hearing held on "Developments in China's Cyber and Nuclear Capabilities"; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

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. MCKEON: Committee on Armed Services. Supplemental report on H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112-479, Pt. 2).

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4970. A bill to reauthorize the Violence Against Women Act of 1994; with an amendment (Rept. 112-480, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOX: Committee on Rules. House Resolution 656. Resolution providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112-481). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce, Education and the Workforce, and Financial Services discharged from further consideration. H.R. 4970 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

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 Mrs. BIGGERT:

H.R. 5740. A bill to extend the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. HECK (for himself, Mr. QUIGLEY, and Mr. CHABOT):

H.R. 5741. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, 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. LOBIONDO (for himself and Mr. VISLOSKEY):

H.R. 5742. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2016; to the Committee on the Judiciary.

By Mr. ROGERS of Michigan:

H.R. 5743. A bill to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. GOSAR (for himself, Mr. MATHESON, Mr. ROSS of Arkansas, Mr. WALDEN, Mr. AMODEI, Mr. TIP-TON, Mr. BISHOP of Utah, Mr. PEARCE, Mrs. McMORRIS RODGERS, Mrs. LUM-MIS, Mr. DUFFY, Mr. BERG, Mr. THOMPSON of Pennsylvania, Mr. DENHAM, Mr. SCHWEIKERT, Mr. SESSIONS, Mr. LONG, Mr. JOHNSON of Ohio, Mr. POMPEO, Mr. COLE, Mr. NUNES, Mr. CARTER, Mr. KING of

Iowa, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. FLAKE, and Mr. QUAYLE):

H.R. 5744. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. ELLISON:

H.R. 5745. A bill to eliminate certain subsidies for fossil-fuel production; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, Science, Space, and Technology, Energy and Commerce, Agriculture, Appropriations, Financial Services, and Foreign Affairs, 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. TIBERI (for himself, Mr. NEAL, Mr. SAM JOHNSON of Texas, Mr. RANGEL, Mr. NUNES, Mr. STARK, Mr. REICHERT, Mr. LEWIS of Georgia, Mr. ROSKAM, Mr. BLUMENAUER, Mr. GERLACH, Mr. KIND, Mr. SCHOCK, Mr. CROWLEY, Ms. JENKINS, and Mr. PAULSEN):

H.R. 5746. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to real estate investment trusts, and for other purposes; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself, Mr. FILNER, Mr. SMITH of Washington, Mr. TIERNEY, Ms. BROWN of Florida, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Mr. BRALEY of Iowa, Mr. DONNELLY of Indiana, and Mr. YARMUTH):

H.R. 5747. A bill to amend the Servicemembers Civil Relief Act to improve the protections for servicemembers against mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DELAURO (for herself, Mr. CARNAHAN, Ms. LEE of California, and Ms. MCCOLLUM):

H.R. 5748. A bill to provide assistance to sub-Saharan Africa to combat obstetric fistula; to the Committee on Foreign Affairs.

By Mr. GRIJALVA (for himself, Mr. CONYERS, Mr. DEFazio, Mr. FARR, Mr. FILNER, Ms. HAHN, Mr. HOLT, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE of California, Mr. POLIS, Mr. STARK, and Ms. WATERS):

H.R. 5749. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally-recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut (for himself and Mr. MURPHY of Connecticut):

H.R. 5750. A bill to amend the Harmonized Tariff Schedule to modify the tariffs on certain wrist watches, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. CONYERS, and Mr. SCOTT of Virginia):

H.R. 5751. A bill to amend title 18, United States Code, to provide for limitations on detentions of certain individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Foreign Affairs, 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. SCOTT of South Carolina:

H.R. 5752. A bill to suspend temporarily the duty on Di-tert-amyl-2'-hydroxyphenyl benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5753. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5754. A bill to suspend temporarily the duty on 4-Nitrobenzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5755. A bill to suspend temporarily the duty on 4-Hydroxy-2,2,6,6-Tetramethylpiperidine-N-oxyl; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5756. A bill to suspend temporarily the duty on [2-hydroxy-3,5-di(1,1-dimethylbenzyl)phenyl]-2H-benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5757. A bill to suspend temporarily the duty on Pentaerythritol tetrakis(3,5-di-tert-butyl-4-hydroxyhydrocinnamate); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5758. A bill to suspend temporarily the duty on 1,1'-Methylenebis[3(hydroxymethyl)-2,5-dioxo-4-imidazolidinyl]urea]; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5759. A bill to suspend temporarily the duty on Allantoin; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5760. A bill to suspend temporarily the duty on Imidurea; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5761. A bill to suspend temporarily the duty on Fluorescent Brightener CBS-X; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5762. A bill to suspend temporarily the duty on Octadecyl-3-(3,5-di-tert-4-hydroxyphenyl)-propionate; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5763. A bill to extend the suspension of duty on mixtures of N-phenyl-N-((trichloromethyl)thio)-benzenesulfonamide, calcium carbonate, and mineral oil; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5764. A bill to extend the reduction of duty on N-phenyl-p-phenylenediamine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5765. A bill to suspend temporarily the duty on 1,3-bis(3-methyl-2,5-dioxo-1H-pyrrolinylmethyl)benzene; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5766. A bill to suspend temporarily the duty on 2,2'-Dithiobisbenzothiazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5767. A bill to reduce temporarily the duty on Benzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5768. A bill to extend the temporary suspension of duty on Cyanuric chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5769. A bill to extend the temporary suspension of duty on Allyl pentaerythritol; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. LEWIS of Georgia, Mr. NORTON, and Mr. RANGEL):

H.R. 5770. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program; to the Committee on the Judiciary.

By Mr. SCOTT of South Carolina:

H.R. 5771. A bill to suspend temporarily the duty on modified phenolic resin in alkaline solution; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5772. A bill to suspend temporarily the duty on 1,2-Bis(3-aminopropyl)ethylenediamine, polymer with N-butyl-2,2,6,6-tetramethyl-4-piperidinamine and 2,4,6-trichloro-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5773. A bill to suspend temporarily the duty on Uvasorb S130; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5774. A bill to suspend temporarily the duty on Phenol 2,4-bis(1,1-dimethyl ethyl)-phosphite (3:1); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5775. A bill to suspend temporarily the duty on Antioxidant 3114; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5776. A bill to extend the temporary suspension of duty on 2,2-(2,5-Thiophenediyl)bis(5-(1,1-dimethylethyl)); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5777. A bill to extend the temporary suspension of duty on Decanedioic acid, bis(2,2,6,6-tetramethyl-4-piperidinyl) ester; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5778. A bill to suspend temporarily the duty on p-Nitrobenzoic Acid; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5779. A bill to suspend temporarily the duty on 2,4-Dihydroxy-benzophenone; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5780. A bill to reduce temporarily the duty on ferroboreon; to the Committee on Ways and Means.

By Mr. HULTGREN (for himself, Mr. PRICE of Georgia, Mr. PALAZZO, Mr. BROOKS, Mr. YODER, Mr. LATOURETTE, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. WOLF, Mr. WEST, Mr. CULBERSON, Mrs. ADAMS, Mr. SMITH of Texas, Mr. POSEY, Mr. POE of Texas, and Mr. OLSON):

H. Con. Res. 124. Concurrent resolution expressing the sense of the Congress that President Obama's delays in implementing a clear mission for the American space program represent a clear threat to American exceptionalism; to the Committee on Science, Space, and Technology.

By Mr. CLARKE of Michigan (for himself, Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. DAVIS of Illinois):

H. Res. 657. A resolution expressing the sense of the House of Representatives supporting Federal employees; to the Committee on Oversight and Government Reform, 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. FATTAH:

H. Res. 658. A resolution supporting the goals and ideals of International Water Safety Day; to the Committee on Energy and Commerce.

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 Mrs. BIGGERT:

H.R. 5740.

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. HECK:

H.R. 5741.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LoBIONDO:

H.R. 5742.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROGERS of Michigan:

H.R. 5743.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that "Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States"; ". . . to raise and support armies . . ."; "To provide and maintain a Navy"; "To make Rules for the Government and Regulation of the land and naval Forces"; and "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. GOSAR:

H.R. 5744.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The land at issue in this bill is but a small part of those holdings. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full au-

thority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as "without limitation." Because of this express Constitutional authority, Congress has the right, if not the duty, to properly manage its public lands, including establishing forestation policies, and tree harvesting and tree salvaging. This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. ELLISON:

H.R. 5745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 3

Article I, Section 8, Clause 18

By Mr. TIBERI:

H.R. 5746.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to Article 1, Section 8 which provides that, "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;" and Article 1, Section 7 which provides that "All bills for raising Revenue shall originate in the House of Representatives."

By Mr. CUMMINGS:

H.R. 5747.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 of the United States Constitution, the reported bill is authorized by Congress' power "To provide for the common Defense and general Welfare of the United States."

Article I, Section 8, Clause 18 of the United States Constitution, the reported bill is authorized by Congress' power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

Article I, Section 8, Clause 12 of the United States Constitution, the reported bill is authorized by Congress' power "To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years."

By Ms. DELAURO:

H.R. 5748.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. GRIJALVA:

H.R. 5749.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. LARSON of Connecticut:

H.R. 5750.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NADLER:

H.R. 5751.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 18.

By Mr. SCOTT of South Carolina:

H.R. 5752.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5753.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5754.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5755.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5756.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5757.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5758.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5759.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5760.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5761.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5762.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5763.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5764.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5765.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5766.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5767.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5768.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5769.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. JACKSON LEE of Texas:
H.R. 5770.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5771.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5772.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5773.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5774.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5775.

Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5776.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5777.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5778.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5779.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5780.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

ADDITIONAL SPONSORS

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

H.R. 104: Mr. CROWLEY.
H.R. 139: Ms. KAPTUR.
H.R. 184: Mr. WITTMAN.
H.R. 273: Mr. TIPTON and Ms. HIRONO.
H.R. 615: Mr. ROKITA.
H.R. 640: Mr. JACKSON of Illinois and Mr. LEVIN.
H.R. 750: Mr. SCALISE and Mr. CULBERSON.
H.R. 757: Mr. RIGELL.
H.R. 891: Mr. WELCH.
H.R. 1004: Mr. WALSH of Illinois.
H.R. 1044: Mr. KIND and Mr. WILSON of South Carolina.
H.R. 1091: Mr. GRIFFITH of Virginia.
H.R. 1145: Mr. MCKEON.
H.R. 1167: Mr. CULBERSON.
H.R. 1182: Mr. SCALISE, Mr. CULBERSON, and Mr. BENISHEK.
H.R. 1193: Mr. JACKSON of Illinois.
H.R. 1370: Mr. PRICE of Georgia, Mr. HARPER, and Mr. WESTMORELAND.
H.R. 1386: Mr. LUETKEMEYER, Mr. NUNES, Mr. COSTELLO, Mr. MCNERNEY, Mr. CONAWAY, Mr. FATTAH, Mr. WALZ of Minnesota, Mr. FITZPATRICK, Ms. ROS-LEHTINEN, Mr. RIGELL, Mr. COBLE, and Mr. VAN HOLLEN.
H.R. 1409: Mr. BENISHEK.
H.R. 1410: Mr. MORAN.
H.R. 1478: Mr. SESSIONS.
H.R. 1639: Mrs. BACHMANN.
H.R. 1704: Mrs. MCMORRIS RODGERS.
H.R. 1726: Mr. MATHESON.
H.R. 1744: Mr. QUAYLE.
H.R. 1925: Mr. LYNCH.

H.R. 1956: Mr. BRADY of Texas.
H.R. 1971: Mr. GINGREY of Georgia.
H.R. 2069: Mr. HOLDEN.
H.R. 2077: Mr. ROSS of Florida.
H.R. 2088: Mr. DINGELL.
H.R. 2092: Mr. WEST.
H.R. 2198: Mr. MANZULLO.
H.R. 2248: Mr. YARMUTH.
H.R. 2315: Ms. WOOLSEY, Mrs. LOWEY, Ms. BALDWIN, and Ms. ROYBAL-ALLARD.
H.R. 2353: Ms. PINGREE of Maine.
H.R. 2382: Mr. SHERMAN and Mr. ROTHMAN of New Jersey.
H.R. 2499: Ms. ROYBAL-ALLARD.
H.R. 2505: Mr. SCHIFF.
H.R. 2514: Mr. CULBERSON.
H.R. 2524: Mr. SMITH of Washington.
H.R. 2529: Mr. LUETKEMEYER.
H.R. 2569: Mr. KINGSTON, Mr. NEUGEBAUER, Mr. CARTER, Mr. HANNA, and Mr. JONES.
H.R. 2626: Mr. NEAL.
H.R. 2627: Mr. NEAL.
H.R. 2751: Mr. CARNAHAN.
H.R. 2774: Mr. MCCLINTOCK.
H.R. 2866: Mr. SESSIONS.
H.R. 2962: Ms. MOORE, Mr. PETERS, Ms. VELÁZQUEZ, Mr. LUETKEMEYER, Mr. CHABOT, Mr. SESSIONS, Ms. HAHN, and Mr. SCHRADER.
H.R. 2969: Mr. POSEY, Ms. LINDA T. SÁNCHEZ of California, Mrs. BONO MACK, Mr. TONKO, Ms. MCCOLLUM, and Mr. SCHIFF.
H.R. 3032: Mr. BILIRAKIS and Mr. STIVERS.
H.R. 3040: Mr. KILDEE.
H.R. 3053: Ms. MCCOLLUM.
H.R. 3067: Mr. WAXMAN, Mr. SMITH of Washington, Mr. MARINO, Mr. YOUNG of Alaska, Mr. LUETKEMEYER, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. CONNOLLY of Virginia, Mr. HONDA, Mr. ROYCE, Ms. FUDGE, and Mr. SCHILLING.
H.R. 3098: Mr. FLORES.
H.R. 3102: Mr. COURTNEY.
H.R. 3173: Mr. HARPER, Ms. HANABUSA, and Mr. CARNAHAN.
H.R. 3216: Mrs. MCCARTHY of New York.
H.R. 3264: Mr. SCALISE.
H.R. 3269: Mr. HURT, Mr. CAPUANO, Mr. HALL, and Mr. QUAYLE.
H.R. 3288: Mr. WAXMAN.
H.R. 3307: Mr. LIPINSKI and Mr. TONKO.
H.R. 3308: Mr. CULBERSON.
H.R. 3324: Mr. SCOTT of Virginia.
H.R. 3352: Mr. TONKO.
H.R. 3357: Mr. SCHIFF.
H.R. 3362: Mr. YODER.
H.R. 3364: Ms. CHU, Ms. PINGREE of Maine, Mr. HOLDEN, and Mr. YARMUTH.
H.R. 3418: Ms. MCCOLLUM.
H.R. 3443: Ms. BUERKLE.
H.R. 3590: Ms. CLARKE of New York.
H.R. 3612: Mr. HIGGINS and Mr. SCOTT of Virginia.
H.R. 3627: Mr. MURPHY of Pennsylvania.
H.R. 3635: Mr. RICHMOND.
H.R. 3643: Mr. THOMPSON of Pennsylvania and Mr. STUTZMAN.
H.R. 3665: Ms. MCCOLLUM.
H.R. 3687: Mr. OLVER, Ms. DELAURO, Mr. RANGEL, and Mr. GRIJALVA.
H.R. 3720: Mr. BROWN of Georgia.
H.R. 3761: Mr. RANGEL.
H.R. 3790: Mr. MCINTYRE.
H.R. 3798: Mr. THOMPSON of California and Mr. KILDEE.
H.R. 3863: Mr. HIGGINS.
H.R. 3889: Mr. JONES.
H.R. 3891: Ms. LEE of California.
H.R. 3993: Mr. HOLDEN.
H.R. 4057: Mr. CARTER.
H.R. 4070: Mr. ROGERS of Alabama.
H.R. 4077: Mr. SCHIFF.
H.R. 4104: Mr. RIBBLE, Mr. MCKEON, Mr. ROGERS of Alabama, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mr. MICA, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. WEST, Mr. ROHRBACHER, Mr. ROKITA, Mr. PAULSEN, Mr. ROSKAM, Mr. SCALISE, Mr. ROGERS of Michigan, Mr. MCHENRY, Mrs.

ELLMERS, Mr. YOUNG of Indiana, Mr. DENHAM, Mr. ISSA, Mr. DANIEL E. LUNGREN of California, Mr. FORBES, Mr. NUGENT, Mr. MCCOTTER, Mr. SOUTHERLAND, Mr. LUCAS, Mr. LOEBSACK, Mr. SHIMKUS, Mr. NUNNELEE, Mr. WITTMAN, Mr. GRIFFITH of Virginia, Mr. CAMPBELL, Mr. PEARCE, Mr. YOUNG of Florida, Mr. HUNTER, and Mr. ROE of Tennessee.

H.R. 4124: Ms. PINGREE of Maine:

H.R. 4164: Mr. OWENS, Mr. WILSON of South Carolina, Mr. STARK, and Mr. JOHNSON of Ohio.

H.R. 4170: Mr. SABLON and Ms. ZOE LOFGREN of California.

H.R. 4183: Mr. DINGELL.

H.R. 4192: Ms. TSONGAS.

H.R. 4229: Mr. ROE of Tennessee, Mr. CRAVAACK, and Mr. CULBERSON.

H.R. 4232: Mr. HARPER.

H.R. 4240: Mr. ISRAEL.

H.R. 4259: Mr. SCHOCK, Ms. BASS of California, and Mr. COLE.

H.R. 4269: Mr. DUNCAN of Tennessee, Ms. HOCHUL, Mr. RAHALL, Mr. HARPER, Mr. WESTMORELAND, and Mr. KISSELL.

H.R. 4271: Mr. GUTIERREZ, Mr. NADLER, Mr. PETERS, and Mr. GARAMENDI.

H.R. 4290: Mr. SCHIFF, Ms. WOOLSEY, and Ms. HIRONO.

H.R. 4323: Mr. KING of New York, Mr. HURT, Mr. STIVERS, Mr. LUETKEMEYER, and Mr. RENACCI.

H.R. 4327: Mr. WALZ of Minnesota.

H.R. 4339: Mr. KUCINICH.

H.R. 4351: Mr. JACKSON of Illinois and Ms. WILSON of Florida.

H.R. 4367: Mr. PETERS, Mr. JOHNSON of Georgia, Mr. CRENSHAW, Mrs. BLACKBURN, and Mr. LEWIS of Georgia.

H.R. 4373: Mrs. EMERSON and Mr. ROTHMAN of New Jersey.

H.R. 4377: Mr. LONG and Mr. QUAYLE.

H.R. 4390: Mr. SMITH of Washington.

H.R. 4402: Mr. CONAWAY, Mr. JOHNSON of Ohio, Mr. BENISHEK, and Mrs. MCMORRIS RODGERS.

H.R. 4454: Mr. DUNCAN of Tennessee.

H.R. 4480: Mr. STEARNS.

H.R. 4625: Mr. DUNCAN of Tennessee.

H.R. 4848: Mr. KUCINICH.

H.R. 4965: Mr. HURT, Mr. COSTA, Mr. BROUN of Georgia, Mr. NUGENT, Mrs. ELLMERS, Mr. CARDOZA, Mr. KINGSTON, Mr. WESTMORELAND, and Mrs. EMERSON.

H.R. 4970: Mr. PENCE.

H.R. 4972: Ms. MCCOLLUM, Ms. ZOE LOFGREN of California, and Ms. SLAUGHTER.

H.R. 5050: Mr. NADLER.

H.R. 5187: Mrs. CAPPS.

H.R. 5284: Mr. BUCHANAN.

H.R. 5303: Mr. NADLER.

H.R. 5646: Mr. ROSS of Florida, Mr. BACHUS, and Mr. FRANKS of Arizona.

H.R. 5647: Mr. RYAN of Ohio and Ms. BERKLEY.

H.R. 5691: Mr. GEORGE MILLER of California and Mr. MARKEY.

H.R. 5720: Mr. WELCH.

H.R. 5738: Mr. HUIZENGA of Michigan.

H. Con. Res. 63: Mr. LIPINSKI.

H. Con. Res. 120: Ms. WATERS and Mr. HIGGINS.

H. Res. 111: Mr. CASSIDY and Mr. CRITZ.

H. Res. 177: Ms. JACKSON LEE of Texas.

H. Res. 282: Mr. GRIJALVA.

H. Res. 351: Ms. MOORE, Mr. COOPER, Ms. WATERS, and Mr. MORAN.

H. Res. 460: Ms. HAYWORTH.

H. Res. 526: Mr. MURPHY of Connecticut and Mr. JOHNSON of Ohio.

H. Res. 568: Mr. WALSH of Illinois, Mrs. NAPOLITANO, Mr. CARNAHAN, Mr. KEATING, Mr. FRANK of Massachusetts, Mr. CUMMINGS, Mr. DONNELLY of Indiana, Mr. LARSEN of

Washington, Mr. DINGELL, Ms. HOCHUL, Mr. TURNER of Ohio, Mr. SHUSTER, Mrs. NOEM, Ms. KAPTUR, and Mr. RUSH.

H. Res. 583: Mr. LANGEVIN.

H. Res. 645: Mr. PERLMUTTER and Mr. PRICE of North Carolina.

H. Res. 646: Mr. BARROW and Mr. KISSELL.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4310

OFFERED BY: MR. WALSH OF ILLINOIS

AMENDMENT No. 1: At the end of subtitle E of title V, add the following new section:

SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT PROGRAM ON RECEIPT OF CIVILIAN CREDENTIALING FOR MILITARY OCCUPATIONAL SPECIALTY SKILLS.

(a) EXPANSION OF PROGRAM.—Subsection (b)(1) of section 558 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2015 note) is amended by striking “or more than five”.

(b) USE OF INDUSTRY-RECOGNIZED CERTIFICATIONS.—Subsection (b) of such section is further amended—

(1) by striking “and” at the end of paragraph (1);

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

“(2) consider utilizing industry-recognized certifications or licensing opportunities for civilian occupational skills comparable to the specialties or codes so designated; and”.



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No. 69

Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Eternal Father, strong to save, we know that You desire to save and not to destroy. Save our Senators from the blindness which is not even aware of mistakes. Save them from the pride that ignores the security of many advisers. Save them from the self-will which can see no flaw within itself. Save them also from the callousness that will not care for those in pain.

Lord, save us all when we put the blame on someone or on something else, and from hearts so hardened that we cannot repent. Today, give our lawmakers a sense of destiny and a deep dependence on Your guidance and Your grace.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL 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, May 15, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move that the Senate proceed to Calendar No. 396, H.R. 2072.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to calendar No. 396, H.R. 2072, a bill to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. REID. Mr. President, we are now on the motion to proceed to the Export-Import Bank reauthorization bill. I ask unanimous consent that the hour following my remarks and those of the Republican leader be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the final half.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, at 11:15 today the motion to proceed to the Export-Import Bank will be adopted, and there will be up to 2 hours of debate on the bill, and there will be up to five amendments. At 12:30 the Senate will recess until 2:15 for our weekly caucus meetings. As early as 2:15 there will be

up to six rollcall votes in order to complete action on the Export-Import Bank. There could possibly be five votes as part of the order—I have been told they may not all be offered—and then we will have final passage on the bill.

MEASURE PLACED ON CALENDAR

Mr. REID. Mr. President, H.R. 5652 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

Mr. REID. Mr. President, I would object to any further proceedings on this issue at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the item shall be placed on the calendar.

Mr. REID. Mr. President, I am happy to announce that Democrats and Republicans have reached an agreement to move forward with reauthorization of the Ex-Im Bank legislation.

This bank helps American companies sell their products overseas and hire workers here at home. It helped private companies add almost 300,000 jobs last year in more than 2,000 American communities. That is why the labor groups, manufacturers, U.S. Chamber of Commerce, and many other organizations have urged the Senate to move quickly to reauthorize this bank, whose lending limit is just about to expire.

The second ranking officer at the chamber of commerce wrote to all Senators yesterday.

Failure to enact this legislation would put at risk . . . American jobs at 3,600 companies that depend on Ex-Im to compete in global markets. . . . Because other countries are providing their own exporters with an estimated \$1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to reauthorize Ex-Im would amount to unilateral disarmament and cost

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



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tens of thousands of American jobs. China, for instance, has three export credit agencies that last year provided \$300 billion in export finance to its exporters—ten times more than Ex-Im provided. This bill would help level the financial playing field in export markets and ensure transparency in Ex-Im's operations.

This is directly from the chamber of commerce.

This legislation helps American businesses export their products instead of exporting jobs. Reauthorizing this important legislation is the kind of consensus proposal that should not result in any kind of a partisan fight. I spoke to Senator McCONNELL yesterday, and we made the decision that this is the best way to move forward. I am hopeful that the Senate will pass it overwhelmingly, signaling to American businesses that Congress will do what it takes to help them compete in the global market. But while Republicans say publicly that they support this important measure, they have instead insisted on votes on a number of amendments that would gut or even kill the bill.

The chamber of commerce will consider votes on this measure—and any amendments that would weaken the bank—to be keys to determine whether Senators are business-friendly. The extreme amendments offered by my Republican colleagues would certainly weaken the bank. One amendment just eliminates the bank. These kinds of amendments are unacceptable to the business community.

The National Association of Manufacturers issued a similar warning yesterday, which I read here on the floor. We agree, we can't afford to give an inch to our global competitors. Canada, France, and India already provide seven times the assistance to their exporters that America does. China and Brazil provide 10 times the support.

So Senate Republicans are faced with a choice: They can continue to support these extreme amendments that would effectively kill the Export-Import Bank and risk the wrath of the American business community or they can work with the Democrats to reauthorize this bank without adding amendments that would undermine its ability to help businesses grow. We have been told that the House is going to accept no amendments. It was very hard for them to get done what they did. I admire and appreciate what they did do. I am optimistic that my Republican colleagues will make the right choice and help us defeat these vexatious amendments.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, there is a lot of talk on the left these days about the Senate being a dysfunctional institution. And they are right. For the past few years, the Senate hasn't functioned as it should. The question is, Why? In my view, the answer is quite clear: a majority party

that believes it should be able to dictate from above the shape of every single piece of legislation we take up.

The common complaint from the other side, as I understand it, is that because Republicans insist on playing a role in the legislative process around here, we are somehow violating some unspoken rule that says Democrats should always get their way, that we are somehow disturbing the legislative harmony by suggesting we do the kinds of things our constituents want. We have been dealing with this strange view of the Senate in some form or fashion for 5 years but particularly over the past 3.

Here is how it works. Following the lead of our very liberal President, Democratic leaders in the Senate propose some piece of legislation without any Republican input at all. Then Republican amendments are blocked from even being considered. The point in most cases is to draw Republican opposition and ensure that the legislation fails. Democrats then cry obstruction as a way of distracting people from the fact that they basically have given up on governing and done nothing to ensure that our most pressing national problems actually get addressed. Rather than working with us on bipartisan solutions that reflect the concerns and input of our constituents and that therefore have a good chance of actually passing, Democrats blame the other side for obstruction—not only avoiding their own responsibilities as the majority party but handing the President a useful election-year theme on which to run.

What my colleagues and I have been saying for 3 years is that it doesn't have to be this way. Give us an opportunity to play a role in the process and we will work together on bipartisan solutions. Just look at the record. When Democrats blocked all debate and amendments on the Export-Import Bank legislation, it went nowhere. When they agreed to our reasonable requests for input on the bill, that changed. They could have accepted this offer, actually, much earlier, but they didn't because it didn't fit the story line. The same thing on the postal bill—when Democrats blocked all amendments and debate, the bill stalled. When they agreed to a reasonable list of amendments, it passed. The same could be said about trade adjustment assistance, patent reform, FAA reauthorization, the highway bill, unemployment insurance, the doc fix, the payroll tax holiday, and others. It is the same story every time: Poisoned pills are removed, Republican input is allowed, and then things happen.

Republicans have been crystal clear that the Export-Import Bank reauthorization needed some work. Remember, Democrats tried to add it as an amendment to the JOBS Act before the House reached the agreement that enabled it to pass on a bipartisan basis over in the House. But, again, they wanted to do it without giving Senate Repub-

licans a chance to debate or amend on the floor, so it didn't go anywhere. Now that we are being allowed to offer further improvements to the bill, there is a path forward. Republicans fought for the right to make this bill more responsive to the concerns of the American people, who, understandably, want proof that we take our fiscal problems seriously. This is how the Senate is supposed to work, and it has been all too rare over the past several years.

The Founders established the Senate as a place where issues would be resolved through consensus and considered bipartisan debate, so that once that consensus is actually reached, our laws would be stable and we could move on, confident that we had done the right thing.

The Social Security Act of 1935 was approved by all but six Members of the Senate. The Medicare and Medicaid acts of 1965 were approved by all but 21. All but eight Senators voted for the Americans With Disabilities Act of 1990. The idea in all these cases—and many others—was that on issues of broad national importance, on issues that affect all of us, one party shouldn't be allowed to force its will on the other half of the Nation. Yet, over the past few years, Democrats have felt quite differently.

So I am pleased today to see a departure from the Democratic standard operating procedure on this particular piece of legislation before us. Because they have agreed to allow a reasonable amendment process on this bill—something they objected to last month and then objected again even as recently as last week—this bill will be considered today after debate and votes on amendments aimed at improving it.

There is a lesson here: When both sides have a chance to debate and amend, legislation tends to move. But when the majority refuses any ideas that they didn't come up with, things slow down. Let's hope this new process will stick.

NATIONAL POLICE WEEK

Mr. President, this week we commemorate National Police Week 2012 and pay tribute to the men and women in the law enforcement community for their service and their sacrifice.

In 1962 President Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which it falls as Police Week.

During National Police Week, the Nation's Capital welcomes tens of thousands of law enforcement officers to honor those who have fallen in the line of duty. Among those visiting Washington are hundreds of police officers from my home State of Kentucky, and I want to personally welcome them and extend a special-thank you for their service and sacrifice that they make to keep Kentucky's communities and families safe. Your hard work and dedication is unmatched and does not go unnoticed.

Today we honor the approximately 900,000 peace officers across the country as well as the more than 19,000 officers who have lost their lives dating back to the first known line-of-duty death in 1791, including 163 officers who died in 2011 and 36 officers who have been killed thus far in 2012. In addition, this year we are paying tribute to 199 officers who died in previous years but whose acts of courage and sacrifice were not discovered until recently.

It is with great sadness that one of those officers we lost last year was from the Commonwealth—Officer James Philip “Stumpy” Stricklen of the Alexandria, KY Police Department.

Officer Stricklen was well respected amongst his peers and a leader within the community. He will be sorely missed.

This week the Nation honors Officer Stricklen, as well as all those police officers that have fallen. I would also like to take a moment to remember the families of the fallen. It is only through supportive families that these men and women were able to dedicate their lives to protecting others. May God continue to look after them and may God continue to protect all those, whose daily work is to protect us.

I hope paying tribute to those who serve and especially those who have paid the ultimate sacrifice reminds all of us of the heroes we have all around us, keeping us safe, each day. I encourage everyone to take a moment this week and going forward to extend a thank you to law enforcement officers who have sworn to protect us and keep our communities safe.

On behalf of myself and my Senate colleagues, thank you to all members of the law enforcement community for your service. You have our deepest admiration and respect.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, there will now be 1 hour of debate equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Illinois.

Mr. DURBIN. Mr. President, before I say a word about the Export-Import Bank, I wish to speak as in morning business. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE PROCEDURE

Mr. DURBIN. Mr. President, the comments made by the Republican Senate leader about the procedures in the Senate are comments I wish to speak to directly.

First, perhaps to his surprise, let me say I agree with him. The Senate is not what it should be. It is an important part of this government, it is an impor-

tant part of this Nation, and it should be an important forum for the deliberation of critical issues that face us. Historically that is the role it has played.

But what we have found over the last several years is that we have lapsed into a new Senate—and not a very good one, from my point of view. It is a Senate that is overrun with filibusters. Filibusters used to be so rare, one or two a year in the early days and then maybe a few more in the last 50 years, but now virtually every single week. The filibuster is basically shutting down the Senate, saying that we will not go forward to vote on a measure. It has been abused, overused and, frankly, has denigrated the reputation of this important institution.

What are the points of view? The point of view of the minority was well stated by the Republican leader. The minority wants an opportunity to offer amendments. I know the feeling. I have been in the minority in the Senate. It is your only opportunity to have a voice on the floor of the Senate and to express a point of view that may not be reflected by the President or the Senate majority. That is an understandable impulse. The majority in the Senate is usually trying to move an agenda—many times, in this case, the President's agenda—and, frankly, does not want to see this slowed down by an onslaught of amendments. There has to be a happy medium, and that is what we need to see.

The suggestion of the Senate Republican leader that the problem we have with filibusters has to do with the fact, as he said it, that the Republicans insist on playing a role in offering amendments is correct to a point. But I might remind the minority leader, what happened last week? We brought up the college student loan bill. The object was to make sure the interest rate on college student loans did not double July 1, from 3.4 percent to 6.8 percent—widely accepted, widely endorsed by President Obama and by Governor Romney. How about that? Both leading contenders for the Presidency said don't let this interest rate double. You would think that would be an easy thing to accomplish.

What we offered on the floor to the Republicans was an opportunity to bring up the measure and they could bring up their amendments to the measure. That, I think, is what the Senate Republican leader just asked for. How many Republican Senators voted with us to bring up the student loan measure, subject to amendment? None. Not one. So this suggestion that we are in filibuster because we do not offer an opportunity for amendment overlooks what happened last week. The college student loan bill offered ample opportunity to the Republicans to offer an amendment, but they still refused to allow us to proceed to that measure.

Here is what I suggest—perhaps a cooling-off period; perhaps that both sides do sit down and try to work out something that is reasonable.

Some can argue—and perhaps at times I have argued—that the Senate should be an open forum, open debate of many different issues. But in the interest of achieving things here in a reasonable period of time, I suggest what Senator REID, the Democratic leader, did on postal reform was a good-faith effort to come to some kind of compromise with the minority. If you will remember, Senator REID came to the floor and said we will accept relevant amendments to postal reform. We had quite a few of them, if you remember. I think it was a healthy time. It was a rare occasion, unfortunately, on the Senate floor, but it was a good-faith offer by the Democratic leader. It gave the Republicans opportunity to debate amendments. We debated them, we voted on them, and we passed postal reform.

I think we need to find some commonality here, where we can offer to the minority, whichever party is in the minority, the opportunity to offer relevant amendments to a bill. That means, of course, it is an amendment that relates to the subject matter of the bill. Two recent examples show how far afield you can reach. Senator BLUNT of Missouri offered an amendment to the transportation bill on the subject of birth control. Maybe there is some way you can link up transportation and birth control but I will not go there. I will just say that was a stretch to bring that issue to that bill, but he was given the chance. The junior Senator from Kentucky tried on bill after bill, totally unrelated to foreign policy, to offer an amendment on foreign aid to Egypt. That shows how far you can stretch the opportunity to offer a floor amendment.

As I said, there can be moments where we want to do that but as a matter of course around here I hope we will try to find some common ground. Wouldn't it be refreshing if the Senate floor was actually a floor where amendments were offered, debate ensued, and a matter moved to final passage instead of watching us lurch from one mind-numbing filibuster to another? I have said it on the floor before, but a lot of people with cable TV are complaining to the cable TV providers that there must be something wrong with C-SPAN, nothing is happening on C-SPAN. It is the Senate. And many times nothing happens because we are lurching through filibusters.

Today we are going to move to the Export-Import bill.

President Obama challenged us back in 2010 to create jobs by doubling exports of American-made products by 2015. It is a challenge to create and develop new technology, to tap into new markets and create new relationships, to more efficiently ship overseas our agricultural products and manufactured goods. In 2010, exports supported more than 9.2 million American jobs. Every \$1 billion in new exports sales supports 6,000 additional jobs. By doubling exports, we have the opportunity

to create millions of new jobs right here at home, jobs that could put the millions of Americans still unemployed or underemployed back to work.

Last year, Congress passed free trade agreements that will increase exports and provide access to markets in South Korea and Panama for US exporters. The South Korea Free Trade Agreement alone is estimated to support 70,000 additional jobs by opening up Korea's \$560 billion market to U.S. companies.

Earlier this year, I introduced a bill with Senators BOOZMAN and COONS in the Senate and Congressmen CHRIS SMITH and BOBBY RUSH in the House that would boost U.S. jobs by increasing American exports to Africa by 200 percent in real dollars over the next ten years. This broadly bipartisan legislation takes common sense steps. The bill would coordinate the various U.S. Government export efforts aimed at Africa, make sure our Foreign Service Officers have appropriate training on helping U.S. companies understand new markets, and ensure that our Department of Commerce keeps a focus on Africa. And the bill makes a change at the Export Import Bank—a bank which actually makes hundreds of millions of dollars in profits for the American taxpayer.

Our bill empowers the Export Import Bank to be more aggressive in countering concessional—or below market—loans being offered by China and others to help their businesses crack into African markets.

You see this is a global economy and the competition from other nations and industry is fierce. Our government should be helping our businesses—and our workers—crack through to new markets where American quality and standards are in high demand. This isn't corporate welfare, it is smart business. It doesn't cost the American taxpayer anything—in fact it generates jobs and funding. These are all steps that will get us closer to meeting President Obama's challenge.

We have another opportunity to help U.S. businesses export more by reauthorizing the Export-Import Bank that is set to expire at the end of this month. The Export-Import Bank makes loans to firms exporting American-made products. These loans allow businesses—including a large number of small businesses—across the U.S. sell their goods to businesses all over the world. The Bank makes money off of these loans, money that is returned to the U.S. Treasury year after year. The bank has a loan loss rate of less than 2 percent—a figure most banks would envy.

It is estimated that the Export-Import Bank will return \$359 million to the United States Treasury in fiscal year 2013 alone, and according to CBO the bank will return almost \$1 billion over the next 5 years. This money is used directly to reduce the deficit. The Export-Import Bank is responsible for supporting 288,000 jobs at more than

2,700 U.S. companies. Mr. President, 113 of these companies are located in my home State of Illinois, and 80 of those are small businesses.

One of these companies is NOW Health Group in Bloomingdale, IL. This company is a natural food and supplement manufacturer with more than 640 employees, 35 of which are supported by assistance from the Export-Import Bank. According to NOW's Chief Operating Officer Jim Emme, "The flexibility in the payment terms we can offer through our Export Import Bank policy has allowed us to grow our business in existing markets as well as open new ones." NOW has grown its exports from 2 percent of their overall business to more than 10 percent. They could not have done this without the Export Import bank. There are thousands of stories just like this all over the U.S.

The reauthorization increases the Bank's lending cap from \$100 billion to \$140 billion and authorizes the Bank through 2014. Legislation reauthorizing the Export-Import Bank has received overwhelming bipartisan support in the past. Similar legislation reauthorizing the Bank received bipartisan support in the Banking Committee and was reported out of Committee by a voice vote, and a similar Export-Import Bank reauthorization was introduced by a Republican back in 2006 and passed the Senate by unanimous consent.

I hope we can come to an agreement soon to quickly pass a bill to reauthorize the Export Import Bank, a bill the House has already passed with broad bipartisan support. This bill has support from labor organizations such as the AFL-CIO and the Machinists as well as the U.S. Chamber of Commerce and the National Association of Manufacturers.

Mr. President, this is a bill that gives American corporations, large and small, a fighting chance to build the products here in America and sell them overseas, creating jobs right here at home. We live in a world where China—most important China, but many other nations, have government support for their businesses' exporting. This is our government's support for our businesses to export. Boeing has its national headquarters in Chicago and most of their manufacturing operations in the State of Washington. Boeing is competing with Airbus. Airbus is a product, a plane that is created by a conglomerate of European nations which do their best to make sure that Airbus wins a contract. I think it is not unfair that Boeing have the same opportunity, nor Caterpillar in my State, nor many businesses much smaller.

So the Export-Import Bank reauthorization is a good idea. It will create jobs. The amendments being offered on the Republican side, by and large, limit the opportunities to help American businesses. I will be resisting those amendments. I hope we can move to passage of this measure in a timely fashion.

I yield for Senator LAUTENBERG.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

CONFIRMING JUDICIAL NOMINEES

Mr. LAUTENBERG. Mr. President, I rise to join with my colleagues on this side to urge our colleagues on the other side of the aisle to move quickly to confirm highly qualified judicial nominees. They passed review by the Judiciary Committee. They passed all kinds of scrutiny.

We are on the verge of serious economic improvements. As that takes place, we have a lot of parts to keep moving. We must do everything we can to fill the positions that can help, directly and indirectly, to resolve disputes or problems, to help Americans across the country to find work, stay in their homes, provide their children with health care and education. We have to cooperate on all fronts to accelerate the pace of the recovery we see ahead of us.

One of the places both sides benefit is to keep our justice system moving efficiently. People need to know they can get disputes resolved, hopefully quickly, but heard and decided. One of the things that looms large is the trial of those who are charged with felonious deeds, criminal acts. Let's get those who are convicted finally punished if it is called for. But let's make sure that part of our judiciary functioning is moving as rapidly as it can be.

Property rights are at risk. Businesses need certainty about rights and responsibilities. Unfortunately, delays in confirming qualified judicial nominees who have passed the scrutiny of the Judiciary Committee are threatening to grind the wheels of justice to a halt when there are vacancies around. Nearly 1 in 11 judgeships across the country is awaiting the position to be filled. If these positions were physicians, firemen, cops, and 1 out of 11, almost 10 percent of these jobs, were not filled, we would do something as rapidly as we could to get them resolved. At this point in President George Bush's Presidency, the Senate had confirmed 25 more judges than have been confirmed since President Obama took office. These are seriously needed nominees who have been forced to wait nearly four times as long as the Bush nominees to be confirmed after being favorably reported, as I mentioned, by the Judiciary Committee.

As a result, the vacancy rate is nearly twice what it was at this point in President Bush's first term. These vacancies are not some remote problems that only lawyers and academics care about. Judicial vacancies affect the ability of everyday Americans and businesses to see justice served, and countless of them have had their cases delayed.

I am encouraged that we have been able to confirm a number of nominees lately, including two last evening. It is my hope that for the good of the country we will pick up the pace in confirming nominees—particularly as I see

it from our State's point of view. In our State of New Jersey we have three distinguished nominees who have been approved by the Judiciary Committee and are awaiting votes by the full Senate so they can get to work fulfilling their obligation to dispense justice.

One of these people is magistrate judge Patty Shwartz, who has been nominated to serve on the Third Circuit Court of Appeals. She passed with flying colors with an examination of her background. She would be the only woman from New Jersey serving as an active Third Circuit judge and only the second woman ever to represent New Jersey on that court. Her presence would tell women something important about our understanding of where women are in our society. Since 2003 Patty Shwartz has served as a U.S. magistrate judge in the District of New Jersey, where she has handled 4,000 criminal and civil cases. She spent almost 14 years as an assistant U.S. attorney, supervising hundreds of criminal cases, including civil rights, violent crime, drug trafficking, and fraud cases.

I review her qualifications only to make the case that this is a person eminently qualified to sit on the bench. We need her presence there to move the volume of cases that are awaiting review, and she is bottled up here by reluctance on the other side. She passed the test. Let's let her go to work.

John Lacey, past president of the Association of the New Jersey Federal Bar, said that Judge Shwartz is "thoughtful, intelligent, and has an extraordinarily high level of common sense."

Thomas Curtin, chairman of the Lawyers Advisory Committee for the U.S. District Court of New Jersey, said:

Every lawyer in the world will tell you that she's extraordinarily qualified, a decent person, and an excellent judge.

The American Bar Association clearly agrees. They gave her the highest rating of unanimously "well qualified."

Judge Shwartz graduated from Rutgers University with the highest honors. She received her law degree from the University of Pennsylvania Law School, where she was editor of the Law Review and was named her class's Outstanding Woman Law Graduate.

The two nominees for New Jersey's district court are similarly well qualified.

Kevin McNulty currently leads an appellate practice group in New Jersey. He spent more than a decade in the U.S. Attorney's Office in New Jersey, rising to the Deputy Chief of the Criminal Division and Chief of the Appeals Division.

Mr. McNulty clerked for U.S. district judge Frederick B. Lacey after receiving his law degree from New York University, where he was a member of the Law Review, and his undergraduate degree came from Yale University. He was named Lawyer of the Year in 2008 by the New Jersey Law Journal, and the ABA rated him unanimously "well

qualified." I am confident that his work as a judge will earn him similar praise.

Judge Michael Shipp, yet another appointee, has equally impressive credentials. As a U.S. magistrate judge in the District of New Jersey since 2007, he has conducted proceedings in both civil and criminal cases, including ruling on motions, issuing recommendations to district court judges, and performing district court judge duties in cases with magistrate jurisdiction.

Judge Shipp previously worked in the New Jersey Attorney General's Office as assistant attorney general in charge of consumer protection and then as counsel to the attorney general, where he ran a department of 10,000 employees.

He has also worked as a litigator at a distinguished law firm, Skadden Arps, and as a law clerk to New Jersey Supreme Court Justice James Coleman, Jr.

Judge Shipp is a graduate of Rutgers University and Seton Hall University Law School, where he continues to teach as an adjunct law professor—a position he has held for more than a decade.

I review the qualifications of these judges to remove any doubt about whether they could do a good job. They can do a great job. Their backgrounds say they are ready to go to work, and here we are, frankly, seeing them held up, in my view, unnecessarily. Let's get this behind us. There are things on which we can cross the aisle without invading the province of the other Members, and I think we just ought to cooperate on judges. I think I can speak for the Democrats here that we will cooperate. We will consider the judges who are presented from their side, but we want to just get going with judges altogether.

I thank Chairman LEAHY and Ranking Member GRASSLEY for moving these nominees through the Judiciary Committee, but now it is time to bring them to the floor and confirm them. Judge Shwartz, Mr. McNulty, and Judge Shipp have brought honor to New Jersey and to our country, and they deserve to be confirmed. More importantly, the American people deserve to see these vacancies filled so the promise of justice for all can truly be fulfilled.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I wish to continue to emphasize the remarks Senator LAUTENBERG made. I have not been here that long, but what I have seen happen in the last 2 or 3 years where judges appointed by the President of the United States are slow-walked or just ignored or blocked in this body is just outrageous.

In 2007, during my first month in office, I was presented with a Republican judge, coming from a Republican President, approved by my predecessor, Senator DeWine, and my colleague, Sen-

ator Voinovich. I met with her, talked with her, and I sent my approval to the Judiciary Committee. She was confirmed in the second or third month I was here, because I believe the President of the United States should have the right to choose judges as long as they are qualified. That is why I ask that we move forward on these judicial nominations.

In June 2010 U.S. district judge James Carr took senior status, creating a vacancy in the Northern District Court in Toledo, OH. That means that Ohioans seeking criminal or civil justice have to wait, which creates a backlog of too many cases. That is what we have seen happen.

In 2007 Senator Voinovich, a Republican, and I assembled a commission of distinguished Ohio lawyers to find the best candidate for the job. It wasn't in 2007; it was later than that. In 2009 there was a President from a different party, so we updated the commission. This commission, appointed by Senator Voinovich and myself, consisted of legal professionals from the Southern District of the State to suggest nominations for the vacant judgeships for the Northern District of the State. We did the reverse, with lawyers from the north choosing for the Southern District, to make sure there was not a conflict of interest. This commission was very bipartisan. One of them had a Republican majority, one of them had a Democratic majority.

Following Judge Carr's retirement, the commission made a selection. I interviewed three nominees, sent those names to the President, and then the President nominated Jeffery Helmick. Jeffery Helmick is a Toledo native, a brilliant and distinguished lawyer who has earned the respect of his colleagues for doing his job well. Yet for nearly 2 years his nomination has languished. For nearly 2 years he has had to place his defense practice and life on hold, awaiting Senate confirmation. This is no way to treat a public servant.

According to the U.S. Constitution, it is our job to confirm qualified nominees to serve on our Nation's highest court. But as of April of 2012—Senator LAUTENBERG mentioned this, and Senator NELSON from Florida will in a moment—there are 81 judicial vacancies throughout the United States. In my State of Ohio, the court is saying there is a judicial emergency. The nonpartisan Administrative Office of the Courts, the nonpartisan agency charged with running our Federal courts, recently declared a judicial emergency for the Northern District of Ohio.

Mr. Helmick has the enthusiastic support of all of the Federal judges in Toledo, including those appointed by Republican Presidents, was recommended by a bipartisan process created by Senator Voinovich and me, and yet his nomination is still stuck even though there is a judicial emergency and even though he was approved in a bipartisan manner by the Judiciary

Committee. The result is that litigants in the Northern District are experiencing delays in having their cases resolved. In too many cases, justice conferred—as the saying goes—can be just denied.

Our Nation's courts have been a beacon of hope—sometimes, not always—for the vulnerable and the powerless, but this confirmation delay clogs our courts, obstructs justice, and damages our democracy. Maybe some people are playing political games by slow-walking these judges. In the end, they might think it is cute, funny, and they might think they gain politically from it, but it does obstruct justice, it does clog our courts, and it does damage our democracy. So it is not cute, it is not funny, and it is not worthy of any political gains in this Chamber.

Jeffrey Helmick will make an outstanding judge on the U.S. District Court for the Northern District of Ohio. We need to confirm him, and we need to confirm him this month before Congress breaks.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the time on the Democratic side be equally controlled by myself and Senator LEVIN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. That would mean how many minutes?

The ACTING PRESIDENT pro tempore. There is 6½ minutes remaining for the majority.

Mr. NELSON of Florida. For the total?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. NELSON of Florida. Then I will speed up my remarks until I see Senator LEVIN come in.

Mr. President, I, too, wish to talk about the vacancies. There is no sense for all of this slow-walking. Fortunately in Florida we have a process that takes the politics out of the selection of judges. The two Senators appoint a judicial nominating commission of prominent people all over the State, and they do the interviews and they do the selections of at least three for each vacancy. Because they do this in a nonpartisan way—notice what I said. I didn't say "bipartisan," I said "nonpartisan way," which is the way the selection of the judiciary ought to be done. Because they do that in a nonpartisan way, all three of the nominees who come to the two Senators—any one of them can be a Federal judge because they are all so qualified.

Fortunately, with the agreement we have with the White House, the President can name whomever he wants. He agrees to accept the nominee and make his pick from among the three we send him if we approve all three after the two Senators have, in fact, gone through and interviewed them. So we

have a process. Why should there be a delay on judges like that? There absolutely shouldn't.

For example, take one of our Federal judges. Judge Jordan was elevated by the President to the Eleventh Circuit Court of Appeals unanimously out of the Judiciary Committee. At the end of the day, he won on this Senate floor 94 to 5, but he was held up for 4 months. Why? There is too much gamesmanship and partisanship in the process, and particularly coming out of a State such as Florida where it is nonpartisan in the selection of judges.

We have two vacancies in the Southern District and two vacancies in the Middle District of Florida right now. One of the judges is up on the docket. Two others have just come through and had their hearing in committee. The fourth is being vetted by the White House. Let's go on and get approved these judges where there is no controversy.

I see my colleague from Michigan is here. I will turn the remainder of my time to him.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, Members of the Senate have a duty and obligation to carefully consider the votes we take on nominations to the Federal courts. Our Constitution has established a judicial branch with vitally important responsibilities and with considerable independence from the other branches of government. The Founders were right to do so. They were also right to give this body a say on nominations to that independent branch. It is the one chance that the people, through their elected representatives, have to influence the makeup of the Federal courts.

I do not begrudge any Senator the right to carefully question judicial nominees, to carefully weigh their qualifications, and to exercise their best judgment as they exercise their responsibilities that the Founders assigned to the Senate.

The question we must all answer is this: When do careful consideration and the exercise of good judgment become damaging delay? For just as we can fail to serve our constituents by failing to properly scrutinize judicial nominees, we can fail to serve them by failing to act on these nominations after there has been sufficient time for the Judiciary Committee and the Senate to scrutinize them.

Today nearly 1 in 10 Federal judgeships is vacant. Roughly half of all Americans live in judicial districts or circuits in which the Federal courts have declared a judicial emergency, meaning according to the standards established by the Supreme Court, residents face the prospect of unacceptable delays in having cases heard because vacancies have led to a troubling backlog of cases.

It is a precept of Western judicial thought that justice delayed is justice

denied; that even a correct verdict can be without justice if it comes too late to matter to the parties involved, especially if that delay is not justified by the circumstances or the complexity of the case.

The dangers for our Nation in these judicial emergencies are great: First, that Americans may be robbed of justice by unjustified delay; second, that Americans may come to doubt that the courts are capable of dispensing justice because they cannot function effectively; and, third, that in seeking to clear the growing backlog of cases the courts may rush to judgment and may fail to apply the rigor that Americans expect and deserve.

Mr. President, I ask unanimous consent I be allowed to proceed for an additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEVIN. The Judiciary Committee has favorably reported 17 judicial nominations that are now awaiting votes on the floor of the Senate. There is no question that the wait for many of the judicial nominees of President Obama has been unacceptable. Under the previous President, at this point in his term the average district court nominee waited 22 days from favorable report by the Judiciary Committee to Senate confirmation. The average circuit court nominee waited 28 days.

By contrast, the average district court nominee under President Obama has faced a wait of 97 days, and the average for circuit court nominees is 138 days. Yet the vast majority of these nominees are not controversial. They enjoy bipartisan support. We should move quickly to confirm these nominees who have been receiving bipartisan backing, particularly, and to review, debate, and act as expeditiously as we can on the small number of nominations about which there is some debate.

There is a great deal of discussion about which party is to blame about the ever-slower pace of judicial nominations. I have my own strong beliefs on that question. Our constituents are best served not by arguing over blame, but by our exercise of the responsibility the Constitution bestows upon us. I simply ask all of my colleagues to consider on each of these nominations the damage done by delay and inaction, and to carefully consider the threat to justice from the growing crisis of delay in our courts. We can and should act promptly on the 17 nominees on the calendar.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues: Senators KYL, COBURN, ISAKSON, and HELLER for up to 30 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

THE BUDGET

Mr. JOHANNNS. Mr. President, I rise today with my colleagues to talk about something I think is an issue that without a solution will affect every single aspect of life in our country. I am speaking about our debt crisis, the impending fiscal cliff, and the lack of a budget to address those issues. As I said, I am very pleased to be joined by my colleagues to talk about this issue.

Unfortunately, for whatever reason, the Senate has lacked the will and the leadership to fulfill what I consider its most basic legislative function: writing and adopting a budget resolution. That has gone on for more than 3 years.

While I understand we are rapidly approaching the time where Presidential politics will consume the entire agenda, the U.S. national debt is also rapidly approaching a significant milestone: \$16 trillion worth of debt. We should look no further than Greece or Spain to see what this level of debt would do to an economy if it goes unchecked.

There are so many frightening statistics, but here is one: America's per capita national debt already significantly outpaces that of Greece or Spain. So as we watch them spiral further into crisis, we should be jolted into action by the very suggestion that our debt is equally as alarming. Yet we are unable to pass a basic budget resolution to get our spending in check. That constitutes a lack of leadership.

As I said, I have many colleagues here today who can talk about a better approach. I would like to start today with Senator JOHNNY ISAKSON.

Senator ISAKSON has spent his career working on budget issues.

I say to Senator ISAKSON, what is the impact of no budget resolution for 3 years? Is there a better way? Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is, no discipline for 3 years. The result of no discipline for 3 years is we spend \$10.4 trillion without a budget.

I do not know how good you are with your memory, I do not know how good I am with mine, but if I do not have a budget or a guidepost to go by, and I am spending \$10.4 trillion, I am making big mistakes. I am making big mistakes not with my money but with the money of the people of the United States of America.

Last night I did a telephone townhall back to Georgia. At one time we had a little over 3,200 callers on the line. Question after question, with a very simple question: How can you guys operate without a budget? Why can't you get a budget? Why can't you bring a budget to the floor.

The fact is it is because our budget requirements cast out 10 years of plan-

ning for taxes, 10 years of planning for expenditures, 10 years of planning for the government. A lot of people just do not want us to know what their plans are for the next 10 years.

But every American family in this county has had to sit around their kitchen table, reprioritize their expenditures, and budget what income they have because of difficult economic times. The government should ask of itself only what it forces upon all of its people.

I have a suggestion to consider, a suggestion that 20 of our 50 States practice. Forty percent of our State governments now have a biennial budget. It is a proposal that has been before this body for years. I am proud to be the cosponsor with Senator JEANNE SHAHEEN from New Hampshire. It is a budget process and a discipline that ends this no budget and also memorializes the most important thing we need to do and the least thing we do in this body; that is, oversight.

The biennial budget proposes we would do our budgeting in odd-numbered years and our appropriating in odd-numbered years and do it for a 2-year period rather than a 1-year period. Then, in the even-numbered year—an election year—we would do oversight of spending. We do not ever do any oversight.

The best oversight person in the Senate sits to my right. His name is TOM COBURN. He is going to be the closing act in this colloquy. He is going to show some pictures that cast a lot more than 1,000 words about the duplication of expenditures in this government, primarily because we have no oversight and we have no discipline. We go back at appropriations year after year after year but never look at justifying what we spent in the year before.

So to the Senator from Nebraska, I say to the people of Georgia and the people of the United States, I want to expect of myself and our government at least what is mandated upon you. I want us to begin to be accountable for our spending and hold accountable those who spend that money. I want us to do our appropriations in a balanced way, in a disciplined way, and never again go 1,000 days without a budget, never again have \$10.4 trillion of spending without a budget, never again look the American people in the eye and say: I, as your government, am not willing to do what you must do.

It is absolutely time we stop the redundancy, start prioritizing, and start conducting oversight. When we do that, America will be better off, our fiscal policy will be better off, our debt and deficit will come down, and we will return to those days all of us yearn for, with better prosperity and absolute accountability.

I thank the Senator from Nebraska for giving me the opportunity to expound on the biennial budget.

Mr. JOHANNNS. Mr. President, I thank Senator ISAKSON.

Senator ISAKSON referenced my time as Governor of Nebraska. But I speak

on behalf of all Governors. The Governor has to deliver a budget. In Nebraska, we used a 2-year budget, and that is what makes me proud to cosponsor the Senator's idea. It is the right approach. It simply says we are going to do our very best to get a budget passed and do the oversight necessary to make sure that budget is working.

So I compliment the Senator on his idea. It is definitely a better way forward.

Let me, if I might, now turn to Senator KYL.

I say to Senator KYL, when I was Governor I always had the first shot at delivering a budget. I would deliver it. I would do the State of the State Address. It was not that much different from the way it is done in Washington, with the President's February budget proposal. The State of the Union Address coincides with that.

With my budget—and I think most Governors would say this—even when there was real arm wrestling with the legislative process, I always believed I would get about 90 to 95 percent of my budget proposals across the finish line. It was a serious proposal. There were no gimmicks. It was a balanced budget. It did not borrow money to balance the budget.

I say to the Senator, how do you regard the President's budget submission these last years, and why isn't it getting more support in a bipartisan sort of way?

Mr. KYL. Mr. President, I say to my colleague, first of all, I will repeat what Senator ISAKSON said. As a Governor, you had to balance the budget. You know how to do it. You understand the importance of it. I appreciate the Senator's work on this colloquy today in that regard.

I would note that my own State of Arizona just concluded its work on a budget. It was hard. The Governor had her proposals. The State legislature did its work. It was hard slogging because they had to make tough decisions, but they did. Just last week, they finished the budget in the legislative session.

Families have to do it, States have to do it, but here in the Congress now, under the Democratic control of the Senate, for 3 straight years there has not been a budget.

As the Senator knows, however, the President submits a budget each year. Last year, his budget was, frankly, met with derision from pundits, from experts, and from economists who said it was not a serious proposal. I looked up the number. Last year his budget was rejected 97 to 0 in the Senate.

So what about this year? Well, the same thing. It was not a serious effort. It was a political document. Everybody could see it. So they put it to a vote in the House of Representatives. It was defeated 414 to 0. Not a single Democrat voted for the President's budget. They understood it was not serious.

Well, we will have an opportunity to vote on the President's budget again

this afternoon, and I expect the same fate. Why? Well, three quick points.

First of all, it accelerates our path to national bankruptcy. It fails to address entitlement spending. It has a slew of job-killing tax hikes. And it does nothing to effectuate even the President's own deficit reduction committee plan for reducing the deficit.

Just a couple of numbers: It contains a whopping \$1.8 trillion tax hike on individuals, small businesses, investment, and family-owned farms. Think about the job-killing nature, the wet blanket that puts over our economy—a \$1.8 trillion tax hike. This comes on top of the tax hikes that are already embedded in ObamaCare, which will extract an additional \$4 trillion from the private sector by 2035 according to the Joint Economic Committee. Even with this tax hike, the President's budget would increase deficits by nearly \$6.4 trillion over the next decade.

Now, you stop and think: Wait. Aren't the tax hikes supposed to be there in order to balance the budget? Well, you would think so. But under the President's budget, notwithstanding all of the new revenue from taxes, it increases the deficit by nearly \$6.4 trillion, and it would spend a staggering \$45.4 trillion during the period of the budget, which is \$1.2 trillion higher than the Congressional Budget Office baseline from last March.

I know these statistics are mind boggling, and I hate to cite them. But you do need to back up what you are saying with the actual data. That is the point. The President's budget is a job killer, it increases taxes, and it still never balances.

I would point out that under his budget, while spending would reach 23.5 percent of the economy this year, and never get below 22 percent of GDP over the next decade, the historical average is much lower: 20.8 percent of GDP.

So bottom line, the President's budget would lock in the fourth straight year of deficits above \$1 trillion, and even though the President—and here is what the President said—he promised to “cut the deficit in half by the end of my first term. . . .”

Well, the President's budget would never balance notwithstanding the huge tax increases. That is what is wrong with the President's budget. It is why it is not going to pass today. It is why it did not pass last year.

Mr. JOHANNIS. Very clearly this body is saying, the Senate and the House of Representatives, when they vote on the President's budget, they are saying very clearly: The President's budget spends too much, it taxes too much, and it borrows too much. It does not solve any problems.

I think actually that is the very clear unanimous message at this point from these bodies. This is not a serious budget proposal.

Mr. KYL. If I could add one other item to what my colleague said, we all know the big problem is spending on entitlements, the so-called mandatory

spending. Well, the only thing mandatory about it is that it has to be spent unless we say something different. But we do not have the courage around here to reform our entitlement programs to the point that they are going to be available for at least our kids by the time they retire, and in some cases they may not even be available for some of us.

The other thing I would want to say about the President's budget is it continues this glidepath to insolvency for Medicare, which the recent Trustees Report says has an unfunded liability of \$26.4 trillion. So in addition to spending too much, taxing too much, and borrowing too much, it does not do anything about the biggest problem we have, which is the broken entitlement programs that are not going to work for the people who are currently anticipating they will be there for them when they retire.

Mr. JOHANNIS. Senator KYL makes an excellent point. If I could call on my colleague, Senator COBURN, who, as much as any Member of the Senate, has been the watchdog when it comes to spending and programs that duplicate each other, he has been the person who oftentimes has stood on the Senate floor alone and pointed out to everybody how much waste there is in the Federal Government.

Senator COBURN has been a great leader. He was on the fiscal commission, a member of the original Gang of 6. I would like to hear his views on the budgetary mess we find ourselves in now.

Mr. COBURN. Well, let me, first of all, I thank my colleague. I have a couple of charts that are oversized. The reason they are oversized is because we cannot get it all on one chart. I would ask unanimous consent to display those charts.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COBURN. What most people do not realize is the Federal Government is now twice the size it was in 2001. Think about that. We are spending twice as much money as we did in 2001. As a matter of fact, if we go back 15 years, our deficit this year is bigger than what our entire budget was. That is how out of control the Federal Government is.

There is a political reason we are not having a budget. Everybody understands that. Nobody is going to say that. The political reason no budget was proposed and run through the Senate to create a conference committee with the House is because we do not want to make the hard choices in an election year.

Budgets for families are about making hard choices, and yet here we are supposed to represent leadership in our country. We refuse to make hard choices about the direction.

I had the great opportunity to speak with some members in the War College class not long ago. We got into talking

about budgets. They said: Do you realize how difficult it is for us to try to spend money when you send us a continuing resolution, and we do not know about it until 10 days before it is going to take effect, how difficult it is for us to try to manage in a prudent way the money that the Federal Government spends when we have no budgetary guidelines? There is waste out the kazoo when you ask us to do that.

So regardless of the fact that there is a law that says we will pass a budget, which has been totally ignored by the majority leader, the consequences of that are tremendous. What most people talk about is how do we get out of the problem. What I would put forward in terms of our budget, there is not a problem in front of our country we cannot solve.

What we lack is leadership to pull us together as Americans to say: Here is the problem. Here are the solutions. Let's find a compromise in the middle for the solution, and let's solve our problem. We have refused to do that. But, most importantly, we refuse to look at ourselves.

I have a couple of examples. The GAO put out its second annual report—the first one was last year, the second annual report this year—in terms of duplicative programs. We have had amendments on this floor fail routinely that said we ought to know what we are doing before we pass another bill. We ought to know what is already out there. That has been rejected by my colleagues.

But I am going to show charts that show how ridiculous we are in terms of how we are well meaning but absolutely stupid in terms of how we address problems that we perceive is the Federal Government's role.

The GAO put out a list of duplications. I am just going to read a few of them. I have given speeches on the floor on others, but there are 209 different programs—209 different programs in the Federal Government for science, technology, engineering, and math initiatives for our educational system. We spend \$3 billion a year on that.

The overlap is unbelievable. Here is the chart that shows all of the different programs with all of the different agencies involved, all of them overlapping, most of the money wasted in terms of how we spend it because there is no concentration, there is no coordination, and what we have is a ridiculous array—not that it is wrong to want to have more science, more technology, more engineering, and more math students. But we are spending all the money on the bureaucracy when we could have five programs: one for upper level, one for lower level, one for minorities, one for disadvantaged, and one for others. Here is the complex. It is mind boggling how many programs we have, and there is not a metric to measure whether any one of these is effective. That is \$3 billion a year.

We could have one-tenth as many programs and spend one-half as much

money and have more students come out with science, technology, engineering, and math backgrounds. But we have decided to do it piecemeal and never do the oversight and never consolidate. If we wanted to get out of a \$1 trillion deficit, we do it \$1 billion at a time, not do it with \$1 trillion at a time.

The other program, which is even more difficult to ascertain, is in the Department of Justice grants. Let me go through those just for a second. There are 253 duplicative programs in the Department of Justice. We spend a total of \$3.9 billion a year, and here is what the GAO tells us. People who apply for one grant in DOJ—for one thing—turn around and apply for it somewhere else for exactly the same thing. The Department of Justice does not know they just gave them two grants for exactly the same thing because there are so many different grant programs and nobody is watching the store.

So the point is nobody would run their household this way. No business would operate this way. States that are successful do not operate this way. The reason we do this is because we do not have a budget and we do not have any oversight and we are not minding the store. The way to change what is coming for our country is to start doing everything that is necessary to address the problem.

And the problem is this: We are spending money we do not have on things we do not need, and nobody in Congress wants to do the hard work of ferreting out what works and what does not and making the hard choices because every one of these programs has a constituency.

So the parochialism and the constituency and short-term thinking we are now bound up in keeps us from saving ourselves. Last quote, and I will finish with this: John Adams said, "There has yet to be a democracy that did not murder itself." We are on that way if we do not change direction. It is not a Democrat-Republican problem. It is all our problem. It will not matter what our political persuasion is when we face the very difficult coming times if we do not respond with a cogent budget for this country.

Mr. JOHANNIS. I thank the Senator. We look at those charts and reach the conclusion, inescapably, if we do not start doing oversight and start figuring this out, we are not going to solve this problem. My colleague's reputation as a watchdog of the Federal Government is well earned.

Let me now turn to my colleague, Senator HELLER. Senator HELLER brings great experience. He might be the newest Member of the Senate—I think he is—but he has great experience on the House side. He has seen how the budget process works there. He now has some experience on the Senate side. The Senator sees the lack of a budget process.

I would like him to offer some thoughts on what is broken and what we might do to fix this.

Mr. HELLER. I thank the Senator from Nebraska for yielding time and also those from Oklahoma and Arizona for this colloquy that we are having today and the ability to talk about issues that, frankly, the other side will not talk about—in fact, their conspicuous absence today on the other side is clear of the depth of their budget.

As we have heard, we have not had a budget for the last 3 years. So I rise today in support of a serious debate concerning the direction of our Nation. Three years have passed since Congress adopted a binding budget resolution. In this light, I respectfully submit that the American people do not believe that today's debate is serious. They know the Senate is not going to adopt a budget; once again it will ignore one of the most basic and important jobs of Congress.

What the Senate is doing this week could be considered political comedy if the stakes were not so high. In fact, the fact is this is not a serious discussion.

In May of last year, the majority leader stated: There is no need to have a Democratic budget, in my opinion. It would be foolish for us to do a budget at this stage. As early as February of this year, it was stated by the majority leader that there is no need to bring a budget to the Senate floor this year.

If that is the case, this week's debate is nothing more than a political sideshow, and the American people are tired of it. Ever wonder why the approval rating of Congress is so low? They hate Washington because it spends its time on stunts like this instead of working together for the good of the country; pushing votes for campaign press releases instead of solving problems.

The bottom line is if Congress does not do its job, then its Members should not get paid. That is exactly what I have proposed with the No Budget, No Pay Act. The American people know in an election year too many of their representatives in Washington are afraid of the tough choices that would help get our Nation on a path of fiscal sanity.

Most of the people watching the so-called budget debate will witness exactly what they have come to expect from Washington: the Republicans blaming Democrats, Democrats blaming Republicans. At the end of the day, all we will have accomplished is filling another page in the CONGRESSIONAL RECORD.

Unfortunately, Americans will face the same fiscal disasters they did before this debate. Unless we change course, Federal spending per household is projected to rise to \$34,602 by the year 2022, a 15-percent increase in one decade.

The government's own actuaries tell us Medicare is going bankrupt in 10

years, Social Security one decade later. Both sides should be willing to come together to strengthen and preserve these programs for future generations instead of simply ignoring the problems because it is inconvenient in an election year.

Our national debt will reach \$16 trillion before the end of the year. The Federal Government's unfunded obligations will total some \$100 trillion. Yet there will be no budget this year, just like there has been no budget for the past 3 years. We cannot look beyond the beltway and say this failure of leadership has not had tremendous impact on the people we represent.

National unemployment has registered above 8 percent for the last 38 months. Nevada has led the Nation in unemployment for more than 2 years. Almost everyone I speak to in Nevada—businesses, job creators, elected officials, and families—speaks of the uncertainty that has characterized their lives in this economy.

We are not moving forward as a Nation, and it is no surprise to these nonsensical folks. They know from everyday life in their businesses and in their households that you cannot move forward without a plan. When Americans look to Washington, they see no meaningful proposal, no viable plan, and no progress.

There are those who claim the Budget Control Act is a budget, and I strongly disagree. This bill does not establish priorities or a path forward for our Nation as a real budget should. It does not provide certainty, nor does it address many of the pressing fiscal problems we have today. If the Budget Control Act were truly a budget, there would be no need for this discussion today. It is past time for Congress to hold itself accountable.

That is why I have advocated my No Budget, No Pay Act for nearly a year. My legislation calls on the House and Senate to pass a concurrent budget resolution and the regular appropriations bills before the beginning of each fiscal year. Failure to do so would result in the loss of pay until we take our jobs seriously and make these bills our legislative priority.

The Congressional Budget Act of 1974 already requires Congress to pass a budget by April 15. My bill creates an enforcement mechanism to further encourage Members of Congress to do their constitutional duty.

I have spoken on this floor previously about No Budget, No Pay, but I believe now is the time to consider whether we are willing to make this promise to our constituents. I believe it is more important now than ever because the American people are increasingly losing confidence in Congress and its ability to deliver solutions.

No Budget, No Pay is not a silver-bullet solution to our Nation's fiscal challenges, but it would indicate that we are hearing the concerns of the American people and are willing to participate in the dialog necessary to get our country moving again.

I am pleased that 10 of my Senate colleagues have cosponsored this important effort, and others have expressed support for No Budget, No Pay on the Senate floor. I am especially grateful to Senators LIEBERMAN and COLLINS for holding a hearing to discuss No Budget, No Pay as a meaningful proposal that would help hold Congress accountable to the American people. This bipartisan bicameral proposal is worthy of the Senate's time if we are serious about regaining the trust of the American people whom we are supposed to be representing.

My colleagues, our Nation can literally no longer afford to survive on sound bites and press releases about the importance of budgeting. We need to engage in the serious business of budgeting for our Nation's future. That work should start today. Sadly, I simply don't believe we will make the tough choices necessary until Members of Congress have more skin in the game. I will continue calling for the adoption of the No Budget, No Pay Act.

The PRESIDING OFFICER (Mr. MANCHIN). The Republican time has expired.

The PRESIDING OFFICER. Under the previous order, the Senate agrees to the motion to proceed to H.R. 2072, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2072) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided between the two leaders or their designees.

The Senator from Utah is recognized.

AMENDMENT NO. 2100

Mr. LEE. Mr. President, I ask unanimous consent that we move to amendment No. 2100 to H.R. 2072.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 2100.

Mr. LEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs)

At the appropriate place, insert the following:

SEC. ____ . TERMINATION OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, the authority of the Export-Import Bank of the United States under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) terminates on May 31, 2013.

(b) TERMINATION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, on and after June 1, 2013—

(1) the Export-Import Bank of the United States may not enter into any new agreement for the provision of a loan, a loan guarantee, or insurance, the extension of credit, or any other form of financing;

(2) the Bank shall continue to operate only to the extent necessary to fulfill the obligations of the Bank pursuant to agreements described in paragraph (1) entered into before June 1, 2013; and

(3) the President of the Bank shall take such measures as are necessary to wind up the affairs of the Bank, including by reducing the operations of the Bank and the number of employees of the Bank as the number of remaining agreements described in paragraph (1) decreases.

(c) REPEAL OF EXPORT-IMPORT BANK ACT OF 1945.—Notwithstanding any other provision of this Act or any other provision of law, effective on the date on which the Export-Import Bank of the United States has fulfilled all outstanding obligations of the Bank pursuant to agreements described in subsection (b)(1) entered into before June 1, 2013, the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is repealed.

SEC. ____ . NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—The President shall initiate and pursue negotiations with other major exporting countries, including members of the Organisation for Economic Co-operation and Development and countries that are not members of that Organisation, to end subsidized export financing programs and other forms of export subsidies.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of the negotiations described in subsection (a) until the President certifies in writing to those committees that all countries that support subsidized export financing programs have agreed to end the support.

Mr. LEE. Mr. President, it is time that we wind down the Export-Import Bank. My amendment, No. 2100, would do precisely that. The American people cannot be the world's financial backstop. The government should not be picking winners and losers. Businesses in Utah and across the country are not receiving government help and are shutting their doors after decades of serving their communities. We should not, through this government, be adding insult to injury by using the tax money they contributed to prop up companies overseas.

We need to end the corporate welfare that distorts the market and feeds crony capitalism. The corporations that largely benefit from the Ex-Im Bank should have no trouble marshaling their resources to compete in today's economy. If they are struggling, then they are most likely not deserving of taxpayer help; and if they are turning billions in profit, then they clearly do not need taxpayer-subsidized loans.

Further, government subsidies breed undue favoritism from government bureaucrats who control where the money goes. Unless we want more

Solyndras, we should end the practice immediately.

Some have suggested that the Ex-Im Bank is good for businesses. What is best for American businesses is getting the Federal Government out of their way, letting them operate without burdensome government regulations and without a complex tax system.

Having the government pick winners and losers does not make industries stronger, it makes them more dependent on subsidies. When government is picking who wins, the loser is always the taxpayer.

We have an opportunity today to reverse the status quo and defend the American taxpayer. My amendment winds down the Ex-Im Bank. I urge my colleagues to support amendment No. 2100.

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.

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

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

Ms. CANTWELL. Mr. President, I rise today to urge my colleagues in the Senate to pass the Export-Import Bank legislation now before us. This debate this morning is about jobs, it is about manufacturing jobs, and it is about U.S. manufacturing jobs. That is because this bank is one of the most powerful tools we have for manufacturing jobs in America.

This is a debate about whether the Members in this Chamber believe access to financing is a key tool for U.S. companies to compete on an international basis when they are trying to get U.S. manufactured products sold overseas. In fiscal year 2011 alone, the bank supported nearly 290,000 export-created jobs in America. Those are the jobs that are going to be threatened if the Senate does not act.

This authority expires on May 31. That is right, 16 days from now. And between now and then, the House is in session for only 5 days, so we can't afford to take this to the brink one more time with amendments passed by the Senate that are gutting amendments. These five amendments that will be considered would basically lapse the bank's authority and this would put into the debate more uncertainty about our economy.

We need to act now to renew the bank's charter, and businesses can't wait. They need the planning and certainty to hire more people. Failing to act will stifle U.S. economic opportunity. That is why nearly two dozen Governors, Democrats and Republicans alike, have urged the bank's extension, and so has the Chamber of Commerce, the National Association of Manufacturers, and the Small Business Association.

Mr. President, I ask unanimous consent to have printed in the RECORD a

chart reflecting the jobs supported in each State by Ex-Im financing so that Members, if they wish to, can come and look at both the revenue that was generated and the jobs that were supported.

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

JOB SUPPORTED THROUGH EX-IM FINANCING BY STATE, FY2011

State	Export Value ¹	Jobs Supported ²
Alabama	\$72,192,614	523
Alaska	\$3,793,545	28
Arizona	\$170,943,313	1,239
Arkansas	\$108,584,180	787
California	\$3,468,983,437	25,150
Colorado	\$150,993,779	1,095
Connecticut	\$345,097,326	2,502
Delaware	\$33,517,187	243
District of Columbia	\$222,874,472	1,616
Florida	\$1,054,197,361	7,643
Georgia	\$487,633,648	3,535
Hawaii	\$201,600	1
Idaho	\$12,843,584	93
Illinois	\$2,322,581,920	16,839
Indiana	\$248,668,941	1,803
Iowa	\$42,914,160	311
Kansas	\$79,197,432	5,649
Kentucky	\$38,186,699	277
Louisiana	\$209,979,110	1,522
Maine	\$20,673,669	150
Maryland	\$220,489,400	1,599
Massachusetts	\$565,960,139	4,103
Michigan	\$320,510,673	2,324
Minnesota	\$299,186,062	2,169
Mississippi	\$25,040,065	182
Missouri	\$414,499,691	3,005
Montana	\$2,304,000	17
Nebraska	\$57,942,908	420
Nevada	\$31,910,400	231
New Hampshire	\$39,842,746	289
New Jersey	\$360,580,503	2,614
New Mexico	\$5,055,359	37
New York	\$804,093,389	5,830
North Carolina	\$456,429,400	3,309
North Dakota	\$18,708,353	136
Ohio	\$398,413,384	2,888
Oklahoma	\$235,300,682	1,706
Oregon	\$213,921,302	1,551
Pennsylvania	\$1,353,113,343	9,810
Puerto Rico	\$10,555,200	77
Rhode Island	\$11,877,600	86
South Carolina	\$158,092,961	1,146
South Dakota	\$13,468,905	98
Tennessee	\$126,161,932	915
Texas	\$4,865,359,960	35,274
Utah	\$50,424,234	366
Vermont	\$14,406,062	104
Virginia	\$349,933,601	2,537
Washington	\$11,469,897,102	83,157
West Virginia	\$5,712,000	41
Wisconsin	\$645,545,956	4,680
Wyoming	\$1,512,000	11
Subtotal by State	\$33,340,307,290	241,717
Not Allocated by State ³	\$6,307,692,710	45,731
TOTAL	\$39,648,000,000	287,448

¹ Export value has been adjusted for inflation.

² Figure based on analysis completed for FY2011 Annual Report, which used formula of 7,250 jobs supported by \$1 billion in export value.

³ Programs such as short-term multi-buyer insurance in which exporter not identified at time of authorization.

Ms. CANTWELL. Mr. President, the default rate on the bank is consistently less than 2 percent lower than most commercial lending. I am sure we will hear a lot about that during the debate today. But since 2005, the Export-Import Bank has returned \$3.7 billion to the U.S. Treasury, above and beyond the cost of operation. So, yes, my colleagues, this is actually something that is making money for the Federal Government. Not only is it helping U.S. manufacturers sell their products overseas—financing in a way I think is equivalent to what the Small Business Administration does; helping to provide a certain level of financing that makes deals come through—I think it is why we find banks are supportive.

The money comes back into U.S. taxpayers' pockets and it supports our

winning in a global situation by getting our products sold. It has been incredibly helpful to our economy, with zero cost to the taxpayers, and, in fact, the nonpartisan Congressional Budget Office concluded a 4-year reauthorization of the bank would reduce the deficit by up to \$900 million over 5 years. So the bank works for businesses and it works for U.S. taxpayers.

There is a compromise that is before us. I know it may not be the compromise that I or the Senator from South Carolina—who I see is on the floor—would have written into the legislation, but nonetheless it is a compromise and it is time to act. The reason I say that is because so many States also are counting on the Export-Import Bank, just as Washington State is.

Pennsylvania, for example, has over \$1.4 billion in exports and 9,800 jobs related to the Export-Import Bank; Massachusetts, with \$566 million. This is from the annual report of the Ex-Im Bank in 2011. So they had \$566 million of economic revenue generated in Massachusetts and over 4,000 jobs. Why? Because we helped Massachusetts exporters get access to capital so they could sell their products overseas and win in the international marketplace. Texas, another example, with \$4.9 billion in exports, and 35,274 jobs.

These are jobs America needs. This is a global economy in which America needs to be able to compete, and getting access to capital so that products can be sold is a critically important issue.

Florida, another great example of the support of the Ex-Im Bank, had \$1.1 billion in exports and over 7,643 jobs. So that State has been another big winner; the State of North Carolina, \$456 million in exports and 3,309 jobs; and Ohio, another example of manufacturers and businesses, with \$398 million in exports and 2,888 jobs.

While there are many people who would like to say this program should be discontinued—and I am sure some of my colleagues are not in favor of it because there are many programs they wish to get rid of—I would say this is a program that is good for the U.S. taxpayers. The Ex-Im Bank has generated \$3.7 billion for U.S. taxpayers since 2005.

Again, what is this debate about? The underlying amendments my colleagues are offering are trying to gut the Ex-Im Bank. They simply don't like it, and they want to get rid of it or say it is not a viable tool. I guess because one in four jobs in Washington State is based on trade, I know how critically important it is. Whether we are talking about agricultural products or selling airplanes or selling music stands, as one company we saw, or selling grain silos, companies need to be able to compete in the international marketplace and they need to be able to get sales for their products. This has been a very viable and important tool for them.

Some of my colleagues have previously raised concerns about the bank's transparency and oversight, and these concerns have been heard and addressed in this legislation. I wish to talk about the five ways this new compromise bill addresses those concerns.

There is more oversight. Under the amended bill, we would have a quarterly report on its default rate, and the first of these reports would be due September of this year. The bank has historically maintained a low default rate of less than 2 percent, but under this provision, if the default rate reaches 2 percent or higher, the bank will have to develop a plan to fix the problem and report to Congress within 1 month. If the default rate stays above 2 percent for more than 6 months, they will be subject to a review of an independent auditor.

These are very viable and important additions to the legislation. Not only would the auditor be there to help fix what was going on, he would have the oversight for anything that was involved with the bank they needed to report on. So there is less risk.

The second change to the underlying bill is the Government Accountability Office must study and report back to the bank safeguards that prevent it from taking loans that are too risky. Again, since the bank has had a historically low default rate, we are happy to add this language, but it is another layer of protection on something that is performing and performing well. But as I say, we are happy to add that to the legislation.

More public input. The bank will have to open a public comment period for transactions greater than \$100 million and it will have to notify Congress about these transactions so there is more transparency on what some consider the bigger financial loans in which the bank is involved.

Fourth, we have added more accountability. There is an annual report where the bank has to justify the need of every transaction—every transaction. That way the public will know if the bank has acted because a private lender would not have or if it acted in response to foreign export credit agencies.

And then fifth, the Treasury must engage nations in discussions about the need for export financing worldwide. I know some of my colleagues on the other side of the aisle would hope the President would end all export financing and leave that discussion at the World Trade Organization. But I would ask my colleagues, what is the difference between this and the Small Business Administration that provides an opportunity, a bridging of capital between small businesses and the opportunities to join with private financing to make deals happen.

As I said earlier, I live in a State where we know how beneficial export markets are to our products—whether we are speaking of cherries or apples or

airplanes or a variety of new technologies—and these products are winning the day in the international marketplace. They are also creating jobs. So for my colleagues on the other side of the aisle who wish to end this program or say it ought to be ended on an international basis, we are happy to hear what the world community wants to debate and discuss on this basis, but I would ask why, in the moment of crisis in our financial institutions, when one of the supposedly most risk-averse institutions can't figure out why it lost \$2 billion, would we want small businesses across America to pay the price for the fact they can't get financing of their products sold in an international marketplace? We have to wake up and understand this is about helping small businesses and helping them win the day for products that are created in the United States—created in the United States and sold abroad.

This compromise legislation that is offered today is the best path forward. These amendments are an attempt to gut the underlying bill and to stop the authorization of the bank and have it curtailed. As I said, we only have about 5 legislative days, given the House's schedule, to get this done. Some of my colleagues want to tell all those businesses I mentioned in all those States—Ohio, Pennsylvania, Florida, and others—that we don't know anymore whether this program exists and so let's actually stop the funding and lose jobs.

I know there are people in my State—such as Lawrence Stone from SCAFCO or Bill Perdue from Sonico—who gave me the message the American people want us to focus on creating jobs and supporting businesses. They want a program like this to continue and they want the jobs it creates for their communities.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I will gladly yield and let Senator CORKER go ahead of me—I understand the Senator has an amendment to offer—with the understanding I be allowed to speak for 5 minutes after he is done.

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

The Senator from Tennessee.

AMENDMENT NO. 2102

Mr. CORKER. I thank the Senator from South Carolina and certainly the Senator from Washington State. I want to say I put my credentials for supporting exports up against anybody here, and I think the purpose of our being in this body is to try to create good policies.

I have an amendment I wish to call up. It is amendment No. 2102, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. CORKER] proposes an amendment numbered 2102.

Mr. CORKER. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank to maintain a ratio of capital to the outstanding principal balance of loans and loan guarantees of not less than 10 percent)

Strike section 25 and insert the following:
SEC. 25. LIMITATION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES TO TRANSACTIONS SUBSIDIZED BY OTHER COUNTRIES OR FOR WHICH PRIVATE SECTOR FINANCING IS UNAVAILABLE OR PROHIBITIVELY EXPENSIVE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) or any other provision of law, the Export-Import Bank of the United States may not provide any financing (including any guarantee, insurance, or extension of credit, or participation in any extension of credit) for the exportation of any article unless the Bank certifies to Congress in writing that—

(1) an export credit agency of a foreign country is providing financing for the exportation of a substantially similar article from that country; or

(2) private sector financing for the exportation of the article is not available or is prohibitively expensive.

(b) ADDITIONAL INFORMATION REQUIRED.—If the Export-Import Bank of the United States certifies under subsection (a)(2) that private sector financing for the exportation of an article is not available or is prohibitively expensive, the Bank shall also include in the certification the following:

(1) An explanation of why private sector financing is not available or is prohibitively expensive.

(2) An explanation of how financing by the Bank for the exportation of the article does not put the United States at a substantial risk of loss.

(3) If private sector financing is available but prohibitively expensive, an assessment of the difference between the cost of private sector financing and the cost of financing provided by the Bank.

(c) REPORT ON REGULATORY BARRIERS.—For any transaction relating to the exportation of an article financed by the Export-Import Bank of the United States after certifying under subsection (a)(2) that private sector financing is unavailable, the Secretary of the Treasury shall submit to Congress a report that—

(1) assesses the extent to which private sector financing is unavailable as a result of excessive regulation of domestic financial institutions by the Federal Government or the obligations of the United States under international agreements relating to risk management by financial institutions; and

(2) makes recommendations for eliminating the barriers to private sector financing identified under paragraph (1).

SEC. 26. CAPITAL RATIO REQUIREMENT FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Export-Import Bank of the United States shall maintain a capital ratio of not less than 10 percent.

(b) CAPITAL RATIO DEFINED.—In this section, the term "capital ratio" means the

ratio of the capital of the Export-Import Bank of the United States to the total outstanding principal balance of all loans made or guaranteed by the Bank.

SEC. 27. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

Mr. CORKER. Mr. President, I will be very brief. Again, this amendment is very simple and it does two things I would think the Senator from Washington especially would support, after all we have gone through, and especially after her alluding to some of the most recent developments in the financial system. I hope this amendment will receive broad support in this body.

The Ex-Im Bank is set up to finance transactions that cannot be financed in the private sector. That is the purpose for its existence. So, No. 1, what this amendment will do is to cause the Ex-Im Bank to certify there is no private sector financing—or at least no private sector financing at a reasonable cost—before any loan goes through the Ex-Im Bank.

The second piece I think is very important. The way the Ex-Im Bank is set up right now, there are no capital requirements. The Senator from Washington was just talking about something that happened at JPMorgan. Fortunately, we have put in place since the financial crisis very strong capital requirements at our financial institutions, and what that has done is to make them healthy and to cause them to be able to withstand things that may happen as relates to default rates or other failures.

The Ex-Im Bank, believe it or not, is set up to finance things that no other bank will finance, and yet it has no capital requirements other than having to maintain \$1 billion. So they are able to loan, per this new legislation, \$140 billion but they only have to have \$1 billion in capital reserves, which means you are creating with this mechanism 140-to-1 leverage ratios.

What we have gone through with our entire financial system is a process to make sure we have adequate capital. What our amendment does is to require that the Ex-Im Bank adhere to the normal sound financial practices we want our financial institutions across our country to adhere to by establishing a 10-percent capital base.

Again, I think this is a very good government amendment. We don't want to see the same happen with Ex-Im Bank that we have seen happen with Fannie, with Freddie, with so many of our institutions in this country that did not have proper capital reserves.

I urge strong support for this amendment which will make the Ex-Im Bank something that ensures—or hopefully helps ensure—that our U.S. taxpayers are never in a situation where we have to come to the aid of this institution because it hasn't reserved properly, it doesn't have the proper capital standards in place, that I think people in

this body on both sides of the aisle have overwhelmingly supported for the private sector.

I would hate to see us be in a situation where we want to create something in government that risks taxpayers' money, when we have just gone through a process of understanding that it is very important for the financial institutions of our country to have appropriate capital standards. Here we are getting ready to pass legislation on this floor which, I am sorry, has almost no capital standards in place because you only have to have \$1 billion—that is all—at the Ex-Im Bank, \$1 billion against a \$140 billion loan base. I think anybody here thinking about this understands those standards are not nearly appropriate, and I hope this amendment will receive overwhelming support.

It is my sense that if we pass this, the House would easily pass this. Contrary to what the Senator from Washington was saying, I think this would make the legislation better and, my sense is, receive overwhelming support in the House if added to it.

I yield the floor, and I thank the Senator from South Carolina for his tremendous courtesy.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I rise in support of the compromise that was outlined by Senator CANTWELL.

Basically, 6 years ago the Congress of the United States by voice vote reauthorized the Export-Import Bank. If you are in business, like Boeing and GE, and thousands of other companies out there that are making products in the United States and selling them overseas, the idea that the Congress would, by voice vote, reauthorize the bank had to make you believe that this model of doing business would be made available to you. Here we are, later down the road, a lot of concern about the bank, and some people actually want to do away with it.

I understand free markets pretty well, and I would love to live in a world where no country interfered in the marketplace at all and the best products would win based on a level playing field. But why do we have the Export-Import Bank? It is about 70 years old. There is a long record here. Products made in America and sold overseas—sometimes because of the volatile nature of the region in question traditional banks won't lend money. What happened is about 70 years ago we created a bank to help us export products, and that bank, the Export-Import Bank, as Senator CANTWELL said, makes money, doesn't lose money, and it has been a sound way to get American-made products into the international marketplace.

Here is the reality: Canada, France, Germany, Italy, Japan, Britain, Brazil, China, and India all have export banks of their own. The G-7 countries we competed against between 2006 and 2010 doubled the amount of ex-im financing

available in their countries. This is what American businesses are competing against.

Our good friend up North, Canada, is one-tenth our size. The Canadian Ex-Im Bank did \$100 billion worth of financing for Canadian-made products last year, compared to \$32 billion in support of American manufacturers.

The only area of our economy that has been strong lately is exports. So imagine this: America does away with the Export-Import Bank. All of the countries I just described have their banks available to their manufacturers. Boeing makes planes in Washington and in South Carolina. Eight out of ten planes being manufactured in Charleston, SC, by Boeing, the 787s, are sold based on export-import financing, 8 out of 10. That is why they needed a second line of production. They are competing against Airbus. France has three Export-Import Banks. China's Export-Import Bank is larger than those of the United States, Germany, Canada, and Britain combined.

It is one thing to do reform; it is another to unilaterally surrender. It is one thing to lead the world; it is another to put the people who make products in America at risk unnecessarily. The legislation in the House did compel the President, the Department of Commerce, and Treasury to try to get these Export-Import Banks wound down over time. If we could do that, great, because I think the American workers and the American companies can compete anywhere in the world on a level playing field. At the end of the day, this is about whether we are going to unilaterally surrender. We are weeks away.

Senator CORKER has a good amendment, a decent amendment, but it doesn't quite get us to where we need to be at this late hour. One part of this amendment is that you can't make a loan under the Export-Import Bank until the company proves that the other countries in question are not offering loans in that area. That is pretty hard to do when countries such as China are not very transparent.

This amendment is billed as good government, and I know his motivations are sound. He is not ideologically against the bank. But at this late hour, it will bring the legislation down. And, quite frankly, the second prong of what he is proposing I think is a real burden to put on American businesses at a time when it is hard enough already to create jobs in America.

To those who want to end the bank without other countries doing so, I think you would be doing a great disservice to people in this country who are selling products overseas. In my State alone, you would be destroying the ability of Boeing Company to grow in South Carolina. GE makes gas turbines in Greenville, SC. One-third of those turbines made in Greenville are sold through ex-im financing. If you can get the other parts of the world to do this, count me in. Until we do it to-

gether, I am going to allow this bank to stay in business because it makes money, it doesn't lose money. There is a difference between leading the world and putting your companies at risk in a world based on reality, and the reality is that export-import financing by our competitive nations is growing, it is not being reduced.

This bill that passed the House was 330 votes. We live in a time in Congress where you can hardly declare Sunday as a holiday, but 330 Members of the House voted to extend this bank for 3 years with reforms. Count me in the reform camp.

Some people say this bank has kind of gotten out of its lane and is making loans that are not traditionally export-import loans. I agree with that. Some say the bank is not transparent enough. I agree with that. The bottom line is it has been reformed; not as much as some would wish, but it definitely has been reformed.

Sixty-two percent of the Republican Conference in the House voted to reauthorize this, so I want to acknowledge Representative CANTOR, Representative HOYER, TIM SCOTT, and my delegation, who have tried to bring about reform. At the end of the day, the Senate now is receiving a product that went through the House, a lot of giving and taking. They produced a compromise, as Senator CANTWELL said, that would be different than I would have written, but it truly is reform. It allows a 3-year extension of the bank at \$140 billion with reforms that are, quite frankly, I think common sense, and 62 percent of the House Republicans supported this. The tea party was split.

At the end of the day we have a decision to make as a Senate: Are we going to allow this bank to fail, or are we going to allow the bank to stay in business under a new way of doing business? I think it would be a travesty and a detrimental event to the economy of this country if this bank were to go out of business and the banks of everybody we compete with are doubling in size. If you want to grow the footprint in America of selling products made in America overseas, this bank has a niche. Where you cannot find traditional financing, this bank allows American products to be sold, and I think it is a very sound business practice. The bank is making money.

The bank has been around for 70 years and there are no subprime mortgages here. This is about selling American products to a willing buyer overseas where you can't find traditional financing. Our friends in China—sometimes they are not our friends; they manipulate their currency, they steal intellectual property—their bank is going like gangbusters. The last thing I am going to do with my vote is take American companies that are struggling to make it, creating jobs in America through selling products overseas, and put them at a disadvantage against the Chinese or any other country that is doing business. We will wind

down these things together or we will stay in business to allow those in America to make products and sell them overseas.

From a South Carolina perspective, this is a very big deal. It was a big deal to get Boeing to come to South Carolina. This is a request by Boeing, and many other small businesses such as Mount Vernon Mills, to keep the program around.

I will end where I started. Six years ago, those people in the manufacturing community had the bank reauthorized by voice vote. They set up a business model assuming the bank was going to be around, because nobody even objected to it enough to get a rollcall. Six years later, we can't make wild, radical changes. We have made reforms. But the worst thing we can do is to have told the community 6 years ago by voice vote this bank will be in place and 6 years later do away with it when no one else is doing away with their banks. That makes no sense to me. That is not good government. That, to me, is unilateral surrender. I didn't want to unilaterally disarm when we were competing against the Soviets in the Cold War, and I sure as heck don't want to unilaterally disarm in a world economy very much interconnected.

These amendments, most of them, are designed to wind down the bank. They are ideologically driven. Senator CORKER is trying to make it better, but there is a component of his amendment that I think would make it very difficult for our companies to get a loan. At the end of the day, we need to vote these amendments down and pass the House product.

To the Members of the House, Republicans and Democrats, you worked this out among yourselves in a way that I think the Senate should embrace and endorse.

And to Senator REID and Senator MCCONNELL, we are allowing votes on an important piece of legislation. The Senate is operating in the best traditions of the Senate; people have their say, people get to vote.

Here is my say: Bring your amendments to the floor. I respect your ideological position. I respect the idea of the free markets and where we want to go. But I am asking my colleagues not to put American businesses at risk at a time when our economy is on its knees. Do not destroy this bank at a time when competitor nations are doubling the size of theirs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I appreciate my colleague from South Carolina coming down to talk about his important tool for U.S. manufacturers and why it is important in his State and why we need to get on to the business of passing this House legislation that was a compromise that involved many people and, as my colleague from South Carolina stated, a very robust vote out of the House of Representatives.

I also wish to say a few words about my colleague's amendment, Senator CORKER. I will trust what my colleague from South Carolina says, that the amendment may be seen as a reform of the system, well intended, but I can tell you, it will have very adverse effects.

The Corker amendment basically is calling for a 10-percent capital ratio requirement. It is not based on any fact or reason. The bank has had a default rate of less than 2 percent—1.5 percent. So raising the reserve ratio would have a very adverse effect on the bank itself, and it would quadruple the reserves and basically cause problems with the bank and how it is leveraged.

If this is an issue about reform, there are many reforms in the underlying bill. To the provision that would say you would have to verify, if you are an individual business, that you can't get financing, I have read the Senator's amendment. I am not sure how you would prove that. It is not clear from the legislation. Does that mean you would have to survey every time the ex-im program was implemented for a business?

Let's say SCAFCO in Spokane, WA, which is a grain silo producer that is selling silos in many different parts of the world—every time they wanted to get financing for one of those silos, what would they do? Would they petition five banks in a region? Would they petition 100 banks in a region? I want people to understand what that competition is like.

Let's pretend that SCAFCO, as I said, which makes large grain elevators and is selling products all over the world and is one of the world leaders, and we have an Ex-Im Bank requirement that says they have to prove there is no financing available, and they are selling a lot of product in South America, in Africa, in Asia. Now somebody else says, You know what. I can get financing for the product out of Russia or I can get financing for the product out of China and I don't have that same requirement, so I am not going to buy from you, I am going to buy from them.

That is what you are doing. You are basically hamstringing American competitors in an international marketplace by not allowing them the financing tools. Of course the bank has to show they can't get financing, but this new provision puts an undue burden on these individuals—because of the language and how vague it is, how are they ever going to prove that there isn't someone there?

Instead of hamstringing American businesses, why not allow those American businesses to continue under this legislation that, as my colleague from South Carolina said, has been around for decades and been very effective? And we are including more transparency.

I urge my colleagues to defeat the Corker amendment because of its requirements on capital ratio that they

do not need and, second, on an ability to prohibit the financing based on a clause that I don't even know how it can be met. My colleagues from States that are using this program will understand that it will be very hard for our businesses to continue to compete with such a requirement.

I know my colleague Senator LEE was here earlier. The Lee amendment basically would out-and-out defund the Export-Import financing program. I get that some of my colleagues on the other side of the aisle believe we should not have this program. I think it has been a very important tool for U.S. companies to win in their sales of U.S. products overseas and, as I said, creates thousands of jobs. I do not think the amendment of Senator LEE, which would basically abolish the bank as of September 30, 2013, is a good way to go.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Louisiana.

AMENDMENT NO. 2103

Mr. VITTER. Mr. President, I now call up Vitter amendment No. 2103, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 2103.

Mr. VITTER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries)

Strike section 8 and insert the following:

SEC. 8. NONSUBORDINATION REQUIREMENT.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section 7 of this Act, is further amended by adding at the end the following:

“(j) NONSUBORDINATION REQUIREMENT.—Notwithstanding any other provision of law, the Bank shall not make or guarantee a loan that is subordinate to any other loan.”

SEC. 8A. PROHIBITION ON FINANCING OF FOSSIL FUEL PROJECTS IN FOREIGN COUNTRIES THAT ARE SUBSTANTIALLY SIMILAR TO CERTAIN FOSSIL FUEL PROJECTS IN THE UNITED STATES.

(a) IDENTIFICATION OF CERTAIN DOMESTIC FOSSIL FUEL PROJECTS.—Not later than 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall identify projects involving the production, refining, or transportation of fossil fuels in the United States that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(b) PROHIBITION ON FINANCING OF CERTAIN FOSSIL FUEL PROJECTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, on and after the date that is 90 days after the date of the enactment of this Act, the Bank shall not provide any guarantee, insurance, or extension of credit (or participate in the extension of

credit) with respect to any project in a foreign country that the Bank determines is substantially similar to a project identified under subsection (a).

(2) CERTIFICATION REQUIRED.—If, on and after the date that is 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States provides financing with respect to a project involving the production, refining, or transportation of fossil fuels in a foreign country, the Bank shall certify to Congress that to the knowledge of the Bank there are no projects in the United States that are substantially similar to the project in the foreign country that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(c) DEFINITION OF FOSSIL FUEL.—In this section, the term “fossil fuel” means natural gas, petroleum, coal, or any form of solid, liquid, or gaseous fuel derived from natural gas, petroleum, or coal.

SEC. 8B. PROHIBITION ON, AND REPEAL OF MINIMUM INVESTMENT GOALS FOR, FINANCING OF RENEWABLE ENERGY PROJECTS.

(a) PROHIBITION ON FINANCING OF CERTAIN RENEWABLE ENERGY PROJECTS.—Notwithstanding any other provision of law, the Export-Import Bank of the United States shall not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) with respect to any project that involves the manufacture of renewable energy products in a foreign country.

(b) REPEAL OF MINIMUM INVESTMENT GOAL FOR FINANCING OF RENEWABLE ENERGY PROJECTS.—Section 534(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (12 U.S.C. 635g note) is repealed.

Mr. VITTER. Mr. President, this amendment is borne of real frustration that a lot of folks have faced over the last few years, particularly in my State of Louisiana. As you know, we have had a rough time, particularly following the BP disaster.

First there was that real environmental disaster, which was a shock to our system and our ecology. But second, and of perhaps even more lasting impact, there was the economic hit that was magnified enormously when the Obama administration, in my opinion, overreacted and instituted a full-blown moratorium on production drilling—drilling in the Gulf of Mexico. That formal moratorium was ended in late 2010, but a de facto moratorium continued for many months. Even now there is a permanent logjam that has permitting at a much lower pace than before the BP disaster.

This is a broader problem because, at least off the coast of Louisiana, we are producing some energy. In many other places of the country where we have an abundance of energy, we are not allowed to get it because this Federal Government, particularly under this Obama administration, puts well over 90 percent of our domestic resources off limits.

In the midst of everything that was going on in the gulf, in the midst of that moratorium shutting down jobs in the Gulf of Mexico, President Obama traveled to Brazil and he said that the United States wanted to be a tremendous partner and cheerleader of the development of Brazil's offshore industry.

I have to tell you, that was like rubbing salt in the wounds of tens of thousands of oilfield workers and others who were suffering because of the Obama administration policy here in this country really discouraging energy development. The way President Obama proposed to be a strong supporter and partner and cheerleader of Brazilian offshore development was through an Export-Import Bank loan.

There are many of these sorts of loans. In August 2009—talking about Brazil, the case I mentioned—the Wall Street Journal reported in an editorial that “the U.S. is going to lend billions of dollars to Brazil's State owned oil company, Petrobras, to finance exploration of the huge offshore discovery in Brazil's Tupi oil field in the Santos Basin near Rio de Janeiro.” Again, the Export-Import Bank approved a \$2 billion loan to aid Brazilian oil production. That is what President Obama was cheering and encouraging and making happen. It has happened other places as well. Again, the Ex-Im Bank specifically approved a \$2.84 billion loan and loan guarantee to a subsidiary of Colombia's national oil company. This money was intended to expand and upgrade an oil refinery in Cartagena, Colombia. In 2011 the Ex-Im Bank again authorized \$1 billion for Pemex, Mexico's national oil and gas company.

Here we have this Federal Government, through the Ex-Im Bank, financing energy production overseas at the same time as this Federal Government tries to shut down and make difficult a lot of that activity here at home. That is the frustration that produced this amendment, No. 2103. This amendment is simple. It simply says that Ex-Im Bank is not going to provide those loans or loan guarantees related to fossil fuel development in foreign countries if there are similar projects in this country that are not getting comparable help. It is not suggesting that the Ex-Im Bank is going to participate directly in projects in this country. It simply says first things first—American jobs, American energy, American production. So we are not going to finance the world to produce energy when we create obstacles right here at home to do the same.

The last several years have proved the need for this sort of commonsense provision, in my opinion. President Obama traveling to Brazil, ballyhooing the development of their industry while his moratorium and other policies substantially shut down our own here in the United States, proves the need for this commonsense amendment.

I urge all my colleagues, Republicans and Democrats, to support this Vitter amendment No. 2103. Again, it is very simple, very logical, and pure common sense. Before the Ex-Im Bank uses U.S. taxpayer money to fund, to finance the guarantee of oil and gas and other energy development overseas in foreign countries, we are going to look here at

home to see if similar projects exist and are they getting any similar help or inducement from the Federal Government.

I urge support of this amendment as a way to move forward in a commonsense way on this reauthorization.

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.

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

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

Ms. CANTWELL. Mr. President, I rise to address the Vitter amendment, No. 2103. In speaking in opposition to that amendment, as I said, like all these amendments that are up for us to vote on today, I believe they are detrimental not only to the Export-Import financing program but to the compromise that has been worked out by Republicans and Democrats in the House of Representatives in the legislation that is being supported by the chamber of commerce, U.S. manufacturers, a bipartisan list of Governors, and many businesses across America.

The reason the Vitter amendment is a horrible idea, actually, is that the amendment would basically cut off or curtail American companies in their ability to compete on energy projects on a worldwide basis; that is, it would eliminate the bank's current 10 percent goal for renewable energy projects. This is a longstanding requirement that has been incorporated into the Senate Foreign Operations bill. Why someone would oppose it here I am not sure.

As somebody who knows a lot about energy and works on energy all the time, I can tell you that one of the goals we have as a country should be for the United States to win in the energy debate. Look at what a tremendous market opportunity new energy solutions are for our economy, for the worldwide economy. It is somewhere from \$4 trillion to \$6 trillion. A lot of people like to talk about the Internet and the great things on the Internet. By comparison, it was somewhere between \$2 and \$4 trillion. This is an economic opportunity way beyond that.

When you look at what China is doing, they need to invest \$3.7 trillion by 2030 in order to build 1,300 gigawatts of new electricity-generating capacity. The Chinese Government alone needs to spend \$3.7 trillion on energy. My colleague from Louisiana wants to say: Let's hamstring U.S. companies—those that might have a solution to some of China's energy needs—from getting the appropriate financing so they can be successful in this program. To me, it is wrongheaded in the fact that we want to be selling to China, as I said, just because in the Northwest we already know what China is as a market. We sell them software, we sell them airplanes, we sell them coffee—we sell

them lots of things. We understand they are a market. To curtail the solutions U.S. companies are working on, whether it is battery technology or smart grid technology or solutions for a whole range of products—you could even say nuclear power solutions or other clean energy source solutions—all of these things would be curtailed under the Vitter amendment.

We do not want to go backward. Not only does the United States want to be a leader in energy solutions in the United States, the United States should have the goal of being an energy winner in the international marketplace, growing jobs through selling solutions that we think can be quite successful in and around the developing world and in China.

I ask my colleagues to defeat this amendment and to make sure we get this bank. As I said regarding the Export-Import financing program, we have about 5 legislative days to give the predictability and certainty American businesses would like to see in making sure U.S. manufacturers win in a global marketplace.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. I rise today in support of H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. After too much delay, it is time for the Senate to pass this bill.

The Export-Import Bank supports nearly 290,000 jobs a year, assists thousands of American businesses, and helps reduce the Federal budget deficit. It shouldn't be surprising, then, to hear that the bank has the approval of labor unions, the chamber of commerce, the Business Roundtable, and the National Association of Manufacturers.

Indeed, the bank is supported by a wide majority in both Houses of Congress. The bill before us today passed with an overwhelming vote of 330 to 93 in the House of Representatives last week as Republicans and Democrats came together in support of truly bipartisan legislation. When we passed a similar bill out of the Senate Banking Committee last year, it had unanimous bipartisan support.

Despite the urgent need for passage of the bill, there are several Republican amendments. I urge all of my colleagues to vote against those amendments and pass this bill without delay. We are at the finish line today with a bill that has already been approved in the House and has bipartisan support in the Senate. Unless we pass this bill, the Ex-Im Bank's authorization will lapse on May 31 and nearly 300,000 American jobs will be at risk. Unless we pass this bill, American exporters will be put at a disadvantage with their foreign competitors, who, in many cases, receive far greater assistance from their own nations' export credit agencies.

Let's come together and pass this bipartisan bill and score a victory for the hundreds of thousands of American

workers whose jobs are supported by the Ex-Im Bank.

I urge my colleagues to oppose the amendments and support reauthorization of the Export-Import Bank today so we can send this bill to the President and have it signed into law without delay.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. 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. 2104

Mr. TOOMEY. Mr. President, I call up my amendment No. 2104, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania, Mr. TOOMEY, for himself, Mr. DEMINT and Mr. LEE, proposes an amendment numbered 2104.

Mr. TOOMEY. Mr. President, I ask that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than \$100,000,000,000 until the Secretary of the Treasury certifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than \$120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed)

Strike section 3 and insert the following:

SEC. 3. LIMITATIONS ON OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended—

- (1) in subparagraph (D), by striking “and”;
- (2) in subparagraph (E), by striking the comma at the end and inserting “; and”;
- (3) by adding at the end the following:

“(F) during fiscal year 2012 and each succeeding fiscal year, \$100,000,000,000, except that—

“(i) the applicable amount for each of fiscal years 2013 and 2014 shall be \$120,000,000,000 if—

“(I) the Bank has submitted a report as required by section 4(a) of the Export-Import Bank Reauthorization Act of 2012;

“(II) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year; and

“(III) the Secretary of the Treasury has certified in writing to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that the Secretary has initiated the negotiations required by section 11(a) of the Export-Import Bank Reauthorization Act of 2012; and

“(ii) notwithstanding clause (i), the applicable amount for fiscal year 2014 shall be \$140,000,000,000 if—

“(I) the rate calculated under section 8(g)(1) of this Act is less than 2 percent for the quarter ending with the beginning of the fiscal year, or for any quarter in the fiscal year;

“(II) the Bank has submitted a report as required by subsection (b) of section 5 of the Export-Import Bank Reauthorization Act of 2012, except that the preceding provisions of this subclause shall not apply if the Comptroller General has not submitted the report required by subsection (a) of such section 5 on or before July 1, 2013; and

“(III) the Secretary of the Treasury has submitted to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the text of a multilateral agreement to eliminate subsidized export financing programs (including aircraft export credit financing) agreed to by—

“(aa) each country that is a member of the Organisation for Economic Co-operation and Development; and

“(bb) each country that is not a member of that Organisation that, during fiscal year 2012 or any fiscal year thereafter, provided export financing in excess of \$50,000,000,000.”.

Mr. TOOMEY. Mr. President, this is an amendment that deals with the reauthorization of the Ex-Im Bank. I urge my colleagues to support this amendment. I think it is a very important measure to begin the process of phasing out a very unfortunate practice that we participate in, as do many of our trading partners, which is the active taxpayer subsidization of exports.

I want to be very clear. There is a very real risk that is carried by American taxpayers, and that risk is systematically underpriced. The fact is the Ex-Im Bank extends loans and provides guarantees to countries and companies buying American exports. It provides those loans and those loan guarantees under terms that are not available in the private sector.

There is a reason those terms are not available in the private sector. It is because the private sector necessarily requires full compensation for whatever risks they take, and there is a risk in any loan. The Ex-Im Bank underprices these loans systematically, and that is why it is important, that is why it exists, and that is why it does business that the private sector cannot win away from the Ex-Im Bank. The Ex-Im Bank necessarily and systematically underprices the risks that taxpayers are on the hook for. This is what many of us object to, the risk that the taxpayers are forced to bear.

In addition to enforcing taxpayers to incur this risk, it is quite unfair to American companies that have to compete with the foreign companies that get the subsidized financing. This isn't just theoretical. This happens all the time. Some years ago I was involved in a dispute because the Ex-Im Bank was going to finance the acquisition of equipment by a foreign—I think it was a Chinese steelmaker—which would enable them to make steel at lower prices than American steelmakers could make because the American companies wouldn't be able to obtain this equipment with the subsidy that the Chinese

companies could obtain through the Ex-Im Bank.

More recently is the case of Delta Airlines, which has observed that the price they have to pay for jets is higher than the price paid by other countries that are operating competing routes but buying their aircraft through the subsidies of the Ex-Im Bank.

In 2008 President Obama, referring to Ex-Im Bank, said this is “little more than a fund for corporate welfare.” I think that is a little bit harsh. I understand how this has come to be, I understand why it has been extended, and I understand why people believe we have to subsidize our exports. It is because other countries around the world subsidize theirs. In other words, if our German and French and Chinese and Russian taxpayers are made to take a risk in subsidizing the sales of their manufacturers, then our taxpayers ought to take a similar risk.

I think there is a logical solution. Let’s require the administration to sit down with our trading competitors and negotiate a mutual phaseout of all of these export subsidies. Frankly, it is in everybody’s interest. We could have a level playing field on which no taxpayers are subject to this risk, no taxpayers are asked to subsidize the sales of private companies, and I think that is what we ought to do. This is what my amendment would accomplish.

My amendment says we will go ahead with the reauthorization of the Ex-Im Bank, but the first increase in the lending limit we are currently at—the bump-up of \$20 billion that is contemplated in this bill that has passed the House—would be contingent upon the administration informing Congress that they have begun the process of negotiating a phaseout of all export subsidies.

I recognize this phaseout would not occur immediately but would be a gradual process that would happen over time. So under my amendment the second increase would only occur when the administration came back and informed Congress that they had, in fact, reached an agreement with our leading trading partners on a framework that would phase out subsidization of exports.

I think this is a very sensible way to deal with the only compelling argument I have heard in favor of forcing taxpayers to continue to take this risk; that is, well, everyone does it, so we must. Since that is the only reason, then let’s start the process of persuading everyone else not to do it. We have tremendous leverage in both bilateral and multinational trade negotiations of all sorts. There are ways that the administration—if it makes this issue a priority—can persuade our trading partners that this is the right direction to go.

Each of our trading partners has their own constituency of taxpayers who would probably rather not be forced to subsidize this process just as we do. I think this amendment does it

in a careful fashion that allows businesses to continue for now provided we start in a different direction, a direction that will avoid continuing to put taxpayers at risk.

I urge my colleagues to support my amendment numbered 2104.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I would like to speak in support of Senator TOOMEY’s amendment and to point out some of the things about the Ex-Im Bank that are important for the taxpayers to know.

As a businessman I know if I can get a guaranteed loan, I would take it in a second. I don’t blame companies that are interested in lower rate financing. But as Congressmen and Senators and as the President of the United States, our job is to protect taxpayers. We are forgetting in this debate that when we guarantee a loan, we are signing the taxpayers’ names to a loan guarantee. In the real world if an individual or a business guarantees a loan, that is a very real liability to them, and we are not just talking about the Ex-Im Bank.

The taxpayers of this country are now liable for about \$1 trillion for student loans, trillions of dollars for mortgages and other loan guarantees and insurance.

We cannot continue to pass these bills without realizing someday these bills are going to come due and the folks across the country are going to have to pay them.

We were promised, when Fannie Mae and Freddie Mac were making all these loans, that it was good for the taxpayer, that we were making money, we could not lose. But the taxpayers have lost billions of dollars. And now as we continue to guarantee loans around the world, some of the countries these loans are going to are on the watch list by Moody’s and other ratings services because of the financial situation in Europe and all across the world, which is more and more strained. We cannot assume this money is coming back to the taxpayer.

We probably heard already from some of the speakers that the Export-Import Bank was started many decades ago during Franklin Roosevelt’s administration, and there was a limit on how much could be lent. It was \$3.5 billion. But we know how government works and how government grows. The bill we are considering this week is not in the millions; it is in the billions; and it is not \$3 billion or \$4 billion, it is \$140 billion of loan guarantees to American companies that are selling overseas.

Unfortunately, that does not help American companies that want to sell here in America, which means much of the domestic market for our products is financed at a higher rate. It is only the rest of the world. And we are the biggest consuming market in the world. This is not an idea we should continue in America. We are in a bidding war with China and Europe to see

who can subsidize the most loans at a time when all of us are broke.

We need to bring this to a close. Senator TOOMEY’s amendment is a logical way to proceed. The World Trade Organization is set up to make sure there is a level playing field and that we are not subsidizing imports and exports. But this is a very real subsidy and a very real risk to the American people.

Let’s begin the process of taking away this excuse of why we need to subsidize them. The excuse is always: We have to do it because they are doing it. But as a world trading organization, we need to take down these subsidies and phase them out. We can do that and decrease the amount of money the American taxpayer is liable for. It is common sense. Hopefully, my colleagues will support it today.

Mr. LEVIN. Mr. President, I am pleased the Senate is voting on H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. This bill will reauthorize the Export-Import Bank, which has been operating under temporary extensions. We are overdue to reauthorize and expand this important agency.

The Export-Import Bank is an important tool U.S. companies can use to promote the export of American-made manufactured goods, particularly exports of small- and medium-sized manufacturers which make up the largest portion of the Export-Import Bank’s transactions. The Export-Import Bank provides financing to foreign purchasers of U.S. goods when private financing is not available. That financing allows U.S. businesses to sell more U.S. goods abroad, which means we create more jobs here at home. And the reality is that many of our trading partners that compete against us in the global marketplace use aggressive export financing to advantage their companies. We need to offer the same type of support to American manufacturers so that they can compete in overseas markets on a level playing field.

Over the last 5 years the Export-Import Bank helped 148 Michigan companies export \$2.7 billion worth of goods overseas, supporting and creating jobs in Michigan. Over 100 of these Michigan, companies were small businesses selling a broad range of products manufactured in Michigan, including fabricated metal products, machinery, auto parts, chemicals, wood products, paper, and food. The three top export destinations for these Michigan exports were Mexico, Turkey, and Canada.

The Export-Import Bank is self-financing and in fact contributes money to the U.S. Treasury every year. This is a win-win situation to reauthorize the Export-Import Bank and increase its authorization level at no cost to the government so that we can export more American-made goods and create and support U.S. jobs here at home.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for the next 10 minutes.

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

Ms. CANTWELL. I have enjoyed listening to my colleagues on the other side of the aisle talk about Senator TOOMEY's amendment and all about subsidies. Well, it is hard to argue about subsidies when we are talking about the Ex-Im Bank generating \$3.7 billion for U.S. taxpayers since 2005.

So if this is a subsidy, we need a lot more of it because you are winning in producing jobs and you are actually producing money for the Treasury. This is a very important tool for us to win in a global economy. I think my colleague from South Carolina who spoke earlier said it best when he talked about the manufacturing jobs that are now in that State and what an important tool it is.

I am not one of those who basically says: Oh, we should do it because other countries do it. I am saying, you should recognize that is going on, but that the United States needs to understand there is a global marketplace for its products. If you believe in U.S. manufacturers, as I do—and I have seen them in my State—they are winning the day in producing products and services that can beat the competition in international marketplaces. They can.

I have seen grain silos, I have seen music stands, and, yes, I have seen airplanes. So the question is, are we going to let U.S. products that can beat the competition in an international marketplace lose because the purchaser of those products is looking for financing mechanisms that will help them secure financing and purchase of those products? That is the question.

Does the United States want to do those kinds of activities? I say we should be even more aggressive. Why? Because the global development of many countries that are now buying U.S. products is going to continue to grow. In my State, in southwest Washington, in Vancouver, I saw the second largest grain elevator in the entire world—the second largest grain elevator. I said: Why do we have the second largest grain elevator in the entire world right here at the Port of Vancouver? They said to me: Because as the Asian middle class rises, they want to eat beef. And if they want to eat beef, they have to have grain.

What is wrong with the United States selling grain to Asian markets because they want our product—or all these other products we have been talking about today? These are examples of products in the United States where we are actually building a product that many countries and many end customers want. We should celebrate that, and we should realize, as the growing middle class around the globe increases, there is even more opportunity for the United States to sell products and win the day in the marketplace. So I do not know what they are talking

about when they say “subsidies,” because this has been good for the U.S. taxpayers, and it has been good for our economy.

Specifically to the Toomey amendment, this amendment would require unnecessary conditions for helping the bank in the future. Basically, it would put a hold on the financing of the Export-Import Bank until we negotiated on an international basis to terminate this kind of financing.

As I said, for many States, they have had great benefits. In Pennsylvania, they have had the economic benefit—this is in just 2011—of \$1.4 billion in exports and over 9,000 jobs. So here is something that has actually created jobs, created money for the U.S. economy—basically money back to U.S. taxpayers that we have used to help pay down the deficit. So how is it that is bad for us? In the meantime, that manufacturer in Pennsylvania is winning and getting his product out on an international basis and, hopefully, expanding his business to many different countries.

We had numbers on some of the other examples of companies that have been helped in various States. These are products and services like many in my State. We have visited a grain silo producer in Spokane, WA, that is winning in selling its product. We visited a music stands company, Manhasset Music Stands. You would think somebody might be able to compete with them and beat them in the international marketplace, but, in fact, they are winning the day in the international marketplace, and the Export-Import Bank helps them in doing so.

There are many examples of how this particular program is a win for taxpayers, is a win for manufacturers, and is a win for the U.S. economy. These amendments that are all trying to gut the Export-Import Bank would send this back to the House, when we need to be sending it to the President's desk, giving certainty and predictability to our economy, giving certainty and predictability to a program that has existed for decades, for which often there has been a voice vote—instead of holding it up, actually making sure manufacturers have the opportunity and know where the financing is.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

Mr. HELLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—MOTIONS TO PROCEED

Mr. CONRAD. Mr. President, I ask unanimous consent that following leader remarks on Wednesday, May 16, the Senate proceed to the consideration of motions to proceed to the following budget resolutions listed, en bloc: Calendar No. 357, S. Con. Res. 41; Calendar No. 354, H. Con. Res. 112; Calendar No. 356, S. Con. Res. 37; Calendar No. 384, S. Con. Res. 42; and Calendar No. 395, S. Con. Res. 44; that there be 6 hours of debate on the motions to proceed equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on the five motions to proceed in the order listed above; that there be 2 minutes equally divided between the votes and that all after the first vote be 10-minute votes; that the motions to reconsider be considered made and laid upon the table; that notwithstanding the adoption of any motion to proceed, the Senate proceed to the remaining votes on motions to proceed; further, that at the conclusion of those votes, the Senate resume consideration of the budget resolution if a motion to proceed is adopted; and that if no motion to proceed has been adopted, the majority leader be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. HELLER. Mr. President, reserving the right to object, there has not been a budget passed in the Senate and the House in over 3 years. I would argue that the exercise we have ending tomorrow will have no substantial difference. I do not think there is anyone in America who believes we will have a budget at the end of tomorrow. The Congressional Budget Act of 1974 requires Congress to pass a budget by April 15. So with that, I ask unanimous consent that the request of the leader be modified so that S. 981, the No Budget, No Pay Act, be automatically discharged from the Homeland Security and Government Affairs Committee, the bill be immediately placed on the calendar, and that when the Senate proceeds to the budget votes mentioned in the Senator's request, the Senate also vote on the motion to proceed to S. 981 under the same terms and conditions of the other budget votes.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. CONRAD. Objection has been heard on our side.

The PRESIDING OFFICER. There is objection to the modification. Is there objection to the original request? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, just on the note that the Senator raised, I want to make clear that I have heard over and over: No budget resolution has passed in 1,000 days. What is not being said is that instead of a budget

resolution last year, the Senate and the House passed the Budget Control Act. The Budget Control Act is not a resolution, it is a law. A resolution, as all Members know, is purely a congressional document. It never goes to the President for his signature.

Last year, instead of a budget resolution, this body and the other body passed legislation called the Budget Control Act that set a budget, budget limits, and spending limits for this year and next. Actually, it went even further: It set 10 years of spending caps. A budget resolution usually only sets 1 year of spending caps.

So I wanted to make clear that instead of a budget resolution being passed last year, the House and the Senate passed the Budget Control Act to set spending limits for this year and next and for the 8 years beyond.

In addition, the Budget Control Act established a supercommittee and gave it special authority to reform the tax system and the entitlement system and said that if they could come to an agreement, they would not face a filibuster. With a simple majority, we could reform the tax system and the entitlement system here in the Senate. The Budget Control Act further said that if the special committee does not agree to reform the tax system, to reform the entitlement system, there will be an additional \$1.2 trillion of spending cuts put in place over and above the \$900 billion of cuts put in place by the Budget Control Act through spending caps for 10 years. That is a total—because the special committee did not agree—of over \$2 trillion of spending cuts that are now in law as a result of the Budget Control Act. That is the largest spending cut package in the history of the United States, and it is law. It is law because of the Budget Control Act passed last year.

Now, my colleagues can go and shout it through the rooftops, as they have done, that the Congress has not passed a budget resolution in 1,000 days, but they are not telling the whole story. They are not telling people that instead of a resolution, the House and the Senate passed a law. A law is stronger than any resolution. A resolution is purely a congressional document. A law has to be signed by the President of the United States.

The Budget Control Act was passed by the Senate on an overwhelming bipartisan vote, passed by the House, and signed by the President of the United States. It sets the budget limits for this year and next, and it goes beyond that. It sets 10 years of spending caps, saving \$900 billion. And because the special committee could not agree to reforming the tax system and the entitlement system, it put in place another \$1.2 trillion of spending cuts that are now in law. That is a total of over \$2 trillion of spending cuts.

What we do not have is the longer term plan the Budget Control Act hoped would come about as a result of

the work of the special committee. So that is work we still need to do, but nobody should be under any misimpression or misunderstanding that we do not have spending limits in place for this year and next and, in fact, for all discretionary spending, spending limits in place for the whole of the next 10 years. That is a fact.

Tomorrow we are going to have a chance to debate fundamental issues of where the resources of the United States go. But we are in a different situation than we normally would be because the Budget Control Act is in law. We know what the appropriators can spend for this year and next. That is locked in. And tomorrow we will have a chance to debate longer term plans.

I will be interested to see what some of our colleagues say about some of the truly extraordinary and extreme budget plans that are being offered by my colleagues on the other side—plans to eliminate Medicare in 2 years, plans to cut Social Security benefits by 39 percent, plans to have trillions of dollars of additional tax cuts for the wealthiest among us, and at the same time cut education 25 percent, cut funding to reduce our dependence on foreign energy by 60 percent, plans to cut spending beyond the Budget Control Act limitations by another \$2 trillion.

We are going to see, from some of my colleagues on the other side, truly extreme plans. I hope they will be voted down tomorrow. I hope we will be able to make clear to the American people with the Budget Control Act law that passed last year, instead of a budget resolution, there are spending caps in place this year and next and the 8 years beyond.

Tomorrow will be an interesting day to discuss different Members' views of the fiscal future of this country. Make no mistake, we need to come together on a long-term plan to get us back on track.

I was part of the Bowles-Simpson Commission. In fact, it was the idea of Senator Gregg and myself to have such a commission. I voted for the findings of that commission to save more than \$4 trillion. I was part of the Group of 6 who spent an entire year trying to find a way to implement Bowles-Simpson. So I am fully prepared to have this debate and this discussion.

I am eager for us to come together around a plan to get us back on track, but it is going to require all sides to get out of their fixed positions. That is probably unlikely right before an election, but it needs to happen before the end of this year. I am very hopeful that Bowles-Simpson—that fiscal commission plan—serves as a good example of where we might find common ground. Both sides, all sides, need to get out of their fixed positions to reach an agreement to get our country back on track.

I yield the floor.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—Continued

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Mr. President, we yield back all time.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the question is on agreeing to amendment No. 2100.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 12, nays 86, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—12

Cornyn	Hatch	Paul
Crapo	Kyl	Risch
DeMint	Lee	Rubio
Grassley	McCain	Vitter

NAYS—86

Akaka	Feinstein	Mikulski
Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Barrasso	Graham	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Hoeben	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Inouye	Roberts
Boxer	Isakson	Sanders
Brown (MA)	Johanns	Schumer
Brown (OH)	Johnson (SD)	Sessions
Burr	Johnson (WI)	Shaheen
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Snowe
Carper	Kohl	Stabenow
Casey	Landrieu	Tester
Chambliss	Lautenberg	Thune
Coats	Leahy	Toomey
Coburn	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Lugar	Warner
Conrad	Manchin	Webb
Coons	McCaskill	Whitehouse
Corker	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Merkley	

NOT VOTING—2

Kirk	Rockefeller
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2101

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 2101 to be offered by the Senator from Kentucky, Mr. PAUL.

Mr. PAUL. Mr. President, I call up amendment No. 2101.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2101.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country the government or central bank of which holds debt instruments of the United States)

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR PERSONS OR PROJECTS IN COUNTRIES THAT HOLD DEBT INSTRUMENTS OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States may not provide any guarantee, insurance, or extension of credit (or participate in the extension of credit) to a person or with respect to a project in a country the government or central bank of which holds debt instruments of the United States.

(b) DEBT INSTRUMENTS OF THE UNITED STATES DEFINED.—In this section, the term “debt instruments of the United States” means bills, notes, and bonds issued or guaranteed by the United States or by an entity of the United States Government.

Mr. PAUL. Mr. President, first, we borrow billions of dollars from China, India, and Saudi Arabia. Then we loan it back to them again.

Republicans rightly complain that we are sending taxpayer money to the President's major donors at Solyndra and BrightSource. Now Republicans need to be consistent and say we are not going to send Ex-Im loans to even bigger companies that are even more profitable. If it is wrong for the government to choose winners and send our money to corporations, we should say it is wrong and we should vote against this.

Does anybody remember the President threatening to increase taxes on corporate jets? Ex-Im Banks are now going to increase the loans for corporate jets tenfold.

My amendment will stop this charade. My amendment will stop sending taxpayer dollars overseas to countries from whom we already are borrowing money. It makes no sense, and the time is now to stop it.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment is simply another attempt to gut the Export-Import Bank financing that U.S. manufacturers use to increase the sales of their products around the globe.

The amendment would prohibit U.S. exporters from using the financing for any country that owns U.S. debt. So basically we are saying we are going to prohibit U.S. manufacturers, who make good products, from hoping to sell

those to places such as China and others just because of the amount of U.S. debt.

This is about job creation in America for a program that actually generates money to our Treasury and helps us pay down the deficit. We should be helping all U.S. manufacturers sell all around the globe and create jobs at home.

I urge my colleagues to oppose the Paul amendment.

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 9, nays 89, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—9

Coburn	Lee	Risch
DeMint	Moran	Rubio
Hatch	Paul	Vitter

NAYS—89

Akaka	Feinstein	Menendez
Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inhofe	Reid
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Sanders
Brown (OH)	Johanns	Schumer
Burr	Johnson (SD)	Sessions
Cantwell	Johnson (WI)	Shaheen
Cardin	Kerry	Shelby
Carper	Klobuchar	Shelby
Casey	Kohl	Snowe
Chambliss	Kyl	Stabenow
Coats	Landrieu	Tester
Cochran	Lautenberg	Thune
Collins	Leahy	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Warner
Cornyn	Manchin	Webb
Crapo	McCain	Whitehouse
Durbin	McCaskill	Wicker
Enzi	McConnell	Wyden

NOT VOTING—2

Kirk Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2102

Under the previous order, there will be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 2102 offered by the Senator from Tennessee, Mr. CORKER.

Mr. CORKER. Mr. President, the most important thing this amendment

does is establish capital in the Ex-Im Bank. Right now the way the Ex-Im Bank is set up, there is over \$1 billion worth of capital against \$140 billion in loans. That is a leverage ratio of 140 to 1.

This body spent a tremendous amount of time in a bipartisan way to make sure the financial institutions of our country had proper capital ratios. This amendment establishes a 10-percent capital reserve for the Ex-Im Bank. By their definition these loans are more risky than the private sector would make, and that is why the sponsors are trying to extend the Ex-Im Bank.

As a responsible body, the very least we can do is to cause them to have the appropriate capital reserved against the loans they are making which are more risky by definition than the private sector loans.

I hope this will receive a strong bipartisan vote. My guess is the House will take this almost in unanimous consent.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment would force the Ex-Im Bank financing to increase its reserves by nearly 400 percent to maintain that 10-percent ratio. Basically we already have a board that audits third-party accountants, OMB, and a bank inspector general reviewing this. This amendment basically would take away from money that actually goes to the Treasury.

This Ex-Im Bank has generated \$3.7 billion for taxpayers since 2005. My colleague would rather have that put aside as opposed to helping us pay down the deficit. It has a reserve ratio that has worked for decades, worked successfully, and I like the fact that it helps us pay down the deficit.

I urge my colleagues to vote no on the Corker amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2102.

Mr. CORKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 62, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—36

Alexander	Barrasso	Burr
Ayotte	Boozman	Chambliss

Coats	Hutchison	Paul
Coburn	Inhofe	Risch
Cochran	Isakson	Rubio
Collins	Johnson (WI)	Sessions
Corker	Kyl	Shelby
Cornyn	Lee	Snowe
Crapo	McCain	Thune
DeMint	McConnell	Toomey
Enzi	Moran	Vitter
Grassley	Murkowski	Wicker

NAYS—62

Akaka	Hagan	Mikulski
Baucus	Harkin	Murray
Begich	Hatch	Nelson (NE)
Bennet	Heller	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Inouye	Pryor
Blunt	Johanns	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Roberts
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Durbin	Lugar	Warner
Feinstein	Manchin	Webb
Franken	McCaskill	Whitehouse
Gillibrand	Menendez	Wyden
Graham	Merkley	

NOT VOTING—2

Kirk Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2103

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2103, offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very simple. It simply says that if we are going to have the U.S. taxpayer, through the Ex-Im Bank, finance and guarantee and loan money to traditional energy projects around the world, maybe we should have the same policy and the same help for U.S. projects producing U.S. energy here at home. That is, pure and simple, what it is all about. This is not a theoretical concern. A year ago President Obama traveled to Brazil to praise the development of their offshore industry, to give them U.S. taxpayer help through the Ex-Im Bank. But policies in this country were doing exactly the opposite—hurting U.S. activity to produce U.S. energy, to produce U.S. jobs.

If you want to create that reasonable, fair playing field to promote U.S. jobs here at home too, please support this amendment.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, the Senator from Louisiana has the right intentions, but this amendment would truly be a vote against U.S. jobs and manufacturing. It would wrongly target renewable energy manufacturing, and it would threaten millions of dollars in the export of U.S.-made products at a time when we should be seeking to expand these markets overseas.

If you look particularly at the wind industry, it is already suffering be-

cause we have not had the courage, frankly, to extend the production tax credit for wind, and it has bipartisan support; that is, the extension of the wind production tax credit. So we have to pass that production tax credit immediately. But in the meantime, let's not create a double whammy and pass the Vitter amendment because that would damage our opportunity to export renewable energy projects and services. Without question, that sector is expanding dramatically. It is the source of a lot of jobs in my State and I think in every State in the Nation.

Let's expand our markets. Let's export. Let's not limit that possibility. The Vitter amendment would do just that, so I urge all of you to vote against the Vitter amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to amendment No. 2103.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mrs. SHAHEEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 61, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—37

Alexander	Enzi	Murkowski
Ayotte	Grassley	Paul
Barrasso	Hatch	Risch
Boozman	Hoeven	Rubio
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Snowe
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Corker	Kyl	Vitter
Cornyn	Lee	Wicker
Crapo	McCain	
DeMint	McConnell	

NAYS—61

Akaka	Graham	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Heller	Portman
Bingaman	Inouye	Pryor
Blumenthal	Johnson (SD)	Reed
Blunt	Kerry	Reid
Boxer	Klobuchar	Roberts
Brown (MA)	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Collins	Lugar	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

NOT VOTING—2

Kirk Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2104

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2104, offered by the Senator from Pennsylvania, Mr. TOOMEY.

Mr. TOOMEY. Madam President, there are two things we know about reauthorizing the Ex-Im Bank. We know our taxpayers are subject to a risk for which they are not fairly compensated in the sense that Ex-Im necessarily systematically underprices the risk. That is precisely why a borrower goes to them.

We also know it is unfair to a domestic competitor that cannot obtain the financing at the same rate that a foreign company can. We are told we should do this anyway because everyone else does it, because all of our competitors around the world subsidize their exports.

So I would suggest the logical conclusion is we should work to phase out export subsidies all around the world. That is what this amendment does. It reauthorizes Ex-Im. It lifts the limit of the borrowing cap. But it makes it contingent on the administration beginning a process of negotiating a phase-out of export subsidies. It makes the second increase in the lending cap contingent on an actual agreement that will, over time, get us all out of the business of risking taxpayer dollars in export subsidies.

I think this is a sensible way. It will allow an adjustment to take place for those who are dependent on this bank, but it will get taxpayers off the hook in time.

So I urge support.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I think this is a nonsensical provision. It says the bank can only make loans—can make more loans if there is an international agreement to terminate the bank.

I know in Pennsylvania, Wallquest finished 2010 with export sales over \$17 million, a 61-percent increase because it obtained Ex-Im financing. During the first 2 years, its workforce grew from 80 to 150. Now I know that may not be a big story, but it is the story of the Ex-Im Bank.

So capping it and saying we are not going to give any more money for more loans until we negotiate an end to the bank, I think, is the wrong way to go. I urge my colleagues to defeat the Toomey amendment.

The PRESIDING OFFICER. The question is on agreeing to the Toomey amendment.

Mr. TOOMEY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 63, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—35

Alexander	Enzi	Paul
Ayotte	Grassley	Portman
Barrasso	Hatch	Risch
Boozman	Hutchison	Rubio
Burr	Inhofe	Sessions
Chambliss	Isakson	Shelby
Coats	Johnson (WI)	Snowe
Coburn	Kyl	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
DeMint	Moran	

NAYS—63

Akaka	Gillibrand	Merkley
Baucus	Graham	Mikulski
Begich	Hagan	Murkowski
Bennet	Harkin	Murray
Bingaman	Heller	Nelson (NE)
Blumenthal	Hoeven	Nelson (FL)
Blunt	Inouye	Pryor
Boxer	Johanns	Reed
Brown (MA)	Johnson (SD)	Reid
Brown (OH)	Kerry	Roberts
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lugar	Warner
Durbin	Manchin	Webb
Feinstein	McCaskill	Whitehouse
Franken	Menendez	Wyden

NOT VOTING—2

Kirk Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of the bill before us.

The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, I urge all Senators to support final passage of the Export-Import Bank Reauthorization Act. Passing this bill today will make sure American exporters will not be put at a disadvantage to their foreign competitors, that nearly 300,000 American jobs will not be put at risk, and that the Ex-Im Bank will continue to return hundreds of millions of dollars to the Treasury.

I want to thank many of my colleagues for their leadership on this issue, including Ranking Member SHELBY, Senator WARNER, Senator CANTWELL, and Majority Leader REID.

I would also like to take this opportunity to recognize my staff for their hard work and important contributions to building bipartisan support for the reauthorization of the Ex-Im Bank.

In particular, I want to say a special thanks to Patrick Grant, Colin McGinnis, Adam Healy, Lev

Bagramian, and Charles Yi, who did exceptional work in the Banking Committee to help us get to this point today.

I am also pleased this bill, which passed out of the Banking Committee with unanimous bipartisan support, served as the framework for the House bill before us today. Once again, I strongly urge a "yes" vote on this important jobs legislation.

I yield the floor.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. KERRY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 20, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—78

Akaka	Feinstein	Mikulski
Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Baucus	Graham	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Schumer
Brown (OH)	Johnson (SD)	Sessions
Burr	Kerry	Shaheen
Cantwell	Klobuchar	Shelby
Cardin	Kohl	Snowe
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Chambliss	Leahy	Thune
Coats	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Lugar	Warner
Collins	Manchin	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wicker
Durbin	Merkley	Wyden

NAYS—20

Barrasso	Hatch	Paul
Corker	Inhofe	Risch
Cornyn	Johnson (WI)	Rubio
Crapo	Kyl	Sanders
DeMint	Lee	Toomey
Enzi	McCain	Vitter
Grassley	McConnell	

NOT VOTING—2

Kirk Rockefeller

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill is passed.

The majority leader is recognized.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Madam President, I move now to proceed to Calendar No. 365.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

A bill (S. 2343) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

EXECUTIVE SESSION

NOMINATION OF JEREMY C. STEIN TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 646, Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. Without objection, the clerk will report the nomination.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to calendar No. 646, Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk with respect to the Stein nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 the nomination of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System.

Harry Reid, Patrick J. Leahy, Jeff Bingaman, Christopher A. Coons, Carl Levin, Ron Wyden, Ben Nelson, Joseph I. Lieberman, Jeanne Shaheen, Richard Blumenthal, John F. Kerry, Kirsten E. Gillibrand, Barbara Boxer, Dianne Feinstein, Sheldon Whitehouse, Jeff Merkley, John D. Rockefeller IV, Tim Johnson.

NOMINATION OF JEROME H. POWELL TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 647, Jerome H. Powell, of Maryland, to be a member of the Board of Governors of the Federal Reserve System.

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

The clerk will report the nomination.

The bill clerk read the nomination of Jerome H. Powell, of Maryland, to be a

member of the Board of Governors of the Federal Reserve System.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk with respect to that nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 the nomination of Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.

Harry Reid, Patrick J. Leahy, Jeff Bingaman, Christopher A. Coons, Carl Levin, Ron Wyden, Ben Nelson, Joseph I. Lieberman, Jeanne Shaheen, Richard Blumenthal, John F. Kerry, Kirsten E. Gillibrand, Barbara Boxer, Dianne Feinstein, Sheldon Whitehouse, Jeff Merkley, John D. Rockefeller IV, Tim Johnson.

Mr. REID. Mr. President, I ask unanimous consent to waive the mandatory quorum under rule XXII for both cloture motions.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER (Mr. BENNET). Without objection, the Senate resumes legislative session.

PASSAGE OF THE EXPORT-IMPORT BANK REAUTHORIZATION ACT

Mr. REID. Mr. President, I want to express my appreciation for the good work done on this most important measure that just passed the Senate on the Export-Import Bank. It was reported out of the Banking Committee. Senator JOHNSON did a great job with his committee.

In addition to that, the work of Senator CANTWELL was exemplary. She is a terrific legislator. When she gets her teeth in something, she won't let go and she would not let us take our eye off the prize; that is, passing this important legislation. I have such admiration for her legislative skills, and at this time I spread across the RECORD my admiration and congratulations on this legislation, which means so much to her and the entire country.

UNANIMOUS CONSENT REQUEST—
S. 2344

Mr. REID. Mr. President, the national flood insurance program is to expire the end of May, this month. The insurance program provides coverage for almost 6 million people who work in flood zones. It is self-sustaining. For more than 40 years it has guarded American homeowners against flood-

related disasters. If the program expires, new housing construction will stall, new housing construction will come to a halt, and taxpayers will be on the hook for future disasters.

We have not been able to bring flood insurance to the floor because we have had a lot of problems with Senate procedure that some believe is abusive. It has left us with so little time. As you see, I have filed cloture on two nominations to the Federal Reserve. I will file later on a judge who has been waiting for almost a year.

No one believes there is enough time to pass, conference, and enact a long-term flood insurance bill before the end of this month, so under the situation we will have to do another short-term extension simply to keep the bill from expiring. Thus I will seek to pass an extension of this important program now.

Therefore, I ask unanimous consent the Senate proceed to consideration of Calendar No. 366, S. 2344, which is an extension of the National Flood Insurance Program, that that bill be read a third time, passed, the motion to reconsider be laid on the table, and there be no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, I object. I will hold my comments until after the majority leader finishes his talk, so I can explain my position.

Mr. REID. The Senator can go ahead if he wishes.

Mr. COBURN. The majority leader wants me to go ahead?

Mr. REID. Seriously, I am anxious to hear it.

Mr. COBURN. We have had 14 short-term extensions to the National Flood Insurance Program. That is over the past 4½, 5 years. There is a bill set to be brought to the floor. Yet we are going to have a short-term extension again.

This program is not financially sound and it is not self-sustaining. It runs a \$900 million deficit every year. What is the National Flood Insurance Program? Do we need it? Yes. Am I objecting that we do need it? No. But the vast majority of the moneys that are expended by hard-working Americans go to subsidize the insurance for homeowners of second and vacation homes. Multiple times in the Senate and in the House, both sides have concurred that this should be taken away, this subsidy for those in terms of second homes and vacation properties.

What I would expect, if we are going to do an extension, is that then we ought to do an extension with something that both bodies have already passed, which includes making those people who have properties eight times the average value of the rest of the homes in the flood insurance program carry their fair share of their insurance. So I am not inclined, no matter what happens to the flood insurance program, to allow us to continue to extend.

I would make one other point. We will not have time in December to fix this, with everything else that is coming up. So the time to fix this is now. I will not object to the 5-year reauthorization coming to the floor. I don't think anybody on our side will as well. We should address this and be done with it. But another short-term extension is not what this country needs. We cannot afford losing another \$900 million, plus the American taxpayer is on the hook for \$1.34 trillion with this program right now. The average subsidy to the average home—not the vacation home—is over \$1,000 a year.

I have no objection to supporting those who actually need our help, who are in flood-prone areas. But for those who have the tremendous benefit and the opportunity to have second and third homes, I think it is objectionable we continue to subsidize their purchase of flood insurance.

With that, I object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, before my friend leaves the floor, I hope we can do a short-term bill. As my colleague knows, the impediment to the regular function of the Senate this year has been the offering of irrelevant amendments. I am wondering if I could say through the Chair to my friend, the junior Senator from Oklahoma, what kind of agreement does he think we can get on the number of amendments on something like this?

Mr. COBURN. Mr. President, I would respond to the majority leader through the Chair and say I will help him in any way I could with my side of the aisle to make sure we have cogent amendments to this bill and also agree to a limited number of them, since it is important that we reauthorize this program.

Mr. REID. I say again through the Chair to my friend, how many amendments does he think he would need?

Mr. COBURN. One or two.

Mr. REID. I thank my friend from Oklahoma. It is something I wish to be able to do. We have so much to do—we have the farm bill, we have cyber security, we have the FDA bill, I am filing cloture on nominations—people who have been waiting to change their lives. So I am sorry we cannot legislate more.

I have sympathy with my friend from Oklahoma. I don't agree with everything he said, but this is a program that needs to be changed and I recognize that. I will continue working with my friend. Maybe there is some way we can work together and figure out a way to move this forward. It is hard.

What I would suggest is I would be happy to work on my side, because Senator JOHNSON has talked to me twice today on this legislation, to figure out what amendments my folks want to offer, because they want to offer amendments. If my friend from Oklahoma would also make a decision on his side of, as he indicated, cogent

amendments, relevant amendments, we could put this in a little package and move to it without having to file cloture and do these amendments. I wish to do that.

I will work on my side to find out what amendments there are. If my friend will do that, on Monday or Tuesday we will talk about this and see if we can get a very concise agreement to do it. This is important legislation. My friend is not denying that. But I think we do have to make some changes in it. I am happy to move forward on it. I think the House is going to take something up real soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. If the Senator from New Jersey will give me a courtesy of 5 minutes to speak as in morning business and I will be through.

I appreciate what the majority leader has said. I will work my side of the aisle, to see if the possibility of moving this is there and I will give it my 100-percent effort between now and next Monday when I see the majority leader to see if we cannot do it.

I will make a couple of points. Our Nation is in big trouble and we are not acting as if it is in big trouble. It seems that the way we are operating is from crisis to crisis. That is not good for the country, it is not good for the agencies, it is certainly not good for the individuals, and it makes it where we actually cannot do effective legislating.

The idea behind the flood insurance program is almost 50 years old. There is nothing wrong with its intent. But we cannot afford \$900 million a year in subsidies to the very wealthy in this country for their second or vacation homes. If we are talking about fairness, as the President talks, then it is time to reform this program—whether it is with an extension or not—this component of it where there is a fair premium, where we are not subsidizing those who can in fact take care of themselves in this country.

Whether it is this bill or the farm bill where we are subsidizing 4 percent of the farmers with 60 percent of the crop insurance premium, it is the same issue.

I look forward to working with the majority leader and I will do my part to try to gather up the amendments that might be there and work with our leadership to try to bring this bill to the floor.

I thank the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

VIOLENCE AGAINST WOMEN ACT

Mr. MENENDEZ. Mr. President, I rise to speak about the Violence Against Women Act that the Senate passed, but we seem to have a challenge with our colleagues in the House of Representatives. In my view, violence against any woman is still vio-

lence. Apparently, my Republican colleagues in the House do not share that view. Republicans in the House have introduced a bill that would not protect all women. Their bill would roll back protections for certain vulnerable populations. It would strip provisions in the Senate bill that protect women from discrimination and abuse, specifically Native American women, the LGBT community, and for undocumented immigrants it actually rolls back protections they have under current law.

We have seen that violence against women is an epidemic and it plagues all of us, not just some of us. We have fought against it, we have tried to end it, we have established programs and policies at the national and State levels to mitigate it. We have stood with the victims of domestic violence. Now we must stand and reaffirm our outrage.

It is in my mind a no-brainer. I am, frankly, hard-pressed to understand why anyone would stand in the way of denouncing violence against any woman, no matter who they are, no matter what their sexual orientation or citizenship. I am hard-pressed to understand why anyone would choose to exclude violence against certain women, turn back the clock to a time when such violence was not recognized, was not a national disgrace, and make a distinction when and against whom such violence meets our threshold of outrage. There can be no such threshold and no such distinction. Violence against any woman is an outrage, plain and simple.

Is the message to be that we are willing for some reason that in my mind defies logic to accept violence against certain women? Because that seems to be the message the other body is sending us. I cannot believe anyone would take such a position, but that is exactly what we would do if we listened to our Republican House colleagues, and that is completely unacceptable to this Senator and should be unacceptable to every Member of Congress and every American. If our friends on the other side deny they are waging a political and cultural war against women, then why are they willing to accept an actual war against certain women by excluding them from protection under the Violence Against Women Act?

The reauthorization of the Violence Against Women Act doesn't just affect those who are or might become victims of sexual violence or domestic violence; it affects all of us. Nearly one in five women reports being the victim of rape or attempted rape. One in six reports being stalked. One in four reports having been beaten by their partner. Of those who report being raped, 80 percent report being raped before the age of 25. The short-term physical and emotional trauma of such an event cannot be overstated. Domestic and sexual violence is an issue that affects us all, and we must all be part of a solution.

Since 1994, the Violence Against Women Act has been the centerpiece in

our comprehensive approach to protect and empower women, and it must remain so. Since the passage of VAWA in 1994, there has been enormous positive change.

From 1993 to 2010, the rate of intimate partner violence declined 67 percent. More victims are reporting violence to police, and those reports are resulting in more arrests and prosecutions. VAWA is working, but there are still women who need protection.

For example, in 1 day in New Jersey, a survey found that domestic violence programs assisted 1,292 victims. On that same day, New Jersey domestic violence hotlines answered 444 phone calls. So our work on this issue is not yet done.

Looking to the merits of the reauthorization, let me highlight, for the record, several critical changes in the legislation—changes that did not simply extend successful programs but built upon them. Every reauthorization of the Violence Against Women Act has incorporated new understanding and updated knowledge, and this reauthorization was and should be no different.

First and foremost, the Senate reauthorization includes additional training for law enforcement, victim services, and courts that increase the focus on high-risk offenders and victims, including connecting high-risk victims with crisis intervention services. I am sure no one can argue against that.

Second, the Senate bill strengthens our response to sexual assault while increasing the connection to nonprofit groups. Sexual assault coalitions in every State have been indispensable allies. I met with a large roundtable before our debate and discussions in the Senate, and this bill supports their efforts. It included a 20-percent setaside for assistance to States for sexual assault programs and also included reforms to reduce the unprecedented backlog of rape kits.

I have been proud to support funding to reduce this backlog. Just recently I supported Senator LEAHY's effort to fund the Debbie Smith DNA Backlog Grant Program at the current level of \$125 million with at least \$90 million directly spent on reducing the DNA backlogs. I am happy to say the Violence Against Women Act will make important strides to reduce the backlog.

Most importantly, given the debate on this legislation, this reauthorization recognizes that domestic and sexual violence affects all groups regardless of their sexual orientation. We included commonsense protections against discrimination on race, religion, national origin, sex, and disability because it is, quite simply, the right thing to do because all violence against women is an outrage to all of us.

For the first time the Senate bill established the fundamental notion that victims cannot be denied services based on gender identity or sexual orientation. We included provisions to protect

immigrant victims of violence and Native American victims.

In the Senate the bill passed 68 to 31 with a dozen Republicans voting in support of the final legislation despite Republican attempts to weaken the bill during the Senate's consideration of the legislation. Unfortunately, Republicans in the House are attempting to weaken the bill and do what a minority in the Senate could not. For the first time in the nearly 20-year history of the Violence Against Women Act, the House reauthorization doesn't expand protections but instead eliminates a series of them.

In its version, the House sent an undeniable message: If you are Native American, LGBT, or undocumented, you do not deserve protection. That is the House message.

To start, LGBT victims do not receive the protection they need in the House bill. Professionals in the field specifically requested nondiscrimination provisions based upon their direct experiences. Studies on the issue only confirm this need: 45 percent of LGBT victims were turned away from domestic violence shelters, and 55 percent were denied protective orders. The Senate version ensures all victims, gay or straight, share in the protections of VAWA. But the House version denies these critical protections to LGBT victims.

Under the House legislation, immigrant victims of violence would fare far worse than under current law—far worse than under current law. Domestic violence advocates tell us that often abusers threaten their significant others that they will take them to the authorities with the possibility of deportation unless they continue to submit themselves to dangerous and inhumane treatment.

The Violence Against Women Act provides a way out, but the House version of that law does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. VAWA protects these victims with confidentiality when they come forward to seek help. The House version instead creates a cruel possibility that in seeking help, the victim will be exposed and face more abuse. How perverse is that?

House Republicans would put burdensome new requirements on immigrant victims and give them less help than they receive under the current law. The abuser often possesses the relevant evidence while the abused faces language barriers, isolation, and limited access to legal representation.

In past Violence Against Women Act debates, we have had wide bipartisan consensus around protections for these victims because a victim is a victim is a victim. But the House reauthorization ignores this consensus and places an unimaginable burden on self-petitioners.

Under the House proposal, the program to protect immigrant victims,

called the U Visa Program, would be a hollow shell of its former self. The permanent visa would now be temporary, reducing the incentive for immigrants to take the risk and assist law enforcement in identifying the person who may have committed a sexual rape.

Of course proponents claim these reforms are needed to combat "fraud" in the system. But I have to ask: What fraud? To obtain a U visa in the first place, law enforcement personnel must personally sign off. Is there a suggestion that somehow the law enforcement personnel are engaged in a fraud? There is no evidence of fraud in this program. The simple enforcement technique has proven profoundly effective. Yet the House insists on adding additional burdens on a vulnerable population only to fight a nonexistent problem.

Moreover, allowing these abusers to go free puts more criminals in our community who can then victimize more women in the future. Our whole goal is to end the abuse and to get the abuser to ultimately face up to their punishment. Instead we would say: Oh, no. Let the abuser go ahead and continue their abuse, and we will subject the victim ultimately to a set of circumstances in which not only will they not come forth and talk about the abuse, we will subject the victim ultimately to facing even greater challenges in their lives.

Knowing what is at stake and what it would mean to the many victims of domestic violence and sexual violence, there is no question we must pass final legislation as soon as possible. The debate should be about one thing and one thing only: protecting victims, all victims. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

I yield the floor

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

HONORING FALLEN KANSAS POLICE OFFICERS

Mr. MORAN. Mr. President, earlier today I attended a memorial service to honor our Nation's law enforcement officers who laid down their lives to protect their fellow citizens. Since 1962, May 15 has stood as a day of remembrance for the many fallen police officers who faithfully served our communities and our Nation. They must never be forgotten.

This year 362 names were added to the National Law Enforcement Officers Memorial, and among those names were three brave officers from Kansas. Two of these men died in the line of duty many years ago, but we paused today to remember their sacrifice.

In 1892 Andrew Balfour of Kiowa County was filling his duties as a local sheriff and pursuing a man who was wanted for theft when he was mortally wounded. Andrew passed away at the young age of 41, leaving behind a wife and six children.

In 1992, William Bloomfield, a deputy sheriff, was serving in Bourbon County and arresting a well-known killer when he was killed during a fierce gun battle.

These two men were killed while carrying out their duties. Rather than shirk from danger, police officers face danger with courage, and that is exactly what these two men did.

Just 5 months ago, Kansans were grieved by the loss of another officer, SGT David Enzbrenner of Atchison, KS. On December 9, 2001, David joined a fellow officer on a routine call to see a local resident. As they were turning to leave the front steps of the home, a person suddenly appeared and opened fire on David without warning. This act of violence was unprovoked and forever robbed the Enzbrenner family of their father, husband, and the Atchison community of a loyal public servant.

When we lose someone in a community in Kansas, it is not just a name to us. It is somebody we go to church with, it is somebody we see at our kids' activities at school, it is somebody we know and care for. That is how Atchison felt about David.

In remembering David, Atchison Mayor Allen Reavis said:

He was No. 1 father, No. 1 husband, No. 1 partner to his fellow officers, No. 1 son.

Inscribed on the National Law Enforcement Memorial in Washington are these words:

It is not how these officers died that made them heroes, it is how they lived.

Police Chief Mike Wilson served alongside David for 24 years and referred to the words inscribed on the National Law Enforcement Memorial when he said this about his former colleague and friend:

Those words speak directly to David. How true about our brother.

David was dedicated to his family, his fellow law enforcement officers, and his community. He was well known in Atchison and well loved. David attended high school there and served in the Atchison Police Department for 24 years. David was also on the board of trustees at his local church and found great joy in teaching and coaching his daughters on their softball teams.

Last December I witnessed the impact that David had on the local community when I attended his memorial service and more than 2,000 people gathered to pay their respects to him. During the service, many moving tributes were read about David and how he lived his life. One that stood out from among the others was a statement from David's wife Kerri. She said this about her husband:

David was a man of few words. He always tried to keep a simple life. And when I questioned things, he would remind me that it's okay sometimes not to understand.

We don't fully understand. We don't understand at all why David's life was taken or why the lives of more than 19,000 officers we remembered today ended so soon. But we express our gratitude for their service and dedication to their communities and to our country.

During National Police Week, we also remember their families and the loved ones they left behind. May God comfort them in their time of grief and be a source of strength for them. May he also protect all those who continue to serve today.

I want to especially mention David Enzbrenner's wife Kerri and his three teenage daughters Avery, Abbi, and Celia. I want them to know we honor the way David lived his life and tell them we love and care for them today and always.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I come to the floor today to join my colleague, Senator MENENDEZ, and I think some of our other colleagues who will be here soon, to reaffirm our commitment to the reauthorization of the Violence Against Women Act. That act recently passed out of the Senate with a strong bipartisan vote that recognizes our bipartisan commitment to end domestic and sexual abuse, stalking, and dating violence. The House of Representatives will soon be taking a vote on their proposed counterpart to the Violence Against Women Act, and I want to address some of the concerns I have with the bill that is on the floor in the House.

What we have seen in this country is that domestic violence has a significant impact on families, on victims. It comprises the very stability of our towns and communities. The Violence Against Women Act provides essential resources for victims and for law enforcement. I was pleased to see so many of us in the Senate put politics aside and support this important reauthorization.

Unfortunately, the House version of the reauthorization of the Violence Against Women Act does not provide the same level of protection for victims, and it does not include some resources that have specifically been requested by law enforcement.

In the House bill protections are diminished for college students, for lesbian, gay, and transgender victims, for immigrants, and for Native Americans.

The Senate bill strengthens the Violence Against Women Act to provide more protections to more women and their families. The House bill weakens

the law by failing to state that same-sex couples will have equal access to services, by decreasing protections for immigrant victims, and by declining to expand the jurisdiction of tribal courts.

One example of some of the changes in the House bill, where I think it fails, is around protections the Senate bill provides to women students on college campuses.

The Senate bill provides strong protections that have been omitted in the House bill. The Senate bill includes a provision requiring a university to implement prevention programs, teaching all students, male and female, how to help prevent sexual violence and dating violence, including bystander education.

The Senate bill also requires a university to make reasonable accommodations for students who need to change their living, working, or academic situation as a result of being victimized. For example, if a young woman is the victim of an assault and her attacker lives in her dorm, what the Senate bill would do is require the university to help that young woman find another place to live. Unfortunately, these kinds of protections are not included in the House bill.

The Department of Justice recently estimated that 25 percent of college women will be victims of rape or attempted rape before they graduate within a 4-year college period, and women between the ages of 16 to 24 will experience rape at a rate that is four times higher than the assault rate for all women.

There is no doubt this is a serious problem. The safeguards we implemented in the Senate bill must be preserved if we are to provide the protections that young women and men in college deserve.

When we were working on our reauthorization in the Senate, I had a chance to meet with case workers at crisis centers and with some of the victims of domestic violence in New Hampshire.

I heard from one woman who said if it had not been for that 24-hour hotline and her caseworker at the Bridges Crisis Center in Nashua, she would never have been able to leave her abuser. She was finally able to stand up for herself and end the terrible cycle of abuse because of the Violence Against Women Act.

All victims should have equal access to these important resources, and it is imperative this bill provide that.

So I urge my colleagues in the House to insist on these essential components so we can move forward on this reauthorization and we can protect all of the victims of domestic violence.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING CHUCK COLSON

Mr. COATS. Mr. President, I rise this evening to honor a longtime friend,

confidant, and mentor, Chuck Colson, whose life we will celebrate tomorrow at a memorial service at the National Cathedral.

It has been said that a man's character can be tested by the way he responds to adversity. If that is the case, Chuck Colson's character was one of remarkable strength, tenacity, faith, and humility.

Chuck was a brilliant man with a resume of impressive accomplishments at a very young age: A scholarship to an Ivy League school and a law degree from George Washington University; a veteran and, at one time, the youngest captain in the Marine Corps; a former chief of staff to a U.S. Senator from Massachusetts; and then top assistant and legal counsel to the President of the United States.

Now, this does not sound like the type of man who would find himself sitting alone in a Federal prison cell, but that is exactly what happened to Chuck Colson, and what happened there changed his life forever.

Known as President Nixon's "hatchet man," Colson pleaded guilty to obstruction of justice in the Daniel Ellsberg case during the Watergate scandal and went from White House Special Counsel to incarcerated felon.

In 1974, Chuck Colson entered Maxwell Federal Prison Camp in Alabama. This fall from perhaps the closest confidant of the President of the United States to a Federal prison cell is about as far and as deep as anyone can fall. That is what we call hitting rock bottom. But rock bottom for Chuck Colson became a time of repentance, a time of grace, and a time of transformation.

Far from the Rose Garden, it was behind those prison bars where Chuck Colson made one of the most important decisions of his life—one that would impact the lives of thousands. He decided to dedicate the rest of his life serving the God he loved.

Scripture in Proverbs reads:

Trust in the Lord with all your heart and lean not on your own understanding; in all your ways submit to him, and he will make your paths straight.

With a redemption that can only come through the grace of God, and with a renewed sense of vision, Chuck did just that. He put his trust in the Lord and submitted to Him. He decided to let God write the story of his life rather than trying to control his own destiny.

That transformation is the story we will celebrate tomorrow at the National Cathedral—a story of redemption and a testament to the power of God's forgiveness and love.

Chuck Colson's experience in prison and his renewed sense of vision opened his eyes to a sector of our society that is often forgotten. Once a prisoner himself—and having experienced the depth of his own need for repentance and transformation; even those at the very bottom of society—Chuck believed that God could change them and any willing heart.

As described in the first two of his many published books—the first one, “Born Again,” and the second one, “Life Sentence”—Chuck dedicated his now transformed life to serving prison inmates and the families of prisoners.

In 1976, he practiced what he preached and founded Prison Fellowship, a Christian ministry to give prisoners the opportunity to experience the radically transforming power of Christ that he had experienced himself.

Chuck Colson’s ministry took him to visit 600 prisons in the United States and in 40 other countries. He worked relentlessly to improve prison conditions, increase access to religious programs, and provide resources and support to the families of prisoners.

Prison ministry was not his only passion. In his later years, Chuck focused his efforts on developing other Christian leaders who could influence their communities through their faith. This became the cornerstone of the Chuck Colson Center for Christian Worldview, a research and training center established to promote Christian worldview teaching.

Chuck has touched the lives of many people through his ministry, books, lectures, and charity work. I am one of those who is personally grateful for the positive influence he has had on my life.

It was in April 1976 that I attended an annual Fort Wayne, IN, mayor’s prayer breakfast. I was intrigued with the speaker who was announced as Chuck Colson—recently released from prison, formerly a Watergate figure and legal counsel to the President.

As I sat through his presentation, I was touched in a way and reached in a way that transformed my life, and I am ever grateful to Chuck Colson for using himself as, I think, a conduit for a message I also needed to receive.

It resulted in a radical change of course for me: from a predictable, settled, purposeful, I thought, life as an attorney in a midsized firm in Fort Wayne, IN, to becoming engaged in politics, something I never thought I would engage in. It was Chuck Colson who made me ask that same question and make that same decision he made; that is, to no longer try to control the direction of my life, but subject myself to the control of someone who had a plan for me. And that plan was not a specific one of serving in the Senate or Congress. It was simply to be open to the possibility of a path that perhaps I had not ever thought would be taken.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, I find myself standing here in the Senate delivering this tribute to Chuck Colson.

Marsha and I will miss him greatly. We will continue to be motivated and inspired by the example of how life should be lived.

When I first came to the Senate, I was here just 2 days when I received a call from Chuck Colson. He said: I have

a gift for you. It is a precious gift, and one I do not want to give, but I think this gift can be more useful to someone who can speak as a U.S. Senator than to someone like me who can speak as head of Prison Fellowship.

That gift was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, both through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years, and I was the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush.

Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the article be printed in the RECORD immediately following my remarks.

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

(See exhibit 1.)

Mr. COATS. Mike Gerson said in his column:

Chuck led a movement of volunteers attempting to love some of their least lovable neighbors. This inversion of social priorities—putting the last first—is the best evidence of a faith that is more than a crutch, opiate, or self-help program. It is the hallmark of authentic religion—and it is the vast, humane contribution of Chuck Colson. Chuck Colson’s remarkable life story can serve as a guiding light and provide all of us the courage and the strength to overcome whatever adversity we may face in our own lives.

May we remember the example of Chuck Colson and the words prayed so often by my very good friend:

Please show me how You want me to live and give me the power to live that way.

EXHIBIT 1

[From the Washington Post, Apr. 22, 2012]

CHARLES COLSON FOUND FREEDOM IN PRISON

(By Michael Gerson)

Charles W. Colson—who spent seven months in prison for Watergate-era offenses and became one of the most influential social reformers of the 20th century—was the most thoroughly converted person I’ve ever known.

Following Chuck’s recent death, the news media—with short attention spans but long memories—have focused on the Watergate portion of his career. They preserve the image of a public figure at the moment when the public glare was harshest—a picture taken when the flash bulbs popped in 1974.

But I first met Chuck more than a decade after he left the gates of Alabama’s Maxwell prison. I was a job-seeking college senior, in whom Chuck detected some well-hidden potential as a research assistant. In him, I found my greatest example of the transforming power of grace. I had read many of the Watergate books, in which Chuck appears as a character with few virtues apart from loyalty. I knew a different man. The surface was recognizable—the Marine’s intensity, the lawyer’s restless intellect. The essence, however, had changed. He was a patient and generous mentor. And he was con-

sumed—utterly consumed—by his calling to serve prisoners, ex-prisoners and their families.

Many wondered at Chuck’s sudden conversion to Christianity. He seemed to wonder at it himself. He spent each day that followed, for nearly 40 years, dazzled by his own implausible redemption. It is the reason he never hedged or hesitated in describing his relationship with Jesus Christ. Chuck was possessed, not by some cause, but by someone.

He stood in a long line of celebrated converts, beginning with the Apostle Paul on the Damascus road, and including figures such as John Newton, G.K. Chesterton and Malcolm Muggeridge. They were often received with skepticism, even contempt. Conversion is a form of confession—a public admission of sin, failure and weakness. It brings out the scoffers. This means little to the converted, who have experienced something more powerful than derision. In his poem, “The Convert,” Chesterton concludes: “And all these things are less than dust to me/ Because my name is Lazarus and I live.”

Prison often figures large in conversion stories. Pride is the enemy of grace, and prison is the enemy of pride. “How else but through a broken heart,” wrote Oscar Wilde after leaving Reading Gaol, “may Lord Christ enter in?” It is the central paradox of Christianity that fulfillment starts in emptiness, that streams emerge in the desert, that freedom can be found in a prison cell. Chuck’s swift journey from the White House to a penitentiary ended a life of accomplishment—only to begin a life of significance. The two are not always the same. The destruction of Chuck’s career freed up his skills for a calling he would not have chosen, providing fulfillment beyond his ambitions. I often heard him quote Alexander Solzhenitsyn, and mean it: “Bless you, prison, for having been in my life.”

Chuck was a powerful preacher, an influential cultural critic and a pioneer of the dialogue between evangelicals and Catholics. But he was always drawn back to the scene of his disgrace and his deliverance. The ministry he founded, Prison Fellowship, is the largest compassionate outreach to prisoners and their families in the world, with activities in more than 100 countries. It also plays a morally clarifying role. It is easier to serve the sympathetic. Prisoners call the bluff of our belief in human dignity. If everyone matters and counts, then criminals do as well. Chuck led a movement of volunteers attempting to love some of their least lovable neighbors. This inversion of social priorities—putting the last first—is the best evidence of a faith that is more than crutch, opiate or self-help program. It is the hallmark of authentic religion—and it is the vast, humane contribution of Chuck Colson.

It is a strange feeling to lose a mentor—a sensation of being old and small and exposed outside his shade. Chuck’s irrational confidence in my 21-year-old self felt a little like grace itself. The scale of his life—a broad arc from politics to prison to humanitarian achievement—is also the scale of his absence. But no one was better prepared for death. No one more confident in the resurrection—having experienced it once already. So my grief at Chuck’s passing comes tempered—because he was Lazarus, and he lives.

Mr. COATS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. 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. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

VIOLENCE AGAINST WOMEN ACT

Mrs. MURRAY. Mr. President, it is very hard to believe that today marks exactly 2 months since I first came to the floor to advocate passage of the Senate's version of the Violence Against Women Act. I was very encouraged to see our body finally come together and eventually support this important legislation. The Violence Against Women Act has helped provide lifesaving assistance to hundreds of thousands of women and their families, and it certainly was a no-brainer to make sure all women had access to that assistance.

However, I was very disappointed to learn that, a day after we passed it, House Republicans pulled an immediate U-turn and introduced their version of the bill that would undo the commonsense progress we made. The House Republican version of VAWA is a giant step backward for victims of domestic violence. It is dangerous and irresponsible and leaves women across the country more vulnerable to domestic abuse. Not only do they remove important protections that would be created by the Senate version of the bill, they actually strip existing protections already provided by this important law. In fact, it removes critical protections for LGBT victims, does little to address the epidemic of domestic and sexual violence in tribal communities, removes critical protections already in place for students on college campuses, and it rolls back protections for immigrant victims.

We have made a lot of progress since VAWA was first passed back in 1994. I hope no one will insist on putting partisan politics ahead of protecting victims of domestic violence. Where a person lives, whom they love or what their citizenship status may be should not determine whether their perpetrators are brought to justice.

The Senate bill that we passed last month builds on what works in the current law, it improves what doesn't, and it continues on the path of reducing violence toward women. It certainly should not be controversial.

Mr. President, it is time for the House Republicans to come to their senses and support our bipartisan bill so that women and families in this country can get the resources and support they need.

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. 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.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

150TH ANNIVERSARY OF USDA

Mr. DURBIN. Mr. President, today, I would like to recognize what Abraham Lincoln referred to as "the people's department"—the U.S. Department of Agriculture.

On this day 150 years ago, President Lincoln signed legislation to create the U.S. Department of Agriculture. At the beginning, USDA's focus was on agriculture research, farming techniques, and keeping statistics. Today, more than ever, the USDA is "the people's department." The USDA covers a broad range of issues that touch people's lives, from soil and water conservation to the school lunch program and from agriculture trade to expanding rural broadband services.

Through the efforts of USDA over the past 150 years, agriculture has become one of the most successful sectors in the U.S. economy. Agriculture accounts for 1 in 12 American jobs and provides our country with 86 percent of the food we consume. In 2011, agriculture trade set records by exporting nearly \$140 billion in U.S. farm exports.

The USDA has worked to develop rural communities, conserve the environment, and ensure that people across the country have access to safe and healthy food choices. In rural communities, USDA has given money to improve health care facilities, grants to assist families purchase or refinance homes, and investments to secure broadband services. USDA has worked to protect critical wetlands habitats, National Forests, and water and soil. And USDA ensures the health and safety of Americans by providing nutrition assistance through SNAP payments, reforming the school lunch program, and adopting tougher standards for E. coli and Salmonella in animal production.

Illinois has played a large part in the evolution of agriculture policy. President Lincoln gained his respect for agriculture from his time spent on farms and in rural communities around the state of Illinois as well as in Kentucky and Indiana. The same year President Lincoln began USDA, he also signed into law the Homestead Act and the Morrill Land Grant College Act. Illinois has also had two Secretaries of USDA—John Block, who served from 1981 until 1986, and Edward Madigan, who served from 1991 through 1993.

Over the past 150 years, the U.S. Department of Agriculture has lived up to Lincoln's vision as a department for

the people. I hope USDA continues its commitment to improve agriculture, nutrition, and rural communities around the country and across the globe in the Department's next 150 years.

Ms. STABENOW. Mr. President, today I wish to congratulate the U.S. Department of Agriculture on 150 years of service to the people of America.

On this day in 1862, President Abraham Lincoln created the Bureau of Agriculture and with it, America's commitment to an abundant supply of food and fiber. Lincoln grew up on a farm, and he understood the long hours of hard work that men and women like his parents spent working the land. Farming in those days was a very different proposition—much of the work was done by hand or animal labor. He rightly called it the People's Department because 90 percent of Americans at the time worked, like his folks, on farms.

Lincoln created the USDA at a time of great change in agriculture. Machinery was being introduced that lessened the workload and made farming more efficient. Families were heading westward and expanding the frontier. It was only 5 days later that Lincoln signed another important law that would have a dramatic effect on the future of agriculture in this country: the Homestead Act. That same year, Lincoln would also sign the law creating the Transcontinental Railroad, as well as the Land Grant Colleges Act, which has special meaning for me as a Michigan State University graduate.

But here is the most amazing thing: he did all of this during some of the worst fighting of the Civil War.

When he put pen to paper to create the Bureau of Agriculture, there had already been more than 100,000 casualties in the Civil War. He created all of these institutions that would have a lasting impact on this great Nation at a time when many people wondered how long this Nation could survive.

Mr. President, 150 years ago, in his address to Congress, Lincoln said, "Fellow citizens, we cannot escape history. The fiery trial through which we pass will light us in honor or dishonor to the last generation."

President Lincoln rose to the challenge. He saved the Union, and he created lasting institutions that are still with us and making a difference today.

If he could do all that in the middle of the Civil War, with enemy troops camped just across the river, what challenge can't we face today?

In the Agriculture Committee, we came together last month to pass, with an overwhelming bipartisan vote, the Agriculture Reform, Food and Jobs Act, or the farm bill. This is a bill we pass every 5 years to renew America's agriculture policy and to continue the important work of the Department of Agriculture.

It is critical that we pass the farm bill before the current bill expires in September. We passed a very strong

bill out of committee, with real reforms that cut the deficit by \$23 billion, and we did it in a bipartisan way.

We evaluated every program, eliminated duplication, and streamlined programs to save taxpayers money while getting better results on the ground, and we did it in a bipartisan way.

Change is never easy, but we came together because the farm bill is so important to the 16 million men and women whose jobs rely on American agriculture. They work hard every day producing the most affordable, healthy, and abundant supply of food, fiber, and energy in the world.

President Lincoln understood how important our food supply is—it feeds the Nation and can be the difference in times of war. The leadership and innovation of those 16 million Americans have made our Nation the world's leader in agriculture. With an ever-growing global population, our farmers are truly feeding the world. It is critical for our national security that we pass this farm bill to continue our leadership.

It has been 150 years since President Lincoln created America's commitment to agriculture, and we have come a long way since then. We have been through floods and famines, dust bowls and depressions. But we have also seen great advances as we have learned to overcome these challenges with better risk management, conservation practices, and a commitment to fighting hunger.

Passing the farm bill will continue this great American success story.

The 150th anniversary of USDA's creation is a great time to celebrate farmers and rural communities. It is also a strong reminder that we here in Congress need to do our jobs too and pass the farm bill soon. Our country's future depends on it.

Mr. LEAHY. Today marks the 150th anniversary of the United States Department of Agriculture, and I would like to take a moment to pay tribute to USDA's mission and day-to-day work and to all those involved in the agriculture industry—from farmers and ranchers and foresters, to producers and manufacturers and researchers.

The Department of Agriculture is pillar and post in American agriculture, fostering durability while enabling innovation; bridging old and new, rural and urban. Agriculture has long been a centerpiece of Vermont's economy and way of life. The impact of agricultural industry is felt in every State, and in every household. In fact, one in every 12 Americans is employed in an agriculture-related industry, and in Vermont, the importance of our agricultural working landscape to tourism, to recreation and to the identity of our State is beyond measure.

One hundred and fifty years ago today, on May 15, 1862, with the stroke of President Abraham Lincoln's pen, the Department of Agriculture was established, with the purpose of acquir-

ing information through "scientific experiments" and finding, collecting, and disseminating "new and valuable seeds and plants." It is worth noting that the establishment of the USDA was the first in a series of the foundational acts of Congress that helped to develop our modern agricultural system.

Among these other landmark laws is the Morrill Act, named for Vermont's own Senator Justin Morrill, which established our land grant colleges, and which also is celebrating its 150th anniversary this year. Senator Morrill rightly believed that college education should expand beyond arts and classical studies to include agriculture and life sciences. In the last 150 years, our land grant colleges have provided the foundation for agricultural research and have helped give the United States a competitive advantage in the global market, in addition to becoming inarguably the best public institutions of higher learning in the world.

Thanks to the hard work of our Nation's agricultural producers, to the research done at our land grant colleges, to the dedication of U.S. Department of Agriculture employees across the country, and to the policies and programs overseen by the Department of Agriculture, American consumers enjoy a safe and plentiful food supply. We Americans spend, on average, less than 10 percent of our disposable income on food, the lowest in the world. This would not be possible without the science, policies, and vital programs advanced by the USDA in fostering our modernized agricultural and food systems.

The Department of Agriculture also manages some of the Nation's most significant ongoing conservation and environmental quality efforts.

Farming is hard work. Farming also is an inherently risky venture, subject to the whims of nature, as well as the volatility of the commodity marketplace. The programs USDA manages at the local level have helped make risk manageable for farmers—especially when it comes to small family farms. These programs have been a steadying element—a balance wheel, smoothing out major risks, allowing America's farmers to harness the earth's bounty and giving American consumers access to unrivaled food security and variety.

Despite—and, in some cases, as an unintended result of—the great advances in agriculture in the last 150 years, there is more work to be done. Too many Americans still endure hunger, with almost 50 million Americans living in food insecure households, while at the same time two-thirds of Americans are overweight, and obesity-related disease is fast becoming an epidemic in this country. Globally, 1 billion people—out of a population of 7 billion—are hungry and food insecure. As the world population increases, we must continue our scientific effort in agriculture research and innovation, and we must not simply produce more food; we must also improve access to

and consumption of healthier foods. These goals need to be achieved while we work to restore natural ecosystems that are fundamental to sustaining life on earth.

My home State of Vermont has placed itself at the forefront of developing and implementing the agricultural and food systems that the planet will depend on in the 21st century, and the USDA is a critical partner in this essential venture. The USDA is providing needed technical support to enhance the efficiency of our dairy and diversified farms; the USDA provides the financial and risk management tools that farmers need to diversify and survive in a changing climate and volatile markets; the USDA supports cutting-edge research at the land grant University of Vermont; the USDA is vitally important to rural communities and businesses; USDA conservation programs are the lynchpin of our work to improve water quality; and the USDA Organic program has kept Vermont at the forefront of this fast-growing and promising sector. In fact, in Vermont, and across the Nation, the Department of Agriculture manages some of the Nation's most significant ongoing conservation and environmental quality efforts.

The USDA has deep and longstanding roots throughout rural America and in our communities. Being in and being of the communities that the USDA serves makes a crucial difference, as we saw last year in Vermont through the many ways that USDA's diligent workforce became an integral part of the response to the disastrous damage wrought by Hurricane/Tropical Storm Irene.

We face many challenges today, but with smart, effective and sustainable agricultural policies, the United States is in a prime position to lead the war against global hunger and toward public health while also protecting our water, air and open spaces for generations to come.

As a lifelong Vermonter, I value my State's farming traditions and I am proud of the hard work of Vermont's farmers who have persisted in a difficult economy, embracing innovation and change. Some are transitioning to organic operations, and others focusing on direct marketing opportunities or value-added products. Farming is not an easy way of life, but it has remained a cornerstone of Vermont's economy, and the Nation's, because of the dedication our farmers and producers, the research of our land grant colleges, and the policies and support of the Department of Agriculture. I am proud to see so many young people returning to the farms of Vermont. Some are continuing their family's farming legacy, while others are the first in several generations to turn back to the land. All of them have a deep dedication to the stewardship of Vermont's natural resources and to the working landscape that is helping to strengthen our economy.

I am proud to be a member of the Senate Committee on Agriculture, Nutrition, and Forestry and to have had the opportunity to serve as its chairman. I also consider it a great privilege to be able to offer Vermonters a seat at the table when policy matters affecting our State's farmers and our State's economy, such as our current work on the 2012 Farm Bill, are written and considered.

Agriculture is part of the lifeblood of the American economy then, now, and in the future.

I wish the Department of Agriculture a "Happy 150th Birthday" and continued success in the USDA's vital missions that are so important to each and every American family, and to the world.

Mr. ROBERTS. Mr. President, today I wish to recognize the marking of an historic event. 150 years ago—on May 15, 1862—President Abraham Lincoln signed into law an Act establishing what our Department of Agriculture is today.

Agriculture has come a long way in 150 years. Through science, innovation, ingenuity and plain old hard work, America's farmers have gone from producing enough food for their individual families to producing enough to meet the needs of 150 people per farmer—that's what I call the miracle of modern agriculture.

Some may have a romanticized view of agriculture production 150 years ago and pine for a return to the days of the past. But let me assure you, those were hard days. And if today's farmers and ranchers only produced the same yield and quality of food as the farmers and ranchers of yesteryear, we'd be in a world of hurt.

Today's farmers and ranchers produce the safest, most abundant and affordable food and fiber supply in the world—all while facing increased input costs and tightening regulations.

As if these challenges weren't enough, our producers face a challenge of worldwide significance. As the global population tops 9 billion in the next several decades, agriculture production must more than double to meet the expected demand for food and nutrition.

In addition to the sheer population expansion, global food demand will shift toward higher value proteins and commodities as economies develop and prosper. For example, in 1985 the average person in China consumed roughly 44 pounds of meat. This increased to 90 pounds per person in a short 15 years. That number is expected to double again by 2030.

That's no small task. It will take advancements in technology, efficiency and in some cases simply getting government and regulatory roadblocks out of the way. Doubling agriculture production will only occur through production techniques that combine the use of important conservation practices with the use of improved seed varieties that increase drought and disease resistance while increasing yields.

The importance of agriculture's mission cannot be overstated. It is also a matter of national security. A well fed world is a much safer and stable place than a hungry world. Full bellies lead to stability, economic growth and peace. Hungry bellies lead to discontent, instability, and extremism.

The more nations we can help to feed and bring economic prosperity, the more stable the world as a whole will become.

Now I don't know if 150 years ago President Lincoln knew how important the role of agriculture would become to global stability or what USDA's role would be in answering these challenges. But this anniversary provides us a unique opportunity to thank our producers for their efforts in bringing agriculture this far, and to let them know that we stand beside them in meeting the challenges ahead.

Mr. President, I yield the floor.

Mr. HARKIN. Mr. President, on this day, May 15, in 1862, President Lincoln signed into law an act establishing our nation's Department of Agriculture. This 150th anniversary is an important opportunity to recognize and celebrate the success and achievement of the many Americans who are involved directly or indirectly in producing, processing, and distributing food, fuel, and fiber for our nation and for export to foreign consumers.

The specific purposes of the new department mentioned in the 1862 act are "to acquire and diffuse among the people of the United States useful information" concerning agriculture, broadly and comprehensively defined, and "to procure, propagate, and distribute among the people new and valuable seeds and plants." The responsibilities and authority entrusted to the Department of Agriculture have of course been enlarged over the course of the past 150 years, but this initial legislation contains the core elements of the Department's mission and role that have continued to this day.

You will notice in the act the emphasis on disseminating among the people of the United States information, knowledge, and technology that would be helpful and useful to them as in their pursuits in agriculture. In doing so, the new Department would help to create, foster, and develop new, broadly-available opportunities among the people of the United States. Individuals and families could then capitalize on these opportunities through applying their own efforts and talents to create and grow farms and ranches, and in the process also to build and strengthen our nation. Some 2½ years later after signing the act, President Lincoln noted in his fourth and last message to Congress the success of the new Department of Agriculture in responding to and serving the needs of the people of our Nation: "It is peculiarly the people's department, in which they feel more directly concerned than in any other."

Two other landmark pieces of legislation in 1862 also reflect this approach

of the Federal government offering a helping hand to the people of our nation in developing American agriculture. On May 20, 1862, President Lincoln signed what is commonly known as the Homestead Act in order to provide people who would otherwise not have the chance an opportunity to own land. And on July 2, 1862, President Lincoln signed into law the first Morrill Act to donate public lands to the states and territories to support education "related to agriculture and mechanic arts". This act was the first Federal assistance to higher education, and its purpose was to make this education widely available to multitudes of people who otherwise never would have obtained it.

Over the ensuing years, our Nation has benefited tremendously from these policies. The productivity of America's farmers and ranchers, along with those working in associated businesses and industries, is a foundation for our national economy and our way of life. We have been blessed in this country with a richness of natural resources to which Americans have applied their hard work, knowledge, and talents. The abundance of America's agricultural output has been instrumental in supporting our people and enabling them to pursue and to excel in many other fields. To be sure, our Nation's history has proven the wisdom of Daniel Webster's observation in 1840, "When tillage begins, other arts follow."

The responsibilities of the Department of Agriculture have of course grown over the years as the circumstances and needs of our Nation and its people have changed. The Department continues to play a critical role in supporting research, education, and extension involving food, agriculture, and related topics. It helps agricultural producers survive unpredictable economic losses from market fluctuations and damaging weather. The Department provides critical assistance to farmers and ranchers in conserving and protecting soil, water, wildlife, and other natural resources for future generations. And USDA nutrition assistance enables American children to eat healthy lunches, breakfasts, and snacks and low-income families to put food on the table. The Department of Agriculture also provides important assistance toward developing new sources of rural renewable energy and biobased products. Rural communities benefit from USDA programs that support vital facilities and foster the creation and growth of businesses and jobs. Of course, consumers rely on USDA to protect and ensure the safety of their meat and poultry. And its trade promoting efforts boost our agricultural exports.

On this anniversary of the Department of Agriculture, it is also important to recognize and commend the dedication, talent, and hard work of all of the people working in the Department of Agriculture wherever they may be—in local, county, State, or regional offices, here in Washington, or

in a foreign country. I am also of course proud that several Iowans have very capably led the Department of Agriculture, including our present secretary, Tom Vilsack.

So, today is a time to reflect upon and recognize the achievements of American agriculture and the contributions to that success from the Department of Agriculture. It is also a time to appraise and consider the huge challenges we face in the years ahead in producing the quantities of food needed to eradicate hunger in a growing global population and to do so in ways that conserve and sustain natural resources. Undoubtedly, our Nation and our Department of Agriculture will be called upon to continue our leadership in responding to and solving these crucial challenges.

Mr. JOHANNIS. Mr. President, I come to the floor today to commemorate the 150 year anniversary of the U.S. Department of Agriculture.

I am pleased that my colleagues in the Senate have agreed the occasion is worthy of a resolution honoring this milestone in our nation's history. On May 15, 1862, President Abraham Lincoln signed legislation to establish the USDA. It gave the agency general authority to acquire and spread useful information on agricultural subjects and to assist in the development and use of new and valuable seeds and plants.

For the past 150 years, USDA has lent a helping hand to our farmers and ranchers as they provide the food, feed, fiber, and fuel to Americans, as well as a growing customer base around the world. In the 1850s, there was 1 farmer for every 2 people in the United States. Thanks to ongoing improvements in technology and management practices, today's farmers and ranchers are able to produce even more with efficient use of resources. Currently, the average farmer in the United States feeds more than 150 people.

The history of Nebraska has been closely intertwined with this story. In fact, thousands of homesteaders settled in the Nebraska territory after President Lincoln signed another piece of legislation—the Homestead Act—on May 20, 1862. This influx of population led to Nebraska becoming the Nation's 37th State. Since that time, USDA has served as a resource to the many farmers and ranchers who continue to make agriculture the leading industry in Nebraska's economy—just as the department has done for producers nationwide.

As the 28th Secretary of Agriculture, I was proud to work with men and women who are still committed to USDA's original mission of spreading information and developing new technologies to increase agricultural production.

Today's Department of Agriculture conducts valuable research through the land-grant university system and institutions like the University of Nebraska. USDA also helps to minimize the risks of weather and commodity

price volatility for producers. And, the department helps to protect the health of our plants and animals. But, USDA's mission goes beyond helping producers. For example, those who enjoy a good steak, as well as other meat and poultry products in the U.S., have come to trust USDA's food safety inspection process.

Of growing importance is USDA's role in promoting exports of agriculture products. It is fitting that this anniversary falls in May—which is also world trade month. I think we can all agree that the benefits of trade are great especially to the agriculture sector.

Nebraska is a big agricultural State. And, in Nebraska alone, more than 30,000 jobs and more than \$7.6 billion dollars in revenue were directly tied to exports last year. And, these numbers will only grow as we continue to expand access to customers around the world.

In fact, the Colombia Free Trade Agreement goes into effect today. It offers great opportunity to both the manufacturing and agriculture sectors. The Colombia Agreement eliminates barriers for many Nebraska agricultural products, including beef, corn, soybeans, pork, and wheat. For some time now, goods from Colombia have been entering the U.S. tariff-free, while American producers still paid tariffs on exports to Colombia as high as 40 percent.

It is good news for our agriculture producers and manufacturers that trade agreements are finally being implemented. The South Korea Agreement has already gone into effect, and I hope Panama Agreement won't be far behind. These types of free trade agreements are sorely needed so we can level the playing field for our exporters.

We cannot ignore the fact that the fastest-growing opportunities for American businesses, farms, and ranches are outside our borders. They are overseas in rapidly developing countries. I am confident that Nebraska farmers, businesses and workers, and those across the country, can compete with anyone in the world. And, in doing so, we can create new jobs here at home.

USDA has played a key role in making sure our farmers and ranchers have the tools to take advantage of these export opportunities. Additionally, the department recognizes that American agriculture is intertwined with the health of our rural communities. USDA works to ensure small-town-America is not overlooked by a Federal Government that is often focused on big urban areas.

Over the past 150 years, President Lincoln's vision of "the People's Department" has expanded beyond America's farms and ranches and rural communities. His vision is alive and well in the health of our schoolchildren, in our ability to supply energy from home-grown sources, and in our leadership role in helping feed some of the

hungriest and neediest people around the world.

A key part of USDA's mission—one that consumes the largest portion of USDA's budget—is addressing hunger and meeting the nutritional needs of Americans. Whether through school lunches or assistance for hungry families, USDA plays an important role in supporting those in need.

USDA's mission is one of the most diverse of any department and in every area there are hard-working staff striving to meet the department's goals. On this day, I am happy to recognize the men and women of the "People's Department." Their professionalism, dedication, and work ethic provide a shining example of why President Lincoln called the Department of Agriculture the "People's Department."

Together, we celebrate the growth and success of American agriculture and the health and well-being of the people of the United States. We honor the farmers, ranchers, and others whose ingenuity, adaptability, and skill have created the safest and most abundant food supply in the history of mankind.

Mr. CASEY. Mr. President, I am pleased to help recognize the 150th birthday of the United States Department of Agriculture—USDA. As a member of the Senate Committee on Agriculture, Nutrition and Forestry as well as the Committee on Foreign Relations, I understand the importance of agriculture to feeding our Nation and feeding the world.

One hundred and fifty years ago today President Abraham Lincoln signed the legislation creating the Department of Agriculture. This was followed in short order by the Homestead Act and then the Morrill Act establishing our great land grant college system, including The Pennsylvania State University. I suspect that few Americans at the time would have imagined that President Lincoln's leadership and vision in the area of agriculture would have such a profound impact on our country and the world.

Just recently, Dr. Rajiv Shah, the Administrator of the Agency for International Development said that the single-most effective way to eliminate world poverty was to increase agriculture yields. That is an extraordinary statement. It means that Penn State and the other agriculture research universities have a critical role to play in eliminating hunger, assisting in global food security and political stability.

The world's population just passed seven billion people and is on the way to nine billion people by 2050. This means we must double world food production by 2050 in order to meet the challenge of feeding this increased population.

As noted recently by Bob Stallman, President of the American Farm Bureau Federation:

The importance of science and innovation . . . to agriculture will be significant as we

face several challenges in the years ahead. . . . Further, we must accomplish this hefty goal while realizing that our Earth is fragile. To take care of our environment, we must embrace agriculture research, science, innovation and biotechnology. When it comes to medical care, communication and transportation we accept the importance of innovation. We need to do the same when it comes to the production of food.

Last year, net farm income and farm exports set a record and played a key role in helping to grow the U.S. economy. In order to ensure the food security of our Nation, I believe strongly that Pennsylvania farmers will continue to be productive, competitive and successful and supply food to communities in Pennsylvania, throughout the country and the world. Pennsylvania's proud agriculture tradition helped to build the Nation and agriculture continues to drive our economy.

We live in a nation that is as diverse in agricultural production as it is in the people who consume the products that farmers grow. As we reflect upon agriculture's past, and look toward agriculture's future, I hope we can continue to ensure that we have a safe, stable, secure supply of food. Agriculture is not just a nostalgic reflection of the past; it is critical to the U.S. economy and all Americans as we move forward. Therefore, I am pleased to extend birthday wishes to USDA, the land grant colleges and universities, and all those in the food value chain.

Ms. KLOBUCHAR. Mr. President, I am here today to commemorate the United States Department of Agriculture on its 150th anniversary.

Our country has changed dramatically since 1862, when President Abraham Lincoln signed a bill into law creating the Department of Agriculture.

Despite all the changes we have seen in the last century and a half, the USDA remains true to its original mission as "The People's Department," administering critical programs that touch the lives of all Americans.

So as we celebrate this important milestone for the USDA, I think we should also take a moment to recognize the men and women who are putting its programs to use—the farmers and agriculture leaders who grow our crops, produce our food and power our homegrown energy supply.

Sometimes, people forget that food doesn't just magically appear on grocery store shelves. But the truth is that behind every aisle—whether it's dairy or produce—there is farmer or a rancher who has made it their livelihood to produce nutritious, abundant food.

In Minnesota, our economic strength is anchored in the soil of our land and the sweat of our farmers. Agriculture is our State's leading export, accounting for \$75 billion in economic activity every year and supporting more than 300,000 jobs. And while we are 21st in the country for population, we are the sixth largest agricultural producer.

Minnesota is number one in turkeys, green peas, and oats, number two in

spring wheat, number three in hogs and soybeans, and number four in corn.

I have spent the last year traveling across our State as part of an economic tour that has taken me to dozens of communities and businesses throughout Minnesota. And no matter where I go, I am always reminded of the critical role that farming plays in our State's economy.

For generations, the Department of Agriculture has stood behind our farmers and rural communities and made sure they had the tools and resource to move forward.

The USDA may be best known for administering the farm programs that help agricultural producers manage risk and recover from disasters—everything from floods to market failures. But programs such as crop insurance, which provides a safety net across 254 million acres, are just one component of the USDA's larger portfolio of priorities—everything from clean energy development and conservation to export promotion.

In terms of research, the USDA has helped our farmers and ranchers remain the most productive in the world. It has funded research that not only shields our food supply from pests and dangerous diseases, but also increases the productivity of farmers growing everything from wheat to watermelons.

Anyone who has visited a farm using modern precision agriculture can tell you just how far we have come. And in terms of the economic benefits, studies have shown that for every dollar spent on agricultural research, it returns over \$20 to our economy.

The USDA is also making great headway with conservation programs. By working with hundreds of thousands of farmers and ranchers and implementing conservation practices on tens of millions of acres of private land, the USDA is helping reduce soil erosion and ensure clean drinking water.

And in preserving our natural resources, USDA is also strengthening key industries like fishing and hunting, which are so much more than just hobbies in my State—in Minnesota, sportsmen put \$3.4 billion into our economy each year and support 55,000 jobs.

On the energy front, USDA is moving us closer to oil independence by encouraging the development of homegrown sources—like cellulosic biofuels, methane digesters and other renewable and energy efficient solutions. Altogether, those solutions are expected to save enough energy to power nearly 600,000 homes a year.

At a time of spiking gas prices and volatility in foreign oil markets, I believe we should be investing in the energy innovators of the Midwest—not the oil cartels of the Mideast.

With the right tools, America's farmers can develop the next generation energy sources that will power the world.

We are already feeding the world, and the USDA has helped make that possible through its work to lift export

barriers and open new markets for agricultural goods. In 2011 farm exports reached a record high of \$137 billion, which support 1.5 million jobs here in the U.S.

Finally, so much of the USDA's work boils down to strengthening rural communities. That is why programs to help finance everything from broadband to infrastructure for clean drinking water are so important. They are critical to ensuring a kid who grows up in rural America can stay in rural America and doesn't have to move somewhere else to find a job, raise a family or start a business.

In this sense, the USDA truly is the "People's Department." This only underscores the importance of the work we're doing in the Senate to craft a strong and successful farm bill—one that builds on the success of existing programs while also making key improvements and accounting for challenges created by the current budget environment.

The Agriculture Committee took the first step by passing the farm bill out of committee in April, on a strong bipartisan vote of 16-5, that should pave the way for full Senate action.

The legislation strengthens and continues many vital programs that farmers rely on in States across the country.

It maintains a robust farm safety net which makes several improvements to the crop insurance program, including changes to ensure the program works better for fruit, vegetable and organic producers.

I sponsored an amendment that will give beginning farmers better access to the crop insurance program by making it more affordable for them to purchase coverage.

And because I believe we should do more to invest in the future of American agriculture, I worked to make sure the bill included provisions for the Beginning Farmers and Ranchers Program and for promoting public-private research opportunities.

Importantly, the bill we passed in the Committee also streamlines and strengthens the conservation programs that farmers rely on to keep our soil healthy and our water clean. It preserves the essential nutrition programs that millions of families and children rely on every day. And it includes a strong energy title for encouraging homegrown energy production.

Every single American has a direct stake in the success of our farms and food businesses. Through the food we eat, the water we drink, the fuel we put in our cars and the air we breathe, each and every one of us is personally invested in the success of American agriculture, and that is why the USDA is such a critical resource.

I congratulate all my friends with the USDA on a remarkable 150 years, and I want to thank my colleagues on the floor today for their great work

and dedication to supporting our farmers and rural communities. I look forward to working with all of my colleagues in the Senate to pass a strong Farm Bill that supports vital services at the USDA and gets the job done for our Nation's farmers.

Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize American agricultural producers on the 150th anniversary of President Lincoln signing legislation establishing the U.S. Department of Agriculture on May 15, 1862.

As President Lincoln said in his last annual address to Congress, "[The Department of Agriculture] is precisely the people's Department, in which they feel more directly concerned than in any other." Many don't realize it, but USDA plays a unique role in the daily lives of every single American, ranging from the programs available that assist rural small businesses to providing the support system that makes it possible for our farmers and ranchers to produce the most affordable and abundant food supply of any country in the world.

As the main economic pillar and No. 1 industry in my State of South Dakota, it is important that we acknowledge and celebrate the economic importance of agriculture and the role that the USDA has played in implementing and supporting policies that have assisted our farmers and ranchers in becoming a leader in feeding, fueling, and clothing the world.

USDA's work on food, agriculture, economic development, science, risk management, natural resources conservation, and a whole host of other issues has enabled the agriculture industry to establish itself as a critical component in our economic success while having an influence on the lives of every single American. The Department, in coordination with our Nation's farmers and ranchers, has helped allow families to put nutritious, healthy food on their tables at a lower cost than almost anywhere else in the world. On average, less than 10 percent of American consumers' disposable income is spent on food.

Moreover, agriculture is the economic engine that drives our rural communities. Without viable family farms and ranches our small towns and Main Street businesses throughout South Dakota and our Nation would face significant hardships. According to the South Dakota Department of Agriculture, the agriculture industry has a \$20 billion economic impact each year, accounting for one-third of the State's economic activity. The 46,000 agricultural producers on 31,500 farms combine with associated industries to employ more than 143,000 South Dakotans.

But the value of America's farmers and ranchers goes far beyond economic activity. Our producers are also the most productive in the world, providing the food, fuel, and fiber necessary to sustain us and millions of

others throughout the world. Each year, just one South Dakota producer raises enough food to feed 155 people both here at home and abroad. As the world's population continues to grow to a projected 9 billion people by 2050, the demand for our agricultural products will only increase, and we will have to continue improving our productive capacity to double food production on fewer acres.

The increased yields needed to overcome the challenges ahead cannot be accomplished without the full use of sound science and innovative technology. In providing public land for the establishment of colleges to further agricultural research and education, the Morrill Land Grant College Act, which was also signed into law by President Lincoln in 1862, gave us such institutions as South Dakota State University and will remain a lasting achievement for the ongoing progress of production agriculture.

Therefore, on the 150th anniversary of its establishment, I commend USDA, and the American agricultural producers they assist, for providing the food, fuel, and fiber that we each rely on. I congratulate them and wish a happy birthday to USDA and those throughout the food chain.

Senator KOHL. Mr. President, in the fall of 1859, just two years prior to his election to the presidency, Abraham Lincoln spoke to the Wisconsin State Agricultural Society in my hometown of Milwaukee, WI. Lincoln concluded his speech saying, "Let us hope . . . that by the best cultivation of the physical world, beneath and around us, and the intellectual and moral world within us, we shall secure an individual, social, and political prosperity and happiness." Just 3 years later, President Lincoln created the Department of Agriculture with these words in mind.

May 15, 2012 marks the 150th year of the U.S. Department of Agriculture, USDA. Perhaps more than any other department, USDA connects Americans to the land and to each other in ways seen and unseen. From its formation in 1862 through today, the Department has served millions of American's in a multitude of innovative ways.

From the earliest years of our Nation, agricultural production has been front and center. Today, roughly 1 out of every 12 Americans is employed in an agriculture related industry. Whether a producer, researcher, conservationist, food safety official, or one of many other agricultural professions, each person, including those who work in USDA, plays an important role in producing and delivering a safe and healthy food supply to the United States and the world.

Colleges and universities around the country have produced research that has improved crop yields, plant and livestock health, and soil quality, among others. Research has also led to the widespread use of conservation practices on farmland. While there are

many different types of conservation efforts supported by USDA, they all share the same goal—to maintain the health and vitality of American farmland for future years and future generations. Once research and conservation efforts have been applied it becomes the job of agricultural producers to efficiently harvest and deliver their product to markets around the corner, or across the country. I believe American agricultural producers are the best in the world at what they do.

To help Americans sort through the incredible variety of their food choices at grocery stores or farmers markets, USDA provides critical guidance for nutrition assistance. Through the My Plate program and other nutrition education initiatives, USDA works to ensure that children, low-income individuals, seniors and the disabled not only understand what makes up a nutritious, healthy meal—but they create access to such meals year round, through programs such as the Special Nutrition Assistance Program for Women, Infants and Children, or the Supplemental Nutrition Assistance Program. These programs and others help feed those who have trouble accessing healthy foods, but they do so in a way that reinvests in agricultural producers and their rural communities.

I believe USDA's most important achievement has been the fulfillment of Lincoln's vision—harmoniously using all the tools, resources and programs at its disposal to contribute to social prosperity and happiness through the cultivation of the American land and its people.

It is with pride and respect that I honor USDA and our Nation's agriculture industry today.

HONORING LOST DHS PERSONNEL

Mr. LIEBERMAN. Mr. President, the mission of the Department of Homeland Security, DHS, is broad and diverse. The men and women of DHS protect our borders and modes of transportation; they guard our waterways; they protect U.S. and foreign leaders; they prepare for and respond to disasters; they manage our immigration process; and, they defend us against cyber attack. DHS employees provide selfless service to their nation and they do so with honor and distinction under an ever-present threat. With National Police Week 2012 commencing, I would like to pay tribute to the Department of Homeland Security's agents, officers, and military personnel who lost their lives in the service of our Nation. Fifty-five courageous men and women of DHS have died in the line of duty since the Department's inception in 2003. We owe them more than a tribute on this day, but our gratitude begins with that.

They are:

Lorenzo R. Gomez, Immigration Enforcement Agent, U.S. Immigration and Customs Enforcement, El Paso, Texas, End of Watch: November 8, 2003.

James P. Epling, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: December 16, 2003.

Nathan B. Bruckenthal, Damage Controlman Third Class (E-4), U.S. Coast Guard, Iraq, End of Watch: April 24, 2004.

Travis W. Attaway, Senior Patrol Agent, U.S. Customs and Border Protection, Harlingen, Texas, End of Watch: September 19, 2004.

Jeremy M. Wilson, Senior Patrol Agent, U.S. Customs and Border Protection, Harlingen, Texas, End of Watch: September 19, 2004.

Philip C. Lebid, Special Agent, U.S. Secret Service, Tampa, Florida, End of Watch: November 22, 2004.

George B. DeBates, Senior Patrol Agent, U.S. Customs and Border Protection, Casa Grande, Arizona, End of Watch: December 19, 2004.

David G. Wilhelm, Assistant Special Agent in Charge, U.S. Immigration and Customs Enforcement, Atlanta, Georgia, End of Watch: March 11, 2005.

Christopher J. Smith, Assistant to the Special Agent in Charge, U.S. Secret Service, Atlanta, Georgia, End of Watch: March 25, 2005.

Nicholas D. Greenig, Senior Patrol Agent, U.S. Customs and Border Protection, Tucson, Arizona, End of Watch: March 14, 2006.

Jessica E. Hill, Lieutenant (O-3), U.S. Coast Guard, Arctic Ocean, End of Watch: August 17, 2006.

Steven Duque, Boatswain's Mate Second Class (E-5), U.S. Coast Guard, Arctic Ocean, End of Watch: August 17, 2006.

David N. Webb, Senior Patrol Agent, U.S. Customs and Border Protection, Ajo, Arizona, End of Watch: November 3, 2006.

Ramon Nevarez, Jr., Border Patrol Agent, U.S. Customs and Border Protection, Lordsburg, New Mexico, End of Watch: March 15, 2007.

David J. Tourscher, Border Patrol Agent, U.S. Customs and Border Protection, Lordsburg, New Mexico, End of Watch: March 16, 2007.

Ronald A. Gill, Jr., Port Security Specialist Third Class, U.S. Coast Guard Reserve, Puget Sound, Washington, End of Watch: March 25, 2007.

Clinton B. Thrasher, Air Interdiction Agent, U.S. Customs and Border Protection, McAllen, Texas, End of Watch: April 25, 2007.

Richard Goldstein, Border Patrol Agent, U.S. Customs and Border Protection, Indio, California, End of Watch: May 11, 2007.

Robert F. Smith, Air Interdiction Agent, U.S. Customs and Border Protection, El Paso, Texas, End of Watch: May 22, 2007.

Eric N. Cabral, Border Patrol Agent, U.S. Customs and Border Protection, Boulevard, California, End of Watch: July 26, 2007.

Julio E. Baray, Air Interdiction Agent, U.S. Customs and Border Protection, El Paso, Texas, End of Watch: September 24, 2007.

Luis Aguilar, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: January 19, 2008.

Jarod C. Dittman, Border Patrol Agent, U.S. Customs and Border Protection, San Diego, California, End of Watch: March 30, 2008.

Thomas G. Nelson, Captain (O-6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

Andrew C. Wischmeier, Lieutenant Commander (O-4), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

David L. Skimin, Aviation Survival Technician First Class (E-6), U.S. Coast Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

Joshua W. Nichols, Aviation Maintenance Technician First Class (E-6), U.S. Coast

Guard, Oahu, Hawaii, End of Watch: September 4, 2008.

Nathaniel A. Afolayan, Border Patrol Agent, U.S. Customs and Border Protection, Artesia, New Mexico, End of Watch: May 1, 2009.

Cruz C. McGuire, Border Patrol Agent, U.S. Customs and Border Protection, Del Rio, Texas, End of Watch: May 21, 2009.

Robert W. Rosas, Jr., Border Patrol Agent, U.S. Customs and Border Protection, Campo, California, End of Watch: July 23, 2009.

Che J. Barnes, Lieutenant Commander (O-4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Adam W. Bryant, Lieutenant (O-3), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

John F. Seidman, Aviation Maintenance Technician Chief Petty Officer, U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Carl P. Grigonis, Avionics Electrical Technician Second Class (E-5), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Monica L. Beacham, Avionics Electrical Technician Second Class (E-5), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Danny R. Kreder, Jr., Aviation Maintenance Technician Third Class (E-4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Jason S. Moletzsky, Aviation Maintenance Technician Third Class (E-4), U.S. Coast Guard, San Clement Island, California, End of Watch: October 29, 2009.

Mark F. Van Doren, Border Patrol Agent, U.S. Customs and Border Protection, Falfurrias, Texas, End of Watch: May 24, 2010.

Sean D. Krueger, Lieutenant (O-3), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

Adam C. Hoke, Aviation Maintenance Technician First Class (E-6), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

Brett M. Banks, Aviation Maintenance Technician Second Class (E-5), U.S. Coast Guard, La Push, Washington, End of Watch: July 7, 2010.

Charles F. Collins II, CBP Officer, U.S. Customs and Border Protection, Anchorage, Alaska, End of Watch: August 15, 2010.

Michael V. Gallagher, Border Patrol Agent, U.S. Customs and Border Protection, Casa Grande, Arizona, End of Watch: September 2, 2010.

John R. Zykas, CBP Officer, U.S. Customs and Border Protection, San Diego, California, End of Watch: September 8, 2010.

Shaun M. Lin, Maritime Enforcement Specialist Third Class (E-4), U.S. Coast Guard, Portsmouth, Virginia, End of Watch: October 13, 2010.

Brian A. Terry, Border Patrol Agent, U.S. Customs and Border Protection, Naco Cochise, Arizona, End of Watch: December 15, 2010.

Jaime J. Zapata, Special Agent, U.S. Immigration and Customs Enforcement, Mexico City, Mexico, End of Watch: February 15, 2011.

Hector R. Clark, Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: May 12, 2011.

Eduardo Rojas, Jr., Border Patrol Agent, U.S. Customs and Border Protection, Yuma, Arizona, End of Watch: May 12, 2011.

Dale T. Taylor, Lieutenant Commander (O-4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

Thomas J. Cameron, Lieutenant Junior Grade (O-2), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

Fernando Jorge, Aviation Survival Technician (E-7), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

Andrew W. Knight, Avionics Electrical Technician (E-4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.

James A. Hopkins, Electronics Technician (E-6), U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

Richard W. Belisle, Civilian Employee (WG-8), Chief Boatswain's Mate (E-7), Retired, U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

NATIONAL POLICE WEEK

Mr. HOEVEN. Mr. President, today, people across our country observe Peace Officers Memorial Day. As we remember all of the fallen officers who have made the ultimate sacrifice while upholding justice and protecting our communities, I wish to echo the sentiments of Americans across the country in honoring the lives and exemplary service of all of the men and women who lost their lives this past year, including two North Dakota peace officers, Bismarck police Sgt. Steven Kenner and Burleigh County sheriff's department Deputy Sheriff Bryan Sleeper.

Sgt. Steven Kenner served with the Bismarck police department for more than 32 years when he was killed in the line of duty on July 8, 2011. Sergeant Kenner was a distinguished and well-respected member of the Bismarck police department. He also served as a decorated member of the North Dakota National Guard military police and founded the business C.A.R., Collision Analysis Reconstruction.

Colleagues, friends and family knew Sergeant Kenner to be a loving, hard-working and dedicated man who served his State with great pride. He was devoted to mentoring and training his fellow officers, and his extensive knowledge and professionalism garnered the respect and admiration of his colleagues, who often referred to Sergeant Kenner as a gentle giant because his stature belied his kind nature and selfless service to others.

During Sergeant Kenner's distinguished career, he earned several awards, including the North Dakota Peace Officers Association Lifesaving Award. Sergeant Kenner was also actively involved in his community, serving in a variety of capacities, including as a member of the Missouri Valley Fraternal Order of Police, the National Trustee for North Dakota and the Midwest Association of Traffic Accident Investigators. He is survived by his wife, Debbie, and children James, Stephen, Kailey, and Tayler.

Last year, North Dakota also mourned Deputy Sheriff Bryan Sleeper who died in the line of duty on September 28, 2011. A lifelong North Dakotan, Deputy Sleeper graduated from the University of Mary in 1997, and worked at the North Dakota state penitentiary and the Bismarck rural fire department before beginning his distinguished career with the Burleigh County sheriff's department in 2007.

Deputy Sleeper was an active member of his community, and his involvement—like his job—aimed to improve

the well-being of his fellow citizens. He earned his EMT certification and taught CPR and first aid at St. Alexius Medical Center and the Burleigh County sheriff's department. He was also a volunteer firefighter, member of the West Dakota SWAT team and the vice president of the Fraternal Order of Police Missouri Valley Lodge #3 for Bismarck. At the sheriff's department, he organized enforcement events including a blood drive and Christmas shopping event for children. Recognitions include the North Dakota Peace Officers Association Lifesaving Award.

Deputy Sleeper was a hardworking, ambitious and energetic man whose kind heart and engaging personality quickly endeared him to the people he met. An athlete and outdoors enthusiast, Deputy Sleeper was a natural leader and committed family man and friend. He is survived by his wife Lana, children Branden, Jeremy and Heather; and grandson Hunter.

This past week, North Dakotans added the names of Steven Kenner and Bryan Sleeper to the North Dakota Peace Officer Memorial located on the east side of the North Dakota State capitol. This memorial now bears the names of 61 brave men. These North Dakota peace officers, like the other officers from across our country who have been killed in the line of duty, have earned our unyielding gratitude for their service and heroism. These brave men and women keep our communities safe and secure, and it is fitting and right that we should pay tribute to these heroes who have paid the ultimate sacrifice.

MIKEY and I extend our deepest sympathy to the families of all our fallen officers, especially the families of Sergeant Kenner and Deputy Sleeper. Our thoughts and prayers go out to them, and we pray that they will take comfort in knowing that their loved ones served their State and fellow citizens with great honor and pride.

TAIWAN'S PRESIDENTIAL INAUGURATION

Mr. HOEVEN. Mr. President, today I wish to recognize Inauguration Day in Taiwan on May 20, 2012. On January 14, Mr. Ma Ying-jeou was elected to his second term as President of the Republic of China. I offer congratulations to Mr. Ma not only for winning the election but for what his election symbolizes: the continued growth and maturation of democracy in the Republic of China. Taiwan is the first place in the ethnic Chinese world where democracy has taken root, and its democratic transformation has laid the foundation for reduced tensions across the Taiwan Strait and strengthened its ties with the United States as well.

Taiwan's democracy brightens the future of East Asia. Taipei poses no threat to Beijing, and its democratic government has fostered the development of strong cross-strait economic and cultural ties. I hope that, instead

of building up its military forces in fear of a democratic Taiwan, Beijing will learn from Taiwan's example and reform its own political system. Democratization on both sides of the Taiwan Strait will lead to further expansion of the economic and cultural ties that have begun to flourish in recent years as well as improve security for the entire region.

The United States understands that our interests are well served by a free and democratic Taiwan. We want to see Taiwan grow and thrive as an important economic and trade partner, and we recognize that the safety and security of Taiwan is very important to the security of the entire Asia-Pacific region. The partnership between the United States and Taiwan, especially under the terms of the Taiwan Relations Act, has deterred aggressive action in the Taiwan Strait and opened the door for Taiwan to reach its full potential as a strong democracy and an important economic hub. I look forward to strengthening the links between Taiwan and the United States in the future, particularly through the removal of remaining trade barriers and a renewed commitment to addressing the security challenges facing Taiwan.

I hope that the United States and the Republic of China, as two fellow democracies, will continue to support each other and commit themselves to even closer ties in the future. And in that spirit, on the occasion of Taiwan's Inauguration Day, I congratulate the people of Taiwan and join them in celebrating the power and potential of democracy.

ADDITIONAL STATEMENTS

350TH ANNIVERSARY OF ST. FRANCIS XAVIER CATHOLIC CHURCH

• Mr. CARDIN. Mr. President, today I wish to celebrate the 350th anniversary of St. Francis Xavier Catholic Church in Leonardtown, MD. I hope my colleagues will join me in celebrating the centuries of history in marking this anniversary, including the establishment of Catholicism in English America. It was 350 years ago that Leonardtown, which was then known as Newtowne, was founded as the first settlement in the Maryland province after the establishment of St. Mary's City. Its geographic location places it within view of St. Clement's Island where the English colonists first landed in 1634. Prior to its settlement by the colonists, the Piscataway Indians and their forebears had occupied the site for many centuries.

Lord Baltimore founded the Maryland colony with the intention of providing his co-religionists with the civil liberty to exercise their religion freely, but it was not until the restoration of Charles II to the throne in England that the political climate in Maryland allowed for the building of a public

chapel at Newtowne in 1662. The chapel was built by the local Catholics for the community that continues to the present day as Saint Francis Xavier's Parish, a parish within the Archdiocese of Washington.

In 1967, when the Society of Jesus withdrew from Newtowne to work in other areas, St. Francis Xavier Church, Newtowne Manor, and the 7.5 acres surrounding them were conveyed to the Archdiocese of Washington. The Archbishop of Washington at the time, James Cardinal Hickey, realized the religious, historical and archeological significance of these buildings, both of which are on the national Register of Historic Places, and he determined that they must be restored and preserved to maintain a link with the earliest days of the Roman Catholic Church in America.

While the site of the current church, a.d. 1731, and the Newtowne Manor House, a.d. 1789, the graveyard, and the site of the original chapel have been excavated by archaeologists, more work remains to be done to tell the full story of what is believed to be the second public Catholic chapel built in the colonies. The first is thought to be in neighboring Charles County, MD. I join Father Brian P. Sanderfoot and the Saint Francis Xavier Catholic Church congregation in encouraging further investigation and exploration of their history. Their work will inform all of us about the colonial history of the Catholic community in Maryland and the early colonial life and freedoms evidenced in the records and archeological findings of St. Francis Xavier Catholic Church.●

CONGRATULATING ASHLEE SMITH

• Mr. HELLER. Mr. President, today I wish to honor a young Nevadan for being recognized as one of America's top 10 youth volunteers of 2012. Ashlee Smith, a seventh grader from Sparks, NV, was awarded the prestigious national Prudential Spirit of Community Award for her efforts to assist child victims of house fires and natural disasters. I am proud to congratulate one of Nevada's own for her leadership, compassion, and selflessness as she sets a fine example for students all across the United States who want to make a difference.

Ashlee's home burned down in a devastating fire in 2005, destroying all that her family owned—including her childhood toys. Ever since this experience, she has dedicated her free time to helping children who are victims of natural disasters recover their lost belongings. At 8 years old, she founded Ashlee's Toy Closet, a nonprofit organization that helps low-income children as well as those who have been affected by natural disasters. Over the past 5 years, she has collected and distributed more than 175,000 toys to children who have been affected by natural disasters. Ashlee's commitment to children in need is inspiring and reinforces the importance of serving our communities.

Having four children of my own, I understand the importance of creating an environment where our kids can give back to their communities. Encouraging our Nation's next generation of leaders to become engaged in community service will help ensure that they are active and positive contributors to their local community. We must encourage our Nation's youth to excel beyond the academic arena, demonstrate strong leadership skills, and show active initiative to support their communities.

I am proud to stand with the citizens of Sparks to congratulate Ashlee on this exceptional accomplishment. As she continues to grow her organization, I hope that she will serve as an example for Nevada's youth and will continue building upon this experience in her professional and personal future. Today, I ask my colleagues to join me in recognizing an ambitious Nevadan who has helped make a difference in the lives of thousands all over the Nation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5652. An act to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

MEASURES READ FOR THE FIRST TIME

The following bill was read the first time:

S. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6083. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; St. Croix River, Stillwater, MN" ((RIN1625-AA09) (Docket No. USCG-2012-0226)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6084. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Niantic River, Niantic, CT" ((RIN1625-AA09) (Docket No. USCG-2012-0305)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6085. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA" ((RIN1625-AA09) (Docket No. USCG-2012-0362)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6086. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY" ((RIN1625-AA09) (Docket No. USCG-2011-1132)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6087. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Anacostia River, Washington, DC" ((RIN1625-AA09) (Docket No. USCG-2011-0591)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6088. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Manchester Harbor, Manchester, MA" ((RIN1625-AA09) (Docket No. USCG-2012-0344)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6089. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Saginaw River, Bay City, MI" ((RIN1625-AA09) (Docket No. USCG-2011-1013)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6090. 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; Sunken Vessel, Puget Sound, Everett, WA" ((RIN1625-AA00) (Docket No. USCG-2012-0282)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6091. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal,

NY" ((RIN1625-AA09) (Docket No. USCG-2012-0144)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6092. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA" ((RIN1625-AA09) (Docket No. USCG-2012-0280)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6093. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; James River, Hopewell, VA" ((RIN1625-AA09) (Docket No. USCG-2012-0292)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6094. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Intracoastal Waterway, Chesapeake, VA" ((RIN1625-AA09) (Docket No. USCG-2012-0330)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6095. 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; Crowley Barge 750-2; Bayou Casotte; Pascagoula, MS" ((RIN1625-AA00) (Docket No. USCG-2012-0190)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6096. 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; 2012 Mavericks Invitational, Half Moon Bay, CA" ((RIN1625-AA00) (Docket No. USCG-2011-1146)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6097. 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; Patapsco River, Northwest and Inner Harbors, Baltimore, MD" ((RIN1625-AA00) (Docket No. USCG-2012-0101)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6098. 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; Matlacha Bridge Construction, Matlacha Pass, Matlacha, FL" ((RIN1625-AA00) (Docket No. USCG-2011-1115)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6099. 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 for Margate Bridge, Intracoastal Waterway; Margate, NJ" ((RIN1625-AA00) (Docket No. USCG-2012-0069)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6100. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Eighth Coast Guard District Annual Marine Events and Safety Zones" ((RIN1625-AA00; 1625-AA08) (Docket No. USCG-2011-0286)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6101. 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; Coast Guard Exercise, Hood Canal, Washington" ((RIN1625-AA00) (Docket No. USCG-2012-0283)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6102. 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; Non-Compliant Vessel Pursuit Training Course, Wando River, Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2012-0138)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6103. 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 Zones; Sellwood Bridge Project, Willamette River; Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2011-1174)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6104. 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; 2012 Memorial Day Tribute Fireworks, Lake Charlevoix, Boyne City, Michigan" ((RIN1625-AA00) (Docket No. USCG-2012-0337)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6105. 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 Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone" ((RIN1625-AA00) (Docket No. USCG-2012-0045)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6106. 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; East River, Brooklyn Bridge Scaffolding Repair, Brooklyn, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0263)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6107. 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 Zones; TriMet Bridge Project, Willamette River, Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2011-1173)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6108. 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; Magothy River, Sillery Bay, MD" ((RIN1625-AA00) (Docket No. USCG-2012-0001)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6109. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Choptank River and Cambridge Channel, Cambridge, MD" ((RIN1625-AA87) (Docket No. USCG-2011-1164)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6110. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; North Atlantic Treaty Organization (NATO) Summit, Chicago, IL" ((RIN1625-AA87) (Docket No. USCG-2012-0052)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6111. 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; Safety and Security Zones; Recurring Events in Captain of the Port of Long Island Sound Zone" ((RIN1625-AA00, 1625-AA08, 1625-AA87) (Docket No. USCG-2008-0384)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6112. 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; Spa Creek and Annapolis Harbor, Annapolis, MD" ((RIN1625-AA08) (Docket No. USCG-2011-1120)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6113. 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 Regulation; Emerald Coast Super Boat Grand Prix; Saint Andrew Bay; Panama City, FL" ((RIN1625-AA08) (Docket No. USCG-2012-0085)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6114. 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; Patriot Challenge Kayak Race, Ashley River, Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2011-1095)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6115. 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 Regulation; Tuscaloosa Dragon Boat Race; Black Warrior River; Tuscaloosa, AL" ((RIN1625-AA08) (Docket No. USCG-2012-0218)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6116. 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; Lowcountry Splash

Open Water Swim, Wando River and Cooper River, Mount Pleasant, SC" ((RIN1625-AA08) (Docket No. USCG-2012-0252)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6117. 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 Regulation; Smokin The Lake; Gulfport Lake; Gulfport, MS" ((RIN1625-AA08) (Docket No. USCG-2012-0168)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6118. 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 and Safety Zones; Recurring Events in Northern New England" ((RIN1625-AA00; 1625-AA08; 1625-AA87) (Docket No. USCG-2011-1023)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6119. 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; Potomac River, Charles County, MD" ((RIN1625-AA08) (Docket No. USCG-2011-1176)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6120. 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 Regulation; Hebda Cup Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI" ((RIN1625-AA08) (Docket No. USCG-2012-0340)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6121. 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 Regulation; Galveston Bay, Kemah, TX" ((RIN1625-AA08) (Docket No. USCG-2012-0170)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6122. 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 Regulation; Wy-Hi Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI" ((RIN1625-AA08) (Docket No. USCG-2012-0342)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 1023. A bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes (Rept. No. 112-165).

EXECUTIVE REPORTS OF
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

*Jessica Lynn Wright, of Pennsylvania, to be an Assistant Secretary of Defense.

*James N. Miller, Jr., of Virginia, to be Under Secretary of Defense for Policy.

*Frank Kendall III, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

*Erin C. Conaton, of the District of Columbia, to be Under Secretary of Defense for Personnel and Readiness.

*Heidi Shyu, of California, to be an Assistant Secretary of the Army.

*Derek H. Chollet, of Nebraska, to be an Assistant Secretary of Defense.

*Kathleen H. Hicks, of Virginia, to be a Principal Deputy Under Secretary of Defense.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER:

S. 3177. A bill to amend the Truth in Lending Act to require servicers to provide responses to mortgagors requesting residential mortgage loan refinancing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself, Mr. RUBIO, and Mr. PAUL):

S. 3178. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mr. BEGICH):

S. 3179. A bill to amend the Servicemembers Civil Relief Act to enhance the protections accorded to servicemembers and their spouses with respect to mortgages, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND:

S. 3180. A bill to require the Department of Defense to develop a plan to track and respond to incidents of hazing in the Armed Forces; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself and Mr. CARDIN):

S. 3181. A bill to amend title 10, United States Code, to require a plan to ensure the military leadership of the Armed Forces reflects the diversity of the population of the United States, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

S. 3182. A bill to require a report on implementation of a termination on the ground combat exclusion policy for female members of the Armed Forces; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mr. BROWN of Ohio):

S. 3183. A bill to amend the Internal Revenue Code of 1986 to require the use of domestic property to be eligible for certain tax

incentives for solar energy; to the Committee on Finance.

By Mrs. MURRAY:

S. 3184. A bill to suspend temporarily the duty on certain fitness equipment; to the Committee on Finance.

By Mr. CORNYN:

S. 3185. A bill to amend the Immigration and Nationality Act to provide certain immigration benefits for aliens with advanced degrees in science, technology, engineering, or mathematics and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 3186. A bill to make it unlawful to alter or remove the identification number of a mobile device; to the Committee on the Judiciary.

By Mr. HARKIN (for himself and Mr. ENZI):

S. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; read the first time.

By Mr. RUBIO (for himself, Mr. CORNYN, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. PAUL, Mr. INHOFE, Mr. DEMINT, Mr. BLUNT, and Mr. LEE):

S.J. Res. 40. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treasury and the Internal Revenue Service relating to the reporting requirements for interest that relates to the deposits maintained at United States offices of certain financial institutions and is paid to certain non-resident alien individuals; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself and Mr. INHOFE):

S. Res. 460. A resolution designating the week of May 20 through May 26, 2012, as "National Public Works Week"; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. MURKOWSKI, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. BEGICH, Mr. WARNER, Ms. LANDRIEU, Mr. SANDERS, Mrs. GILLIBRAND, Ms. STABENOW, Mr. JOHNSON of South Dakota, Mr. COONS, Mrs. FEINSTEIN, and Mr. KOHL):

S. Res. 461. A resolution recognizing the teachers of the United States for their contributions to the development and progress of our Nation; considered and agreed to.

ADDITIONAL COSPONSORS

S. 534

At the request of Mr. KERRY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 1173

At the request of Mr. WYDEN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1173, a bill to amend title XVIII of

the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

S. 1288

At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1288, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel.

S. 1497

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1497, a bill to amend title XVIII of the Social Security Act to extend for 3 years reasonable cost contracts under Medicare.

S. 1577

At the request of Mr. BAUCUS, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1701

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1701, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1878

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1878, a bill to assist low-income individuals in obtaining recommended dental care.

S. 1908

At the request of Mr. GRASSLEY, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1908, a bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organization, and for other purposes.

S. 1910

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2047

At the request of Mr. SCHUMER, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2047, a bill to authorize the Secretary of Education 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.

S. 2069

At the request of Ms. MIKULSKI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2069, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2074

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2074, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 2076

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2245

At the request of Mr. BARRASSO, the names of the Senator from Utah (Mr.

HATCH) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 2245, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2276

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2276, a bill to permit Federal officers to remove cases involving crimes of violence to Federal court.

S. 2277

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2277, a bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes.

S. 2299

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2299, a bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3048

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3048, a bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes.

S. 3083

At the request of Mr. RUBIO, the name of the Senator from South Da-

kota (Mr. THUNE) was added as a cosponsor of S. 3083, a bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 401

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 435

At the request of Mr. CASEY, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 435, a resolution calling for democratic change in Syria, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mr. BEGICH):

S. 3179. A bill to amend the Servicemembers Civil Relief Act to enhance the protections accorded to servicemembers and their spouses with respect to mortgages, and for other purposes; to the Committee on Veterans' Affairs.

Mr. REED. Mr. President, today I introduce the Servicemember Housing Protection Act, and I thank Senators DURBIN, SHERROD BROWN, WHITEHOUSE, and BEGICH for joining me as original cosponsors of this bill.

In 1940, as World War II escalated across the globe, Congress enacted the Soldiers' and Sailors' Civil Relief Act "to protect those who have been obliged to drop their own affairs to take up the burdens of the nation." In 2003, Congress passed a new version of this law to reflect the new challenges of post-9/11 service and renamed it the Servicemembers Civil Relief Act, SCRA. In 2010, in order to address the country's high foreclosure rates and their impact on servicemembers, Congress further amended this law to enhance foreclosure protections.

Also in 2010, when it became evident that military families needed an entity

to serve as a watchdog, provide education, and help monitor and respond to concerns, questions, and complaints about consumer financial products and services, I led the bipartisan effort during the Dodd-Frank act debate to create a new Office of Servicemember Affairs within the Consumer Financial Protection Bureau, CFPB.

Our country has a strong tradition of ensuring that the laws that protect our servicemembers keep pace with the challenges that they face. The Servicemember Housing Protection Act seeks to address one such continuing challenge helping servicemembers with their housing needs so they can maintain a focus on the difficult task of protecting our country.

First, our bill would make it easier for servicemembers to submit their military orders to creditors and get their affairs in order prior to deployment. Currently, creditors require a copy of military orders in order to trigger SCRA protections. However, these orders are often not cut until just before deployment or once the servicemember is already deployed. Redefining military orders as either official orders or a letter from the servicemember's commanding officer would further ensure that a servicemember has more time to prepare for deployment and promptly receives SCRA protections, including the interest rate limitation of six percent on qualifying mortgages.

Second, this bill would extend foreclosure protections to surviving spouses. Currently, servicemembers have a 9-month window of foreclosure protection following service, to provide time to reacclimate to civilian life and get affairs back in order. Our bill extends this nine-month window of foreclosure protection to a surviving spouse. After suffering such an unspeakable loss, a military spouse should not have the additional burden of dealing with immediate foreclosure.

Lastly, this bill would help facilitate the transition from off-base to on-base housing. Due to the shortage of on-base military housing, many servicemembers temporarily find off-base housing until on-base housing becomes available. When a servicemember on a waiting list is given the chance to move into on-base housing, he or she is sometimes unable to terminate his or her off-base housing lease. Including an order to move from off-base to on-base housing as additional grounds for lease termination would allow servicemembers and their families the opportunity to move into the military housing community. We should extend this opportunity, which already is law in several states, such as Florida, Georgia, and Virginia, to servicemembers serving at any of our military bases.

While the men and women of our Armed Forces are protecting our nation overseas, we should do everything possible to protect their families and homes. I urge my colleagues to join Senators DURBIN, SHERROD BROWN, WHITEHOUSE, BEGICH, and me, as well as

the Military Officers Association of America, in supporting this bill and taking these next steps to add protections for our military families.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 460—DESIGNATING THE WEEK OF MAY 20 THROUGH MAY 26, 2012, AS "NATIONAL PUBLIC WORKS WEEK"

Mrs. BOXER (for herself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 460

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as "National Public Works Week";

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

SENATE RESOLUTION 461—RECOGNIZING THE TEACHERS OF THE UNITED STATES FOR THEIR CONTRIBUTIONS TO THE DEVELOPMENT AND PROGRESS OF OUR NATION

Mr. LAUTENBERG (for himself, Ms. MURKOWSKI, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. BEGICH, Mr. WARNER, Ms. LANDRIEU, Mr. SANDERS, Mrs. GILLIBRAND, Ms. STABENOW, Mr. JOHNSON of South Dakota, Mr. COONS, Mrs. FEINSTEIN, and Mr. KOHL) submitted the following resolution; which was considered and agreed to:

S. RES. 461

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation's children;

Whereas the purpose of "National Teacher Appreciation Week", is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of "National Teacher Appreciation Week": Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) recognizes students, parents, school administrators, and public officials who participate in teacher appreciation events during "National Teacher Appreciation Week".

AMENDMENTS SUBMITTED AND PROPOSED

SA 2105. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table.

SA 2106. Mr. ISAKSON (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2105. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 25 and insert the following:
SEC. 25. RENEWABLE ENERGY AND ENERGY EFFICIENCY TECHNOLOGIES.

(a) IN GENERAL.—The Export-Import Bank of the United States should work to increase the export of renewable energy technologies and end-use energy efficiency technologies with a goal of significantly expanding, year-after-year, the Bank's annual aggregate loan, guarantee, and insurance authorizations supporting those technologies.

(b) INCREASED REPORTING REQUIREMENTS.—The Export-Import Bank of the United States shall include in its annual report to Congress an analysis of any barriers to realizing the Bank's congressional directive to increase the Bank's financing for renewable energy technology and end-use energy efficiency technology and any tools the Bank needs to assist the Bank in overcoming those barriers. The analysis shall include barriers such as—

(1) inadequate staffing;

(2) inadequate financial products;

(3) lack of capital authority; and

(4) limitations imposed by domestic markets.

SEC. 26. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall

take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

SA 2106. Mr. ISAKSON (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 26. EXTENSION OF THIRD-COUNTRY FABRIC RULE UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT; ELIGIBILITY OF SOUTH SUDAN FOR DESIGNATION FOR PREFERENTIAL TREATMENT.

(a) EXTENSION OF AGOA THIRD-COUNTRY FABRIC RULE.—Section 112(c)(1) of the African Growth Opportunity Act (19 U.S.C. 3721(c)(1)) is amended by striking “September 30, 2012” each place it appears in the text and in the heading and inserting “September 30, 2015”.

(b) DESIGNATION OF SOUTH SUDAN.—Section 107 of the African Growth Opportunity Act (19 U.S.C. 3706) is amended by inserting “Republic of South Sudan (South Sudan).” after “Republic of South Africa (South Africa).”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 15, 2012, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Reform: What It Could Mean for Tribes and Territories.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “The High Cost of High Prices for HIV/AIDS Drugs and the Prize Fund Alternative” on May 15, 2012, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 15, 2012, at 2:30 p.m.

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

SPECIAL COMMITTEE ON AGING

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 15, 2012, at 2:15 p.m. in room SD-562 of the Dirksen Senate Office Building to conduct a hearing entitled: “Missed by the Recovery: Solving the Long-Term Unemployment Crisis for Older Workers.”

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

PRIVILEGES OF THE FLOOR

Mr. JOHANNIS. Mr. President, I ask unanimous consent that Maureen McLaughlin, a detailee to the Senate Finance Committee, be granted the privileges of the floor for the duration of the consideration of H.R. 2072.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL PUBLIC WORKS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 460.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 460) designating the week of May 20 through May 26, 2012, as National Public Works Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 460) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 460

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as “National Public Works Week”;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

Mr. REID. Before we leave this, Mr. President, I might say that Senator BOXER and Senator INHOFE, the chair and the ranking member of that most important committee—the Environment and Public Works Committee—are doing their utmost on a bipartisan basis to complete the conference with the House to get the highway bill passed, which means 2.8 million jobs. As this legislation concerns National Public Works Week, it would certainly be a big celebration if we could get that bill done. I appreciate very much Senators BOXER and INHOFE working so closely together on that committee.

RECOGNIZING TEACHERS OF THE UNITED STATES

Mr. REID. Mr. President, I ask unanimous consent that we proceed to the immediate consideration of S. Res. 461.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 461) recognizing the teachers of the United States for their contributions to the development and progress of our Nation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 461) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 461

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation’s children;

Whereas the purpose of “National Teacher Appreciation Week”, is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of “National Teacher Appreciation Week”: Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) recognizes students, parents, school administrators, and public officials who participate in teacher appreciation events during "National Teacher Appreciation Week".

MEASURE READ THE 1ST TIME—
S. 3187

Mr. REID. Mr. President, I understand that S. 3187 was introduced earlier today by Senators HARKIN and ENZI, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3187) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

Mr. REID. Mr. President, this is a very important piece of legislation done in the right way. Senators HARKIN and ENZI have done something in the way we always used to do things: They moved a bill out of committee to the Senate floor, truly a bipartisan bill, so important to our country, the FDA bill—Food and Drug Administration.

Senator ENZI has always been very focused on when we bring something to the floor, it must have the committee mark on it—and this bill does.

The reason I move to the bill today the way I have is to line this up for filing cloture on Thursday. I hope we don't have to file cloture, we move to proceed to it. Why don't we get on the bill? If we can get on the bill, we can start on it Monday, we can start offering amendments, and get this moving along.

I have talked to Senator ENZI, I have talked to Senator HARKIN. We had good luck on the highway bill. We had good luck also on the postal bill with relevant amendments. This is a very important piece of legislation. I hope we can move to this without having to file cloture. If I have to file cloture, I will have to file cloture, but I sure hope not. I admire the cooperation and the working together of Senators HARKIN and ENZI.

ORDERS FOR WEDNESDAY, MAY 16,
2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 on Wednesday, May 16; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for use later in the day.

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

PROGRAM

Mr. REID. Mr. President, following any leader remarks tomorrow morning, the Senate will begin debate on several motions to proceed to resolutions introduced by Republican Senators. This is an agreed-upon method of proceeding on these resolutions.

ORDER OF PROCEDURE

It is my intention to equally divide the first hour, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes. I ask unanimous consent that be the case.

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

Mr. REID. So there is 6 hours of debate time allowed under the consent agreement that was approved earlier today. I certainly hope we can get this done expeditiously. Senator CONRAD will be leading efforts on our side opposed to this; and once we get this out of the way, we should move forward.

Tomorrow morning, after we understand the morning hour will be deemed expired and the time for the two leaders be reserved for their use later in the day, I ask unanimous consent that I be recognized at that time.

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

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Wednesday, May 16, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. MICHAEL R. MOELLER

DEPARTMENT OF STATE

THOMAS HART ARMBRUSTER, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

DAVID BRUCE WHARTON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

ALBOINO LUNGOBARDO DEULUS, OF VIRGINIA
MARY LOUISE JOHNSON-PIZARRO, OF VIRGINIA
MARTINA CHRISTINA POLT, OF TENNESSEE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

RUSSELL M. COMEAU, OF THE DISTRICT OF COLUMBIA

VICTOR LERUN MARSH II, OF MICHIGAN
JENNIFER M. NOISSETTE, OF FLORIDA
MICHAEL OWEN WARREN, OF UTAH

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

BOOYEON LEE ALLEN, OF CALIFORNIA
CLAY C. ALLEN, OF IDAHO

LA JUNE L. BARNES, OF NEW YORK
ZANE LEE BARNES, OF CALIFORNIA

NICHOLAS G. BARNETT, OF NEW YORK
BRIAN P. BAUER, OF ILLINOIS

ROBBIE LANEICE BROOKER, OF TEXAS
PETER H. BROWN, OF NEW YORK

JOSHUA MORGAN BUXTON, OF CALIFORNIA
DANIEL JAMES CARL, OF FLORIDA

ALBERT RAY CEA HENRIQUEZ, OF TEXAS
BROOKE HEILNER DEAN, OF WASHINGTON

ANTHONY JAMES DIAZ, OF KENTUCKY
EDMUND FLEETWOOD DUNSTAN III, OF MARYLAND

MARISA A. FERGUSON, OF VIRGINIA
DAVID KIP FRANCIS, OF TEXAS

NOAH J. GEESAMAN, OF FLORIDA
PALOMA H. GONZALEZ, OF CALIFORNIA

JACOB DANIEL GRANNELL, OF THE DISTRICT OF COLUMBIA

RYAN NICHOLAS GUIRLINGER, OF VIRGINIA
GARTH HALL, OF CALIFORNIA

SEAN MICHAEL HANIFEN, OF WASHINGTON
APRIL MCCONNELL HAYNE, OF FLORIDA

CHERYL A. HIPPI, OF CALIFORNIA
ELIZABETH HOWARD, OF FLORIDA

HEERA KAUR KAMBOJ, OF NEW YORK
ALLA PAVEL KAMINS, OF VIRGINIA

SONIA JUNG KIM, OF GEORGIA
STEPHAN G. LANGLEY, OF WASHINGTON

THOMAS J. LEIBY, OF PENNSYLVANIA
BRIDGET MARY LINES, OF TEXAS

JOSEPH S. LIVINGSTON, OF NEW JERSEY
RYAN JASON LONG, OF WASHINGTON

JAMES MICHAEL LOWELL, OF TENNESSEE
MUNIR DAWAN MADYUN, OF GEORGIA

ANNA ARAMBULO MARTZ, OF TEXAS
WESLEY SIM MATHEWS, OF TEXAS

CHRISTOPHER H. MCHONE, OF TEXAS
ROLAND DAVID MCKAY, OF MICHIGAN

MORGAN D. MILES, OF WASHINGTON
JONATHAN ANDREW MITCHELL, OF PENNSYLVANIA

DOUG MORROW, OF FLORIDA
KATHRINE MARLENE MORTENSEN, OF FLORIDA

ELIZABETH FAWN NEDEFF, OF WASHINGTON
PHILLIP NELSON DE ASSIS, OF TEXAS

THU HUYNH NGUYEN, OF WASHINGTON
NATALYA A. NIKIFOROVA—SMITH, OF FLORIDA

CAROLINE CASEY NOHR, OF CALIFORNIA
KIMBERLY GIUSTI OLSON, OF OREGON

JEFFREY MICHAEL OSWELLER, OF IOWA
CHRIS F. PIERSON, OF CONNECTICUT

JOANNA HOPE PRITCHETT, OF NEW YORK
ABBEY H. RATHWEG—WEITZ, OF VIRGINIA

ERIN ALEXIS RATTAZZI, OF CALIFORNIA
SUNIL KUMAR RAVI, OF ARIZONA

STEPHANIE L. REED, OF TENNESSEE
CHUNNONG SAEGER, OF MARYLAND

MARYUM FATIMA SAIFEI, OF TEXAS
FELIX J. SALAZAR, OF MARYLAND

PHILIP SCOT SCHWADA, OF VIRGINIA
DAVID RYAN SEQUEIRA, OF FLORIDA

ARATI SHROFF, OF TEXAS
CLAIRE ELIZABETH SMOLIK, OF CALIFORNIA

NITZA SOLA—ROTTGER, OF THE DISTRICT OF COLUMBIA
MASAMI TANAKA, OF ILLINOIS

MEGAN JO TETRICK, OF INDIANA
TOD M. THEDY, OF FLORIDA

SYGA THOMAS, OF CALIFORNIA
KEISHA N. TOMS, OF GEORGIA

WILLIAM RANDALL TORRANCE, OF TEXAS
CYNDIE—NGA TRINH, OF TEXAS

CATHERINE TRUONG, OF NEVADA
JUSTIN W. TULL, OF VIRGINIA

THOMAS M. VENNEN, OF ILLINOIS
RACHEL Y. WASHINGTON, OF TENNESSEE

BRIANNE ALICIA WATTS, OF ARIZONA
OTTO H. WESTHASSEL, OF VIRGINIA

C. LOGAN WHEELER, OF TENNESSEE
DAVID GARDINER WISNER, OF NEW YORK

HEATHER NICOLE WRIGHT, OF MARYLAND
CHANSOINETTE REBECCA YUN, OF CALIFORNIA

THE FOLLOWING—NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

BRADLEY ALAN FREDEN, OF ARIZONA

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

MARY J. CHOI
LAURA A. COOLEY
PATRICIA H. DAVID
DUKE J. RUKTANONCHAI

To be senior assistant surgeon

FRANCISCA ABANYIE
NINA AHMAD
ANDREW I. GELLER

LEAH K. GILBERT
 AARON M. HARRIS
 FIONA HAVERS
 RACHEL T. IDOWU
 PREETHA J. IYENGAR
 STEPHEN C. KO
 GAYATHRI S. KUMAR
 KEREN Z. LANDMAN
 PHILIP A. LEDERER
 ANNA—BINNEY MCCAGUE
 ERIN MCNELLEY
 JOLENE H. NAKAO
 VUONG D. NGUYEN
 MONICA PATTON
 CELIA L. QUINN
 KENNETH B. QUINTO
 ALISON D. RIDDPATH
 MIRIAM L. SHIFERAW
 NEIL M. VORA
 JOSEPH V. WOODRING
 BRIAN R. YAHLON

To be junior assistant nurse officer

KIMBERLY A. BRINKER

To be assistant scientist officer

SHALON M. IRVING
 JONETTA L. JOHNSON
 MICHAEL T. LOWE
 MATTHEW LOZIER
 LEIGH A. MILLER
 ELIZABETH RUSSELL
 AMEE M. SCHWITTERS
 ALICE M. SHUMATE
 ANGELA M. THOMPSON-PAUL
 TATIANA Y. WARREN
 JASON A. WILKEN

To be assistant veterinary officer

LAURA ADAMS
 TARA C. ANDERSON
 ABBEY CANON
 LIZETTE O. DURAND
 LAURA S. EDISON
 ILANA J. SCHAFER

RYAN M. WALLACE

To be assistant pharmacy officer

FRANK A. ACHEAMPONG
 IRENE ADU-GYAMFI
 MACKENZIE P. BROWN
 JACQUELINE R. CAMPBELL
 KALEB CHAMBERLAIN
 LINDSEY N. CHILDRESS
 WHITNEY A. CONROY
 ALEJANDRA G. CUEVAS
 LAUREN DAVIS
 ALLAN DEMUTH
 ANDREA R. DYER
 ALLA Y. FABRIKANT
 ASHLEY A. FITCH
 JESSE FOSTER
 DEWEY FOUTZ
 CHRISTOPHER M. FRAZER
 RAEANNE G. FULLER
 AMY N. GOODPASTER
 MEGAN E. GROSHNER
 JASON D. HARRIS
 KELLEEE T. JAMES
 KENDRA N. JENKINS
 ANNA B. JEWULA
 RUSSELL B. KERN
 ANNA U. KIT
 RANDI J. KUNS
 BRYAN P. LELAND
 HEATHER S. LIM
 JENNIFER N. LIND
 ALICIA LOH
 JAMES O. LOTT
 SARA H. LOW
 MICHAEL J. MACMILLAN
 MADALENE MANDAP
 JULIA E. MARIE
 CULLEN M. MCCHRISTIAN
 KAMILAH M. MCKINNON
 CHRISTOPHER R. MCKNIGHT
 BROCK E. O'KEEFE
 JONATHAN H. OWEN
 KELLY S. PAK
 SARAH S. PAK

HEENA V. PATEL
 RONNIE L. RAEL
 SALVADOR RIVAS, JR.
 MATTHEW K. SASAKI
 MARJANNE V. SCHNARR
 ALISON M. SMITH
 KRISTINA M. SNYDER
 THANH D. TA
 PATRICK R. TULLY
 ANN P. UPSHAW
 JENNIFER M. UTIGARD
 KEITH R. WARSHANY
 MARY K. WEN
 RILEY J. WILLIAMS II
 VALERIE S. WILSON
 REBECCA WONG

To be junior assistant health services officer

AMELIA M. BREYRE
 DANIEL V. DIGIACOMA
 TIPHANY D. JACKSON
 SARAH R. KASLOW
 VINITA PURI
 CHRISTOPHER J. SALMON
 LEAH M. SITLER
 COLIN M. SMITH
 MEGHAN M. ZOMORODI

WITHDRAWAL

Executive Message transmitted by the President to the Senate on May 15, 2012 withdrawing from further Senate consideration the following nomination:

ARUNAVA MAJUMDAR, OF CALIFORNIA, TO BE UNDER SECRETARY OF ENERGY, VICE KRISTINA M. JOHNSON, RESIGNED, WHICH WAS SENT TO THE SENATE ON NOVEMBER 30, 2011.

EXTENSIONS OF REMARKS

REMEMBERING DR. THOMAS E.
FLORESTANO

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HOYER. Mr. Speaker, on March 31 my state of Maryland lost a giant in the realm of higher education. Dr. Thomas E. Florestano, who served for fifteen years as President of Anne Arundel Community College, sadly passed away at age 79.

The son of Italian immigrants, Tom was born in Annapolis and graduated from St. Mary's High School in 1952. He matriculated into the University of Maryland but paused his studies to serve in the U.S. Army as a military police officer in Korea and West Germany. Honorably discharged as a sergeant four years later, Tom returned to the University and earned a bachelor's degree in education in 1958.

While an undergraduate, Tom met his future wife of 52 years, Patricia Sherer. Together, they dedicated their careers to improving access to higher education for Maryland students, with Patricia teaching at the University of Baltimore and currently serving as chairwoman of the Board of Regents for the University System of Maryland.

After graduating, Tom worked as an education advisor at the Army Education Center in Fort Meade. Two years later, he joined the University of Maryland as assistant dean of student life and director of student activities. During this period, Tom earned his master's degree in education and later obtained his Ph.D., both from the University of Maryland.

Tom turned his attention to community college administration in 1970, when he took a job as dean of evening and community education and summer school at Prince George's Community College. After nine years there, Tom was appointed President of Anne Arundel Community College.

He took over during a time when the college was facing significant challenges, including tensions between faculty and administration as well as declining enrollment and budget shortfalls. Tom oversaw a program of revitalization that tripled enrollment, instituted new degree programs, expanded the campus, and turned deficits into sound finances by the time he retired in 1994. The legacy of his leadership of Anne Arundel Community College has been its transformation into the third-largest community college in Maryland. Even more so, Tom put the "community" back in "community college."

All of us who knew Tom recognized him as one who looked at a challenge and saw an opportunity and who looked at a student and saw a future. Those futures were what he worked so hard to make possible for thousands of Maryland students.

Tom will be greatly missed by the Maryland education community and by all of us who called him a friend. I join in celebrating his life

and offering my condolences to Patricia, their son Tom Jr., daughter Leslie, son-in-law Kevin, and their extended family.

TRIBUTE TO ROMNEY, WEST
VIRGINIA

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the 250th anniversary of the city of Romney. In 2012, the city will celebrate its 250th birthday with a year-long celebration. Romney is the oldest town in the oldest county in West Virginia. On December 23, 1762, Virginia's Governor signed the act that created Romney.

When Virginia was divided during the Civil War, Romney was located in what became West Virginia. The city was located in an area that was important to both the North and the South during the Civil War and is rumored to have changed hands 56 times as a result. Romney is home to the West Virginia Schools for the Deaf and the Blind as well as Davis History House, Hampshire County Courthouse, the Taggart-Hill House, the Wilson-Woodrow-Mytinger House, and the oldest office building in the state. I'm pleased to have this unique city in my district!

CONGRATULATING PRESIDENT MA
AND THE PEOPLE OF TAIWAN

HON. DENNIS A. ROSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. ROSS of Florida. Mr. Speaker, I extend my congratulations and best wishes to Mr. Ma Ying-jeou and the people of Taiwan as they celebrate Mr. Ma's presidential inauguration this May 20. Mr. Ma Ying-jeou won re-election as the fifth freely elected president of the Republic of China on January 14.

President George W. Bush once famously described Taiwan as "a beacon of democracy to Asia and the world." His words were recognition of Taiwan's achievements in democratic developments. The United States and Taiwan value human rights, civil liberties and the rule of law. Our shared values have produced a strong and dependable friendship for the past century. Taiwan was one of the first to come to our aid after the events of September 11th and Hurricane Katrina. Taiwan continues to be our ally in the war against terrorism by cooperating with humanitarian assistance in Iraq and Afghanistan and providing intelligence. They have shown generosity and compassion by donating to the Twin Towers Fund and Pentagon Memorial Fund.

In honoring Taiwan, we need to continue to sell defensive weapons to Taiwan under the

framework of the Taiwan Relations Act. Despite the rapprochement that has been built up between Taiwan and the PRC, a well-armed Taiwan is still the best guarantee to permanent peace in the Strait. Also, I firmly believe that Taiwan should have a much broader international visibility. I encourage my colleagues to support Taiwan's current bid to join the International Civil Aviation Organization (ICAO) as an observer.

To President Ma and the people of Taiwan, I extend my congratulations on their Presidential Inauguration Day.

HONORING WILFRED EARL
ARCHER

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BENISHEK. Mr. Speaker, let it be known, that it is a pleasure and honor to pay tribute to Wilfred Earl Archer, who was born in Port Huron, Michigan on Jan. 30, 1926, to Glen and Genevieve Archer. "Bill" was raised in Flint, Michigan, and attended North Muskegon High School. His family then moved to Detroit, where he attended Denby High School.

Following in the footsteps of his father, who served in the U.S. Army and fought in World War I, Bill felt an intense need to serve his country during World War II. He left school and enlisted in the U.S. Coast Guard, on April 1, 1943. He was stationed in San Diego, CA, where he received Amphibious Forces Training in operating Troop Carriers (LCVPs). He was then transferred to San Francisco and stationed on the USS *Middleton*, which was modified/ transformed into an Assault Personnel Attack vessel. The *Middleton* was sent to Maui, Hawaii, and then to New Guinea to assist the 98th Infantry in the invasion of the Philippines. Bill was awarded five Battle Stars for service in the battles within the Pacific Theater; Saipan, Tinian, Okinawa, Leyte, and Luzon. As an LCVP engineer and gunner, Petty Officer 3rd Class Archer also served as a Diesel Electrical Engineer. He was honorably discharged in January of 1946. As a civilian, Bill worked at a foundry in Muskegon.

In 1948, Bill enlisted as a Staff Sergeant in the U.S. Army Air Corps, which shortly thereafter became the U.S. Air Force. He received training in aircraft engine repair in Biloxi, Mississippi. His military career took another direction when Bill was sent to Japan to activate the 1273rd Transport Squadron. While in Japan, Bill achieved flying status as a Flight Engineer, and accumulated 18,000 flying hours while involved with embassy flights to the Philippines and India, and combat flights in the Korean Conflict. In 1949, Bill was a crew member of a C-54, which was the first U.S. aircraft destroyed in the Korean Conflict. It was unoccupied when it was bombed at an air base in Kempo, South Korea. After serving

• 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.

four years there, he was transferred back to the United States, and served in Great Falls, Montana, with Operation Blue Jay, to build an Air Force Base in Tule, Greenland. He received flight training in SA-16 Tri-Phib in West Palm Beach, Florida. He was promoted to Tech Sergeant, and flew AC-47s inspecting instrument landing equipment, at Hamilton Field in San Francisco. Bill later became part of the Strategic Air Command in Omaha, Nebraska. He attended flight engineer school at Chanute Air Force Base in Rantoul, Illinois and was assigned to Homestead Air Force Base in Florida as a Flight Engineer on KC-97s.

Bill retired from the Air Force, but retirement didn't last long. While working with the Civil Service, his knowledge as an F-4 aircraft Inspector led Bill to transfer from retired status to the U.S. Air Force Reserves, servicing and flying C-124s. He was sent to transport combat troops and materiel to Cam Rahn Bay, Republic of Vietnam. Bill was discharged from the U.S. Air Force Reserves in 1974. That was the end of an exemplary thirty-one-year military career, involving combat service in three major conflicts. Technical Sergeant Wilfred Earl Archer served with great distinction in World War II, the Korean Conflict, and the Vietnam War.

When his exemplary military career ended, and his civilian career began, Bill received a Teachers Certificate in Automotive Technology from Texas State Technical Institute, and later taught at the TSTI Connally campus. He is a Life member of the Veterans of Foreign Wars and served his fellow veterans as a VFW Commander of Post 2053 in White Cloud, Michigan.

HONORING MITCHELL SIMON OF
EAST AMHERST, NY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor 11 year-old Mitchell Simon, a resident of the town of Amherst in Erie County and Western New York.

In many ways, Mitch is an entirely ordinary 11 year old boy. He loves playing baseball, riding his bike, and hanging around with his friends, his siblings and cousins. Mitch is an inquisitive young man, always present with a ready smile and a friendly face.

But in another area, he is very special indeed. Mitch was born with a rare condition that affected the function of his liver. After surgery at a very young age, Mitch was fortunate to live a relatively normal life. But in December 2011, troubles developed, and Mitch was placed on a waiting list to receive a liver transplant.

On Tuesday April 17, the call came, and Mitch and his family, led by parents Jason and Denise, made the trip to Pittsburgh, PA. Overnight, after a grueling surgical procedure, the miracle of life was handed back to Mitch.

After surgery, it was said that Mitch was soon sitting up in bed, playing his X-Box, but it's undeniable that the recovery has had its ups and downs. Any 11 year old would be frustrated to be in bed for too long, and we know that Mitch is fighting hard to get back home.

On Saturday, June 2, a benefit will be held for the Simon family, to help defray the costs associated with Mitch's illness. The response for the benefit has been overwhelming, with friends, relatives, schoolmates' families and Mitch's baseball and basketball teammates and their families all pitching in for a great cause.

I would be remiss if I did not also speak of the tremendous sacrifices made by those who promote and participate in organ and tissue donation. Mitch had the gift of life given back to him with his surgery, but this is not the Simon family's first such experience. Mitch's mom Denise was a kidney donor to her brother in 2002. While an unthinkable tragedy occurs with the death of a child, the Simon family will be forever thankful that another family's tragedy resulted in a new lease on life for Mitch. The miracle of organ donation is never ending, and one hopes that the Simon family's story—both as donors as well as recipients—is an inspiration to others to join the ranks of those willing to "Donate Life."

Mr. Speaker, it is my hope that you will join with me and with all of our colleagues to commend the Simon family and offer the best wishes of the House of Representatives to Mitch for a speedy recovery.

TRIBUTE TO DR. MAUREEN
CLANCY-MAY

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Dr. Maureen Clancy-May, and honor her for her years of service to the people of the St. Louis area.

Dr. Clancy-May has achieved many milestones during her 33 years in education. She received her Bachelor's in Teaching Exceptional Children from Southeast Missouri State University, her Masters of Education from the University of Missouri-St. Louis, and her Ph.D. from Saint Louis University in Educational Administration. Dr. Clancy-May then applied her knowledge as a teacher, a Director of Student Services, a Principal, and as an Assistant Superintendent for schools across the St. Louis area. She has also shared her knowledge and experience with other educators as an adjunct professor in the Education Leadership Department at Saint Louis University.

Since July 1, 2004, Dr. Clancy-May has worked as the Superintendent of Schools for the Bayless School District. There, she led the Bayless School District to achieve full accreditation and Missouri's Accreditation with Distinction. Under her guidance, Bayless Elementary School and Bayless Junior High earned both the Missouri and the National School of Character awards. Her determination to improve her school district resulted in numerous awards for the district, as well as a \$1.5 million math and science grant.

In addition to her work in education, Dr. Clancy-May supports her community in many ways. She is an active member of the Rotary Club of St. Louis County and the Lemay Chamber of Commerce, and has served four years on the Board of the Affton Community Chamber of Commerce. She is a member of numerous education organizations, serving as

a representative on the Missouri Association of School Administrators' Executive Committee and as the president of the Cooperating School Districts of the Greater St. Louis Area's Board. Dr. Clancy-May has also been recognized for her many accomplishments, including: being awarded with the FOCUS St. Louis What's Right with the Region Award; Hardee's Hometown Hero Award; and the Southeast Missouri State University Alumni Merit Award.

Dr. Clancy-May has dedicated much of her life to serving the St. Louis community. I congratulate Dr. Maureen Clancy-May for her devotion to one of the nation's most important professions: educating our children and preparing them for a responsible and productive adulthood.

HONORING LEWIS N. WALKER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to Dr. Lewis N. Walker, who will retire next month after years of distinguished service at Lawrence Technological University in Southfield, Michigan.

Dr. Walker joined Lawrence Tech in 1994, serving as provost for 12 years. During that time, he improved student access to computer technology, expanded international partnerships, and developed facility improvements to support emerging technologies and career fields. Dr. Walker is also credited with fostering and instituting the only required undergraduate leadership program in the country outside the Nation's three military academies.

In 2005, again through Dr. Walker's efforts, the University began a unique partnership with the Ferndale Public Schools to establish University High School, which offers a rigorous preparatory curriculum for public school students. This partnership is making a difference. A full 99 percent of University High School's first three graduating classes received their diploma, and 85 percent have gone on to higher education.

In 2006, Dr. Walker was made President of LTU. The severe economic downturn that began the following year brought a time of extraordinary challenge for the country, and especially for the State of Michigan. With steep job losses, especially in our State's vital auto and manufacturing sectors, there was a clear need for retraining of displaced workers. Through Dr. Walker's leadership, Lawrence Tech stepped up and addressed the challenge through the "Recovery Starts Here" initiative, which provided grants to over 650 displaced workers and supported efforts to diversify Michigan's economy. This program was widely replicated and serves as an example of the vital synergies that can and should exist between institutions of higher education and our Nation's economy.

Building on the successful redevelopment of the campus quadrangle and A. Alfred Taubman Student Services Center, Dr. Walker set in motion the next phase of growth of LTU by laying the groundwork for development of a state-of-the-art Engineering, Life Sciences, and Architecture Complex. Over the years, my office has been pleased to work closely with Dr. Walker and his team on efforts to expand

the University's Center for Innovative Materials Research. Dr. Walker has signed 40 agreements with other leading universities around the world to encourage partnerships and exchange programs.

Prior to his career at Lawrence Tech, Dr. Walker served at the University of Hartford as dean of engineering and a professor of electrical engineering. He holds three degrees from the University of Missouri-Columbia and has published more than 50 technical papers.

In so many ways, Dr. Walker's years of service at LTU have left the University and the community better than he found them. I urge all my colleagues to join me in honoring Lewis Walker as he steps down as President of Lawrence Technological University next month. I feel certain that the University and the State of Michigan will continue to benefit from his talents for many years to come.

IN RECOGNITION OF NEW JERSEY
CITIZEN ACTION'S 30TH ANNI-
VERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate New Jersey Citizen Action on the occasion of their 30th anniversary. New Jersey Citizen Action, NJCA, has worked on behalf of the constituents of New Jersey to protect and expand the rights of individuals and families. Their faithful dedication to protecting and serving the constituents of New Jersey is worthy of this body's recognition.

New Jersey Citizen Action is the state's largest citizen watchdog coalition that has diligently worked to secure economic and social justice for its constituents. NJCA is a nonprofit 501(c)(4) that currently touts an impressive 60,000 individual membership and is affiliated with 100 organizations. Most recently, NJCA has maintained seven active campaigns centered around progressive social and economic justice goals. Among many notable accomplishments, in 2010, NJCA launched a Consumer Health Helpline to assist consumers in securing affordable, quality health services. They have played a prominent role in the battle for Family leave insurance and are applauded for their grassroots campaign in support of national health reform. NJCA continues to educate thousands of minority and women small business owners and entrepreneurs about through various small business forums and consumer education workshops. They continue to field hundreds of volunteers for their annual "Get Out the Vote" campaigns and are commended for their aggressive non-partisan campaign to turn out voters in under-represented areas of New Jersey. In addition to their issue campaigns, NJCA has also provided free comprehensive outreach and education programs in the areas of housing and foreclosure counseling, tax preparation, benefits counseling and financial education. Throughout their thirty year history, New Jersey Citizen Action has continued to work independently as well as partner with various progressive organizations throughout New Jersey to insure that government continues to have a positive impact on its constituents.

Mr. Speaker, once again, please join me in leading this body in congratulating New Jersey Citizen Action for their thirty years of service to the New Jersey community. Their efforts continue to enhance and protect the lives of constituents throughout New Jersey.

UNITED STATES-ISRAEL EN-
HANCED SECURITY COOPERA-
TION ACT OF 2012

SPEECH OF

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. GARAMENDI. Madam Speaker, on May 9, 2012, the House of Representatives reaffirmed our strong relationship with the State of Israel and demonstrated our commitment to Israel's right to defend itself, by passing H.R. 4133 with 411 votes. Unfortunately, I was not present at the time of the vote, but I would like to voice my support for Israel and this bill. Israel is a valued ally and friend of the United States. It is in the national security of both countries to ensure that Israel has the robust defense needed to protect itself from many threats within the region. H.R. 4133 guarantees that the United States will aid Israel in this defense and this bipartisan vote shows that we will always stand firm on our commitments to this relationship. Again, I would like to apologize for missing this important vote, but I commend my colleagues for supporting this vital alliance.

REMEMBERING THE LIFE OF MRS.
RUTH TINSMAN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to celebrate the life of my dear friend Ruth Tinsman. Mrs. Tinsman, beloved wife of the late Jerry Tinsman, passed away on April 28, 2012, at the age of 81. My thoughts and prayers go out to her family and friends at this most difficult time. She is survived by her daughters Katheline Tinsman and Leann Tinsman, sister Patricia O'Rork, three grandchildren, and one great-grandchild.

It was a pleasure to work with Mrs. Tinsman when she served as my District Administrator from the time I first assumed office in 1993 until September 2001. Ruth was a hard-working professional with strong morals and values, impeccable work ethic, an undeniable compassion for others, in addition to a warm and loving personality. Prior to joining my office, Mrs. Tinsman was a Congressional Aide for Congressman William Lehman of Florida for 10 years. "Ruth was great with people and my father's constituency. She always looked out for his best interest," said William Lehman, Jr., son of the late Congressman Lehman.

Mrs. Tinsman has devoted her life to helping others in her community. As a resident of the City of Hialeah, Florida for over 50 years,

she worked tirelessly to improve the quality of life and well-being of all. Mrs. Tinsman has served as a dedicated and loyal member of the Hialeah Housing Authority Board of Commissioners since January 9, 1990. On November 18, 1999, she was elected Chairperson of the Board of Commissioners, which she served on for 10 years. The Ruth A. Tinsman Pavilion, an elderly development facility, was built and named after her in 1996 to honor her work and dedication to the community. Additionally, Mrs. Tinsman served on the board of Citrus Health Network, as well as President of "Kids in Dade Society," developing programs to educate and keep children safe.

Mr. Speaker, Mrs. Ruth Tinsman will be remembered in South Florida for her love of and dedication to her community. Her legacy of care and compassion will live on for generations to come in the lives she has touched. Ruth was a dear friend and I am truly honored to have known her. She will be missed.

HONORING THE CAREER OF BOB
MCLENNAN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and accomplishments of a distinguished member of my community, Bob McLennan.

Bob has been a tireless advocate for the Western New York labor community. He has served as a full-time officer for the National Association of Letter Carriers Branch #3 in Buffalo for the past 21 years. For the last 18 years he has served as the President of that organization and has been an important figure in educating the public and Members of Congress on pressing issues facing our community in Buffalo, NY.

For the last 18 years Bob has also served as Vice President of the Buffalo AFL-CIO labor council leaving his mark as a leader for working families. As one of the leading figures advocating for the National Association of Letter Carriers Bob has been described as being "front and center leading one of the most effective NALC local branches in the country."

Bob became a letter carrier in 1980 in Depew, NY and worked 30 years in that capacity until his retirement in 2010. Bob has since continued to advocate for the letter carriers in Buffalo and Washington, D.C. and will retire after a long and distinguished career. Bob is married to his wife Rosemary and has three sons, Ian, Connor, and Corey. He is also a proud grandfather with four grandchildren, Cailyn, Kiley, Ivy and Ginger.

My community of Western New York has benefited greatly from the leadership and foresight that Bob McLennan has exhibited through his work.

Mr. Speaker, I thank you for allowing me a few moments to commemorate the service of one of the hardest working men that I have had the good fortune to know.

INTRODUCTION OF THE UNITED STATES LEADERSHIP TO ERADICATE OBSTETRIC FISTULA ACT OF 2012

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. DeLAURO. Mr. Speaker, I rise today to introduce the United States Leadership to Eradicate Obstetric Fistula Act of 2012, which will help to eradicate a consequence of prolonged labor for pregnant women in low-resource areas.

Obstetric fistula is an avoidable and tragic medical condition which is a result of insufficient medical interventions that often results in the death of the child and devastating physical and social ramifications for the mother. An estimated 2 million women are currently suffering from an obstetric fistula, and women and girls in sub-Saharan Africa are disproportionately affected.

A simple surgical procedure or extended medical care is often needed to treat and cure women suffering from an obstetric fistula. It is therefore critical that the infrastructure in sub-Saharan Africa be further developed to better care for and treat women who have already developed an obstetric fistula and women who may develop a fistula in the future. It is also imperative if we are to prevent women and girls from developing a fistula. And it is important that obstetric fistula care and treatment not be overlooked within the general global health and development initiatives already under way.

This bill would authorize the development of a comprehensive strategy to not only prevent fistula, but successfully treat the women that are already suffering from this condition. It encourages the expansion of private-sector and multi-sector efforts in addition to public-private partnerships rather than relying strictly on public-sector efforts. It would also establish the International Obstetric Fistula Institute for Sub-Saharan Africa to implement parts of the comprehensive strategy.

This legislation focuses its efforts on sub-Saharan Africa to ensure a meaningful and successful strategy to eliminate this condition. Local factors that are part of the reason obstetric fistulas may develop vary dramatically in regions where women are afflicted. By focusing on a single region that is already rich in diversity, we believe that the strategy and campaign will be successful and sustainable.

This legislation has the potential to transform the empowerment of women in the region by eradicating fistula and, as a result, improving the social, educational, and economic conditions of fistula victims and their communities. Accordingly, addressing this issue is not only a moral imperative for the United States, but it is also in our best strategic interest. I urge my colleagues to support our efforts, and this legislation.

IN HONOR OF BARBARA HEHMEYER

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Ms. Barbara Hehmeyer, and honor her for her 23 years of dedicated service to the Lemay Chamber of Commerce. She has made the Lemay Chamber one of the most vibrant Chambers of Commerce in Missouri's Third Congressional District.

Ms. Hehmeyer began working for the Lemay Chamber of Commerce in 1989 and has accomplished many great things during her tenure. She tirelessly pursued many projects that resulted in redeveloping and improving her community. She led the Lemay Development Corporation as it engaged in workforce and youth development activities, as well as neighborhood beautification efforts. Her advocacy for the Community Reinvestment fund will result in at least \$15 million dollars in direct investment for the Lemay area. Barbara also played an instrumental role in bringing Pinnacle Entertainment's River City Casino to Lemay; a project that resulted in over \$380 million in investment and has created 1,000 jobs for the people of St. Louis.

Barbara has also worked to strengthen not only her community but also the Lemay Chamber of Commerce itself. She has doubled the levels of membership in the Lemay Chamber and has established many innovative member benefits. She developed a modern day newsletter, and started annual events which recognize outstanding educators and provide scholarship for area high school students. Barbara also worked with the Lemay Child and Family center, BJC School, the Hancock Place school district, the Salvation Army, the Carondelet YMCA, and St. Louis Community College in implementing the successful Lemay Charting for Change project.

Barbara's commitment to the Lemay Chamber of Commerce and to the St. Louis region has been outstanding. For over two decades she has strived for and achieved excellence. I thank my constituent and good friend, Barbara Hehmeyer, for her work and dedication to our community, and invite my colleagues to join me today in recognizing her great work.

PAYING TRIBUTE TO U.S. ARMY COLONEL RICHARD E. CROGAN

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor the accomplishments U.S. Army COL Richard E. Crogan. His dedication to soldiers as a leader, warrior, and innovator has had a profound and lasting effect on United States Army Aviation. As the Commander for the Aviation Center Logistics Command, ACLC, Colonel Crogan supported an Army at war by providing maintenance, sustainment and logistics support and proficient U.S. and Allied Aviation Officers.

Colonel Crogan was responsible for oversight and quality assurance on the largest

aviation service support contract in the U.S. Army. He was tasked with maintaining 587 rotary wing aircraft, providing over 500 launches every day to support an ever-increasing need for army aviation. Colonel Crogan was personally responsible for providing the aircraft required to professionally train aviators and provide the Army's next generation of great warriors. Aviation maintenance is an expensive proposition and Colonel Crogan's innovative leadership and creative solutions have shown a total cost saving during his command of more than \$750,000,000.

Colonel Crogan's great leadership contributed significantly to the elimination of the flight training backlog on Fort Rucker which reduced the time aviators spent training from 22 months to 12 months. Aviators will now report to their units ten months earlier to begin missions and the Army will see enormous cost savings in a time of fiscal reduction. Colonel Crogan raises the bar for those around him as demonstrated by ACLC winning the Army Chief of Staff Supply Excellence Award in 2011.

Therefore Mr. Speaker, I ask our colleagues to join me in honoring COL Richard E. Crogan's exceptional service, dedication and devotion to duty, leadership, and professional competency. He exemplifies the fine tradition of military service and reflects great credit upon himself, the Department of the Army, and the United States of America. May he know that his nation is greatly appreciative of his dedication, and wishes him the best in all his future endeavors.

HONORING MR. JOSEPH FALBO

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to honor Mr. Joseph Falbo, who was recently named the "2012 Dundalk Citizen of the Year" by the Optimist Club of Dundalk. Mr. Falbo was chosen to receive this prestigious award for his remarkable efforts to improve the quality of life in his community.

Mr. Falbo has volunteered with the Dundalk Heritage Association since 1980, when he answered an ad in the Dundalk Eagle seeking volunteers to help erect a fence for Dundalk's signature event, the Heritage Fair. Working his way through the ranks, Mr. Falbo stepped up to serve as the organization's president in 2007 when its then-president fell ill.

From booking bands to ensuring the event runs on schedule, the fair requires year-round planning. Though unprepared and inexperienced, Mr. Falbo's first fair at the helm went off without a hitch. The event has grown since, with last year's shattering attendance records. He continues to make improvements to each year's fair. In addition to being named the "Citizen of the Year," Mr. Falbo recently received a "Milestone Award" from the Dundalk Renaissance Corp., which honors residents who help revitalize the community. The organization said Mr. Falbo's "leadership and heavy lifting" ensure the annual fairs "grow and evolve with our community."

Despite his many awards and acclamations, Mr. Falbo remains humble and appreciative. When told he was receiving his most recent

award, Mr. Falbo said he couldn't accept it unless his whole organization was also recognized.

Mr. Falbo also spent years coaching tee ball, baseball, and soccer teams for the Dundalk-Eastfield Recreational Council. Furthermore, Mr. Falbo helps with the group's annual Dundalk Christmas Parade.

In addition to his volunteer efforts, Mr. Falbo is a fixture in Dundalk's business community, having owned and operated his auto-repair shop since he took it over from his father in the 1990s. He is a graduate of Dundalk High School.

Mr. Speaker, I ask that you join with me today to honor Mr. Joseph Falbo. His genuine love for his community and neighbors are an inspiration to us all, and are deserving of the utmost gratitude. It is with great pride that I congratulate Mr. Falbo on his exemplary contributions to the Dundalk community.

HONORING JAMES V. LOUGHRAN
UPON THE OCCASION OF HIS RETIREMENT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor James V. Loughran, a distinguished resident of the town of Amherst, Erie County, New York, upon the occasion of his retirement.

Coming from a large family with a longtime dedication to public service, Jim Loughran served with honor and distinction as a Rifleman with the United States Marine Corps. After multiple combat tours in Vietnam between 1967 and 1969, Jim made the decision to dedicate his professional career to his country with a career in the military.

Jim spent his military career principally in areas of administrative management and recruitment. Time and again Jim was called upon to manage and administer the safe deployment of Marines, often doing so for the largest active and reserve units within the Corps. On multiple occasions, Jim received commendations from his commanders who knew all too well the type of dedication and commitment that Jim showed to his country and to his duties.

Jim maintains a close relationship with former Joint Chiefs of Staff Chairman Peter Pace, under whom Jim served when both were stationed in Buffalo. On three different occasions, Jim was fortunate to serve under Gen. Pace's command, and their relationship speaks volumes about the type of soldier Jim was, and the impact that Jim's leadership had on his commanding officers.

Jim's commitment to his brothers and sisters in the military did not end when soldiers removed their uniforms. Jim took a serious interest in what soldiers and military personnel would have to face after their careers ended, and spent several years in hands-on counseling of veterans transitioning from military to civilian life.

In the mid-1990s, Jim faced that same transition himself. Our region was fortunate to attract Jim to come back home. And his community was all the better for that decision.

After several years of service to one of our region's most highly regarded members of the

Erie County Legislature, Jim put his management skills to work as the Administrator for the Town of Amherst Justice Court. The largest such court in New York State, Jim served several town justices in Amherst by administering the operations of the court with flawless quality and impeccable honesty and integrity. Amherst Town Justice Mark Farrell has said that, "Jim transformed Amherst Town Court into the most efficient justice court in New York State, leading in the management of the largest caseload and managing the largest such staff in the state. No one gets a job done better than Jimmy Loughran."

Jim was an innovator. Working closely with Judge Farrell, Jim was on the ground floor in the formation of specialized courts, including service to veterans and to those in need of treatment for problem gambling. Jim also worked with town justices to form the Amherst Drug Court and Therapeutic Foundation, where today he serves as President. Jim is involved with dozens of professional and civic associations and has a particular interest with fundraising efforts for the many charities, including the Leukemia Society, the Make-A-Wish Foundation, the Cystic Fibrosis Foundation, and the St. Vincent de Paul Society.

Jim was faced with a health challenge not long ago, and his many friends and family members are delighted to see that he is working through it. On Thursday, May 17, what is sure to be a capacity crowd will fill the Sonoma Grille in the heart of Jim's beloved hometown of Amherst to fete Jim upon the occasion of his retirement.

A long time ago, during his Marine service, Jim earned the nickname "Jimmy Good Guy," and that is as appropriate an appellation as has ever been assigned to a person. Jim earned that nickname simply because of his willingness to help someone—anyone—who was in need. No one who has had the good fortune to encounter Jim Loughran has left that engagement without knowing that Jim would do anything he could to help them.

That is why, Mr. Speaker, I am asking that all members of the House join with me, and with Jim's own friends and family, to wish Jim Loughran—the one and only "Jimmy Good Guy"—the very best of good luck and good health in the months and years to come.

HONORING THE 95TH BIRTHDAY OF
MR. GEORGE GAYNES

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. CAPPS. Mr. Speaker, today I rise to honor Mr. George Gaynes on the occasion of his 95th birthday. Mr. Gaynes is a distinguished member of the Santa Barbara community. He is a man who has devoted his life to the arts, a man who has delighted us all with his wonderful talents both on-stage and on-screen.

George Gaynes was born in 1917 in Helsinki, Finland. In Europe, he served in the Dutch and British Navies during World War II. Mr. Gaynes served as a translator on battlefields since he spoke, and still speaks, six languages fluently. Mr. Gaynes, blessed with a wonderful singing voice, started his career in opera companies in Switzerland and London,

and later in the New York City Opera Company singing basso.

After moving to the United States, Mr. Gaynes became an accomplished Broadway actor, best known for his on-stage role in *Wonderful Town*. He also had notable roles in the Cole Porter musical *Out of This World* and in the U.S. on-stage tour of *My Fair Lady*. Mr. Gaynes has also enjoyed a distinguished career on-screen. He is perhaps best known for his role in the Police Academy series as Commandant Eric Lassard, as Henry Warnimont on the NBC television series *Punky Brewster*, and as Arthur Feldman on *The Days and Nights of Molly Dodd*. Gaynes is also remembered for his role as Frank Smith on the popular soap opera *General Hospital*, and has appeared in movies such as *The Way We Were*, *Tootsie*, and *The Crucible*.

Gaynes met the love of his life, fellow dancer and actress Allyn Ann McLerie in 1952 in New York where they were both performing on Broadway. The couple has been married for 58 years and has two wonderful children, Iya and Matthew. They have one grandchild, Nicole Falcone Stryjak and are expecting their first great-grandchild, Portia, in June 2012.

George and Allyn Ann moved to Santa Barbara in 1989 and the couple immediately became involved in the issues important to our community and could always be counted upon to support those causes they believed in deeply. In fact, George has continuously contributed various "Letters to the Editor" on both local and national issues in several local newspapers. The couple were also founding members of the State Street Ballet Company in Santa Barbara.

George Gaynes is a man who has devoted his life to the arts and his community. Today I am pleased to recognize him as we celebrate his life as a distinguished actor and entertainer, a man dedicated to making the Central Coast and this Nation a richer, more vibrant place.

IN RECOGNITION OF KATM KAT
COUNTRY 103

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CARDOZA. Mr. Speaker, I rise today to recognize KATM Kat Country 103, a country music radio station located in the 18th Congressional District of California. The station recently won two national awards in the country music industry. It was honored as the 2011 Station of the Year at the Country Music Association Awards as well as at the 2012 Academy of Country Music Awards. Both accolades are highly prestigious and speak volumes of Kat Country's performance.

Debuting on the air on April 4, 1992, Kat Country 103 has been providing country music to the Valley for over fifteen years. Kat Country 103 serves listeners from Sacramento to Merced and from the Foothills to the Bay Area. Under the slogan "Continuous Country Favorites and Fun," it provides listeners with radio music, host concerts and events for fans, and participates in many charitable events as well. Kat Country is owned by Cumulus Media and is under the direction of Nikki Thomas, Program Manager.

Kat Country 103 received the news of its nomination for the Country Music Association's award through a telephone call from country sensation Taylor Swift. Kat Country 103 was the first to interview Swift when she broke into the country music business.

Beyond providing music to its listeners, Kat Country 103 also strives to give back to the community and to those in need. Every year, it works with the Make-A-Wish Foundation by holding a telethon to raise money for the organization. It's hosted several charity concerts to support St. Jude's Children's Cancer Research Hospital and even collected donations of thirty-six million pennies for the hospital. In addition, every year at Christmastime it participates in the Marine Toys for Tots Foundation drive, collecting toys and gifts for disadvantaged children in the community. The station also supports the Second Harvest Food Bank, the American Cancer Society, and countless other organizations. It also recognizes and thanks its dedicated listeners by throwing an annual Listener Appreciation Concert. To show its sincere appreciation of support, the station invites nearly 20,000 listeners to attend an all-day concert, absolutely free. It has had such performers as Toby Keith, Taylor Swift, Blake Shelton, The Band Perry and countless others. This year it will welcome Montgomery Gentry as their opening act.

Please join me in congratulating Kat Country 103 and its staff on the recognition of their Country Music Association and Academy of Country Music Awards. They are a very deserving country music radio station and I am proud to have served them in the 18th California Congressional District.

HONORING MR. THOMAS W. LUCE
III

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. SMITH of Texas. Mr. Speaker, I would like to recognize and honor a great Texan, Mr. Thomas W. Luce III, for his years of leadership and contributions to improving our public schools, strengthening higher education and supporting business and economic growth.

Mr. Luce was a founding and managing partner of the law firm of Hughes and Luce, LLP until his retirement from the firm in 1997. In addition to his active law practice, Mr. Luce has served on the boards or as guest lecturer at a number of schools of higher education, including the Kennedy School of Government at Harvard, the LBJ School of Public Affairs at The University of Texas at Austin, and Southern Methodist University.

Mr. Luce also has been appointed five times to major posts by Texas governors, including Chief Justice pro tempore of the Texas Supreme Court. He is perhaps best known for his role as the Chief of Staff of the Texas Select Committee of Public Education, which produced one of the first major reform efforts among public schools in 1984.

Mr. Luce served on the Dell Inc. Board of Directors from 1991 to 2005, until he was appointed United States Assistant Secretary of Education for Planning, Evaluation and Policy Development by President George W. Bush. He then served as Chief Executive Officer of

the National Math and Science Initiative, Inc. from 2007 to 2011.

In addition, following his resignation from the Department of Education, Mr. Luce rejoined the board of Dell Inc. He is the longest serving outside board member of this Texas-based company and will leave the board when his term ends on July 13, 2012.

During his time on the Dell Board of Directors, Mr. Luce served on all four board committees and oversaw a period of rapid growth for Dell, a great American success story. In 1991, Dell reported \$890 million of revenue and debuted on the Fortune 500 rankings the following year. Today, Dell is a \$62 billion company and ranked No. 41 on the Fortune 500 list.

Michael Dell, founder, chairman and CEO of Dell, said, "Tom is a great friend and trusted advisor to us all here at Dell, and it's been a true privilege to know him and benefit from his wise counsel for so many years. During his long service as a member of the Dell Board, Tom has contributed to our success in countless ways and has helped shape the strategies that have allowed us to develop and deliver the very best in technology solutions to our customers. On behalf of the global Dell team and my fellow Board members, it is my distinct honor to thank Tom for his commitment to our country and to Dell, and to wish him the very best in everything the future holds."

I ask my colleagues to join me in honoring Mr. Luce and thanking him for his service to our country and his business leadership. We wish him the best in his future endeavors.

TAIWAN PRESIDENT MA YING-JEU'S SECOND INAUGURATION

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, on January 14th, 2012, Taiwan President Ma Ying-jeou successfully won reelection and will be inaugurated for a second term on Sunday, May 20th. The day will be one of a celebration of democracy, however, like every day in Taiwan, it is one clouded by the ever-present, potential danger lurking a mere 100 miles to its west. The People's Republic of China and its more than 1,400 missiles will continue to target Taiwan. While Taipei and Beijing have made strides in terms of trade, investment, travel and tourism, as well as political strides via the repatriation of fugitives; the government of mainland China still espouses its belief in a right to take Taiwan by force. History is riddled with such fateful attempts in this conflict such as Mao Zedong's bombings of Taipei-administered islands Kinmen and Matsu in the 1950s.

In contrast to Taiwan's culture of democracy, mainland China's political culture is a closed one. The leadership and its central planners listen to few, the least of which include its own people. There is little nuance, dialogue or meaningful negotiation unless backed by the threat of brute force. The government of the People's Republic of China extends its intimidation tactics beyond its borders and against its regional neighbors, nations like Vietnam, the Philippines and others who lay at

least some seafaring claim to the waters of the South China Sea.

We cannot let stand such intimidation and let Taiwan suffer the same fate. It is in our national strategic interest and in that of Taiwan's for us to continue our providing our steadfast support and in supplying Taiwan with defensive capabilities as under our obligations in the Taiwan Relations Act. Being sufficiently armed and defensively capable is sadly the only way that Taipei can interact with Beijing on what can at least pass for a perceived position of strength. The United States of America and the American people must continue to have the guts and vision to step forth and provide our democratic friend and ally access to the tools it needs to defend itself and free way of life.

Yet, while we must acknowledge the real concerns, the ever-looming storm on the horizon in this conflict, we must also take note of the successes of democracy. Taiwan continues to hold free and fair elections and we will do our part in supporting such continued success. So, on this day, please join me in congratulating President Ma on his inauguration. But even in celebration, we will not fall complacent; we will continue to urge our government to continue providing our support of Taiwan and our commitment in providing access to the defensive tools it needs to safeguard its democracy.

HONORING DR. SANDRA
KURTINITIS

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Dr. Sandra Kurtinitis, president of the Community College of Baltimore County, who was recently named the 2012 "Humanitarian of the Year" by the Optimist Club of Dundalk.

This prestigious honor is reserved for individuals who serve the Dundalk-Edgemere community. As president of the Community College of Baltimore County for the past seven years, Dr. Kurtinitis leads the largest provider of higher education in the Baltimore region and is credited with establishing a leaner executive structure that prioritizes the classroom.

Throughout her tenure at the Community College of Baltimore County, Dr. Kurtinitis has gone above and beyond the call of duty to reconnect the once fledgling Dundalk campus with the community. As a result of Dr. Kurtinitis' efforts, enrollment at the Dundalk campus is thriving, having doubled from 2,500 students in 2005 to 5,000 students today.

Shortly after her arrival, Dr. Kurtinitis worked to place several of the college's signature programs on the Dundalk Campus in order to attract new students. Under her direction, the school constructed a new building to house a new program for dental hygienists and dental assistants. In an effort to integrate the school with the surrounding community, the facility is open to the public and will offer low-cost preventive dental work to more than 2,000 residents each year.

In addition, Dr. Kurtinitis has overseen a \$6 million renovation of the campus cafeteria and

library. She also boosted the college's presence at community meetings and events, working closely with the Dundalk Renaissance Corporation and the Dundalk Chamber of Commerce. The college has begun entering a float in the annual Dundalk Independence Day parade, winning awards for the past three consecutive years.

A self-described "servant leader," Dr. Kurtinitis is an experienced and respected educator, administrator and author. Before returning to Maryland, she served as president of Quinsigamond Community College in Massachusetts and, prior, taught English at Prince George's Community College for 22 years.

Mr. Speaker, I ask that you join with me today to honor Dr. Sandra Kurtinitis. Her dedication to quality education for all students is an inspiration. It is with great admiration and appreciation that I congratulate Dr. Kurtinitis on her well-deserved recognition and wish her many more years of success.

RECOGNITION OF FIFTY-EIGHT SOUTH JERSEY HIGH SCHOOL SENIORS FOR ENLISTING IN THE UNITED STATES ARMED SERVICES

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUNYAN. Mr. Speaker, I rise today in recognition of 58 high school seniors in South Jersey for their admirable decision to enlist in the United States Armed Forces. Of these 48 seniors, 13 have joined the Marine Corps; their names are Dominigo Parson, Kyle Hohwald, Angel Gomez, Andrew Galiano, Blasé Salvatore, Cody Quick, Joshua Molinas, Jacob Presley, Hector Rivera, Anthony Pimpinello Jr., Giovanni Figueroa, Joseph Fabrizio, and Vincent Settineri II. Nine have joined the Army; their names are Dakota Beck, Brian Esposito, John Sabatino, Alan Ngyen, Kierra Law, Darryn Henwood, Ryan Madden, Kevin Roberts and Tony Ta. Ten have joined the Air Force; their names are Dane Urgo, Marvin Smith, Addison Steiger, Daniel Flowers, Rebecca Freedman, Alex Belii, Carlos Restrepo, Gabrielle Swift, Matthew Vitalone, and Taylor Dockery. Four have joined the Navy; their names are John Weiser, Matthew Kapp, Craig Smith and Derek Smith. Twelve have joined the New Jersey Army National Guard; their names are Ronald Chin, Wyatt Cooper, Tyrell Powell, Daniel Szovati, Aleshia Morales, Tucker Patten, Jimmy Rodriguez, Yaritza Victor, Michael Murphy, Christian Shinkowitz, Andrew Krevetski and Jonathan Kellum. All of the 46 seniors will be recognized at the "Our Community Salutes of South Jersey" ceremony to be held during the evening of May 30.

As this month begins many of these young men and women will be celebrating their graduation with their fellow classmates. During that time their classmates will be preparing to move onto college or vocational school life, as these men and women begin their training in the armed services, beginning a life of service and sacrifice, all in the efforts of defending our nation and its ideals.

These young men and women now embark on a new chapter in their lives surrounded by

the uncertainties of the world around them. But they should be eased by the knowledge that they are going to receive the best training available to our Armed Forces as well as the unwavering support of this chamber and the American people as they meet the challenges they may face in defense of our nation.

I would like to offer my personal thanks to these brave young men and women. Their sacrifices are the reason why I have the privilege of addressing you in this great chamber of the House of Representatives. The freedom to debate the issues confronting our nation is greatly provided by the sacrifices that these new Soldiers, Sailors, Airmen and Marines, along with those who came before them, have fought hard to defend.

Mr. Speaker, please join me in celebrating the remarkable dedication to our country that these young adults have demonstrated by enlisting in the Armed Forces. May we never forget to recognize all those who serve our nation and the courage they have shown volunteering to risk their lives in defense of our freedoms. All Americans owe them, as well as all those who are currently and who have in the past served our country, a deep debt of gratitude.

PAYING TRIBUTE TO U.S. ARMY COLONEL CHANDLER C. (SKIP) SHERRELL

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor U.S. Army Colonel Chandler C. (Skip) Sherrell, who is retiring after 26 years of service to our nation as an Army Aviation Officer. During his distinguished career, COL Sherrell served the nation in peace and war in numerous positions of steadily increasing responsibility. Colonel Sherrell has led soldiers in combat, trained soldiers for war, and served as an advisor and assistant to the Chairman of the Joint Chiefs of Staff (CJCS), the Chief of Staff of the Army (CSA), and as a DoD Fellow to the United States Congress. He has served his Nation in Iraq, Saudi Arabia, Bosnia, Germany, and Korea, as well as in demanding assignments in the United States. His decorations for his service include awards for valor. He is an outstanding Army aviator, leader, and soldier, and he is deserving of our recognition.

COL Skip Sherrell concluded an outstanding career by serving for two years as the Chief of Staff of the U.S. Army Aviation & Missile Life Cycle Management Command (AMCOM). He brought a wealth of expertise in aviation operations to the AMCOM Command Group. Prior to joining AMCOM, Colonel Sherrell performed one of the most demanding and critical assignments of his career, serving as the Commander of Task Force (TF) 49. TF 49 was the Army's designation for a composite Aviation Brigade, formed from many units to perform combat operations in Iraq. In twelve months of intensive flying in multiple locations across Iraq, Colonel Sherrell led TF 49 to complete mission success with an impressive safety record—an outstanding achievement.

Colonel Sherrell served in a role that few Army officers experience: working as the Dep-

uty Legislative Assistant to the Chairman of the Joint Chiefs of Staff (CJCS). Serving as a liaison to Congress as the personal representative of the CJCS is an important position, but more importantly, he also served as a soldier's advocate on Capitol Hill for equipment modernization and improved systems and protection.

Therefore Mr. Speaker, I ask our colleagues to join me in honoring COL Chandler C. (Skip) Sherrell's exceptional service, dedication and devotion to duty, leadership, and professional competency. He exemplifies the fine tradition of military service and reflects great credit upon himself, the Department of the Army, and the United States of America. May he know that his nation is greatly appreciative of his dedication, and wishes him the best in all his future endeavors.

REMEMBERING THE LIFE OF MR. WAYNE L. NELSON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of Wayne L. Nelson, who died on April 30, 2012. Mr. Nelson was a deeply committed environmentalist. Throughout his life, he fought tenaciously for the protection of Florida's ecosystems. He always had a special concern for Lake Okeechobee, which is the seventh largest freshwater lake in the United States and the largest in the State of Florida. Mr. Nelson was widely respected by everyone of like mind who knew of his love for Florida's natural resources. Younger environmentalists trusted him for his knowledge and learned much from his advice.

An avid angler with a passion for conservation, Mr. Nelson founded Fishermen Against the Destruction of the Environment (FADE) as well as Clean Lake Environment and Recreation (CLEAR). Additionally, he was an active member of Greenpeace and Public Citizens.

Mr. Speaker, Wayne Nelson left a fine legacy of caring for our environment and teaching younger generations all that he knew. Wherever he went, he spread awareness of the importance of saving the earth, and he will be greatly missed by family, friends and everyone in the environmental community. My thoughts are with Mr. Nelson's loved ones during this most difficult time.

HONORING THE AFRICAN AMERICAN EDUCATION TASK FORCE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. LEE of California. Mr. Speaker, I rise today to honor the African American Education Task Force, co-chaired by Mr. Oscar Wright and Mrs. Wandra Boyd, for its record of success in encouraging and acknowledging academic achievement by African American youth in California's Oakland Unified School District.

Today, the African American Education Task Force and the Oakland Unified School District will celebrate a successful decade of

recognizing our local African American students' Honor Roll status. The African American Education Task Force Academic Achievement Celebration takes place at the ACTS Full Gospel Church, pastored by Bishop Bob Jackson in Oakland, California.

During this year's event, 1,026 African American students from the 8th through 12th grades will be honored for attaining grade point averages of 3.00 or above for the 2011–2012 school year. This outstanding group of young people has accomplished a great deal, and we are pleased to commend them for their academic dedication and success. Especially in light of the great budgetary challenges faced by the State of California and the city of Oakland, these students have proven themselves to be bright, capable and resourceful.

I would like to take this opportunity to congratulate each and every student for earning this distinction. Thank you for understanding and promoting the importance of staying in school. By continuing to be the best students possible and by making the most of your education, you will enjoy a full range of opportunities to achieve your personal goals, as well as give back to your communities.

Your accomplishments represent the strength of your initiative and a commitment to excellence. The skills and discipline you have developed will be of great use as you continue to follow your dreams toward success. I am so very proud of you for taking personal pride in your studies. Oakland's future leaders are certainly present at this celebration of academic achievement, and I welcome your many civic contributions in the years to come.

On behalf of the residents of California's 9th Congressional District, I again salute you for your exemplary academic performance. I am confident that you will continue this fine record of scholarship, service and success. Keep up the good work, and I wish you the very best in all of your future endeavors.

RECOGNIZING MOUNT CARMEL
BAPTIST CHURCH, MAY 15, 2012

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, I rise to recognize Mount Carmel Baptist Church who this year, will celebrate 100 years of service to the Arverne Community in my district.

Mount Carmel Baptist Church is committed to advancing the kingdom of our Lord and Savior Jesus Christ through the preaching and teaching of the Gospel, comforting the sick and distressed, and helping humanity.

Under the leadership of Rev. Joseph Hezekiah May, Mount Carmel Baptist Church became the flagship Baptist Church on Far Rockaway. Rev. May was a freedom fighter for affordable and appropriate housing and through his efforts, the City of New York took notice and began building public housing.

Mount Carmel Baptist Church has served as a pillar to the Arverne community through its desire to further the cause of the Gospel of Jesus Christ through social activism, pastoral care, community engagement and youth development.

On behalf of the more than 655,000 residents of Sixth Congressional District, we thank

Mount Carmel for your outstanding contribution to our community, city, and state. We join with Mount Carmel to celebrate 100 years of service and wish you continued success in all of your endeavors.

RECOGNIZING SMSGT (RET.) WALTER LAMERTON'S EFFORTS TO BRING A USO CENTER TO TAMPA INTERNATIONAL AIRPORT

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor retired U.S. Air Force SMSgt (Ret.) Walter Lamerton of Trinity, Florida for his critical role in bringing the USO to Tampa International Airport.

On January 18, 2012, the USO Board of Governors voted to grant a charter for the USO expansion to Tampa. This USO Center is scheduled to open in August 2012 and will support the more than 300,000 service members and their families that annually transit the Tampa Bay community. At the time of the vote, USO Headquarters Staff stated that "Many have applied, but that this is the first Chartered USO Center approved in the nation in over twenty years."

Walter Lamerton was a driving force behind submitting this ultimately successful proposal to the USO Board of Governors. He worked closely with volunteers throughout the Tampa Bay area and effectively conveyed their message of support for our service members and their families to both the local community and to the USO Board of Governors, under a compact timeframe.

Mr. Lamerton's leadership and attention to detail were critical in the effort to bring the USO Center to Tampa. As a result, many of our Nation's service members and their families will directly benefit from his efforts for years to come.

As Vice-Chairman of the House Committee on Veterans' Affairs, I constantly find myself in awe of the sacrifices and efforts that have been made on behalf of our great country by the men and women who have worn the uniform of our Armed Services. Because of this, it is my distinct honor to recognize and express my gratitude to Walter Lamerton for his dedication in bringing the USO to the Tampa Bay area. His success in this endeavor will serve as a lasting legacy for all who support our military and their families. The USO Center at Tampa International Airport will, surely, be a shining star in our community.

PRAISE FOR TAIWANESE
ELECTIONS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RANGEL. Mr. Speaker, as Taiwan prepares for its Presidential inauguration on May 20, I'd like to congratulate our friends in Taiwan for the smooth conclusion of their presidential election on January 14, when Mr. Ma Ying-jeou won a second term as President of Taiwan.

For over half a century, the United States and Taiwan have enjoyed strong relations over economic and security issues. Our shared interest in peace and stability has guided the relationship, and our commitment to Taiwan's security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government which serves as a symbol of success for others in the region and beyond. Similarly, Taiwan's economic partnership with us has been extremely beneficial. Taiwan is currently our tenth largest trading partner, with over \$68 billion in total bilateral trade.

During Mr. Ma's second term, I hope our relationship with Taiwan will continue to flourish in areas as diverse as trade, military cooperation, and the Visa Waiver Program.

Congratulations to Mr. Ma and the people of Taiwan.

THE DEATH OF NICHOLAS KING

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, it is my regrettable duty to report the death of a great American, Nicolas King. Mr. King died on April 3, 2012 in Santa Rosa, California. He was 79. Perhaps more than any other person, Mr. King was responsible for preserving the Watts Towers in Los Angeles, which has been visited by millions over the past 50 years.

King was instrumental in preserving the world famous Watts Towers which adds an aesthetic appeal to my 37th District. The unique work of folk art, was created over 33 years by Italian immigrant Simon Rodia. Rodia, described as a cement finisher and construction worker, began building the towers in 1921. The nearly 100-foot complex of spires and other structures are decorated with broken pottery, seashells, glazed tiles and pieces of colored glass.

In 1954, Rodia moved to Martinez, California to be closer to family and signed his property over to his neighbor, Louis Saucedo. His former house had burned down, the gates to the walled property were open and unguarded, and the grounds were littered with refuse left by unwanted visitors. Nicholas King and his friend, William Cartwright, visited the famed Watts Towers for the first time and were surprised by what they saw.

The current owner was a dairy farmer by the name of Joseph Montoya. For \$3,000 and a downpayment check of just \$20, Nicholas King and William Cartwright became the owners of the Watts Towers. King and Cartwright cleaned up the area around the towers, and an architect friend of Cartwright soon drew up a plan for a caretaker's cottage on the property. But when the architect went to apply for a building permit, he discovered that an order had been issued earlier for Montoya to "demolish and remove the fire-damaged dwelling and dangerous towers from the premises on or before March 5, 1957." The Watts Towers in 1959 passed a stress test in which the tallest spire was subjected to 10,000 pounds of force and avoided demolition.

With the establishment of the Committee for Simon Rodia's Towers in Watts, King and Cartwright yielded ownership of the towers to

the committee. The group elected Cartwright as its chairman and he and King as permanent directors.

Born Robert Nicholas King in Sacramento on March 21, 1933, he studied acting at the Pasadena Playhouse after graduating from high school in 1951. King had uncredited roles in *The Long, Hot Summer* and as a medic in *The Young Lions*. He had the role of Arnie in *Joy Ride* (1958) and Georgie in *The Threat* (1960). He also had a recurring role on the TV version of the radio serial "One Man's Family."

In 1969, King became a partner in a land cooperative on the Garcia River in Point Arena in Northern California, where he moved with his wife, Kate, and their two young children. King was involved in logging and started a nursery business in which he grafted apple trees and sold root stocks and apples. He also helped organize the river preservation group Friends of the Garcia and was active in the group Save Our Salmon.

Nicholas King's inspirational life reminds us to preserve the rich artistic history of America. William Cartwright said it best, "We knew we had to do something that we believed should have been done before us: preserving something that needed it and not abandoning it." Generations to come will be touched by the artwork at Watts Towers and we have Nicholas King to thank. He will be deeply missed and I urge my colleagues to join me in extending condolences to the King Family.

Mr. Speaker, I ask for a moment of silence in memory of Nicholas King.

THE 150TH ANNIVERSARY OF THE
UNITED STATES DEPARTMENT
OF AGRICULTURE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. DeLAURO. Mr. Speaker, I rise today to recognize the 150th anniversary of the United States Department of Agriculture (USDA).

Last year, agricultural producers had record net farm income and trade surplus. One in twelve jobs is linked to agriculture and forestry and American consumers spend less than 10 percent of their disposable income on food. USDA programs affect each of us—from nutrition programs to food safety, conservation to plant and animal health, and rural development to research and extension.

The department manages anti-hunger and nutrition programs that help ensure millions of Americans have enough food. Food banks across the country count on the Emergency Feeding Assistance Program to keep their pantries stocked. USDA's Supplemental Nutrition Assistance Program is helping more than 46 million Americans. More than 30 million American school children rely on the National School Lunch Program for a nutritious lunch. But there is clearly more to do.

With almost 13 million unemployed in this economy, and one in six Americans living below the official poverty line, we know that millions of middle-class and working families are hurting. Across the country, nearly fifteen percent of American households were food insecure in 2010. In other words, nearly 50 million Americans, including over 16 million chil-

dren, struggled with hunger. In my district in Connecticut, nearly one in seven households were not sure if they could afford enough food to feed their families. Earlier this month, the Meals on Wheels Association released its first report card on senior hunger: with 1 in 7 seniors facing the threat of hunger, the country received an F.

At a time such as this, our key federal food security policies become all the more vital. They make a difference for the health and well being of millions of families. In the words of Harry Truman, "Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare."

As we look to the future, it is important that the United States maintains its leadership in agriculture. And we must also strive to ensure that everyone has access to the food they need to thrive.

CELEBRATING 150TH ANNIVERSARY OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in honor of the 150th anniversary of the United States Department of Agriculture (USDA). Founded by President Lincoln in 1862 as "the People's Department," the USDA has helped modernize and advance American agriculture to the point where Americans now enjoy a safe and abundant food supply at a cost of less than ten percent of their disposable income. The USDA has been critical in protecting the farmers and ranchers who are the stewards of our land and essential to ensuring that our nation maintains an independent and secure food supply.

Over the course of its 150 years, the USDA has repeatedly been vital in solving the many agricultural challenges facing our nation. For example, a rapidly declining pollinating species population currently threatens the sustainability of our agriculture across the country. With one out of every three bites of food we eat the result of the intervention of pollinators like birds, bats, bees, and butterflies, the USDA has taken a lead role in addressing this looming disaster through programs like the Agricultural Research Service's research on the cause and treatment of Colony Collapse Disorder. The importance of the USDA is reflected in the fact that without pollinators, our country would not be able to grow food.

The USDA also does much more than just work with our local agriculture. It is a key player in addressing the changing needs of agriculture across the globe. The world's population is estimated to be nine billion people by 2050. Consequently, the world will need to produce more food in the next 50 years than has been produced during the past 10,000 years combined. The USDA, America's farmers, ranchers, and research scientists will answer this challenge together through programs such as Food for Progress, McGovern-Dole International Food for Education and Child Nutrition, the USDA National Hunger Clearinghouse, and the Norman Borlaug Commemorative Research Initiative.

One hundred and fifty years ago, President Lincoln recognized the potential of America's farmers to resourcefully cultivate our land to provide an ample food supply. Today, we must use the same innovative spirit in approaching agricultural production. By supporting USDA programs and initiatives, we are able to link research and scientific innovations to effective adaptations in order to successfully address the food security needs of our country. I am pleased to honor our country's farmers and ranchers, and acknowledge the work of the USDA on this historic occasion.

HONORING OFFICER CRAIG
BIRKHOLZ

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. PETRI. Mr. Speaker, today I want to recognize those peace officers being honored during National Police Week, and I particularly want to honor a constituent of mine who was killed in the line of duty last year.

Officer Craig Birkholz was only 28 years old when he was shot and killed during a six-hour standoff at a home in Fond du Lac, Wisconsin, on March 20, 2011. Officer Birkholz is one of the 166 being honored today as part of National Peace Officers Memorial Day, and his name has been engraved on the National Memorial wall.

Officer Birkholz had been with the Fond du Lac Police Department for two years and was a veteran who had served in Iraq and Afghanistan with the Army. Born in Kenosha in 1982, he graduated cum laude from the University of Wisconsin-Oshkosh with a degree in criminal justice. In 2009, he married his wife, Ashley. Men and women such as Officer Birkholz, who make the ultimate sacrifice in order to keep us safe, truly are owed our eternal gratitude.

I hope that National Police Week celebrated here in Washington will help those affected by the loss of a relative or fellow officer know that their life of service will continue to be honored. We will remember the life and service of Officer Birkholz, and the memorial is a lasting tribute to him and all fallen officers.

TRIBUTE TO SIGNAL HILL POLICE
OFFICER ANTHONY GINIEWICZ
ON THE OCCASION OF BEING
ADDED TO NATIONAL PEACE OF
OFFICERS MEMORIAL WALL OF
HONOR

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, later today the name of Anthony Giniewicz of Signal Hill, California, will be added to the National Peace Officers Memorial Wall of Honor. The National Law Enforcement Officers Memorial is the nation's monument to law enforcement officers who have died in the line of duty. Officer Giniewicz, who served on the Signal Hill Police Department, died on December 7, 2011, as a result of gunshot wounds sustained 26 years earlier during an exchange

of gunfire with gang members. He will be enshrined on the Memorial Wall of Honor with 361 other peace officers who died in the line of duty in 2011, 19 of whom are from California.

Dedicated on October 15, 1991, the Memorial honors Federal, State and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our Nation and its people. Carved on its walls are the names of more than 19,000 officers who have been killed in the line of duty throughout U.S. history, dating back to the first known death in 1791.

On February 19, 1985, Officer Giniewicz and his partner were accosted by three gang members while off duty in Signal Hill, California. When Officer Giniewicz identified himself as a police officer the assailants opened fired and shot him multiple times. Miraculously, Officer Giniewicz survived the shooting but was paralyzed from the waist. He spend the next 26 years as a paraplegic and underwent multiple surgeries before succumbing on December 7, 2011 due to complications from his injuries.

It is fitting recognition of Officer Giniewicz's heroism that his name will be added to the National Law Enforcement Officers Memorial Wall during the National Peace Officers Memorial Service.

Officer Giniewicz was more than a police officer, he was a dedicated father, son, brother, friend, and role model to his colleagues on the Signal Hill Police Department. Although his injuries were severe and followed him throughout his life, he fought through it and was still able to enjoy many of the activities he loved before the shooting. Officer Giniewicz was a 35-year member of the Blue Knights Law Enforcement Motorcycle Club, as well as a lifetime member of the National Rifle Association.

Mr. Speaker, Officer Anthony Giniewicz epitomized everything that is good and true and great about America. He was brave and kind and fearless and devoted to serving others. He is survived by his mother, Nellie; son, Anthony Aleksandr; stepson, John; stepdaughter, Barbara; former wife, Barbara; six sisters Paula, Linda, Elaine, Christine, Diane and Laurie; and two grandchildren Katelyn and Marissa.

As a member of the Law Enforcement Caucus and the representative in Congress of Signal Hill, California, I am saddened at the loss of Officer Anthony Giniewicz but proud to represent the police department Officer Giniewicz served with such distinction. I am honored to represent the people of the 37th Congressional District of California in paying tribute to the 362 fallen heroes who will be joining the more than 19,000 gallant men and women who gave the last full measure of devotion to the communities they took an oath to protect and serve.

Mr. Speaker, I ask for a moment of silence in memory of Officer Anthony Giniewicz and every other man and woman whose name graces the National Peace Officers Memorial Wall of Honor.

HONORING DR. HAMID SHIRVANI,
PRESIDENT OF THE CALIFORNIA
STATE UNIVERSITY,
STANISLAUS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. DENHAM. Mr. Speaker, my colleague, Mr. CARDOZA, and I rise today to acknowledge and honor Dr. Hamid Shirvani, President of the California State University, Stanislaus, to thank him for his leadership and dedication to the academic advancement of the Central Valley.

Dr. Hamid Shirvani faithfully served California State University, Stanislaus, as its President for seven years since his appointment on July 1, 2005.

Under his leadership, the academic reputation of the university grew in stature and the university received national recognition for its excellence, including its first appearance in the Princeton Review's Best Colleges list in 2007, and then every year since.

Dr. Shirvani carefully managed the resources of the university: eliminating a budget deficit that existed upon his arrival, building a reserve, and guiding the university through severe budget reductions that were not fully replaced by tuition increases. While these cuts were made more catastrophic by rising enrollment, Dr. Shirvani maintained and even improved the academic quality of the university by providing a high level of service to the students.

Demonstrating his deep commitment to support and strengthen the region, he proactively and tirelessly reached out to the region's business community to learn about their workforce needs, build partnerships, and create new academic programs to address those needs. He did all this while also providing high-quality, educational opportunities for students that would prepare them for well-paying jobs in the region after graduation.

President Shirvani tenaciously advocated on the university's behalf and established relationships with diverse educational partners and businesses and secured more than \$118 million of external resources—the fruit of which included eight newly endowed professorships and many large donations used to provide scholarships to students with financial need, fund the development of new academic programs, and build and upgrade campus facilities.

His dedication to serving the students and putting their needs first was recognized when he was twice selected as President of the Year by the system-wide student body government, representing 430,000 students across 23 campuses, in 2007 and 2009.

He is a visionary leader who made substantial contributions to higher education in the Central Valley and worked hard to raise the profile and stature of the university.

In June 2012, President Shirvani will be leaving CSU Stanislaus to become the Chancellor of the North Dakota University System.

Mr. Speaker, please join us in honoring and commending Dr. Hamid Shirvani, President of the California State University, Stanislaus, for his numerous years of selfless service to the education of our community.

RECOGNIZING CURTIS WHITEHEAD,
MAY 2012 STUDENT OF THE MONTH

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, I rise to recognize an outstanding student from my congressional district, Curtis Whitehead. Curtis is a senior at August Martin High School in Queens, NY and has won the April student of the month award. During his time at August Martin, Curtis has overcome challenges, excelled in his studies and discovered his true passions: cooking and acting. Since his sophomore year, he has had a recurring lead role on a Time Warner Cable production called "Power Tools for Life." He has since, participated and excelled in countless culinary competitions. By all accounts Curtis is well liked and respected by his classmates and teachers, baking cookies and cupcakes for their birthdays and offering to help in times of need. Upon graduation Curtis will enroll in the Culinary Academy. I applaud Curtis Whitehead for winning student of the month and wish him the best in his future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,676,996,273,860.82. We've added \$5,050,119,224,947.74 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

MARISHA LOZADA

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate Marisha Lozada as a Gold Medal recipient of the Scholastic Art and Writing Awards of 2012 for her painting titled Woman with Black.

The Scholastic Art and Writing Awards is the largest, longest-running scholarship and recognition program for creative teens. Awards are presented annually by the Alliance for Young Artists and Writers, a nonprofit organization headquartered in New York.

This year, the Scholastic Art and Writing Awards program received 200,000 submissions from students in public, private and home schools across America. Of the 200,000 submissions, 60,000 students received regional recognition and 1,600 received national medals.

Mr. Speaker, the arts are an important part of America's cultural fabric, and student creativity should always be encouraged. Therefore, I congratulate Marisha Lozada for her

passion and dedication to the arts, which is evident in her accomplishment.

CELEBRATING THE 50TH ANNIVERSARY OF THE LOGAN SQUARE NEIGHBORHOOD ASSOCIATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. GUTIERREZ. Mr. Speaker, I rise in honor of the Logan Square Neighborhood Association in Chicago, Illinois and wish to congratulate them for their 50 years of committed community service. Their visionary leadership, strategic partnerships and compassionate dedication to our community has made a real and lasting difference in the lives of the residents of Logan Square and the Chicagoland area.

Since 1962, the Logan Square Neighborhood Association has dedicated the last five decades to building a healthy community by directly serving thousands of residents each year and impacting the lives of tens of thousands more with nationally-recognized programs in education, housing, immigration, health and the arts. The Logan Square neighborhood has benefitted greatly from the Association's commitment to change and community involvement.

Among the Logan Square Neighborhood Association's many accomplishments are Parent Mentoring programs that help students, teachers and families bridge cultural differences between immigrants' homes and the schools their children attend, creating a new approach to parent engagement in schools. By partnering with local schools, the Association established Community Learning Centers that allow elementary schools to provide convenient, evening continuing education and physical activities. The Association partnered with community organizations to banish slumlords, ending unethical practices and helping make affordable rental housing available to families. Their home ownership programs have helped more than 100 moderate-income families purchase their first home and led to the first homeownership program for teachers that was adopted by the Chicago Board of Education. The Logan Square Neighborhood Association has also developed programs focusing on living wage jobs which helped to create more than 1,400 permanent, living wage jobs in the Logan Square community.

Because of their commitment to change and to improving the Logan Square community, it makes me proud to have the Logan Square Neighborhood Association serve the residents of the 4th Congressional District. It is with great honor that I commend the Logan Square Neighborhood Association for their 50 years of effectively serving our community. I wish them continued success.

HONORING THE 150TH ANNIVERSARY OF THE USDA

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HINOJOSA. Mr. Speaker, on May 15, 1862, President Abraham Lincoln signed legis-

lation to create the U.S. Department of Agriculture. Today, exactly 150 years later, Lincoln would be proud of how the USDA touches almost every aspect of our daily lives. The USDA not only protects and strengthens our rich agricultural tradition, but it also supports nutrition programs, promotes and develops rural housing, utilities and businesses, food safety, animal health, natural resource conservation, reduces our dependence on foreign oil and much, much more. Because of the USDA, rural communities have affordable electricity and broadband; poor children are able to eat a nutritious meal every day through the School Lunch Programs, and we lead the world in agriculture exports.

My district in South Texas has benefited greatly from the work of the USDA. From providing assistance to rural farmers, to biotechnology research that works to develop drought resistant crops, to developing and upgrading our aging water treatment systems, the USDA is a vital partner in keeping south Texas moving forward. That is why I am honored to extend my thanks and congratulations to Secretary Vilsack and the thousands of people at the USDA for their tireless service.

HONORING NORM NEISS FOR HIS MORE THAN 50 YEARS OF SERVICE TO HIS COMMUNITY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Mr. Norm Neiss for the more than 50 years of service he has given to the Mantua community in Virginia.

Mr. Neiss dedicated his life to serving the nation, spending more than 29 years in the United States Navy as a naval aviator. He retired from the Navy in 1974, but his service to our country continued through his dedication to his community.

Mr. Neiss moved to Virginia in 1965 and has been an active member of the community ever since. He was the Chabad Lubavich Temple Liason, and he was a volunteer for the New Covenant Committee, the Architectural and Environmental Review Committee, the District Planning Commission, the Fairfax Federation, and the Fairfax County Citizen Emergency Response Team's medical corps. In addition to generously donating his time as a member of these many community organizations, Mr. Neiss served in a number of local leadership positions, heading the Providence District Council, heading the Mantua Neighborhood Watch, and serving as the President of the Mantua Community Association.

Mr. Neiss never sought recognition for his many efforts in the many organizations in which he so graciously gave of his time. Nevertheless, his neighbors noticed his dedication and the shining example that he set. They nominated Mr. Neiss as the 2012 Fairfax Federation of Citizens Associations Citizen of the Year. The Federation represents the homeowners, civic, and citizen associations for Fairfax County's more than 1 million residents. Further, in recognition of his tireless service, Mr. Neiss was selected to be the Grand Marshall for the 2012 Mantua Parade on June 9th.

Mr. Neiss' life-long dedication to serving his community is a wonderful example for us all.

I urge my colleagues to join me in thanking Norm Neiss for the tireless efforts he so graciously has given over the past 50 years and to recognize the tremendous contributions he has made to the Mantua community and the nation.

PERSONAL EXPLANATION

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, on rollcall No. 240, Holt of N.J. Amendment to H.R. 5326, I inadvertently missed the vote.

Had I been present, I would have voted "yes."

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Bryan A. Rivera-Bruno for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Bryan has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING THE 90TH BIRTHDAY OF MR. STEVEN MEYER

HON. BRAD MILLER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MILLER of North Carolina. Mr. Speaker, I rise today to congratulate Steven Meyer on the occasion of his 90th birthday. Mr. Meyer is being honored by his family for the exceptional life he has led and for his many accomplishments in both the professional and personal realms.

Born in Moers, Germany in 1922, Mr. Meyer fled the Nazi Occupation with his family in 1939 and settled in New York, New York. Drafted by the Army in 1943, Mr. Meyer served with the Army Corps of Engineers in the European Theater of Operations. During his military career he worked as a planner for the D-Day invasion of Normandy, and while in the service Mr. Meyer gained his American citizenship. Following the war, Mr. Meyer had a 30-year career as a contract manager with Koppers Company in Pittsburgh, PA. While in Pittsburgh, he earned his degree in Mechanical Engineering from Carnegie Tech, now Carnegie Mellon. He raised two sons, Robert and Andrew, with his late wife Mrs. Irma Meyer, and has four grandchildren.

Mr. Meyer is an upstanding member of his community and a model citizen. During their years in Pittsburgh, Mr. Meyer and his wife participated in the Council for International Visitors, a program that helped recent arrivals to the United States acclimate to the local community, often hosting dinners at their home for visiting professors and businesspeople from around the world. Mr. Meyer was also active in SHARE, the South Hills Association for Racial Equality, and participated in many community Holocaust commemorations. Following Mrs. Meyer's passing in 2006, Mr. Meyer, together with his sons, endowed the Irma Meyer Memorial Lecture Series at the West Penn Hospital in order to better educate health care providers about end-of-life issues.

Steven Meyer currently resides at the Raleigh, N.C. Heritage Raleigh Brookdale Senior Living community in my congressional district, where he has assumed an active leadership role. He has thrice been elected president of the resident's council, and serves on various committees. In his retirement, Mr. Meyer has discovered a latent talent for painting and rediscovered his love for playing the piano. His paintings have been exhibited at Raleigh City Hall, and he often given piano recitals for fellow residents at the Heritage.

Mr. Speaker and distinguished colleagues, I ask you to join me in wishing Steven Meyer a happy birthday and best wishes for continued health and happiness.

**JEWISH AMERICAN HERITAGE
MONTH**

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize May as Jewish American Heritage Month. Jewish community has been a vibrant presence in America for over 350 years and contributed greatly to American history and culture. The Jewish community has tirelessly worked to promote issues that affect all Americans, not just members of their own community. With a strong commitment to philanthropy, education, and human and civil rights, Jewish Americans have helped shape the United States into the beacon of hope and equality that it is today.

Approximately five million of the world's thirteen million Jews live in the United States, constituting roughly two percent of the national population. Despite these relatively small numbers, the Jewish community has made a substantial impact on protecting America's promise of equality. Generations of Jewish Americans have pioneered workers' and civil rights, fought honorably in our armed forces, and served as a strong model for women's equality.

As we enter into the month of May, we should also recognize the 64th anniversary of Israel's founding in May of 1948. The United States has always maintained a strong relationship with Israel and has respected Israel's commitment to democracy and its resilience in the face of constant adversity. The Jewish community has played an important role in fostering this relationship.

Mr. Speaker, as a representative of one of the most diverse districts in the Nation, I firmly

believe that an appreciation of other cultures and religions is what makes our country great. I am proud to celebrate Jewish American Heritage Month and the wonderful contributions the Jewish community has made throughout our Nation's history.

**HONORING COLONEL PETER B.
TRAINER AFTER 30 YEARS OF
SERVICE WITH THE UNITED
STATES AIR FORCE**

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize and pay tribute to Colonel Peter B. Trainer on the occasion of his retirement from the United States Air Force.

Colonel Trainer's professional achievements are numerous and I know he would be the first to acknowledge that none of them would have been possible without the support of his wife and family. Colonel Trainer's parents set the example of service as his father, Lt. Colonel Thomas R. Trainer, retired after a distinguished career in the Air Force.

He began his distinguished career in 1982 when he received his commission through ROTC at The Citadel in Charleston, South Carolina. From there, he proceeded on to numerous important assignments. After completing the Space Operations Officer Course at Lowry AFB, Colorado, he was assigned as a Satellite System Controller and later Assistant Chief, Satellite Mission Planning Branch, Defense Meteorological Satellite Program (DMSP), Offutt AFB, Nebraska. In 1986, he was assigned as the Chief of Satellite Operations, Space Systems Division Los Angeles AFB, California where Colonel Trainer was responsible for all command and control activities of the launch and early orbit checkout for two DMSP satellites. Colonel Trainer was then selected for special duty as an Air Force Recruiter and served as the Chief of Operations for the 3514th Recruiting Squadron, McGuire AFB, New Jersey, where he was responsible for Air Force accessions in an area that included New York City, New Jersey and Europe. In 1993, Colonel Trainer was assigned to Headquarters, U.S. Space Command where he qualified as a Space Surveillance Center Commander in the Cheyenne Mountain Operations Center. He was subsequently selected to become Chief of the Space Surveillance Section where he was a key player in the command's Space Control Mission.

In 1995, Colonel Trainer transitioned to his present status as a USAF Reserve Officer where he was chosen by U.S. Space Command Director for Operations to be the first Space Command Intern to the National Signals Intelligence Committee. Col. Trainer helped to shepherd in a new era of cooperation between Space Command and the National Reconnaissance Office. His successes continued as he later served as Chief, Space Exploitation and Integration Branch at U.S. Strategic Command, where he played an integral role in bringing tactical space capabilities, including "Blue Force Tracking" to our combatant forces. Following the attacks of September 11, 2001, Colonel Trainer served as

one of the watch commanders that stood up the nation's Blue Force Tracking Missions Management Center during Operation Enduring Freedom. This experience and background led to his selection as Individual Mobilization Augmentee to the Chief, Space and Missile Programs, Air Force Legislative Liaison, advocating for space and missile programs to Congress. Col. Trainer worked extensively with our colleagues on the House Armed Services Committee Strategic Forces Sub-Committee, developing great rapport with former members, Rep. Terry Everett and Rep. Ellen Tauscher. His dedication and success in supporting numerous projects, including the unveiling of the Operational Responsive Space Concept to Congress, led to his selection as the Legislative Liaison Reservist of the Year in 2006.

Perhaps the most challenging assignment was his final one as Individual Mobilization Augmentee to the Director, National Reconnaissance Office, where he serves as the senior reserve officer supporting the NRO and all associated Space activities. In this position, he leads 60 total force professionals and aids the Director in the NRO's interaction with significant mission partners including the Director for National Intelligence, National Security Agency, National Geospatial-Intelligence Agency, Air Force Space Command, Strategic Command and other Combatant Commanders. In 2010, the Air Force Reserve recognized Col. Trainer's performance by selecting him to its Reserve Brigadier General Qualification List.

Colonel Trainer has excelled throughout his distinguished career and I am honored to pay tribute to this Airman. Mr. Speaker, I ask my colleagues to join me in thanking Colonel Pete Trainer, his wife, Melanie, and their son, Nick, for their service to our country. I wish them Godspeed, and continued happiness as they start a new chapter in their lives.

**SIDLEY AUSTIN LLP'S LOBBYING
FOR CHINESE TELECOM FIRM
HUAWEI**

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WOLF. Mr. Speaker, I submit my recent correspondence with Mr. Carter G. Phillips, managing partner for Sidley Austin LLP, regarding the firm's representation of Chinese telecom firm Huawei. As noted in the letters, the U.S. national security community has serious concerns with Huawei's connections to the People's Liberation Army and Chinese intelligence.

Equally troubling is Huawei's well-documented history of supporting America's greatest adversaries—some of the most repressive and brutal regimes in modern history—including the Taliban regime in Afghanistan, Saddam Hussein regime in Iraq and the current regime in Iran.

Today, through Huawei, China exports its repressive technologies to likeminded governments. An October 27, 2011, Wall Street Journal piece reported that the Chinese telecom giant Huawei "now dominates Iran's government-controlled mobile-phone industry . . . it plays a role in enabling Iran's state security network."

Respected national security reporter Bill Gertz also recently reported that Huawei has also been “linked to sanctions-busting in Saddam Hussein’s Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul.”

For these reasons, I also wrote to Ms. Samantha Power, the director for multilateral affairs on the National Security Council at the White House. I also submit this letter for the RECORD. Given Huawei’s troubling activities in Iran, I urged Ms. Power, in her capacity as chair of the newly-created Atrocities Prevention Board, to consider whether the company should be sanctioned.

It is inconceivable to me that a respected law firm like Sidley Austin would represent a Chinese state-directed company like Huawei, given the significant national security concerns as well as its appalling record of supporting some of the world’s worst regimes.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2012.

Mr. CARTER G. PHILLIPS,
Managing Partner, Sidley Austin LLP, Washington DC.

DEAR MR. PHILLIPS: It has recently come to my attention that a lobbyist with your firm has been retained by the Chinese telecom firm Huawei to lobby Congress and the administration.

Given the longstanding and serious concerns from senior officials in the U.S. intelligence and defense communities, as well as the Congress, about Huawei’s connections to the Peoples’ Liberation Army and the potential vulnerabilities of its telecom products, I was surprised that a firm of your caliber would agree to represent a company that is so closely connected to the Chinese government.

In all my years in Washington, very rarely have I seen the leadership of defense, intelligence and civilian agencies come together in such a concerted effort to warn of a security threat from a foreign entity. When the White House, intelligence community, Defense Department and the Commerce Department all have worked to block Huawei from gaining greater access to U.S. networks, everyone should take notice.

Just last month, during a hearing before the House Commerce-Justice-Science (CJS) Appropriations subcommittee, which I chair, Secretary of Commerce John Bryson noted that the “Commerce Department has been very focused on Huawei.”

Secretary Bryson told the panel “I think you’re right in characterizing that as a considerable challenge to our country. It appears that Huawei has capabilities that we may not fully detect to divert information. It’s a challenge to our country . . . we have taken some steps to not have Huawei advance yet further in our country but the reality is in the market—they are advancing further so we need to address that further.”

Also noteworthy is that shortly after Secretary Bryson’s testimony before the CJS subcommittee, Australia announced that it has banned Huawei from bidding to help build a nationwide high-speed Internet network due to concern about cyber attacks traced to China. Australia’s actions follow several similar moves by the U.S. government to block Huawei access to American networks.

In 2009, The Washington Post reported that the National Security Agency “called AT&T because of fears that China’s intelligence

agencies could insert digital trapdoors into Huawei’s technology that would serve as secret listening posts in the U.S. communications network. In 2010, then-Commerce Secretary Locke called Sprint CEO Dan Hesse to raise concerns about Huawei, which ultimately resulted in Sprint choosing not to use Huawei equipment.

These moves should not be surprising given Huawei’s long-documented deep ties to the Chinese government and the Peoples Liberation Army. According to a 2005 report by the RAND Corporation, “both the [Chinese] government and the military tout Huawei as a national champion,” and “one does not need to dig too deeply to discover that [many Chinese information technology and telecommunications firms] are the public face for, sprang from, or are significantly engaged in joint research with state research institutes under the Ministry of Information Industry, defense-industrial corporations, or the military.”

The U.S. business community also is concerned about Huawei. On April 6, The Wall Street Journal reported that “Cisco Systems Inc. Chief Executive John Chambers identified Huawei Technologies Co. as its toughest rival, stating that the Chinese company doesn’t always ‘play by the rules’ in areas such as intellectual property protection and computer security . . . he suggested that, [unlike Huawei], Cisco is considered trustworthy by governments around the world.”

It’s not just Huawei’s longstanding and close connections to Chinese intelligence that is troubling. Huawei has also been a leading supplier of critical telecom services to some of the worst regimes around the world. Last year, The Wall Street Journal reported that Huawei “now dominates Iran’s government-controlled mobile-phone industry . . . it plays a role in enabling Iran’s state security network.” And given the president’s April 23 executive order addressing entities that are providing Iran and Syria with technologies to repress their people, I would think representing Huawei would give you further pause.

For these reasons, I urge you to reconsider your firm’s relationship with Huawei. I think you would agree that Sidley Austin’s reputation and integrity is worth far more than its contract with a state-directed company like Huawei.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

SIDLEY AUSTIN LLP,
Washington, DC, April 27, 2012.

Re Huawei

Hon. FRANK R. WOLF,
Chairman, Commerce-Justice-Science Subcommittee, Washington, DC.

DEAR CONGRESSMAN WOLF: Thank you for your letter of April 25, 2012. We understand your concerns and appreciate your bringing them to the firm’s attention.

Sincerely,

CARTER G. PHILLIPS,
Managing Partner.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 30, 2012.

Mr. CARTER G. PHILLIPS,
Managing Partner, Sidley Austin LLP, Washington, DC.

DEAR MR. PHILLIPS: Last week, I wrote you sharing concerns about your firm’s representation of Chinese telecom firm Huawei. This company is of great concern to the U.S. national security community due to its well-documented ties to the People’s Liberation Army and continued questions about the integrity of its products.

Although Huawei generally dismisses all legitimate criticisms of its ties to the Chinese government as “tired disinformation,” I thought you should be aware that just last week the House Armed Services Committee singled out the threat from Huawei by name in its FY 2013 National Defense Authorization Act.

According to the committee report, the committee is concerned about the supply chain threat from Chinese telecom firms, “specifically Huawei and ZTE Corporation, have been, and are likely to continue to provide billions of dollars in Chinese Government support. The report also stated that these firms have been blocked from certain deals with U.S. firms because of national security concerns.” I have enclosed a copy of this section from the report for your reference. There should be no question that the national security community actively considers Huawei a serious concern.

Perhaps this is due, in part, to Huawei’s longstanding history of supporting America’s greatest adversaries—some of the most repressive and brutal regimes in modern history—including the Taliban regime in Afghanistan, Saddam Hussein regime in Iraq and the current regime in Iran.

Through Huawei, China exports its repressive technologies to likeminded governments. An October 27, 2011, Wall Street Journal piece reported that the Chinese telecom giant Huawei “now dominates Iran’s government-controlled mobile-phone industry . . . it plays a role in enabling Iran’s state security network.”

Respected national security reporter Bill Gertz also recently reported that Huawei has also been “linked to sanctions-busting in Saddam Hussein’s Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul.” I have also enclosed a copy of this article.

How can an American firm like Sidley Austin represent a company that has provided our enemies with equipment? How does Sidley Austin reconcile working for a company that is empowering the world’s worst governments to monitor and repress their own people? Certainly this must give you pause.

Huawei is believed to receive billions of dollars in subsidies and assistance from the Chinese government—the same government that is an equal opportunity oppressor of people of faith. Catholic bishops, Protestant house church leaders and Tibetan Buddhist monks and nuns are routinely harassed, imprisoned and placed under house arrest. China maintains an extensive system of slave labor camps as large as that which existed in the former Soviet Union.

The 2010 Nobel Prize recipient Liu Xiaobo still languishes in prison to this day. China’s abysmal human rights record has been thrust into the international spotlight with the courageous escape last week of Chen Guangcheng, the blind lawyer activist who, after serving several years in prison on trumped up charges, had been confined to a virtual prison in his home.

According to your Web site, Sidley Austin’s mission is “to adhere to the highest ethical standards.” Representing a firm with Huawei’s record certainly doesn’t live up to your stated mission.

Again, I urge you to reconsider your firm’s representation of Huawei. Rest assured, I will continue to inform my colleagues of Huawei’s unrepentant record of supporting some of the world’s most brutal regimes—and America’s greatest adversaries—and the U.S. national security community’s continued concern about their threat to our supply chain.

Best wishes.
Sincerely,

FRANK R. WOLF,
Member of Congress.

OTHER DEFENSE ACTIVITIES

REVIEW OF THE SUPPLY CHAIN SECURITY AND INTEGRITY OF THE NUCLEAR WEAPONS COMPLEX

The committee is concerned by the findings of the Government Accountability Office (GAO) in its report, "IT Supply Chain: National Security-Related Agencies Need to Better Address Risks" (GAO-12-361). The report stated that, "Although four national security-related departments—the Departments of Energy, Homeland Security, Justice, and Defense—have acknowledged these threats, two of the departments—Energy and Homeland Security—have not yet defined supply chain protection measures for department information systems and are not in a position to have implementing procedures or monitoring capabilities to verify compliance with and effectiveness of any such measures."

The committee is also aware that its "2011 Report to Congress," the U.S.-China Economic and Security Review Commission detailed specific supply chain threats originating from firms linked to the Government of the People's Republic of China. These firms, specifically Huawei and ZTE Corporation, have been, and are likely to continue to provide billions of dollars in Chinese Government support. The report also stated that these firms have been blocked from certain deals with U.S. firms because of national security concerns.

The committee is concerned by these developments as well and the information technology (IT) chain problems reported by GAO. Therefore, the committee directs the Secretary of Energy, in consultation with the National Counter Intelligence Executive, to provide a report to the congressional defense committees by August 31, 2012, on the supply chain risks to the Department of Energy. The report should address the following: (1) IT supply chain vulnerabilities of the Department of Energy, with special attention paid to the laboratories and plants of the national nuclear weapons enterprise; (2) Evaluate whether the Department of Energy, or any its major contractors, have a supply chain that includes technology produced by Huawei or ZTE Corporation; and (3) A plan for implementation of the recommendations of the GAO report referenced above.

Finally, the committee is aware that section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) provided the Department of Defense the authority to protect its supply chain. The committee is also aware that section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112-87) provided the intelligence community similar authority. The committee further directs the Secretary of Energy to include in the report an assessment of any concerns may have about providing similar authority in order to protect the Department of Energy's IT supply chain.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 2012.

Ms. SAMANTHA POWER,
Director For Multilateral Affairs, National Security Council, Washington DC 20500

DEAR MS. POWER, I write regarding the administration's recently released initiative on atrocities prevention. As you know, this is an issue about which I care deeply and I am encouraged to see these matters prioritized. Moving forward, it will be essential to ensure that these efforts don't simply result in additional monitoring, but rather are the impetus for action in the face of grave human rights abuses.

My reason for writing is two-fold. I noted with interest President Obama's recent executive order authorizing sanctions and visa bans against those who commit or facilitate grave human rights abuses by means of facilitating information technology capabilities in Syria and Iran. It is my understanding that the sanctions are intended to impact not just the regimes in question, but the companies that enable them by providing technology which is ultimately used to oppress and brutalize the citizens of these lands. This executive order is an important first step, but I respectfully urge the administration to broaden the scope to include countries such as China which has a long and well-established track record of using technology to repress and even imprison its citizens.

Further, I urge the administration to examine whether Huawei Technologies, a Chinese telecom firm with deep connections to the People's Liberation Army (PLA) and Chinese intelligence, should be among the companies sanctioned under this new executive order. As you may know, Huawei has been a leading supplier of critical telecom services to some of the worst regimes around the world, including Iran. On October 27, 2011, the Wall Street Journal reported that Huawei "now dominates Iran's government-controlled mobile-phone industry . . . it plays a role in enabling Iran's state security network." The article continued, "This year Huawei made a pitch to Iranian government officials to sell equipment for a mobile news service on Iran's second-large mobile-phone operator, MTN Irancell. According to a person who attended the meeting, Huawei representatives emphasized that, being from China, they had expertise censoring the news."

You may be aware that Huawei's actions in Iran appear to be consistent with its practice. Over many years, of doing business with rogue regimes. In a March 13, 2012 Washington Free Beacon piece, respected national security reporter, Bill Gertz, wrote, "Huawei has been linked to sanctions-busting in Saddam Hussein's Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul."

While there have been initial news reports suggesting that Huawei, in the face of public scrutiny and criticism, may be scaling back its operations in Iran, the Wall Street Journal also reported on December 10, 2011, that "Huawei, which has about 1,000 employees in Iran, said it plans to continue servicing its existing Iranian contracts."

In light of these realities, I respectfully request that the newly created Atrocities Prevention Board to take up these matters at the earliest possible time. I look forward to your prompt response.

Best wishes.
Sincerely,

FRANK R. WOLF,
Member of Congress.

EXPORT-IMPORT BANK
REAUTHORIZATION ACT OF 2012

SPEECH OF

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, today I rise in support of H.R. 2072, the Export-Import Reauthorization Act of 2012.

Since it was established in 1934, the Ex-Im Bank has helped to support American exports by providing loan guarantees, working capital guarantees, export credit insurance, and direct loans to American companies and foreign businesses that purchase American products.

The Ex-Im Bank has supported more than \$450 billion of U.S. exports since its inception. Over the last 5 years the Ex-Im bank has supported 11,000 transactions and \$65.5 billion, supporting American jobs and American businesses in more than 2,000 communities nationwide.

Since 2007, in my home state of Georgia, the Ex-Im Bank has supported the trading activities of 129 companies, 60 percent of which were small businesses—supporting over \$2 billion dollars in total export sales.

In my district over the same time period, the Ex-Im Bank has assisted 16 companies—including nine small businesses and four minority-owned businesses—supporting more than \$270 million dollars in total export sales.

John Chihade, Vice President of Chihade International, a small business in my district, told my office, quote,

"Without the Ex-Im Bank I would not have been able to get the line of credit that I currently have. With the SBA my line of credit was \$5 million, but with the support of the Ex-Im Bank I am now up to \$7½ million. This has allowed me to really grow my business. I've gone from 3 employees to 42 employees in 4 years."

Because of the Ex-Im Bank's support for Mr. Chihade's company, not only was he able to sustain his business during the worst economic recession in America's history, but he was able to grow his business and create jobs.

In Fiscal Year 2011, the Ex-Im Bank provided \$6 billion in financing and insurance to American small businesses and has set a goal of providing \$9 billion annually, adding 5,000 new businesses to its portfolio by 2015.

These 5,000 new businesses will be better able to sell goods in the global market place and expand their enterprises, creating jobs and opportunity while strengthening and expanding America's global commercial reach.

It's no wonder that the Ex-Im Bank plays such a key role in the President's National Export Initiative, a plan to double U.S. exports in five years to support 2 million jobs in the United States.

Our work to reauthorize the Ex-Im Bank is a rare example of effective government in this House, and I have to commend my colleagues, the Majority Leader and the Minority Whip, for working so hard to make sure this key priority of the Obama Administration is passed. My colleagues have not only recognized the need to reauthorize the Ex-Im Bank, but also the need for improvements to ensure the long term success of the Bank.

The provision that directs the Secretary of the Treasury to look at the impact of the Bank's activities on private competition will provide the Ex-Im Bank and Congress with the information that is needed to ensure that the Bank's lending practices do not unintentionally benefit one U.S. industry at the expense of another.

Also—and I think that most of my Republican colleagues will agree—the provision that raises the Ex-Im Bank's lending cap by \$40 billion is critically important to ensuring that the U.S. can continue to support American exporters by matching the unfair export financing

activities of foreign nations such as China, and other non-OECD member countries.

Re-authorizing the Ex-Im Bank is a win-win-win.

It is a win for American workers, American businesses, and for the American taxpayers.

Not one single tax payer dollar will be needed to re-authorize the Ex-Im Bank.

In fact, since 2005, the Ex-Im Bank has generated more than \$3.4 billion in profits that it has returned to the Treasury, including \$700 million in Fiscal Year 2011.

With a less than 2 percent borrower default rate since its inception, the Ex-Im Bank is, and has been, a revenue generator for the American taxpayer.

The Ex-Im Bank is a prime example of government efficiency, and I for one am glad that we could come to a bipartisan compromise here in the House to re-authorize its charter, and I strongly urge my Senate colleagues to do the same.

Again Mr. Speaker, I support the re-authorizing of the Export-Import Bank and urge my colleagues to support this legislation.

CONGRATULATING TONY JIMENEZ
FOR BEING NAMED SMALL BUSINESS
PERSON OF THE YEAR

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to congratulate Tony Jimenez, President & CEO of MicroTech, for being named the Small Business Person of the Year by the Small Business Council of America, or SBCA. MicroTech is an innovative technology company located in Vienna, Virginia started by Mr. Jimenez in 2004. It provides a host of technology services—including cyber security, systems integration, and cloud computing—to the commercial and public sectors, serving more than half-a-million daily technology users.

The SBCA is a nationwide nonprofit representing more than 20,000 businesses in the retail, service and manufacturing sectors. According to the SBCA, the criteria for the Small Business Person of the Year award includes, "dedication to small business in America as evidenced through promotion of a climate favorable to free enterprise, promotion of a positive image of American business through excellent business, civic or corporate leadership, [and] leadership in advancing the interest of small business in America."

During its short history MicroTech has won a number of awards from a host of organizations. Just a few of the many recognitions include: the Red Herring Global 100, which recognizes the most innovative tech companies in the world; the AFFIRM Award which recognizes the top 100 most influential Hispanics in IT; the U.S. Chamber of Commerce "Blue Ribbon Small Business;" and the CRN Number 1 Fastest Growing Solutions Provider.

In addition to being an award-winning business professional, Mr. Jimenez is dedicated to giving back to the community and he was named a Top CEO Philanthropist; received recognition from the Washington Business Journal for top-privately-held corporate philanthropist; and received the USHAA Bravo

Award for good business practices and philanthropy.

As my colleagues and I well know, small businesses are the economic engine of America, and MicroTech is a shining example. In its 8 years of existence Mr. Jimenez has created more than 400 jobs in 28 states. MicroTech is a shining success story and clearly demonstrates how a dedicated entrepreneur such as Mr. Jimenez can turn an idea into a successful business employing hundreds of Americans while serving as a tremendous corporate citizen in the community.

Mr. Speaker, I urge my colleagues to join me in recognizing the value that America's small business leaders bring to our economy, and join me in congratulating Tony Jimenez for being named the SBCA Small Business Person of the Year.

PERSONAL EXPLANATION

HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HEINRICH. Mr. Speaker, I unfortunately missed four votes the afternoon of May 10, 2012, which included rollcall votes 246, 247, 248 and 249.

If I had been present, I would have voted in favor of rollcall vote 246, the Democratic Motion to Recommit H.R. 5652.

If I had been present, I would have voted against rollcall vote 247, Representative RYAN's (WI-1) bill, H.R. 5652.

If I had been present, I would have voted in favor of rollcall vote 248, the Democratic Motion to Recommit H.R. 5326.

Lastly, I would have voted against rollcall vote 249, Representative WOLF's (VA-10) bill, H.R. 5326.

CELEBRATING THE U.S. DEPARTMENT
OF AGRICULTURE'S 150TH
ANNIVERSARY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. KAPTUR. Mr. Speaker, I rise today to congratulate the U.S. Department of Agriculture (USDA) for its 150th year of service. President Abraham Lincoln established USDA 150 years ago today in 1862.

American agriculture has been the second most productive sector of our nation's economy in the past decade. United States farm income is forecast at \$91.7 billion in 2012, the second highest on record. Agriculture now accounts for 1 in 12 jobs in the United States.

United States agricultural exports have been particularly strong. Exports reached record levels in fiscal year 2011 of \$137.4 billion. This level supported 1.15 million jobs here at home and contributed to a trade surplus of \$42.7 billion in agriculture. Agriculture is one of the few sectors that the United States has consistently had a trade surplus.

American farmers and ranchers provide us with 86 percent of the food we consume. This efficiency results in American consumers spending less than 10 percent of their dispos-

able incomes on food. By comparison, most European consumers spend more than double that, and in developing countries, the percentage is often as high as 50 percent.

USDA has played a vital role in the success of American agriculture. There is no doubt that without assistance from USDA American agriculture would not be as strong as it is today.

With the support of Congress, USDA provides a strong safety net for America's farmers and ranchers to ensure the United States continues to be the world's leader in agricultural production. USDA's crop insurance insures 264 million acres on about 500,000 farms. Crop insurance has helped more than 325,000 farmers who lost crops due to natural disasters over the past three years.

I want to highlight USDA's recent efforts in strengthening local and regional food systems. For many years, I have advocated and worked to provide federal assistance in supporting local food systems. Local food sales were valued at \$4.8 billion in 2008 and are expected to grow in the coming years. We need to harvest this economic power to help create American jobs and strengthen our local economies.

The Know Your Farmer, Know Your Food (KYF) initiative represents a good first step in using USDA's programs to improve local food systems. KYF provides a one-stop shop for information on more than 25 USDA programs that could assist in developing and improving local food systems, encourages much needed collaboration across agencies to reduce bureaucratic barriers in supporting and expanding marketing opportunities in local food markets, and works to connect farmers directly to consumers, which helps increase the availability of healthy nutritious foods.

KYF efforts have been hugely successful related to farmers' markets. We have seen a 54 percent increase in the number of farmers' markets since 2008. Over 2,400 farmers' markets and farm stands are now authorized to accept EBT, an increase of 51 percent over last year.

Mr. Speaker, while there are many challenges still facing American agriculture, there is no doubt in my mind that USDA is up to the task. From my perspective, the future success of USDA and American agriculture will depend on our support for local food systems and other emerging markets such as the specialty crop market.

I congratulate USDA for its 150th Anniversary and thank all the department's employees for their service.

HONORING JOHN F. MURPHY
HOMES

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize John F. Murphy Homes of Auburn, Maine on the occasion of its 35th anniversary.

John G. Murphy was one of Maine's foremost advocates on behalf of the developmentally disabled. In 1954, Mr. Murphy used his standing on the Lewiston Board of Finance to open the Garcelon School as an educational facility for mentally retarded children. After his passing in February of 1976, members of the Lewiston Auburn Association for

the Mentally Retarded formed a foundation in Mr. Murphy's honor to continue his work.

On May 18, 1977, the John F. Murphy Foundation for the Mentally Retarded was officially established with the mission to provide housing for individuals with developmental disabilities. In March of 1978, they opened their first home at 23 Pleasant St. in Lewiston for 6 people. Today, the agency provides direct support to hundreds of Mainers and their families, employs more than 700 people in the greater Lewiston-Auburn area, and generates millions of dollars in local economic activity.

John F. Murphy Homes has helped to raise awareness about intellectual disabilities and the need for group care facilities. The organization's remarkable success is owed to the outstanding vision of its founders and the tireless work of its employees. In January, John F. Murphy Homes received a \$1.7 million grant from the Department of Housing and Urban Development to continue their important work.

John F. Murphy's example has truly made the Lewiston-Auburn community a better place for the mentally retarded.

Mr. Speaker, please join me in congratulating the John F. Murphy Homes on achieving 35 years of exemplary service to the Lewiston-Auburn community.

RECOGNIZING THE USDA FOR 150
YEARS OF SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to salute the United States Department of Agriculture (USDA) and its dedicated employees for 150 years of service to America. By working with farmers across America, the USDA has built the most productive, efficient agricultural economy on earth. It has rescued whole regions from the Dust Bowl, diversified production in the South to end regional dependence on cotton, led efforts to restore estuaries like the Chesapeake Bay through conservation programs, financed rural development, and rebuilt agriculture in war-torn countries in partnership with the Armed Services.

America's food security today stands in stark contrast to other industrialized countries which are heavily dependent on food imports. Only because of the USDA's work do we enjoy this security, which includes affordable food for working Americans. Today the USDA is working to ensure that food security includes healthy foods which address America's most challenging chronic health problems. Under Secretary Vilsack, the USDA is leading efforts to redevelop local food production. The benefits of this initiative are evident in my home state of Virginia, where growing wine, cheese, fruit, and vegetable production is bringing land back into production which had been fallow for decades. The USDA is much more than agriculture; it pursues a comprehensive program of rural development, and its recent efforts to strengthen local food supplies are emblematic of this comprehensive approach.

The USDA is playing a central role in conserving America's natural resources, as it has since its inception. Photographs from the

Works Progress Administration should serve as a reminder of the resources that would have been lost but for USDA leadership. Before we had comprehensive agricultural conservation programs, cubic miles of prime soils were being lost throughout the South and Midwest to erosion from wind and rain. The USDA pioneered soil conservation methods which ensured that these regions would remain productive for generations to come. Building on that early success, USDA conservation programs are responsible for reducing agricultural pollution entering the Chesapeake Bay and other estuaries, ensuring that Americans can enjoy productive fisheries as well as productive agricultural lands.

In an era where government is disparaged all too frequently, the USDA is a shining example of the benefits of federal service. We never could have become the most powerful, prosperous nation on earth without the agency which worked with farmers to feed our armies and our workforce, and to conserve those natural resources that we will rely on for the next 150 years.

REMEMBERING CONSTANTINE G.
VALANOS

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HOYER. Mr. Speaker, I doubt there is a single member of this House or the Senate who has never set foot inside the Monocle on D Street. Just steps from the Capitol, the Monocle has been a political institution as much as it has been a warm and welcoming restaurant. Its tables have long been set with a spirit of friendship that transcends party; they have been host to meetings and discussions on nearly every issue of national importance. The Monocle has been a place of agreement, often at times when disagreement divided us in this House.

It was Constantine Valanos who brought that warm and inviting place to Capitol Hill and to all who serve here. Many of us knew Connie well. Connie made a point of knowing and remembering all of us who set foot in his restaurant, even if just once in a while. Sadly, Connie passed away last month at age 93.

Constantine George Valanos was born into a family of Greek immigrants in Albany, New York, as the First World War was drawing to a close. He grew up here in Washington, D.C., and served in the U.S. Navy during World War II. Following his discharge, Connie attended the George Washington University and pursued a career in accounting. In 1960, seeing an opportunity to buy and fix up an old restaurant on Capitol Hill, Connie and his wife, Helen—who passed away in 2005 after a fifty-three year marriage—opened the Monocle.

Among their first regular customers were then-Senators John F. Kennedy and Richard Nixon. Over the next fifty years the Monocle would see a steady stream of Senators, Representatives, future Presidents and Vice Presidents, Supreme Court justices, foreign diplomats, and ordinary Americans visiting with their elected officials.

After three decades at the helm, Connie and Helen passed the management of the business to their son, John, and daughter-in-law,

Vasiliki, who continue to run the Monocle today and provide the same friendly and welcoming environment to all who step through the door.

The ancient Greek statesman Pericles said: "What you leave behind is not what is engraved in monuments of stone but what is woven into the lives of others." Connie Valanos leaves behind a legacy not only of a restaurant but also of the countless ways in which he made that restaurant a place where leaders come together to hash out the agreements that help make our Nation great and improve lives around the world. The Monocle, as former Vice President and regular patron Walter Mondale once noted, is "where laws are debated, where policies are set, and where the course of world history is changed." That is Connie's lasting legacy.

I join in celebrating Connie's life and in offering my condolences to his wife Judith, his children, John and George, his three grandchildren, and the entire Valanos family.

RECOGNIZING JESSIE "DINK"
HOSMAN

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 91st birthday of Jessie C. "Dink" Hosman who was born June 3, 1921, and grew up in the Willard, Missouri area.

During World War II, Technician Fifth Grade Hosman was in Company B, 1st Battalion, White Combat Team, which fought all over Burma with "Merrill's Marauders". T/5 Hosman fought through some of the harshest conditions of the war where the enemy was often less of a concern than malaria, deadly Mite Typhus, Amoebic Dysentery, and malnutrition. T/5 Hosman spent two years in the jungle and also served in Panama and India. Being a member of "Merrill's Marauders" earned T/5 Hosman the distinction of United States Army Ranger.

T/5 Hosman helped secure the strategic Burma Road while it was being built in treacherous conditions. Extraordinarily, while "Merrill's Marauders" had such a high casualty rate, they never left a fellow soldier's body behind. T/5 Hosman received the Combat Infantryman Badge, the Presidential Unit Citation, and the Bronze Star Medal for exemplary service.

After the war, Jessie returned stateside and spent some time in San Francisco where he was given everything and anything he wanted to eat to make up for two years of malnutrition. Eventually Jessie returned home to the Willard area where he raised his family and purchased a farm where he ran a milk and beef cattle operation for 50 years.

These days, Jessie is enjoying life and taking it easy living with his daughter, Terri Hughes, and her husband, Jimmy Hughes, in Walnut Grove, Missouri. He still enjoys his hobbies of fishing, hunting, boating and his RV. Jessie has also attended several "Merrill's Marauders" reunions.

As the years create more and more distance from the events and heroes that defined World War II, I personally wanted to take this

opportunity to recognize one of my constituents who is a Real American Hero. Without the sacrifices of America's Greatest Generation, we would not be enjoying the freedoms and rights they fought to preserve. May God bless Jessie C. Hosman. I wish him a very happy birthday and many more.

RECOGNIZING GMU PRESIDENT
ALAN MERTEN ON HIS RETIREMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Dr. Alan G. Merten and to congratulate him on the occasion of his retirement following a distinguished, 16-year tenure as president of George Mason University.

Dr. Merten was Mason's fifth president, and under his leadership the University developed the culture, academics and reputation of a unique and world-class institution of higher learning. There are many examples of his growth and enhanced prestige, but I would like to cite a few statistics that speak to the caliber of excellence Dr. Merten has helped build at Mason. U.S. News and World Report ranks George Mason 138th among the best universities in the nation. Incoming freshman now average a 3.6 GPA, up from 3.0 in 1996. Mason's student body has grown to more than 32,000. While GMU was founded as a branch of the University of Virginia, it became an independent institution in 1972 and now is the largest university in the Commonwealth. Dr. Merten's success cultivating new funding opportunities and promoting the fields of information technology and biological sciences have sparked an increase in annual research funding from \$28 million in 1996 to more than \$100 million today.

When he steps down next month, Dr. Merten will conclude a career in higher education that has spanned more than four decades of service at numerous institutions. Dr. Merten holds an undergraduate degree in mathematics from the University of Wisconsin, a master's degree in computer science from Stanford University, and a PhD in computer science from the University of Wisconsin. He began his career in 1970 as an associate professor of industrial and operations engineering at the University of Michigan. He later served as an associate dean in the Michigan Business School where he was responsible for executive education and computing services. After serving for three years as the dean of the College of Business at the University of Florida, Dr. Merten accepted the deanship of the Samuel Curtis Johnson Graduate School of Management at Cornell University in 1989. In 1996, he accepted the position of President at GMU.

Dr. Merten is a well respected figure in the Northern Virginia community who has used his considerable and diverse talents to raise the profile of the University and our community. Throughout his tenure, Dr. Merten has expanded GMU's partnership with the regional business community, serving on the Board of

Directors of the Greater Washington Board of Trade and the Northern Virginia Technology Council, and he was a member of the Virginia Governor's Blue Ribbon Commission on Higher Education. His tireless efforts advocating on behalf of the university in local, state, and federal government have earned him a reputation as a champion of higher education. After his retirement, Dr. Merten will continue to serve George Mason and our community in other capacities, as well as spend more time with his wife Sally, daughter Melissa, son Eric and four grandchildren.

Mr. Speaker, I ask that my colleagues join me in thanking Dr. Alan G. Merten for his tremendous contributions to George Mason University and the higher education community. I consider Dr. Merten a dear friend and wish him, his wife and family the best as he moves into retirement. Thanks to his leadership, the University and Northern Virginia are well positioned for future growth and success.

THE PASSING OF MURIEL WATSON

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. BILBRAY. Mr. Speaker, I rise today to honor one of San Diego's great citizens Muriel Watson. Muriel passed on May 1, 2012 after a lengthy battle with cancer.

I had the pleasure of knowing Muriel when I was Mayor of Imperial Beach. I would also talk with her when I would ride my horses along the border. She was tenacious, dedicated and motivated to all of her causes and her attitude and intellect allowed her to accomplish anything she set her mind to.

Muriel was born in Newton Massachusetts on October 23, 1930 as the only child of William and Cynthia Bianchi. She grew up as a teenager in San Diego, attended San Diego High School, and later earned her teaching degree at San Diego State College. She was a patron of the arts and would dance and act at the Old Globe theatre in San Diego from time to time.

After meeting her husband George Watson in 1953, a Border Patrol agent, Muriel began her work with the U.S. Border Patrol. She became involved with the Border Patrol Union as a Public Information Officer and testified before Congress regarding issues and concerns of the Border Patrol.

In addition to her involvement with the Border Patrol, Muriel created an initiative called "Light Up the Border" in 1989. The goal of the group was to shine car lights on the border in order to cut down on border violence. The group met monthly starting on November 4, 1989. At the first meeting, 23 cars were present and over the seven months of the program the group grew to 2000 cars in June of 1990.

Over the course of the program, Muriel was able to enlist the help of Congressman Duncan Hunter to begin construction on what today represents three layers of border fence, more agents, and lights on the border.

Muriel will be missed by those of us who knew her. Her memory will live on in the lives

of her children and grandchildren, in the hearts and minds of the Border Patrol agents, and through the people of the causes she served.

TRIBUTE TO DEACON LAMOUNE
CARLOS GLOVER

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RUSH. Mr. Speaker, I rise to pay tribute to the life and legacy of my friend and brother beloved, Deacon Lamoune Carlos Glover who made his heavenly transition on Tuesday, May 8, 2012. Deacon Glover was born April 23, 1968, in Chicago, Illinois to the late Robert and Lorraine Glover. A product of the Chicago Public Schools system, Lamoune attended Mollison Elementary School and Jean Baptiste Pointe DuSable High School, and later went on to attain an Associate Degree in Applied Science.

Lamoune's love for Christ started at an early age. At 6, his "play mother" May Turner took him to church. Lamoune was baptized at the age of twelve at the Gospel Temple Church, under the leadership of Pastor Warren L. Turner. There, he served as a member of the usher board and in the youth ministry.

Later in his journey, Lamoune began attending the Beloved Community Christian Church where I am privileged to serve as pastor and teacher. In 2002, Lamoune experiencing the transformative power of Jesus Christ and being led by the Holy Spirit re-dedicated his life to Christ. At Beloved, he served as a trustee, church steward and member of the Men's ministry.

In July 2003, Lamoune met his "better half" Joyce Lemon. After a loving three-year courtship, Lamoune and Joyce married on August 19, 2006. To this union, one beautiful, daughter was born, Ahrmani Glover.

In 2011, after nine years of devoted Christian service, I installed Bro. Lemoune as Deacon of the Beloved Community Christian Church. It was one of his proudest moments, for no matter what life threw Lamoune's way, he always somehow knew that with God, he would be "okay".

Mr. Speaker, in the Exodus story, as Israel did battle with the Amalekites, Moses stood on a hill with the staff of God in his hands, whenever Moses raised his hands Israel prevailed. When Moses hands grew tired so that he was forced to lower them, Israel suffered in battle, but Aaron and Hur, Moses' armor bearers, held Moses' hands up and Joshua and Israel defeated Amalek. Lemoune was such an armor bearer.

Deacon Lamoune Carlos Glover's life has been seen through the lenses of personal sacrifice, love, reconciliation, and perseverance. My sincerest thoughts and prayers are extended to his loving wife, Joyce, his children Otisha Pitts, Jakwon Webb and Ahrmani, grandchild Javion Goss, brothers, Robert Glover and Marvin Harvey, sister Bernadette Glover, his Beloved Community Christian Church family, and host of other family and friends. I am privileged to enter these words in the CONGRESSIONAL RECORD of the United States House of Representatives.

TRIBUTE TO DR. F. SHERWOOD
ROWLAND

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me today in honoring Dr. F. Sherwood Rowland, who was born on June 28, 1927, in Delaware, Ohio, and who passed away on March 10, 2012, at his home in Corona del Mar, California, at the age of 84.

Professor Rowland was a giant in the scientific community. Along with his colleague Dr. Mario Molina, he discovered the serious threat to the earth's ozone layer posed by man-made chemicals called chlorofluorocarbons, or CFCs. These supposedly harmless chemicals were being released from aerosol sprays, refrigerators, and air conditioners. In their 1974 paper published in *Nature*, the two scientists showed that CFCs were depleting the planet's protective stratospheric ozone layer. They found that CFCs rose into the stratosphere, where they were broken apart by powerful ultraviolet rays and released chlorine atoms. The chlorine destroyed the ozone molecules protecting the planet's surface from harmful ultraviolet radiation.

Sherry Rowland recognized that the depletion of the ozone layer "was not just a scientific question, but a potentially grave environmental problem." Increased exposure to ultraviolet radiation meant more cases of skin cancer and eye damage, as well as harm to plant and marine life.

Sherry Rowland spoke out about this danger to the ozone layer and argued for a ban on CFCs. Over the years, he did hundreds of press interviews and testified before Congress and state legislatures time and time again.

Professor Rowland persevered despite efforts to discredit his work. Scientific societies withdrew their invitations for him to speak about his research. And industry attacked him personally. In 1977, the president of one aerosol manufacturing company claimed that criticism of CFCs was "orchestrated by the Ministry of Disinformation of the KGB."

But Professor Rowland was ultimately vindicated by both his fellow scientists and the international community. In 1983, a British Antarctic Survey team confirmed the existence of a hole in the ozone layer above Antarctica. Four years later, the Montreal Protocol was signed. This landmark treaty phased out the production and use of CFCs. The ozone layer is now expected to fully recover around the middle of the century.

In 1995, Dr. Rowland received the recognition he deserved when he shared the Nobel Prize for Chemistry with Dr. Molina and Dr. Paul Crutzen for their ozone layer work.

Sherry Rowland's life stands as a testament to the critical role of scientific discovery in the development of wise and effective government policy.

One need only ponder what the world would be like today without the work and voice of Sherry Rowland to appreciate the magnitude of his contributions. Please join me in celebrating the life of Dr. Sherry Rowland, a man who literally helped save the world.

EVERETT LILLY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RAHALL. Mr. Speaker, the glorious hills of West Virginia fell more silent than usual this past week. A familiar voice was quieted by the passing of an American original. This last weekend, we celebrated the life and legacy of Mr. Everett Lilly, who passed on to his heavenly reward after 87 years on this Earth. Until just recently, Mr. Lilly's voice and mandolin playing were a familiar melodious staple for the ears and musical souls of southern West Virginians and countless ones beyond our borders.

Everett and his brother, Bea, who passed in 2005, introduced bluegrass music, Lilly-style, or as Mr. Lilly liked to call it, "American Mountain Country Folk Music," to our country's northeast in the 1950's with Don Stover and Tex Logan. They rose to international fame and toured Japan. Everett played two separate stints with the legendary bluegrass group formed by Lester Flatt and Earl Scruggs. Most recently, even though he was well into his 80s, he toured with his own band, The Lilly Mountaineers, and taught classes at Mountain State University—passing on his knowledge and skill with mountain music and its accompanying lore.

The Lilly Brothers were inducted into the West Virginia Music Hall of Fame and the International Bluegrass Music Hall of Fame. Everett received the Vandalia Award, West Virginia's highest folk life honor, in 2009.

Tributes to Mr. Lilly and his considerable talents continue to be written, West Virginia's Mountain Stage's memorial to him reminds us that country singer, Marty Stuart, called Mr. Lilly, "God's mandolin player."

Let me just add that all the words used to describe Mr. Lilly's legacy like entertainment giant, pioneering artist, and musical legend and icon are true I knew Mr. Lilly and know his family. They are friends of mine and the best compliment I can pay him is that what you saw was what you got. I don't think he had a fake bone in his body, and he was more than ready to lend a helping hand whenever, wherever possible. Indeed, as our hometown newspaper, the Register Herald, summed it up succinctly, Everett was genuine.

Among the tens of thousands Mr. Lilly enlightened and entertained over the decades was everyone from presidents to just plain good people. Though he achieved international fame and the composition of his audiences would drastically change from venue to venue, he never did. Whether he was on the world stage or staged in front of a family barn here in southern West Virginia, Everett never strayed from his deep roots in Clear Creek, West Virginia.

The New York Times ran a warm story on Mr. Lilly's many accomplishments and concluded with perhaps what he considered his greatest, his family. Mr. Lilly's son, Jiles, preceded him in death, but he is survived by his wife of 64 years, JoAnn; three sons, Daniel, Mark and Everett Alan; four daughters, Karen Pierangelino, Diana Tomah, Ann Lilly and Laverne Wheeler; a sister, Flossie Williams; and numerous grandchildren and great-grandchildren.

"He played music right up to the end," Daniel Lilly told the Times. "He was enjoying life and still riding his four-wheeler through the woods at the age of 87. He died at the kitchen table."

He and his band used to play an old song that seems a fitting epitaph for his long happy career and life. I leave you with the lyrics to, "Who will sing for me," confident that the praises for Everett Lilly will continue to be sung by all those whose lives he touched. Mr. Speaker, my colleagues, we all could take a page or two from the songbook of this talented, this beloved son of West Virginia:

Often I sing for my friends
At death's cold hand I see
When I reach my journey's end
Who will sing for me

Chorus

I wonder (I wonder) who
Will sing (will sing) for me
When I come the cross
of that silent sea
Who will sing for me

When crowds shall gather round
And look down on me
Will they turn and walk away
Or will they sing one song for me

So I'll sing 'til the end
Contented I will be
Assured that some friends
Will sing one song for me

SEQUESTER REPLACEMENT RECONCILIATION ACT OF 2012

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 10, 2012

Mrs. MALONEY. Mr. Speaker, once again, the Republican majority is proposing legislation that puts Americans directly on the Road to Austerity. Similar to the Ryan Budget, the Sequester Replacement Reconciliation Act is noteworthy for the harsh austerity it demands of the many and the lavish benefits it extends to the few.

Instead of closing tax loopholes or asking millionaires to contribute to deficit reduction, this bill focuses only on cutting spending while hurting millions of Americans.

This bill puts the burden of deficit reduction squarely on the backs of seniors, the middle class, and the most vulnerable among us:

It slashes food stamps by \$33.2 billion at a time when families can least afford it; permanently eliminates the Social Services Block Grant program which provides assistance for nearly 23 million Americans including 4.4 million children and 1.7 million older Americans who receive "Meals on Wheels"; cuts investments to women's health by eliminating the Prevention and Public Health Fund which promotes maternal and child health; and politicizes the funding process for the Consumer Financial Protection Bureau which was created by the Dodd-Frank law to deal with banks that are "too big to fail."

Mr. Speaker, Democrats agree that we need deficit reduction, but demand that we do it in a balanced and fair way. The proposal before us shreds the social safety net that protects millions of hardworking families in an effort to protect defense cuts under sequestration and makes billions of dollars in cuts beyond what

was agreed to under the Budget Control Act for FY13.

This bill is another example of a partisan bill that has no chance of going anywhere but that sends a message to all Americans: You are on your own. From Medicare to child protective services, to respite care for disabled individuals, the Republican majority is cutting your services while handing a neatly wrapped gift to our Nation's millionaires.

I strongly urge a "no" vote.

HONORING MR. MA YING-JEOU ON
TAIWAN'S PRESIDENTIAL INAUGURATION DAY

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HANNA. Mr. Speaker, as Taiwan prepares for its Presidential Inauguration Day on May 20, I'd like to congratulate President Ma and our friends in Taiwan for a smooth completion of their presidential election on January 14. Mr. Ma Ying-jeou won a second term as President of the Republic of China (Taiwan).

President George W. Bush once famously described Taiwan as "a beacon of democracy to Asia and the world." His words were recognition of Taiwan's achievements in democratic development. We trust Mr. Ma and his people will continue to deepen and improve Taiwan's democracy and instill an even stronger commitment to democratic values among Taiwan's people.

The United States and Taiwan have enjoyed a strong security and economic partnership for over half a century. Our common interest in peace and security has guided U.S.-Taiwan relations and our commitment to Taiwan's security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government and today serves as a beacon for others in the region and beyond. Similarly, Taiwan's economic partnership with us has benefited both sides, resulting in Taiwan being our tenth largest trading partner, with total bilateral trade amounting to over \$68 billion.

During Mr. Ma's second term, I hope our relationship with Taiwan will continue to flourish, especially in areas like military cooperation, Taiwan's inclusion in the Visa Waiver Program, as well as our trade relationship.

Congratulations to Mr. Ma and the people of Taiwan.

RECOGNIZING THE 150TH ANNIVERSARY OF THE DEPARTMENT OF AGRICULTURE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WOLF. Mr. Speaker, today is the 150th anniversary of the founding of the Department of Agriculture, which was established by President Lincoln on May 15, 1862.

I commend the hardworking individuals at the department who work with all elements of the food supply chain—including our farmers, growers, and ranchers, to support for packers

and shippers, marketers and processors, equipment suppliers, researchers, and retailers—to ensure that Americans have access to affordable, safe and abundant food.

The USDA also assists with important conservation efforts, and connects the most vulnerable in our society with critical food resources. As we mark this anniversary, I hope we all will take this opportunity to recognize the continued need that exists at our local food pantries. I meet with food banks and pantries on a regular basis, and demand is at an all-time high. Families who use to donate food regularly are now coming to receive food.

I appreciate the support of my colleagues for the inclusion of language in the FY12 agriculture spending bill that was signed into law to make it easier to donate excess food from the Federal school lunch program to local food banks by ensuring they are covered by the Good Samaritan Act.

The American agriculture community should be commended for their work to ensure that everyone has safe food on the table.

A TRIBUTE TO AGRICULTURE

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, with the 150th anniversary of the U.S. Department of Agriculture upon us, I feel it important to pay tribute to the American farmers, ranchers, and producers who remain a cornerstone in the foundation of our country. Since the settlement of American colonies, agriculture has played a paramount role in the lives of American citizens.

Growing up in South Georgia, I witnessed the impact agriculture plays in our Nation's economy and national security. In Georgia, agriculture is directly related to one out of every seven jobs. It contributes billions of dollars to the State's economy and provides a safe and reliable source of food for American citizens. The U.S. Department of Agriculture has played and continues to play an important role in each of these aspects.

With the long-standing relationship between Georgia and the U.S. Department of Agriculture, the State of Georgia has become synonymous with agriculture. Georgia leads the Nation in broilers and value of egg production with \$4 billion dollars and \$570 million dollars, respectfully. It produces the second highest amount of cotton in the United States, and it produces almost half of the peanuts grown in the U.S. with a farm gate value of over \$401 million dollars. Altogether, agriculture contributes about 12 percent annually to Georgia's \$787 billion dollar economic output.

With the success of our Nation's agriculture sector, it is vital that the U.S. government create an optimal environment where farmers and ranchers can continue to provide our country with a consistent and safe supply of agriculture products. We can achieve this through appropriate policies that provide support for our Nation's agricultural producers.

Therefore, Mr. Speaker, during this time of honoring the 150th anniversary of the Department of Agriculture, it is with great esteem and pride that I honor our Nation's farmers, ranchers, and producers. I ask my fellow colleagues

to provide continued support for our country's agriculture industry. With continued support, we can carry on our America's role as a world leader in reliable material and safe foods.

RECOGNIZING MICHIGAN HELMET CHOICE LAW

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WALBERG. Mr. Speaker, I rise today in support of the recent passage and signing into law of a helmet choice law in my home State of Michigan.

Last month, Governor Rick Snyder signed into law Senate Bill 291, which modernizes Michigan's outdated mandatory helmet law and allows adult choice for motorcycle riders like myself. The new law allows riders to exercise their personal liberty in choosing whether to wear a helmet or not, while at the same time including smart safeguards to ensure riders are equipped with the proper skills and protections to safely travel on Michigan roads.

Michigan now joins the 30 other States with helmet choice laws, and this law will undoubtedly encourage cross-country riders to visit our beautiful State and support our strong tourism industry.

While riders are certainly free to choose whether they will ride with a helmet or not, driver awareness cannot be optional. Too many riders are injured or killed each year due to reckless driving and the only way to ensure the safety of motorcycle riders and car drivers is increased awareness on the roadways. Along with increased motorcycle rider education, it is my hope that the debate over this commonsense law will encourage all drivers to pay closer attention behind the wheel.

Again, I am grateful to Governor Snyder and the Michigan legislature on advancing personal liberty in Michigan through the passage of Senate Bill 291, and I look forward to taking my Harley out soon.

USDA—HAPPY 150TH BIRTHDAY

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. McGOVERN. Mr. Speaker, as a member of the Agriculture Committee, I am pleased to recognize the 150th birthday of the U.S. Department of Agriculture (USDA). The good work of USDA and the important programs administered by USDA reach all of us every day, often more than most of us realize. In coordination with our farmers and ranchers, USDA ensures that we have a safe and abundant food supply. USDA protects the quality of our meat and poultry; feeds children and low income Americans through the nutrition programs; and supports rural Americans with an array of basic programs, including broadband, housing and economic development.

As Co-Chair of the House Hunger Caucus, along with my good friend Representative JO ANN EMERSON, I am committed to ending hunger in the United States and around the world. I want to praise USDA's robust domestic programs to help feed the most vulnerable among

us and improve nutrition. These safety net programs, including SNAP, the Child Nutrition Programs, and WIC are vitally important to helping those in need put food on the table during economic hard times and helping make sure no one especially seniors and children—goes to bed hungry in America. The Child Nutrition Programs including the National School Lunch Program are among the most important and successful anti-hunger and nutrition programs in the country. Thanks to diligent oversight by USDA, and significant reforms in the program, SNAP is one of the most effective and efficient federal programs. It is a testament to USDA's longstanding commitment to the highest standards and oversight of its programs.

Globally, the impact of USDA is just as great. I have long promoted an integrated government-wide approach to addressing global hunger and food insecurity. Beginning with the Bush Administration and expanding under the leadership of President Obama, Secretary of State Clinton, Secretary of Agriculture Vilsack and USAID Administrator Raj Shah, I am proud to say that global food security programs are stronger than ever. In particular, I am proud to support USDA's signature role in global agricultural development, emergency food aid, and international school feeding programs.

Agriculture is not just a nostalgic reflection of the past, it is a critical part of contemporary American life and the U.S. economy. I would like to take this opportunity to salute the thousands of Massachusetts small farmers who contribute so much not only to the economy, but to the nutrition and health of the people of Massachusetts, New England and the nation. It has been such a privilege for me to visit their farms, dairies and gardens and witness first-hand the great work they are doing.

I am pleased to extend my heartiest birthday wishes to USDA on this landmark anniversary, and I wish them the very best success in supporting agricultural development here at home and around the world in the next 150 years.

AMYOTROPHIC LATERAL
SCLEROSIS (ALS) ADVOCATES

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. PINGREE of Maine. Mr. Speaker, today I am proud to recognize the hundreds of brave advocates who are visiting Capitol Hill from Maine and across the country to raise awareness about Amyotrophic Lateral Sclerosis (ALS), commonly referred to as Lou Gehrig's Disease.

They are here today to share their stories, to educate others about the challenges they face, and to make sure that we continue to invest in the critical research and data collection that is essential to finally making a breakthrough in the fight against ALS.

Some are here to advocate on behalf of themselves, and some are here to represent their loved ones, friends, and neighbors—far too many of whom have already been lost to ALS. They are all here to give voice to the many thousands of Americans who suffer from this disease but can't be here in person to speak for themselves.

Because of their efforts, no Member of Congress will be able to say they haven't been touched by this terrible disease. And because of their efforts, I truly believe that one day in the not so distant future we will finally have a cure.

I also want to honor one special individual in particular who had planned to be here today, before he lost his battle with ALS on April 27, 2012 at just 34 years old.

Joshua Kennedy led a life of exemplary service. He served his country bravely as a Sergeant in the U.S. Army Reserves, including eighteen months in Iraq as a petroleum supply specialist. He served his family as a devoted husband to his wife Ernesta and a proud father to his sons Tyler, Charles, and Andrew. He served his community in Maine as a correctional officer at Androscoggin County Jail in Auburn. Then after his diagnosis in March 2010, he began to serve his country in a way he never imagined—as a passionate advocate for ALS awareness.

I had the distinct pleasure of meeting Josh in my Portland office not long after his diagnosis. I was struck by his compelling story, his warm smile, his love for his family, and his bravery in the face of unbeatable odds. He and Ernesta later traveled to Washington DC, where he brought his message to Congress and inspired action the same way he inspired the community who rallied around him and his family back home. Even as his voice eluded him and his body began to fail him, it was clear that his spirit remained strong.

I had looked forward to seeing him again this year, and his presence is dearly missed today, as it will be for years to come. There are not enough words to appropriately honor his legacy or to comfort his family on their tremendous loss. But I know his advocacy was not in vain. It is because of people like Josh that we are making progress, bit by bit, and I look forward to the day when we can celebrate his memory with a cure for ALS.

REMEMBERING ORLANDO ZAPATA
TAMAYO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to commemorate Orlando Zapata Tamayo who would have turned 45 years old today, had his life not been cut short by the murderous Castro dictatorship.

Orlando Zapata Tamayo was a member of the pro-democracy organizations Movimiento Alternativa Republicana and the Consejo Nacional de Resistencia Covica. He was arrested several times, including on March 20th, 2003 during Cuba's notorious "Black Spring." During his many years in prison, he suffered beatings, humiliation, and long periods of solitary confinement. Zapata Tamayo began a hunger strike on December 3rd, 2009 to protest inhumane prison conditions and arbitrary extensions of his sentences. His hunger strike lasted more than 80 days. During that time, he was deprived of water, suffered abhorrent prison conditions, and ultimately died at the hands of the Castro regime on February 23rd, 2010.

Sadly, the two years since his death have been years of increased repression and more

murders by the Castro regime. The number of political arrests doubled between 2010 and 2011, and the first three months of 2012 have proven even more brutal and repressive than the same period last year. While we continue to mourn the loss of Zapata Tamayo, his spirit and mission have nonetheless strengthened Cuba's courageous pro-democracy movement. Shortly after Zapata Tamayo's death, other pro-democracy activists continued his cause such as Jorge Luis Garcia Perez ("Antunez"), who founded the "Orlando Zapata Tamayo National Front for Civic Resistance and Civil Disobedience." In so many ways, he still lives. Among the pro-democracy activists that honor him and continue his mission, Mr. Zapata Tamayo is an enduring symbol of perseverance in the face of brutal repression.

Mr. Speaker, I am honored to pay tribute to Orlando Zapata Tamayo. Although his life was brutally cut short, he will forever be a blessing to Cuba's courageous pro-democracy movement and to the activists that will not allow his sacrifice to be in vain.

RECOGNIZING THE 200TH ANNIVERSARY
OF HAMILTON COLLEGE

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. HANNA. Mr. Speaker, I rise today to honor Hamilton College on the occasion of its bicentennial.

Hamilton is one of this Nation's finest liberal arts colleges. It is known for its rigorous academic program to prepare students for lives of meaning and purpose. The College is renowned for teaching students to express their ideas with clarity and precision, to think creatively and analytically, and to act ethically and with conviction.

Hamilton College was originally founded in 1793 as the Hamilton-Oneida Academy by the Reverend Samuel Kirkland, missionary to the Oneida Indians. Rev. Kirkland's vision was to educate the children of the Oneidas alongside the children of the white settlers streaming into Central New York following the American Revolution. He presented his plan of education in 1793 to President George Washington who "expressed approbation" and to Secretary of the Treasury Alexander Hamilton who lent his name to the institution and consented to become a trustee. Oneida Chief Skenandoo and Baron von Steuben, inspector general of the Continental Army and "drillmaster" of Washington's troops during the War for Independence, were present when the cornerstone for the new Academy was laid on July 1, 1794.

The Hamilton-Oneida Academy lasted 19 years before it was rechartered by the Regents of the University of the State of New York as Hamilton College on May 26, 1812. The institution is believed to be the 31st oldest college in the United States.

Over the years, Hamilton has never wavered from its mission to teach the liberal arts and sciences. In 1968, all-male Hamilton College established the all-female Kirkland College, which lasted 10 years until the two colleges combined in 1978.

Today, Hamilton enrolls 1,812 students from 49 States and 37 countries. Its student-to-faculty ratio of 9-to-1 ensures significant individual attention for its students, many of whom

compete successfully for Fulbright Awards, Goldwater Scholarships and other prestigious national fellowships and scholarships funded by this body.

Included among its graduates are public servants at every level, including most notably former Vice President of the United States James "Schoolcraft" Sherman; former Secretary of State, Secretary of War, U.S. Senator and recipient of the 1912 Nobel Peace Prize Elihu Root; current Secretary of Agriculture Tom Vilsack; and former U.S. Ambassadors Arnold Raphel, William Luers, Sol Linowitz, Michael Klosson and Edward Walker. The College also counts among its alumni prominent business leaders, scientists, artists, educators, physicians, ministers, lawyers, entrepreneurs, entertainers, writers, and journalists.

Mr. Speaker, I ask that you and my distinguished colleagues join me in recognizing and congratulating the students, faculty, staff, alumni and trustees of Hamilton College on the occasion of their institution's two hundredth anniversary on May 26, 2012.

150TH ANNIVERSARY OF THE
DEPARTMENT OF AGRICULTURE

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. EMERSON. Mr. Speaker, I rise to recognize the 150th anniversary of the Department of Agriculture. It was 150 years ago to this day that President Abraham Lincoln established the USDA.

As Americans, we have been blessed with the most successful agricultural economy on earth. U.S. consumers spend, on average, less than 10 percent of their disposable income on food—the lowest of any developed nation in the world. In Europe, consumers spend double that percentage and, in developing countries, consumers often spend more than half of their income on food. As Americans, we can be proud of our producers and the role our agriculture department has played in making advancements in the agricultural sector. Successes in agriculture lift all aspects of our economy.

American agriculture's success has been fueled largely by the hard work of our farmers and ranchers. They withstand incredible challenges on a daily basis to provide our nation with a safe, abundant and affordable food supply. More and more, our producers will be depended upon to feed not only Americans here at home, but a growing world population. I am confident our producers, our research institutions and the private sector will be able to harness innovation to meet the daunting challenge of feeding a world population that is expected to grow from around 7 billion to over 9 billion by the year 2050.

Agriculture will continue to represent the foundation of the U.S. economy. I am proud of what agriculture has been able to accomplish over the last 150 years with the support of USDA. It is with great respect for the farmers and ranchers in Southern Missouri I represent, and those in industry and our research institutions, that I recognize agriculture's great success story over the last 150 years.

40TH ANNIVERSARY OF CONGRESSIONAL PASSAGE OF THE EQUAL RIGHTS AMENDMENT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. MALONEY. Mr. Speaker, since I was elected to federal office, I have been a champion for women's equality and have introduced the Equal Rights Amendment, ERA, for the last 15 years. I will continue to advocate for this important legislation until women are included in the Constitution.

Despite determined efforts by many dedicated activists, the ERA has never become part of our Constitution. On the 40th anniversary of the Congress passing the Equal Rights Amendment, I was joined by a number of speakers who spoke about the importance of equality for women. I submit their comments below to demonstrate the wide support for this Constitutional amendment. It is my great hope that we will soon realize a time when my bill does not need to be reintroduced and speeches and events to raise awareness of the ERA are not needed; simply put, a time when the ERA has been adopted and true equality has finally been achieved.

SENATOR BIRCH BAYH

REMARKS ON THE 40TH ANNIVERSARY OF CONGRESSIONAL PASSAGE OF THE EQUAL RIGHTS AMENDMENT BIRCH BAYH

To Bobbie Francis and Members of the NCWO-ERA Task Force:

I'm sorry I can't be there to share interesting conversations with all of you. I particularly appreciate the invitation from Bobbie Francis to join her and all of the friends of the NCWO-ERA Task Force in discussing an issue that has been close to my heart for more than 40 years.

Recent events have seen an assault on those who provide health care services to women and we have even seen questions raised anew about issues like contraception. It may have been 40 years since we passed the ERA in Congress but the reasons why many of us tried to write women's rights into the Constitution are still with us today.

As the Chief Senate Sponsor and floor leader of the Equal Rights Amendment, I remember well the intensity of the battle we fought in the early 1970's. America's history has been a steady expansion of individual rights, beginning with the expansion of the franchise in our early years. From the rights of former slaves after the Civil War to the expansion of the vote for women and then for 18 year olds, we have codified in our Constitution an ongoing commitment to individual rights. It seemed fitting then, and seems fitting now, that our Constitution speak loudly and clearly that the law allow no discrimination on the basis of gender.

While the principles involved in this battle remain, the country has evolved quite a bit since 1972. In 1972 there were 2 women in the US Senate and 13 in the House of Representatives. Now there are 17 women Senators and 75 Congresswomen. There were no female Governors in 1972 and had been only 3 in all our history before that, there are 6 now. We have had a female Speaker of the House and have scores of CEOs, business owners and leaders in all walks of life who are female. The number of women elected to state legislatures across the country is larger than ever before. The number of women in the military cannot be compared to the numbers 40 years ago. And in a recent issue of News-

week, long-time Supreme Court reporter Nina Totenberg spoke about taking the job at NPR in the 70s because the pay was too low for men to want the job.

There has indeed been progress, but the principles remain the same.

To open the sports pages in the morning is to see female athletes in a number of sports. To watch the television news in the evening has us watching many female anchor persons, weather ladies, and sports announcers. Even the major sports telecasts regularly involve on-air female broadcasters. But is there equal pay for equal work today? Are there still obstacles on the professional paths to boardrooms for women? Is sexual harassment still a prominent issue in offices around America and in our military?

It is still fitting in the 21st century for our nation to include in its basic law the principle that discrimination based on sex has no place in American life. It is fitting for our daughters and granddaughters to be reminded that their parents and grandparents took a stand to protect their futures and to ensure that they have an equal place in modern America.

In closing, let me stress that the ERA is still the right thing to do, not only in principle but in every day practice.

Thank you for your continued, dedicated efforts.

JANET KOPENHAVER, FEW

JANET KOPENHAVER, WASHINGTON REPRESENTATIVE, FEDERALLY EMPLOYED WOMEN (FEW), REMARKS AT 3/22 PRESS CONFERENCE

I want to thank Rep. Carolyn Maloney and all the co-sponsors on the ERA bill for their continuing support of women's issues. I am so happy to be here representing Federally Employed Women. The enactment of an Equal Rights Amendment is our number one legislative priority and our members have been busy sending letters to their Representatives urging them to co-sponsor this critical bill.

On my way in today on the metro, I was carrying one of those green ERA signs, a woman came up to me and said "Wow—that sign is old." No kidding! Too old in my opinion. Hopefully we can soon put all these signs in the Sewall Belmont House as historical artifacts no longer needed for lobbying!

But really, in a nutshell, no one in this country would say that women are not equal to men. No one! So let's end the hypocrisy and pass the ERA this year. The time has come and the time is now!

SARAH BEAR

REMARKS BY SARAH BEAR, EQUAL RIGHTS AMENDMENT PRESS CONFERENCE, MARCH 22, 2012

I cannot begin to tell you how many people I've encountered that believe the Equal Rights Amendment has been passed. They are shocked when I break the unfortunate news to them that it has not, in fact, been passed. Shouldn't this, in and of itself, be proof that the ERA should be ratified?

It is such a simple statement: "Equality of rights under the law shall not be denied or abridge by the United States or by any state on account of sex." Is it so difficult to ratify this amendment and permanently add it to the Constitution? What makes men, women, or transgendered individuals so different that we don't deserve equal protection under the Constitution? We're all people. We all feel, cry, smile, laugh. We're just as much human as the person next to us, whether or not we share similar reproductive organs.

As a distant relative of the inspirational suffragist and author of the ERA, Alice Paul, it is in my blood to fight for this basic right. I promise to her, the Alice Paul Institute, and all the amazing women and men who have fought and continue to fight for equal

rights, that I will not relent or give up. Alice said, "I never doubted that equal rights was the right direction. Most reforms, most problems are complication. But to me, there is nothing complicated about ordinary equality." How true this statement is.

TERRY O'NEILL, NOW

REMARKS BY TERRY O'NEILL, EQUAL RIGHTS AMENDMENT PRESS CONFERENCE, MARCH 22, 2012

Thank you to Congresswoman Maloney for having the courage and the tenacity to re-introduce the ERA every year until we get it done. We will not give up. We will get the ERA one way or another. I have told people over and over again, if we have to get the ERA swinging from the chandeliers, that's the route we'll take to get it. I'm so grateful for all the leaders we have here. Thank you for your leadership. Women are only 17 percent of the United States Congress. That is not okay. Women are only three out of nine Supreme Court justices and given what the Supreme Court has started doing to women these days, that is really not okay. This year—2012, needs to be the year of the women. If we had had women in state legislatures in those key legislatures in 1982 when we almost ratified the ERA back then, in Illinois, in Florida and in North Carolina. If we had had women and if we had had people of color, men and women of color, we know that we would have ratified the ERA. We have got to change the complexion of our elected leadership. It starts this year, women will be voting this year, we've had it, we've had enough. Enough with the war on women, we're going to elect more women to support the ERA.

Thank you so much.

—Terry O'Neill, National Organization for Women, President.

UNITED STATES DEPARTMENT OF AGRICULTURE

HON. BOB GIBBS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. GIBBS. Mr. Speaker, today marks the 150th anniversary of President Abraham Lincoln signing into law an act of Congress establishing the United States Department of Agriculture. Since May 15, 1862, the USDA's work on agriculture, economic development, science, natural resource conservation and many other important issues has impacted the lives of generations of Americans.

As the first Member of Congress who has also served as President of a state farm bureau and a farmer of 30 years, I know firsthand the valuable programs the USDA provides to rural America. Whether you need help with growing, grazing, or international trade, the USDA works to ensure that Ohio's number one industry remains a viable part of American society. The USDA has taken historic steps to improve the lives of rural Americans and build thriving economies in rural communities, a fact that does not go unnoticed in our state with over 26,207,000 acres of farmland.

I am proud to submit to the CONGRESSIONAL RECORD this column by American Farm Bureau President Bob Stallman, which highlights the story of the USDA and the important role science and technology played in the American farming industry.

[From the AgAgenda, May 2012.]
USDA: CELEBRATING 150 YEARS OF INNOVATION

(By Bob Stallman)

President Abraham Lincoln is known for many achievements during his lifetime, but a little known triumph of his—that affects farmers and ranchers greatly—was the establishment of the United States Department of Agriculture 150 years ago.

On May 15, 1862, President Lincoln signed into law a bill establishing a new Department of Agriculture, which was specifically directed to acquire information through "practical and scientific experiments" and to collect and propagate "new and valuable seeds and plants" and distribute these to the nation's agriculturists. It is clear, Lincoln was a man beyond his time.

A MAN WITH A VISION

Lincoln understood the importance of agriculture to America, and, as importantly, he realized science and technology played a major role in the farming industry. Without a doubt, I believe Lincoln today would embrace the many technological advancements farmers use on their farms, including biotechnology.

Lincoln once wrote: "Every blade of grass is a study, and to produce two, where there was but one, is both a profit and a pleasure. And not grass alone, but soils, seeds and seasons—hedged, ditches and fences, draining, droughts and irrigation—plowing, hoeing and harrowing—reaping, mowing and threshing—saving crops, pests of crops, diseases of crops and what will prevent or cure them . . . the thousand things of which these are specimens—each a world of study within itself."

The federal government was, from the beginning of its involvement in agriculture, dedicated to scientific progress in farming. This commitment continues today and is shared by farmers and ranchers across the country, regardless of the methods of food and fiber production they use—organic, conventional or biotechnology. They all need science.

FULL SPEED AHEAD

The importance of science and innovation—biotechnology in particular—to agriculture will be significant as we face several challenges in the years ahead. The world's population just passed the 7 billion mark. According to the World Food Program, the best estimate is that 1 billion people (one in seven) are hungry and food insecure. By 2050 the world's population will rise to 9 billion people. This means we must double world food production by 2050 in order to meet this challenge.

Further, we must accomplish this hefty goal while realizing that our Earth is fragile. To take care of our environment, we must embrace agriculture research, science, innovation and biotechnology.

When it comes to medical care, communication and transportation we accept the importance of innovation. We need to do the same when it comes to the production of food.

Earlier this year, the United Nations issued a special report recognizing that "new 'green' biotechnologies can . . . improve resistance to pests, restore soil fertility and contribute to the diversification of the rural economy." Sound familiar? Seems a lot like what Lincoln described as a goal 150 years ago.

Scientists have developed new seeds that can improve yields while resisting disease and requiring less water. That is critical as 70 percent of all fresh water is used by agriculture. American consumers and consumers all over the world can feel safe with this technology and confident it will improve our environment.

While meeting these quantitative challenges and meeting our environmental goals, we will strive to focus even greater attention on the qualitative side, to also meet the needs of consumers who express a preference for foods grown "their way." Science is the answer for all these missions, and today's USDA is helping to blaze that trail.

So, Happy Birthday USDA and best wishes as we continue down the road for another 150 years. America's farmers, ranchers and research scientists can lead the way to a new 21st century Green Revolution if we follow the vision of Abraham Lincoln. As Honest Abe said, "Leave nothing for tomorrow which can be done today."

BOONE COUNTY DEPUTY SHERIFF
JESSE RICE BROWNING

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. RAHALL. Mr. Speaker, during this season of renewal, it is fitting that we recognize those who, through their service to the public good, paid the ultimate sacrifice. Today, every 53 hours a law enforcement officer falls in the line of duty in this country.

These men and women got up in the mornings, dressed for work, kissed their family goodbye, and went out the door just as we do each morning, but with one tremendous difference. As law enforcement officers, they knew the challenges of a most typical day for them, would amount to unimaginable odds for any of us to face on our best day.

What they viewed as just doing their job, the rest of us know goes to the heart of human courage and commitment. They died so the rest of us could live. Their sacrifice allowed us to grow, prosper and, for their families, as scripture tells us, "to go forth and multiply."

In this, our Nation's Capital, each year for the past several years on May 15th, a few blocks west of our Capitol Building, our country pauses to reflect on the noble and selfless acts of these officers who represented the law of our great republic. Here, at the National Law Enforcement Officers Memorial during National Police Week in a solemn and moving memorial candlelit vigil ceremony, Americans gather around our Nation's living tribute to fallen officers throughout the land.

Though it is a monument hewn of solid blue gray stone marble to withstand the ages—it is, Mr. Speaker, as alive as you or I. For on its face are forever carved the names of fathers, mothers, sons and daughters, brothers and sisters, aunts and uncles, grand paws and grand maws, cousins galore and friends to countless numbers of us. As long as we live, Mr. Speaker, they, nor their memories, will ever die.

This year, two names have been added to the face of the monument's more than 19,000 names of law enforcement officers who have been killed in the line of duty. These two sons of the State of West Virginia, two loyal public servants from the heart of the coalfields of Appalachia, and two officers of the law from Boone County, West Virginia, who were simply doing their jobs when the face and forces of evil struck to rob them and their families of any future.

All West Virginians owe them a deep debt of gratitude and we are indebted, as well, to

the Sheriff of Boone County, The Honorable Rodney A. Miller, whose invaluable assistance helped speed their acknowledgement and inclusion into this fraternity of honor and remembrance.

Mr. Speaker, I am grateful to the Coal Valley News, the National Law Enforcement Officers Memorial, and the families for sharing the memories of the fallen with me which I humbly pass on for this Nation's greater edification.

Killed in the line of duty were Deputy Sheriff Jesse Rice Browning and Constable Cecil Alvin Ferrell.

Constable Ferrell was shot as he attempted to serve an arrest warrant. When Constable Ferrell allowed the suspect to get dressed, the suspect grabbed a shotgun and fired. Constable Ferrell sustained a gunshot wound to the abdomen and died at the scene on October 17, 1937. He was 36 years old.

On April 9, 1917, Deputy Sheriff Jesse Browning was shot by an inmate who had attacked him and gained control of his gun before fatally wounding him. Jesse Browning was taken to Charleston, Kanawha Valley

Hospital, via train where he clung onto life for several days until he passed from the Earth on April 15, 1917. Deputy Sherriff Browning was 39 years old. He had served Boone County for 15 years.

His body lies in a grave on a remote hillside in Barrett, W.Va. At the time of his death, he left behind a wife, Orpha Pauley Browning, and seven children: Glenn Browning, Marie White, Gladys Jarrell, Dennis Browning, Clyde Browning, Dassie (Scootie) Williams and Georgia Workman. He was predeceased by a son, Alvin Browning. At the time of his death, his youngest child was only three months old.

All of his children remained life-long residents of West Virginia. His descendants include 36 grandchildren and many great grandchildren. Several of these have been behind the effort to have their grandfather recognized for his service and sacrifice to Boone County, West Virginia.

Chaplain Grant Wolf offered these thoughts of comfort and hope, "It was only a moment, but in that moment of madness our lives and the world changed. Hearts were broken and

names previously unknown are now spoken with reverence. The moment passes, but in that moment we mourn for the life that was taken and grieve for the survivors, remembering the sacrifice made to protect and serve. It was only a moment but he is gone, a sacrifice made to give us a future. We pause in our sorrow reflecting what might have been—but then we press on for, by the grace of God, his memory still stands."

I am deeply honored to represent the good people of southern West Virginia in the Congress. Life does go on for these two loving families, yet preserving the lives of their fallen relatives preserves not only cherished family memories, it fosters a legacy critical to the very foundation our country's future.

For if, Mr. Speaker, we are to remain a nation ruled by law and not by men, it is incumbent upon each of us to search our souls and find the strength and solace these brave officers achieved to protect and to serve us. May God bless such men and women as these and may such dedication reign forever in the home of the brave and land of the free.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2072, Export-Import Bank Reauthorization Act.

Senate

Chamber Action

Routine Proceedings, pages S3137–S3179

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 3177–3187, S.J. Res. 40, and S. Res. 460–461. **Page S3174**

Measures Reported:

S. 1023, to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990. (S. Rept. No. 112–165)

Page S3172

Measures Passed:

Export-Import Bank Reauthorization Act: By 78 yeas to 20 nays (Vote No. 96), Senate passed H.R. 2072, to reauthorize the Export-Import Bank of the United States, 60 Senators having voted in the affirmative, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto: **Pages S3137–54, S3155–58**

Rejected:

By 12 yeas to 86 nays (Vote No. 91), Lee Amendment No. 2100, to phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

Pages S3146–48, S3155

By 9 yeas to 89 nays (Vote No. 92), Paul Amendment No. 2101, to prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country the government or central bank of which holds debt instruments of the United States. (A unanimous-consent agreement was reached providing that the amendment, having

failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S3155–56**

By 36 yeas to 62 nays (Vote No. 93), Corker Amendment No. 2102, to require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank to maintain a ratio of capital to the outstanding principal balance of loans and loan guarantees of not less than 10 percent. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

Pages S3148–50, S3156–57

By 37 yeas to 61 nays (Vote No. 94), Vitter Amendment No. 2103, to clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S3150–52, S3157**

By 35 yeas to 63 nays (Vote No. 95), Toomey Amendment No. 2104, to prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than \$100,000,000,000 until the Secretary of the Treasury certifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than \$120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S3152–54, S3157–58**

National Public Works Week: Senate agreed to S. Res. 460, designating the week of May 20 through May 26, 2012, as “National Public Works Week”.

Page S3177

Recognizing Teachers Contributions to the United States: Senate agreed to S. Res. 461, recognizing the teachers of the United States for their contributions to the development and progress of our Nation.

Pages S3177–78

Measures Considered:

Stop the Student Loan Interest Rate Hike Act: Senate began consideration of the motion to proceed to consideration of S. 2343, to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans. Page S3158

Budget Resolutions—Agreement: A unanimous-consent-time agreement was reached providing that following Leader remarks, on Wednesday, May 16, 2012, Senate proceed to the consideration of motions to proceed to the following budget resolutions en bloc: S. Con. Res. 41, setting forth the President’s budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; H. Con. Res. 112, establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022; S. Con. Res. 37, setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; S. Con. Res. 42, setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; and S. Con. Res. 44, setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; that there be six hours of debate on the motions to proceed, equally divided between the two Leaders, or their designees; that upon the use or yielding back of time, Senate vote on the five motions to proceed in the order listed above; that there be two minutes equally divided between the votes; that all after the first vote be ten minute votes; Notwithstanding the adoption of any motion to proceed; Senate proceed to the remaining votes on motions to proceed; provided further, that at the conclusion of these votes, Senate resume consideration of the budget resolution if a motion to proceed is adopted; if no motion to proceed has been adopted, the Majority Leader be recognized. Pages S3154–55

Stein Nomination—Cloture: Senate began consideration of the nomination of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System. Page S3158

A motion was entered to close further debate on the on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, May, 17, 2012. Page S3158

Powell Nomination—Cloture: Senate began consideration of the nomination of Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System. Pages S3158–59

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System. Page S3159

Nominations Received: Senate received the following nominations:

Thomas Hart Armbruster, of New York, to be Ambassador to the Republic of the Marshall Islands.

David Bruce Wharton, of Virginia, to be Ambassador to the Republic of Zimbabwe.

1 Air Force nomination in the rank of general.

Routine lists in the Foreign Service, and Public Health Service. Pages S3178–79

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Arunava Majumdar, of California, to be Under Secretary of Energy, which was sent to the Senate on November 30, 2011. Page S3179

Measures Placed on the Calendar: Page S3172

Measures Read the First Time: Pages S3172, S3178

Executive Communications: Pages S3172–73

Executive Reports of Committees: Page S3174

Additional Cosponsors: Pages S3174–75

Statements on Introduced Bills/Resolutions: Pages S3175–76

Additional Statements: Pages S3171–72

Amendments Submitted: Pages S3176–77

Authorities for Committees to Meet: Page S3177

Privileges of the Floor: Page S3177

Record Votes: Six record votes were taken today. (Total—96) Pages S3155, S3156, S3156–57, S3157, S3158

Adjournment: Senate convened at 10 a.m. and adjourned at 6:36 p.m., until 9:30 a.m. on Wednesday, May 16, 2012. (For Senate’s program, see the

remarks of the Majority Leader in today's Record on page S3178.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies approved for full committee consideration an original bill making appropriations for Military Construction and Veterans Affairs, and Related Agencies for fiscal year 2013.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security approved for full committee consideration an original bill making appropriations for the Department of Homeland Security for fiscal year 2013.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Frank Kendall III, of Virginia, to be Under Secretary for Acquisition, Technology, and Logistics, James N. Miller, Jr., of Virginia, to be Under Secretary for Policy, Erin C. Conaton, of the District of Columbia, to be Under Secretary for Personnel and Readiness, Kathleen H. Hicks, of Virginia, to be Principal Deputy Under Secretary for Policy, Jessica Lynn Wright, of Pennsylvania, to be Assistant Secretary for Reserve Affairs, Derek H. Chollet, of Nebraska, to be Assistant Secretary for International Security Affairs, and Heidi Shyu, of California, to be Assistant Secretary of the Army for Acquisition, Logistics, and Technology, all of the Department of Defense.

TAX REFORM

Committee on Finance: Committee concluded a hearing to examine tax reform, focusing on what it could

mean for tribes and territories, after receiving testimony from Sarah H. Ingram, Commissioner, Tax Exempt and Government Entities, Internal Revenue Service, Department of the Treasury; Steven Maguire, Specialist in Public Finance, Government and Finance Division, Congressional Research Service, Library of Congress; Robert Odawi Porter, Seneca Nation of Indians, Salamanca, New York; and Lindsay G. Robertson, University of Oklahoma College of Law, Norman.

HIV/AIDS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging concluded a hearing to examine the cost of HIV/AIDS drugs and the Prize Fund alternative, including S. 1137, to provide incentives for investment in research and development for new medicines, to enhance access to new medicines, and S. 1138, to delink research and development incentives from drug prices for new medicines to treat HIV/AIDS and to stimulate greater sharing of scientific knowledge, after receiving testimony from Mohammad N. Akhter, District of Columbia Department of Health Director, Frank Oldham, Jr., National Association of People with AIDS, and James Packard Love, Knowledge Ecology International, all of Washington, D.C.; Suerie Moon, Harvard Global Health Institute and the Harvard School of Public Health, and Lawrence Lessig, Harvard Law School, both of Cambridge, Massachusetts; and Joseph E. Stiglitz, Columbia University, New York, New York.

LONG-TERM UNEMPLOYMENT

Special Committee on Aging: Committee concluded a hearing to examine solving the long-term unemployment crisis for older workers, after receiving testimony from Charles A. Jeszeck, Director, Education, Workforce, and Income Security, Government Accountability Office; Joseph M. Carbone, The Workplace, Bridgeport, Connecticut; Diana Furchtgott-Roth, Manhattan Institute, New York, New York; Christine L. Owens, National Employment Law Project, Washington, D.C.; and Sheila Whitelaw, Philadelphia, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 41 public bills, H.R. 5740–5780; and 3 resolutions, H. Con. Res. 124; and H. Res. 657–658 were introduced. **Pages H2712–14**

Additional Cosponsors: **Page H2715**

Reports Filed: Reports were filed today as follows: H.R. 4970, to reauthorize the Violence Against Women Act of 1994, with an amendment (H. Rept. 112–480, Pt. 1);

Supplemental report on H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (H. Rept. 112–479, Pt. 2); and

H. Res. 656, providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (H. Rept. 112–481). **Page H2712**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bishop (UT) to act as Speaker pro tempore for today. **Page H2665**

Recess: The House recessed at 12:05 p.m. and reconvened at 2 p.m. **Page H2665**

Recess: The House recessed at 2:14 p.m. and reconvened at 4:06 p.m. **Page H2667**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Mobile Workforce State Income Tax Simplification Act: H.R. 1864, amended, to limit the authority of States to tax certain income of employees for employment duties performed in other States; **Pages H2667–69**

National Blue Alert Act of 2012: H.R. 365, to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, by a 2/3 yea-and-nay vote of 394 yeas to 1 nay, Roll No. 250; **Pages H2673–76, H2693–94**

Security in Bonding Act: H.R. 3534, amended, to amend title 31, United States Code, to revise requirements related to assets pledged by a surety; **Pages H2676–78**

Black Hills Cemetery Act: H.R. 3874, amended, to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, by a 2/3 yea-and-nay vote of 400 yeas to 1 nay, Roll No. 251; **Pages H2681–82, H2694**

Agreed to amend the title so as to read: “To provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.” **Page H2695**

HEARTH Act: H.R. 205, amended, to amend the Act titled “An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases”, approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, by a 2/3 yea-and-nay vote of 400 yeas with none voting “nay,” Roll No. 252; and **Pages H2682–85, H2695**

Agreed to amend the title so as to read: “To amend the Act titled ‘An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases’, approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.” **Page H2695**

Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012: H.R. 4240, amended, to reauthorize the North Korean Human Rights Act of 2004; and **Pages H2685–87**

Modifying the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components: H.R. 4045, amended, to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date. **Pages H2695–98**

Recess: The House recessed at 6:21 p.m. and reconvened at 6:30 p.m. **Page H2693**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Border Tunnel Prevention Act of 2012: H.R. 4119, amended, to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; **Pages H2669–73**

Chimney Rock National Monument Establishment Act: H.R. 2621, amended, to establish the Chimney Rock National Monument in the State of Colorado; **Pages H2678–80**

Amending the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan: H.R. 2745, amended, to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; and **Pages H2680–81**

Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability: H. Res. 568, amended, to express the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. **Pages H2687–93**

Supplemental Report: Agreed that the Committee on Armed Services be authorized to file a supplemental report on H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes. **Page H2693**

Commission on International Religious Freedom—Appointment: The Chair announced the Speaker's appointment of the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014: Mr. Elliot Abrams of Virginia. **Page H2698**

Senate Messages: Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on page H2693.

Senate Referral: S. 418 was held at the desk.

Page H2667

Quorum Calls Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2693–94, H2694, H2695. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:31 p.m.

Committee Meeting

CHEN GUANGCHENG: HIS CASE, CAUSE, FAMILY, AND THOSE WHO ARE HELPING HIM

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled “Chen Guangcheng: His Case, Cause, Family, and Those Who are Helping Him”. Testimony was heard from public witnesses.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012; NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Committee on Rules: Granted, by a record vote of 7 to 2, a closed rule for H.R. 4970, Violence Against Women Reauthorization Act of 2012. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, as modified by the amendment printed in the Rules Committee report, shall be considered as adopted. The bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions.

The resolution further provides for a general debate rule for H.R. 4310, National Defense Authorization Act for Fiscal Year 2013. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. Finally, the rule provides that no further consideration of the bill shall occur except pursuant to a subsequent order of the House. Testimony on H.R. 4310 was heard from Chairman McKeon and Representative Smith of Washington. Testimony on H.R. 4970 was heard from Representative Gowdy, LoBiondo, Griffith of Virginia, Biggert, Scott of Virginia, Zoe Lofgren of California, Jackson Lee of Texas, Visclosky, Schakowsky, and Moore.

Joint Meetings

POLITICAL PRISONERS IN CENTRAL ASIA

Commission on Security and Cooperation in Europe. Commission received a briefing on political prisoners in Central Asia, focusing on Uzbekistan, Turkmenistan, Kyrgyzstan, Tajikistan, and Kazakhstan from Cathy Cosman, United States Commission on International

Religious Freedom, Washington, D.C.; Sanjar Umarov, Sunshine Coalition, Memphis, Tennessee; and Muzaffar Suleymanov, Committee to Protect Journalists, New York, New York.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 16, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Environmental Protection Agency, 10:30 a.m., SD-124.

Subcommittee on Department of Defense, to receive a closed briefing on proposed budget estimates for fiscal year 2013 for Northern Command and Southern Command Programs, 10:30 a.m., SVC-217.

Committee on Commerce, Science, and Transportation: to hold an oversight hearing to examine the Federal Communications Commission, 2:30 p.m., SR-253.

Committee on Environment and Public Works: Subcommittee on Children's Health and Environmental Responsibility, to hold hearings to examine growing long-term value, focusing on corporate environmental responsibility and innovation, 10 a.m., SD-406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to the Federal Democratic Republic of Nepal, Piper Anne Wind Campbell, of the District of Columbia, to be Ambassador to Mongolia, and Dorothea-Maria Rosen, of California, to be Ambassador to the Federated States of Micronesia, all of the Department of State, 2:30 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine identifying opportunities for health care delivery system reform, focusing on lessons from the front line, 10 a.m., SD-430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 1910, to provide benefits to domestic partners of Federal employees, S. 1515, to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984, S. 2218, to reauthorize the United States Fire Administration, S. 1100, to amend title 41, United States Code, to prohibit inserting politics into the Federal acquisition process by prohibiting the submission of political contribution information as a condition of receiving a Federal contract, H.R. 2415, to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the "Trooper Joshua D. Miller Post Office Building", H.R. 3220, to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the

"Master Sergeant Daniel L. Fedder Post Office", H.R. 3413, to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office", and the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President, 10 a.m., SD-342.

Committee on the Judiciary: to hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD-226.

United States Senate Caucus on International Narcotics Control: to hold hearings to examine drug threats in West Africa, focusing on drug trafficking and United States efforts to counter emerging narcotics-related threats, 2:30 p.m., SD-562.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing entitled "Formulation of the 2012 Farm Bill: Commodity Programs and Crop Insurance", public witness day, 10 a.m., 1300 Longworth.

Committee on Appropriations, Full Committee, meeting to consider Revised Suballocation of Budget Allocations for Fiscal Year 2013; Full Committee, markup Homeland Security Appropriations Bill for Fiscal Year 2013; and Military Construction, Veterans Affairs and Related Agencies Appropriations Bill for FY 2013, 10 a.m., 2359 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled "Exploring State Success in Expanding Parent and Student Options", 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled "Broadband Loans and Grants", 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Where the Jobs Are: Promoting Tourism to America", 10:15 a.m., 2322 Rayburn.

Full Committee, markup of H.R. 4471, the "Gasoline Regulations Act of 2012"; and H.R. 4480, the "Strategic Energy Production Act of 2012", 4 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions, hearing entitled "The Impact of the Dodd-Frank Act: What It Means to be a Systemically Important Financial Institution", 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "Oversight of the Federal Deposit Insurance Corporation's Structured Transaction Program", 2 p.m., 2220 Rayburn.

Subcommittee on International Monetary Policy and Trade, hearing entitled "Increasing Market Access for U.S. Financial Firms in China: Update on Progress of the Strategic and Economic Dialogue", 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Middle East and South Asia, hearing entitled "Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in South Asia", 2 p.m., 2172 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled “Status of the Processing of the Camp Ashraf Residents”, 2:30 p.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security, hearing entitled “Access Control Point Breaches at Our Nation’s Airports: Anomalies or Systemic Failures?” 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, hearing entitled “Implementation of the Leahy-Smith America Invents Act”, 10 a.m., 2141 Rayburn.

Full Committee, markup of H.R. 5512, “Divisional Realignment Act of 2012” and H.R. 4377, the “Responsibly And Professionally Invigorating Development Act of 2012”, 12:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup of the following measures: H.R. 1192, the “Soda Ash Royalty Extension, Job Creation, and Export Enhancement Act of 2011”; H.R. 3973, the “Native American Energy Act”; H.R. 4043, the “Military Readiness and Southern Sea Otter Conservation Act”; H.R. 4381, the “Planning for American Energy Act of 2012”; H.R. 4382, the “Providing Leasing Certainty for American Energy Act of 2012”; H.R. 4383, the “Streamlining Permitting of American Energy Act of 2012”; and H.R. 4402, the “National Strategic and Critical Minerals Production Act of 2012”, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Regulatory Affairs, Stimulus and Government Spending, hearing entitled “The Obama Administration’s Green Energy Gamble: What Have All the Taxpayer Subsidies Achieved?”, 9:30 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy, hearing entitled “Hatch Act: Options for Reform”, 9:30 a.m., 2247 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 4310, the “National Defense Authorization Act, FY 2013” (amendment testimony), 2:30 p.m., H-313 Capitol.

Committee on Small Business, Full Committee, hearing entitled “U.S. Trade Strategy: What’s Next for Small Business Exporters?”, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime, hearing entitled “Creating American Jobs and Assuring the Safety and Security of America’s Waterways: A Review of the Coast Guard’s 5-year Capital Improvement Plan”, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Health, hearing entitled “Optimizing Care for Veterans with Prosthetics”, 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing entitled “Examining Executive Order #13607 and Its Impact and Schools and Veterans”, 2 p.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Oversight, hearing entitled “Examining Operations and Oversight of Tax-Exempt Organizations”, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine how the taxation of labor and transfer payments affect growth and employment, 2 p.m., SD-G50.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 16

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 16

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized. Following Leader remarks, Senate will begin consideration of the motions to proceed to consideration of the following budget resolutions en bloc: S. Con. Res. 41, H. Con. Res. 112, S. Con. Res. 37, S. Con. Res. 42, and S. Con. Res. 44, with up to 6 hours of debate, and vote on the motion to proceed to consideration of each resolution at approximately 4 p.m.

House Chamber

Program for Wednesday: Consideration of H.R. 4970—Violence Against Women Reauthorization Act (Subject to a Rule). Begin consideration of H.R. 4310—National Defense Authorization Act for FY 2013 (Subject to a Rule).

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