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## Senate

(Legislative day of Tuesday, July 19, 2011)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

### PRAYER

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

Let us pray.

Almighty God, author of liberty, to You we lift our hearts in prayer. Long may our land be bright with freedom's holy light; protect us by Your might, great God our King.

Give to our lawmakers the wisdom to know the role they should play in keeping freedom's holy light bright. As they seek to be responsible stewards of their calling, keep them from the paths that lead to ruin. May the words of their mouths and the meditations of their hearts be acceptable to You.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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 assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 20, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business for 1 hour. The majority will control the first half and the Republicans the final half. Following morning business, the Senate will resume consideration of the military construction appropriations bill. There will be a rollcall vote at noon on that matter in relation to the Vitter amendment. There are four other amendments pending. We hope to complete action on this bill today. We will notify all Senators when the votes will occur.

### DEBT DEFAULT

Mr. REID. Madam President, there is a fundamental principle we have to focus on in the Senate, and I think we have focused on it; that is, we cannot default on our debt. We have 11 or 12 days until that crucial time comes. We have a number of plans that are being talked about here. We have a path forward in the Senate, we believe. There is the Gang of 6, which reported some encouraging news yesterday. We have President Obama's grand plan that has been talked about a lot.

So now we return to the roots of what this country is all about; that is, our constitutional form of government. The Founding Fathers uniquely—when they finally figured out a way to do the Constitution, the breakthrough was in June of 1787, the so-called Grand Compromise, when a member of the Con-

stitutional Convention from Connecticut came up with the idea of a bicameral legislature. No one had ever thought about that before, that we would have a system of government with three branches—executive, judicial, and legislative. No one had ever considered having anything other than a parliamentary form of government.

But our Founding Fathers came up with a new idea, and that new idea was to have within the legislative branch of government two Houses; one based strictly on population and one based on the same number of Senators from each State. That took care of the big problem they had with New York—big, massive New York, with a lot of area and lots of people—and little, tiny Rhode Island—not much area and not many people.

The reason I say we return to our roots is we are not going to be able to do the fundamental principle that guides this country in the last 11 or 12 days of this legislative session; that is, we cannot default on our debt. We in the Senate can have the greatest ideas in the world, but if they are not accepted in the House we cannot extend the debt ceiling, which we have to do.

So now we await the House of Representatives. With our bicameral form of legislature, that is what we must do. We know they know time is of the essence. We know all of the partisanship that has been shown in the House of Representatives, including their spending so much time on this plan they call cap, cut, and balance—which others have called cut, cap, and destroy Medicare, and all the other names this program has been given—and we have to get now where we work on something that is important and has an opportunity to pass.

Everyone knew, the Republican leadership knew that did not stand a

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



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chance over here. That is why, with this most important issue we are facing; that is, not defaulting on our debt, they have to become real and send something over to us or we will send something to them or agree in the interim to something that will extend the debt.

As most know, I have worked hard in trying to figure a way through all this. Others have worked just as hard as I have. Right now, I am at a point where I am saying we need to hear from the House of Representatives. We have a plan to go forward over here. But until we hear from the House of Representatives, all of our work here would be for naught.

So I await the word from the Speaker. He indicated that he thought it would be appropriate they get this other matter out of the way first. I look forward to working on this.

I had a terrific conversation with the President last night. He understands the issue as well as anyone in the country, if not more so, because the buck does stop at his desk. So I tell all Senators to be calm and deliberate. I am confident we will be able to work our way through this very difficult time. But we are at this stage depending on the House of Representatives to help us find a path forward.

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ORDER FOR MEASURE TO BE  
PLACED ON THE CALENDAR—  
H.R. 2560

Mr. REID. Madam President, I ask unanimous consent that when the Senate receives H.R. 2560, it be ordered to be read twice and placed on the calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Would the Chair announce morning business, please.

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RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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DEBT CEILING

Mrs. MURRAY. Madam President, our Nation is less than 2 weeks away from potentially facing what Federal Reserve Chairman Ben Bernanke has called a "calamitous outcome."

Unless we act, the United States of America, for the first time in our history, may face the prospect of defaulting on our loans, and not making good on the promises we have made to millions of our citizens.

This outcome is unthinkable, and we should be doing everything we can to avoid it. That is why I am so disappointed that instead of working with us to tackle this issue seriously, the Republican-led House of Representatives has chosen to put politics ahead of everything else, and has sent us a bill they call cut, cap, and balance.

First of all, this is a colossal waste of time. The Republican House has sent us a bill that may appeal to their extreme base, but right now the American people are looking for results, not more rhetoric.

The Washington Post reports this bill as being "a doomed plan." Even conservative columnist David Brooks said in his column yesterday that this bill has "zero chance of becoming law." And that it is "likely that Republicans will come to regret this missed opportunity."

But second of all, this bill is not just a waste of time, it's truly terrible policy. It would essentially enshrine into our Constitution the failed Republican policies that got us into this crisis in the first place.

It could bind our hands from responding to national emergencies that require quick and decisive action. Like another terrorist attack or Hurricane Katrina, payments for families who have lost their homes in tornadoes, or an infrastructure breach in states across the country like the Howard Hanson Dam in my home State of Washington.

It would force us to say "no" to families across the country who need some temporary support to help them get back on their feet, and at the same time help them contribute back to our economic strength.

This bill would have prevented us from taking any real actions after Wall Street brought us to the precipice of financial collapse in 2008, which would have led to thousands more job losses across the country at a time when we could afford it least.

And it would not allow Congress, as representatives of the American people, to make the investments we need to continue innovating, educating, and leading in the 21st century economy.

Republicans may be talking about the virtues of cutting, capping and balancing now, but their actions and votes speak much louder than these three words.

And the Republican budget this same House of Representatives just passed, a budget that slashes and burns away at the fabric of our society that cuts off millions of middle class and working families from the health care, nutrition, education, and housing support they need. Even this Republican budget would not meet the standards of cut, cap, and balance. And you know who else's budgets would not meet those standards? Ronald Reagan's and George W. Bush's.

It is truly unbelievable that they are playing these games with the clock ticking down to another financial crisis. We do not need a so-called cut, cap, and balance bill to put in place sensible policies that work for the American people.

My Republican colleagues may choose to ignore this fact these days, but we did some responsible cutting and balancing of our own here in America not too long ago and we did not need a constitutional amendment to do our jobs, either. Like many of them, I was here in 2000.

I remember that when President Clinton left office we were on a course to completely pay down the \$5.6 trillion debt by 2012. I remember the projections of surpluses. I remember some of my colleagues actually being worried that the large surpluses in years ahead could be a problem. And I remember the efforts by many of us to safeguard that funding for our seniors, for our future, and to pay down the debt.

But I also remember what Republicans chose to do with that surplus. They could not wait to get their hands on the nation's credit card. And when they did, after President Bush took office, they spent lavishly.

Throughout the Bush years, and particularly in the Bush tax cuts of 2001 and 2003, trillions of dollars in tax breaks went to the very wealthiest Americans.

There were capital gains tax roll-backs. Tax breaks designed to benefit corporate giants. And a new tax bracket that provided the very wealthiest Americans the lowest tax rates they have enjoyed since World War II.

These tax breaks were all unpaid for, all handed out to those who could most afford to pay, and all put on the Nation's credit card.

Our country was also led into two wars, and neither of them were paid for.

Now that the credit card bill has come due, now that all those tax cuts and spending need to be reckoned with, and just as our Nation is starting to recover from the Wall Street crisis that has devastated so many families, Republicans are playing political games with our future.

This is serious. If we cannot come to an agreement by August 2, the consequences will be dire.

A few weeks ago the Bipartisan Policy Center put out a report authored by a former Bush Treasury official about

what would happen if Congress failed to act and the administration was forced to make desperate spending decisions in August. And the scenarios were worse than grim.

Potentially at risk are: the benefits and health care we owe our veterans, loans for struggling small businesses, food stamps for those struggling to buy groceries, Social Security checks for our seniors, unemployment benefits for the millions of workers desperately seeking jobs, and even active duty pay for our military. These risks are unacceptable.

Senior citizens in this great country are worried that the Social Security checks they depend on, and that they have been promised, may not be coming in the mail in 2 weeks. And then they read the news and hear that Republicans are still "playing games."

Mothers and fathers are sitting around their kitchen table, trying to figure out what they would do if the food stamps they count on to feed their kids got cut off. And then they turn on the television, and see reports of the House of Representatives sending us a bill that cannot pass. This is an embarrassment. And the American people deserve better.

Democrats have come to the table again and again with reasonable proposals for coming to an agreement. We have come to the middle. We have offered up serious and deep cuts in Federal spending. But again and again, Republicans have said no.

So far, they have refused to make any deal that does not protect tax cuts and loopholes for oil companies, private jets, and millionaires and billionaires and as we see today, they seem to be more focused on offering up red meat to their base than actual solutions for the American people and more focused on negotiating tensions within their own party than on working with us to get results.

So, with 13 days to go, I urge House Republicans to get serious about this.

The so-called cut, cap, and balance bill is bad policy. It is the kind of silly politics that Americans are sick of, and it is a waste of time that we as a country simply cannot afford right now.

If all it took were slogans and gimmicks to solve this crisis, House Republicans would have this covered. But we know that is not the case. And the clock is ticking for families across America.

Democrats are going to keep working to solve this crisis. We are ready to compromise. And we need a partner at the table that is just as serious about this as we and the American people are.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

#### HEALTHCARE FAIRNESS

Mr. NELSON of Nebraska. Madam President, I rise today to speak about legislation that I believe is very impor-

tant for the future of health care fairness in our country.

Yesterday, I introduced the Savings Through Eligibility Fairness Act, which addresses Medicaid fairness and debt reduction. My friend and colleague from Wyoming, the ranking member of the HELP Committee, Senator ENZI, has a shared interest in this issue, and I commend and appreciate his offering of similar legislation and offer to continue to work with him to deal with and find solutions to this issue.

Medicaid is an important safety net for Nebraska and our country's most vulnerable families. I am committed to making sure they will continue receiving health care coverage. Unfortunately, the health care reform law passed last year would inadvertently make some middle-class Americans eligible for Medicaid who should not be eligible for Medicaid. My bill changes the law to ensure that only the neediest Nebraskans and Americans would qualify for the Medicaid expansion and health exchange subsidies created by the health reform law.

This simple, reasonable change has a significant impact: It saves \$13 billion. Let me repeat that—\$13 billion worth of savings. My bill commits that \$13 billion will be used to pay down the national deficit. As Washington debates various debt-reduction plans, my bill offers one concrete, commonsense way to reduce the national debt by \$13 billion. We hear a lot of different ideas but not with the same level of concrete, commonsense approach.

I regularly hear from Nebraskans who are already benefiting from the new health care law—children remaining on their parents' coverage, seniors closing the doughnut hole, and young people no longer being denied coverage because of preexisting conditions. Those are Nebraskans who are already benefiting from the new health care law. So improvements such as the one I have proposed will save money and help reduce the national debt, while still protecting health care for Nebraska and American families.

In the current debate of how best to reduce spending and reduce our Nation's deficit, I believe Congress should start with this commonsense approach. It will maintain sensible eligibility requirements for the Medicaid expansion and health exchange subsidies rather than focusing on shifting costs to States, providers, and the people who rely on this most important program.

Right now, most States do include Social Security income when deciding who will be eligible for Medicaid. So my legislation will maintain that definition for establishing eligibility for both Medicaid and health exchange subsidies. Keeping this same definition consistently will ensure Medicaid will not start down the path of covering middle-income families, which has never been the purpose of this program, nor should it be. Rather, Medicaid is part of a critical safety net for the most vulnerable and the most in need.

Let me point out an important fact. Those who would no longer qualify for the Medicaid expansion would still be eligible to receive health insurance coverage through the State health insurance exchange and subsidies where appropriate. So they will receive the health care they need. As a result, the Congressional Budget Office has estimated that the savings through the Eligibility Fairness Act will have a negligible effect on the total number of individuals projected to be insured as a result of health care reform.

Let me conclude and summarize by saying that Medicaid is an important health safety net for Nebraska and America's most vulnerable citizens. I am committed to preserving this program for more than 200,000 Nebraskans out of 1.85 million who include children, seniors, pregnant mothers, and the disabled. I am committed to maintaining this coverage for these Nebraskans in this fashion.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MERKLEY. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE BUDGET

Mr. MERKLEY. Madam President, this weekend I was in eastern Oregon holding townhalls. At each gathering, citizens asked me: How important is August 2? Are the Members of the Senate going to be able to come together and make sure our Nation doesn't default?

I rise today to address that question. Indeed, it would be historic, the first time in the history of the United States that we will have refused to pay our bills.

Some of my colleagues have called into question the significance of such an event. One of my colleagues said:

I am a little bit cynical about the scare mongering and putting America's back up against this August 2 deadline just to get an increase in the American credit card.

I heard some of my colleagues talk about the situation in which they view paying the interest on Treasury bills as equivalent to a family holding a mortgage; and the fact that the United States has other bills, such as checks to our veterans and our senior citizens, as more equivalent to utility bills; and that somehow, as long as you keep paying on your mortgage, you can quit making your payments on your utilities; that is, other payments for

debts and obligations we have already incurred.

I want to clarify that this is a deeply flawed analysis because we don't have our national debt locked in for 30 years in a situation where we don't have to worry about changes in interest on it as long as we keep making our payments. Indeed, every week there is an auction of Treasury bonds. Thus, even if we make our payments on our interest, if we are not making our payments on other obligations in the United States, that translates into a sense that we are in trouble, and we will have to pay higher interest on the Treasury side. So it is as if you had to refinance your family mortgage and you knew that if you didn't pay your utility bills, you weren't going to be able to get that bill refinanced or at least you would have to pay higher interest. The consequences are substantial because this would be an increase in interest that is like a tax on all Americans, on all small businesses, on the entire economy, and a tax that buys us nothing of value.

A Representative from the House has said, referring to the possibility of losing our AAA rating:

I am not as worried as Moody's or anyone else as this economy gets worse . . . I don't take the premise that we're going to default on our obligations.

Quite frankly, to believe that we can ignore payments on our debts and not have serious consequences is way off the mark. If we don't hit August 2 with action and we don't get our act together by then, on August 3 we will fail to make payments, and there will be a severe impact on our national economy. No matter how we shuffle around the money, we will not have enough money to pay some of our obligations, whether it be our interest payments, Social Security checks, checks to veterans, military checks—you name it—and our credit rating will be downgraded. Already, the ratings agencies have stated as much. As Senator SCHUMER and others have shown very effectively, there is no way for revenues we have coming in to cover the full set of obligations we have incurred.

This cavalier attitude about the consequences of default ignores the fact that default will have an immediate impact on interest rates and could send our economy into quite a tailspin. That is the last thing families need—higher costs in the short term and perhaps a severe loss of jobs and a much deeper recession. That would put us in a hole deeper than the one we have now. It would not facilitate our path to a solution; it would hinder our path to fiscal responsibility.

I thought I would note that the impact on families is fairly direct. Most major items families buy are with loans. A three-quarters of a percentage point increase on the interest rate for Treasury bonds, which J.P. Morgan has estimated would be the minimum it would rise in default, translates into serious costs for a family.

Let me be clear. This is the best-case scenario. The consequences could be much more severe.

Let's start first with the consequences on a mortgage. The average family takes out a loan of \$172,000 to buy their home, with a monthly mortgage payment of around \$1,000. The expected increase in Treasury bond rates would translate into higher rates for mortgages, and it would cost the average family about \$1,000 more per year. This would be on new loans. Families who have adjustable-rate mortgages based on Treasury rates would also be impacted.

Let's take a second look at credit cards. Families use credit to pay for everything from food, to gas, to prescription drugs—it is especially true during hard times such as we are in now. The median balance for an American with credit card debt was \$3,300 in 2009. That means the average family with credit card debt will pay about \$250 more in interest per year.

Let's turn to some of the other family expenses.

Analysts estimate that a technical default on bonds will also diminish the trading value of the dollar, maybe causing it to fall 5 percent or so against competing currencies. This would have a direct impact, and we would feel it most directly in the cost of oil. I have been arguing that we need a plan to end our dependence on overseas oil. We send \$1 billion a day out of our country. That creates jobs overseas rather than here at home. But ending our dependence on overseas oil can't happen overnight, so all of the costs of that additional oil, at a different exchange rate, would be felt in the family budget.

Indeed, if there was a decline of 5 percent, the impact would be felt on food. It takes a lot of energy to power agriculture. The estimate is about \$318 more per year for a family. That is a J.P. Morgan estimate.

Similarly, on utilities, we have all heard horror stories throughout the recession that families have to decide which utilities to pay first. Mothers and fathers are sitting around the kitchen table thinking, Can we get by without electricity or should we postpone the water payment or perhaps the natural gas payment? Default would make the situation worse for families, adding, at that 5 percent estimate from J.P. Morgan, about \$182 more per year. Remember, this is the best-case analysis.

Gasoline at the pump is similarly affected. Taking a look at average consumption per year, families would pay about \$100 more per year on gas. Again, that is the best case.

If we total these, we can see that the overall cost for a middle-class family would be on the order of about \$1,850. We can round it off to about \$2,000 per family. I don't know about the block you live on, but on the block I live on \$2,000 is a real blow for working families.

That is just the beginning of this story because, as it unfolds, the impact on the dollar and the shock waves that would flow would very likely send us into a double-dip recession. Now, it would have an impact as of August 2 or 3 on Social Security and Medicare payments. A bipartisan committee has taken a look at it and backed up Senator SCHUMER's statement that there would not be enough revenue coming in to cover all of our obligations. The stock market would probably take a hit, and 401(k)s could be severely impacted. Other savings could be severely impacted. We all know how that felt in late 2008 and 2009 when families often saw their life savings wiped out in a few short weeks.

The bigger issue is jobs. Perhaps more than half a million jobs could be lost. This analysis is from the Third Way. Their estimate is 640,000 jobs. Oregon has about 1 percent of the Nation's population. This would translate into about 6,000 to 7,000 jobs in my home State. We would love to have an increase of 6,000 to 7,000 jobs in Oregon, and we would hate to see a loss of 6,000 to 7,000 jobs. I know that would extend throughout our Nation. We need more jobs, not fewer jobs.

In addition, this situation will have an impact on our debt. Contrary to what some of my colleagues have said, it will make the situation worse, not better. That is because the interest payments on the debt will go up—\$1.3 trillion additional in new debt. Is that really the direction in which we want to go? Is that really good stewardship of the economy—to impose a situation in which Social Security checks might be halted and veterans might go to the mailbox and find it empty; that the bills will have to be missed, and it will put people more directly in harm's way in terms of being able to keep house payments up and avoid foreclosure in a situation where we already face a tsunami of foreclosures across this country? At a minimum, the American families will be impacted by higher costs on their homes, credit cards, essential goods—food, gas, utilities—and then with the significant possibility of hundreds of thousands of Americans losing jobs, and additional debt, not less.

It is important that we come together and have a sound deal so that we can avoid this situation. This isn't about incurring new spending, this is about paying the bills on spending decisions that were made in the past. I disagreed with a lot of those spending decisions. I disagreed that Medicare Part D should have been enacted without a way to pay for it. I disagreed with the giveaways for the best off in America, the wealthy and well-connected, when we could not afford it, which reversed the surplus into a deficit in this country. I disagreed with a strategy where we are spending \$120 billion in Afghanistan and a strategy of nation building that is not the best use of national security and of our soldiers, who are there to fight for our national

security. Those decisions were made in the past, and we must pay the bill on those decisions, even though I disagreed with them.

Then we need to put together a plan that takes on our deficit and our debt. That plan has to put all of the options on the table. Some of my colleagues across the aisle said: Well, we want to protect the tax spending programs, where we have tucked in tax provisions for the wealthy and well-connected. They want to defend those, and they want to cut the programs for working Americans.

That is unacceptable. We have seen an enormous increase in the disparity between the wages and welfare of our citizens in general and the best off becoming much wealthier proportionately. We can't continue to say that we are going to protect the well-connected while attacking working families. That is not the America we want to build. We want to build an America where families can thrive, provide a great foundation for their children to also thrive. That means all policies have to be on the table, all spending programs, whether in tax bills or in appropriations bills, have to be on the table, and we have to weigh them one against the other to say which is most important in creating a stronger economy, which is more valuable in strengthening the financial foundations of our families.

That is the process we must go through, and that is the process that will put us back on track. But let us not doubt for a moment that when the citizens of my State come to a townhall and say, How important is it that we get this figured out by August 2, the answer is, Very important. When they ask, Will it hurt us if we fail, the answer is, Yes, it will hurt us. We will be shooting ourselves maybe—I say in the foot, maybe worse.

This is a serious issue. We must come together, not as Democrats and Republicans but as Senators working together for the best future for the United States of America.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CUT, CAP, AND BALANCE

Mr. MORAN. Mr. President, in my view something significant happened yesterday in the House of Representatives. I am pleased with the outcome of the passage of the cut, cap, and balance legislation. I think we have a serious responsibility here in the Congress to see that we address the economic circumstances in which we find ourselves. Certainly the way we do that is important. I am one who believes it would be

irresponsible not to address the debt ceiling, but I also believe it would be irresponsible only to address the debt ceiling without adequately taking into account the economic circumstances we are in and the tremendous debt our country faces.

There is no way we can continue down the path we are on. While it is easy for us to make accusations, the reality is that this country, through its Congress and through various administrations, has overspent year after year. The fact that 42 cents of every dollar we spend is now borrowed tells us we cannot continue down that path. In one of my townhall meetings this past weekend back in Kansas, the suggestion was we are willing to take a cut in what benefits we get from government but let's do this in a fair way and let's do an across-the-board reduction in Federal spending. The suggestion by the constituent was maybe if we all took 5 percent off of what we received, we would be fine.

I appreciate that attitude but it fails to recognize the magnitude of the problem. Reducing Federal spending by 5 percent across the board will not get us out of the financial circumstance we are in, will not restore fiscal sanity to our Nation. So while we are about, between now and August 2, seeing what we can do to raise the debt ceiling, in my view we have to come together with a plan that addresses the long-term financial condition of our Federal Government.

I am a supporter of cut, cap, and balance, and was pleased by the broad support that legislation received in the House. It is my understanding we will now consider that legislation here in the Senate this week. But I read the press reports and the political pundits who say that legislation is dead on arrival in the Senate. I encourage my colleagues not to reach that conclusion. It may be the one and only path we have to accomplish what we need to accomplish in the next 2 weeks. It may be this is one of the very few measures, if not the only one, that would pass the House of Representatives. We have now received in the Senate a message that says this is something we are willing to do. For a long time I have been told as a Senator there is nothing that will pass the House of Representatives that raises the debt ceiling. Yet we saw last night that was not the case. So let's not be so quick to say that the Senate will not address and seriously consider and potentially pass legislation based upon cut, cap, and balance.

In some circles, this concept of cut, cap, and balance is considered radical, extreme. Cutting spending is not extreme. That is what every Kansas family does when the budget gets too tight, when we have overspent, when the credit cards are maxed. We reduce our spending. It is unlikely we can go out and say I need a raise to solve our problems. Our employers are not that sympathetic. We ought not be so quick to say we need a raise. We ought to say

what can we find within the government that we can reduce, that we can cut.

The idea of capping is certainly not radical. For the last 60 years, our country has averaged 18 percent of the gross national product in spending by the Federal Government. In the last couple of years that average has increased to 24, 25 percent. It would not be radical to move us back to the days in which we were living with 18 percent—what seems to me to be a significant percentage; if we would go back to the days in which only 18 percent of our gross national product was spent by the Federal Government.

Finally, balancing the budget is not a radical idea. Amending the Constitution ought to be done rarely and with great regard for this divinely inspired document, but the Constitution allows for an amendment process. In fact, it has been utilized to solve many of our country's problems and challenges over the time of history. It is not radical. Forty-nine States have a provision that requires them to have a balanced budget in some form or another at the end of the year. So amending the U.S. Constitution to say we are not ever going to get back in the mess we are in today certainly is worth pursuing. Of the cut, cap, and balance provisions, perhaps it is the constitutional amendment that is the most controversial among my colleagues. I certainly would express an interest to work with others to find the right constitutional amendment, the right language in an amendment to the U.S. Constitution that met their concerns.

This cut, cap, and balance seems to me the path forward and the Senate should pass a version of cut, cap, and balance to not only allow the debt ceiling to be raised but to allow the debt ceiling to be raised only if we become responsible stewards of American taxpayer dollars.

I actually have a fourth component of cut, cap, and balance. I would say it is cut, cap, balance, and grow. The last time our fiscal house was in solvency—was solvent—was back at the end of President Clinton's administration. In part, Republicans and Democrats could not get along well enough in those days to spend money on big programs. There was legislation that was passed that was supported in a bipartisan way by President Clinton and Republicans in Congress to limit spending, so there was some spending restraint. But the reality is that the last time we had our fiscal house in order, that we were spending less money than we were taking in, was a time at which the economy was growing. If we want to address the issue of balancing our budget, we should focus much more attention than we have on growing the economy, putting people to work and allowing, as they work, that the taxes will be collected.

The greatest opportunity we have to improve people's lives is to create an environment in which jobs are created,

in which employers feel comfortable in investing in the future, buying plant and equipment and putting people to work. So while it is cut, cap, and balance today, we need to make certain we do not forget what is in my view that fourth component: Grow the economy. In my view that means a Tax Code that is certain and fair, that does not change, that is something a business person or a family can rely upon. It is also a regulatory environment that allows businesses to have the opportunity to grow their business.

The most common conversation I have had with a business owner in Kansas, walking through a manufacturing plant, some small business that manufactures a piece of agriculture equipment—that is pretty common in our State—the most common conversation we have is: Senator, what next is government going to do that puts me out of business? If that is the mindset, how do we ever expect that business person to reach the conclusion that they have the faith in the future to invest in their plant and equipment and in hiring new employees? We need to make certain our financial institutions, particularly our community banks, are not hamstrung by significant regulations that would discourage them from making loans and create uncertainty about the ability to do that, a tax regulatory and access-to-credit environment that says now is the time to invest in America, to put people to work.

I am here to urge my colleagues to seriously consider, not dismiss, cut, cap, and balance and upon its passage for us to immediately return to the progrowth agenda that allows people to have the faith the future of their country is bright and we return to them the opportunity for the next generation of Americans to understand the American dream can still be lived.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I appreciate the good words of my colleague from Kansas. He comes from a State where they understand that the role of the government should be limited. They understand the importance of living within your means, of not spending money you do not have. The Senator from Kansas has had a long and distinguished career in public life, but before coming to Washington, DC, to serve in Congress I suspect he also was a State legislator and my guess is that when he was a member of the State legislature in Kansas they had to balance their budget every year.

I ask my colleague if he could perhaps shed some light on what his State of Kansas does, year in and year out, in order to get their budget balanced, to make sure they are not spending more than they take in. I think, as he pointed out, that is something for most families in Kansas—I would say for most families in my State of South Dakota—those are decisions they have to grapple with all the time and we don't al-

ways have the luxury of being able to borrow. Most States don't allow it. My State of South Dakota doesn't allow that. Certainly rules in our States probably are not very conducive to saying we are going to raise taxes on people and on small businesses, which requires then we have to make our decisions on spending.

I would, through the Chair, ask my colleague from Kansas, perhaps that might have been the way in which they went about dealing with their fiscal crisis in the past?

Mr. MORAN. Mr. President, I thank the Senator from South Dakota and would indicate that, yes, Kansas is one of those 49 States in our Constitution in which we are prohibited in almost all ways of living beyond our means. It has been something that the Kansas legislature and Governor have lived with throughout the history of our State, including in today's environment where an economic downturn creates the circumstance in which there are less revenues. So the solution to the problem in Kansas is not a try for more revenue, it is a recognition that spending in difficult times has to be reduced. It is the restraint that we desperately need in Washington, DC, that is so common in State capitals and families and businesses across the country. While I have always indicated to Kansans, while we have this debate every year how to balance the revenues with the expenditures—and it is not an enjoyable debate—we are fortunate in Kansas we have to reach that conclusion and it is something we need in Washington, DC.

For a long time the political talk of Washington is that we are too likely to spend and tax. There is also a problem of spending and borrowing. We are now suffering the consequence. We are not immune from what we see in Greece and Italy and Portugal and Ireland. If we do not solve this problem that we face today in a responsible way, it will be solved for us by the markets, by those from whom we borrow money, determining we are no longer credit-worthy. We don't have to worry much about that in Kansas because we have a constitutional provision that requires our legislature and Governor to reach the right conclusion, and it is why I thought this debate on the debt ceiling was the opportunity for us to force ourselves to do the things that politicians do not always like to do.

Mr. THUNE. To the point the Senator from Kansas was making, he talks about higher interest rates and the impact of not dealing with the fiscal circumstances in which the country finds itself. Look at what is happening in Europe. Three-year government bond interest rates are about 19.4 for Portugal, 28.9 for Greece, and 12.9 for Ireland.

Think about the impact in this country if we had interest rates go back to what is even a 20-year average. We would see an additional \$5 trillion, about \$5 trillion in additional bor-

rowing costs in the next decade alone. That is if we went back to the 20-year historical average for this country, not to mention going to what they are looking at in countries in Europe, with these 19, 20-percent rates. Think about auto loans, think about home loans, think about student loans, think about business loans—all those things we rely on in our economy and that families across this country rely on, in order to carry on with their daily lives if we were looking at those types of interest rates. That is the type of interest rate sensitivity we have. If we do not get our fiscal house in order, we could very well end up like many of these countries, and that would be devastating for our economy.

The most important work we could be doing right now—and the Senator from Kansas pointed this out—is to put policies in place that actually grow the economy and support jobs. I also will support the cut, cap, and balance proposal that is before the Senate today because I think it does important work. It cuts spending today, immediately, it caps spending in the near term, and puts in place a process by which we balance the budget in a long term, a balanced budget amendment.

It is interesting to note, if we go back historically, something President Ronald Reagan said 29 years ago this week. He led a rally of thousands of people on the Capitol steps calling for a balanced budget amendment. This is what he said: "Crisis is a much-abused word today but can we deny we face a crisis?"

That is 29 years ago at a time when the Federal debt was \$1 trillion. We face a debt 14 times as high, \$14 trillion. Under the President's budget it would literally double in the next decade. We have to get our fiscal house and our spending in order.

The Senator from Kansas also mentioned the size of government as a percentage of our entire economy. If you go back to 1800, the formation, in the early years of our country, 2 percent is what we spent on the Federal Government, 2 percent of our total economy. This year we are over 24 percent, in that 24 to 25-percent range. If you look at the 40-year historical average, about 20.6 percent is what we have spent as a percent of our entire economy. What does that mean? It means we are spending more at the Federal level and that the private economy is shrinking relative to our total economy. What we want to see is an expansion of the private economy where we put policies in place that enable our job creators to create jobs and that we get the Federal Government smaller, not larger. My view is, when you are looking at a debt crisis the way we are, you don't grow and expand the size of government, you make government smaller. You get the private economy growing and expanding and creating jobs, and that is how you ultimately get out of this situation.

We have policies in place right now that are making it more difficult, and

more expensive I would argue, for our small businesses to create jobs. Anywhere you go—in my State of South Dakota and elsewhere—you talk to small business owners, you talk to farmers and ranchers, and what they will tell you is the policies, the regulations, and the taxes that are coming out of Washington, DC, make it more expensive and more difficult for our job creators to create jobs.

If you look, the data on that it is pretty clear. Since this President took office, we have higher unemployment by 18 percent, we have 2.1 million more people unemployed than we did when he took office, and we have a 35-percent higher debt. We saw spending go up in the last 2 years alone, nondefense discretionary spending, by 24 percent. The number of people who are receiving food stamps in this country is up by 40 percent.

All the data, all the tools by which we can measure economic progress and growth demonstrate that the policies that have been put in place by this administration have been a complete failure. So what we need is a change in policies, and it starts by cutting Federal spending, capping it in the near term, and putting in place a long-term solution—a balanced budget amendment like so many States have in place, like the Senator from Kansas mentioned they have in his State of Kansas, like we have in my State of South Dakota, where our State governments have to live within their means. They cannot spend money they do not have. That is the problem we have in Washington, DC, today.

In terms of our small businesses, there was a survey done by the chamber of commerce a couple of weeks ago in which they found that 64 percent of the small businesses that responded to the survey said they are not going to hire this year. Another 12 percent actually said they are going to cut jobs. Why? Half of the small businesses listed economic uncertainty as the major reason. They are concerned about what is going to come out of Washington, DC. They don't know what policies and regulations are going to be imposed on them and what it is going to do to them and their cost of doing business, and as a consequence they are just hunkering down and trying to survive.

We need to change that. We change that by getting Federal spending under control. Cut, cap, and balance is an important step in that process, and I am pleased the House of Representatives last night passed it and sent it over here to the Senate. We will have an opportunity to vote on that in the next few days, and I would argue to my colleagues that this is fundamentally the best we can be doing to not only get our fiscal house in order and get it on a more sustainable path going forward but also to help get our economy growing again and get jobs created out there. You can't do it by making government larger. If that was the case, the trillion-dollar stimulus bill that

was passed last year would have brought unemployment down. But, as we all know, we are facing 9.2 percent unemployment today.

We continue to see an economy that is struggling, that is growing at a very slow rate. We need to unleash that economy, and the way we do that is by capping or cutting spending in Washington, DC, making the Federal Government smaller, not larger, getting that amount of spending as a percentage of our entire economy back into a more historical norm, and working to ensure that taxes and regulations stay low on our job creators in this country.

That is why I fundamentally object to what the President and many of his allies in Congress want to do with regard to the debt crisis; that is, increase revenues. You cannot create jobs, you cannot grow the economy by increasing taxes on our job creators. I can't think of a single tax that you could put on our economy that actually would help create jobs. It will have the opposite effect—it will make it more difficult for small businesses to create jobs, more difficult for us to get out of this economic downturn.

I hope my colleagues will support cut, cap, and balance and that it will get a big vote here in the Senate and get this country on a more sound fiscal footing and on a path where we can create jobs and get this economy growing.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2055, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Coburn (for McCain) amendment No. 553, to eliminate the additional amount of \$10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program.

Johnson (SD) modified amendment No. 556, of a perfecting nature.

Vitter amendment No. 568, to provide that none of the funds appropriated or otherwise made available by this act may be obligated or expended at a rate higher than the level of the Senate and House of Representatives concurrent budget resolution for fiscal year 2012.

Wyden/Merkley amendment No. 570, to provide for the closure of Umatilla Army Chemical Depot, Oregon.

Coburn amendment No. 564, to require evidence of causal relationships for presumptions by the Secretary of Veterans Affairs of service connection for diseases associated with exposure to certain herbicide agents.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I am hopeful that the Senate will be able to complete action on the MILCON-VA appropriations bill today. Members have had ample opportunity to offer amendments, staff has been working to clear them, and I believe we now have a clear path to final passage.

I would like to spend a few minutes today talking about the military construction portion of this bill, which is so important to our troops and their families. The bill includes \$13.7 billion for MILCON, which is \$1 billion below the budget request. In drafting this bill, we took a hard look at the projects submitted by the administration and made strategic reductions in order to make wise use of our MILCON dollars without sacrificing key military priorities. I believe this bill is a prudent approach to addressing our military construction needs at home and abroad.

The bill fully funds the administration's request of \$1.2 billion for Guard and Reserve projects. Typically, Congress adds funds for our Guard and Reserve components; however, given the current budget pressures, that option was not available to us this year. It is my hope the services will acknowledge and address the chronic backlog of construction requirements for the Guard and Reserve forces in future budget requests.

Of note, this bill includes \$550 million to construct or modify 15 Department of Defense schools at home and overseas. As Newsweek magazine pointed out last month, a shocking number of DOD schools are crumbling and in need of replacing. The administration has made upgrading DOD schools a priority, and the committee wholeheartedly supports that goal. DOD school funding in this bill represents a significant downpayment on the estimated \$3.1 billion requirement for DOD school recapitalization.

The administration's request included funding for the move of Marines from Japan to Guam. While the committee recognizes the need to restructure force posture in the Pacific, we remain concerned about the ballooning cost of this plan and the lack of forward progress on the part of our Japanese allies. The report accompanying this bill directs the Navy to provide Congress with detailed information on the cost and prognosis of the Guam relocation initiative.

Additionally, the committee is concerned with the potential cost of related troop realignments in Korea and the long-term impact of troop reductions in Europe. The report accompanying this bill addresses these concerns in depth.



As I have said before, this is a sound and responsible bill. Senator KIRK and I have worked hand in hand to forge a bipartisan approach for the MILCON-VA bill, and I believe we have succeeded. I urge my colleagues to support final passage of the bill today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I wish to join with my colleague and say that Republicans unanimously supported this bill that provides appropriations for our veterans and for our military construction needs unanimously in the subcommittee. Our Republican members unanimously supported this bill in the full committee, and the reason why is because this bill is marked to the House budget. This bill cuts spending on the budget authority discretionary side about \$1.2 billion below the President's request. The bill also cuts spending \$620 million below last year's level, and it even comes in \$2.6 million below Chairman CULBERSON's bill that passed the House of Representatives under their very strict budget guidelines.

I will note that we came together on a bipartisan basis in the Senate to bring up this very first of the appropriations bills, and the cloture motion to move forward to bring this bill to the floor passed by a vote of 71 to 26, with Leader MCCONNELL and our vice chairman, the lead Republican on the committee, Mr. COCHRAN, supporting that.

This bill has been endorsed by AMVETS, the Disabled American Veterans, the Veterans of Foreign Wars, the Paralyzed Veterans of America, and the Iraq and Afghanistan Veterans of America.

I think it is very important as we look at the wider issue of deficits and debt, any danger of interrupting payments to veterans because of negotiations here on Capitol Hill, it is a very important signal that not just the House pass the appropriations bill to support our veterans but also the Senate. So my hope is we will consider the amendments this afternoon and then advise Members that we would seek to go to final passage and get this first of the appropriations bills done this year, sending a very clear message, especially to our veterans and men and women on Active Duty, that we are supporting their construction and veterans health care needs in a way that spends money according to the dictates of the House budget resolution.

I yield back and wait for our senior Member from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent to speak up to 10 minutes as if in morning business.

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

#### DEBT CEILING

Mr. CARDIN. Mr. President, I take this time to point out the obvious; that is, we are 13 days away from August 2,

the date Secretary Geithner has indicated, if we do not raise the debt ceiling, that America runs the risk of defaulting on its debt and not paying its bills. I bring this up because this is an issue on which we never should be this close to this deadline.

It has been pointed out many times that the debt ceiling has very little to do with how much money we spend. It has nothing to do with how much money we spend because we already spent this money. The question is whether we are going to pay our bills, whether the United States is going to live up to its obligations, or whether we are going to default on our debt.

The prospect of not making that deadline is basically unthinkable, that the United States would give up its preeminent position internationally. It could jeopardize the U.S. currency being the global currency. It would have an effect on everyone in this Nation.

We already have heard from the rating houses. Last week, both Standard & Poor's, S&P, and Moody's Investors Service warned they are considering downgrading the country's credit rating if the debt ceiling is not raised. A smaller firm, Egan-Jones Ratings, has already downgraded the U.S. securities. What happens if we get the major rating houses saying we are no longer AAA bond rated? Well, it will have an immediate effect on costs for taxpayers in this country. It will cost us more to borrow. That means we will have to pay higher taxes in order to pay the interest on the national debt. It will affect all credit in this country. It is estimated that the typical homeowner will pay an extra \$1,000 a year on mortgage costs. The average credit card holder will pay an extra \$250 a year in credit card interest. In other words, the interest rates of the Federal Treasury notes affect all the interest rates in this Nation. All of us will pay more, and it will cost jobs. It will cost us in our retirement savings. It will affect each one of us.

Yesterday, the people of Maryland found out another way the failure to increase the debt ceiling will have an effect on Maryland taxpayers; that is, the rating houses have indicated that if the Federal credit is jeopardized, the State of Maryland's AAA bond rating is in jeopardy. Why? Because Maryland depends, as do most States, upon the Federal Government.

Governor O'Malley, as the Presiding Officer knows—when you were Governor of West Virginia, you managed your State well. The credit ratings you deserved were based upon what you did in your State. That is true in Maryland. But Marylanders will find that their credit costs will go up if we don't increase the debt ceiling by August 2. We are all in this. We should never be this close. We should make sure we increase the debt ceiling by August 2.

Yes, I do hope we use this as an opportunity to get our spending and our budget in order. We need to manage

our deficit. We all understand that. We have to bring our debt under proper management.

I have taken the floor before to sort of go over how we got here. I am not going to do that today, but I am here to tell you that the Democrats in the Senate, under Senator CONRAD, have come in with a proposal that we think is well-balanced, that has more deficit reduction, quite frankly, than any plan that is out there. It is comprehensive, and it will allow us to be able to continue to grow our economy because the best thing we can do for our deficit is to create more jobs. The Conrad Democratic budget does that by investing in education, by investing in innovation and in infrastructure.

It also recognizes we have to bring the deficit under control. It protects Medicare and Medicaid because we know those programs are important for our seniors and important for our economy. So we protect high-priority programs and include more deficit reduction by having a balanced approach. That is what we should do in addition to raising the debt ceiling. We should have a comprehensive approach.

Let me cite some of the numbers of what the Conrad budget does. It brings spending down to 22 percent. I heard some of my colleagues talk about the historical averages. Twenty-two percent of our economy would be the same spending amount, on average, we had when Ronald Reagan was President. I think most of us would agree the Reagan years were certainly conservative in terms of government spending. That would bring down the percentages, despite the demographic changes in this country. I think that is quite an accomplishment.

The revenues would be equal to what the revenues were as a percentage of our economy when Bill Clinton was President of the United States and when we had the strongest economic growth and the greatest job growth in modern history. So these are responsible programs.

It also, by the way, says to our government workers, who should not be used as scapegoats and who are doing incredible work under difficult circumstances and are being asked to do more with less since they have already made the sacrifice with a 2-year pay freeze—the Conrad Democratic budget says enough is enough and doesn't ask our Federal workers to make additional sacrifices beyond the 2-year pay freeze they have already been subjected to.

I know there are other efforts and I hope we will continue those efforts. I have spoken before about the Bowles-Simpson approach, and we have the bipartisan group working. That is how we should proceed. But, quite frankly, this cut, cap, and balance is not a bipartisan effort; it is an extreme effort by Republicans to bring forward a budget that is even more severe and more radical than the Ryan budget. I call it cut, cap, and kill when it comes to Medicare.



Why do I say that? I have taken the floor regarding the Republican Ryan budget to point out the impact on the Medicare system, which would be to increase the costs, on average, to our seniors, when it is fully implemented, by an additional \$6,500 to pay for health care. I know the Presiding Officer has been through West Virginia and I have been through Maryland and I know our seniors are already paying too much for health care. They cannot afford another \$6,500 a year for their health care. We should be looking at reducing their health care costs, not increasing them.

But the cut, cap, and balance approach would go even beyond that. It is estimated there would be another \$2,500 in costs on top of the \$6,500, so \$9,000 of additional costs, when fully implemented, to our seniors for health care. That is cut, cap, and kill on Medicare, and I don't think any one of us wants to be responsible for that.

I heard my colleagues talk about job growth, and we are all for job growth. The cut, cap, and balance bill is estimated to cost us hundreds of thousands of private sector jobs.

Why do we say that? Well, the objective is not very subtle. The objective, as the Heritage Foundation has said—and this was just sent out to us—this would cut the size of the Federal Government by about half within 25 years. Are we going to tell our students they can do without half of their Pell grants? Yesterday, I joined students from around the Nation and presidents of colleges to talk about the importance of the Pell grant. At Morgan State University in Maryland and the University of Maryland Eastern Shore—both historically Black colleges and universities, in which 80 percent of their student body is made up of minority students—50 percent depend upon Pell grants. Half of that number could not be there without Pell grants. We are saying it is OK to cut the Pell grants in half? No, it is not OK.

Are we going to tell our seniors we are going to cut Social Security in half?

Are we going to tell those people who need unemployment insurance they are going to get 50 percent? It is not sustainable.

I heard my colleagues talk about predictability. Well, the cut, cap, and balance bill is not going to be sustained. It is a radical approach. We can do better.

Quite frankly, David Brooks, the conservative columnist, said it best. I will quote what he said about where the Republicans, particularly in the House, are trying to lead this Nation. David Brooks wrote:

... the Republican Party may no longer be a normal party. Over the past few years, it has been infected by a faction that is more of a psychological protest than a practical, governing alternative.

The members of this movement do not accept the logic of compromise, no matter how sweet the terms. If you ask them to raise taxes by an inch in order to cut government

by a foot, they will say no. If you ask them to raise taxes by an inch to cut government by a yard, they will still say no.

That is from David Brooks, the conservative columnist.

We need to have the system work. We need Democrats and Republicans working together. We need a budget plan that is predictable, that gets our budget under control, that allows America to create the jobs we need, and that invests in education, innovation, and infrastructure so America can continue to lead the world in economic growth. That is what we need to do. It starts by raising the debt limit so America does not default on its obligations and for us to work in a bipartisan manner to develop a budget plan that gets the debt under control but allows America to live up to its commitments to our seniors, to our students, and to create the job opportunities for tomorrow.

That is what we need to do, and that is what this Senator is prepared to do.

With that, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE NATIONAL DEBT

Mr. BARRASSO. Madam President, our country is 2 weeks away from a deadline date, and this deadline is approaching because of Washington's constant inaction. To me, this deadline has to do with our national debt. The President, on the other hand, says it has to do with our debt limit, the amount of money we are allowed by law to borrow.

I believe it has to do with the amount of money we have already borrowed and the amount of money they want to continue to borrow. I believe as Americans we can do better. I believe as Americans we must do better. Our country needs for us to act.

The President has repeatedly said we have to deal with this issue now. Last week he asked the most fundamental question. He said: If not now, when? The clock is ticking.

We got a wake-up call from Medicare not too long ago when we found out that it will be bankrupt 5 years sooner than they initially thought, just over a decade from now. As a doctor who has practiced medicine a long time, I will tell you we have to strengthen Medicare. We know in 25 years the same will happen to Social Security. Unlike our debt limit which Congress can legislate away, strengthening Medicare, saving Social Security, that cannot simply be

legislated away. We have to act now to prevent these programs from failing not just people on those programs today but also future generations.

The President has observed that we are in the eleventh hour when it comes to our debt ceiling, and the only clear path to raise the debt ceiling that has passed either House of Congress is the proposal that passed the House of Representatives last night, the Cut, Cap, and Balance Act. This act would only raise the debt ceiling if we put our country on the fast track back to fiscal sanity. That is where we need to be, on the track to fiscal sanity. It is an approach the American people will tell us we need now more than ever.

Our creditors are getting restive. This week Fitch credit ratings warned if the United States does not take action to avoid default, we could lose our AAA credit rating.

Standard & Poor's has already warned that unless we cut our budget, our credit rating could be at risk. Wasteful Washington spending has already saddled our children with over \$14 trillion of debt. If we default, this spending may also force them to pay punishingly high interest rates that will drain American dollars from our already sluggish economy.

I believe we will not default. We are already paying \$6,000 a second on interest alone on our debt. For those of us with children, we know what this impact is going to be on them years and years into the future. Well, the Cut, Cap, and Balance Act would put us on the path to resolving the issue by cutting spending immediately, by capping spending in the future, and by forcing—finally forcing—Washington to live within its means. This is the sort of law that the country needs and that the President should actually welcome.

What has the President done? Well, he has threatened to veto this law, he says, if it crosses his desk. The President has threatened to veto the only plan that actually solves the problem that has passed either House of Congress.

Why? Well, the administration emphasizes "public opinion" as their reason for opposing the hard choices required by our debt crisis. But yet the President said they are opposed to a balanced budget constitutional amendment. Well, in a recent Mason Dixon poll, 65 percent of Americans say they support a balanced budget constitutional amendment. Where is that respect the President talks about for public opinion?

Finally, the administration has hidden behind catch phrases rather than debate the merits of cut, cap, and balance. They refer to it by a different name. Well, when I hear the White House spokesman talk about cut, cap and balance in a different way, I say: How is that ducking the issue to confront both our spending problem and the debt ceiling head on? That is not

ducking the issue; that is facing the issue.

When the President's spokesman talks about dodging the issue, I will say: How is it a dodge to support commonsense solutions to our spending addiction, such as a balanced budget amendment?

Then he used the phrase about dismantling. I say: How does stopping our government from going bankrupt count as dismantling? The White House has even admitted that they do not have a plan. You know what, they do not think they need one. Is that astonishing? The White House—the United States, the most powerful country in the world—the White House does not think they need a plan at the eleventh hour. The White House Press Secretary just recently said: Leadership is not proposing a plan for the sake of having it voted up or down and likely voted down.

The budget that was brought to this floor—the President's budget—failed 0 to 97. Not one Republican voted for it. Not one Democrat voted for it. No one voted for what the President had proposed, no one of either party.

Perhaps the President ought to propose something new. Holding our country hostage to irresponsible Washington spending while trying to hit the economy with tax hikes is not leadership; it is denying the reality. Refusing to put forward a plan to resolve our spending crisis is not leadership; it is deferring the consequences.

Making the economy worse the way this administration has done for the past 2 years is not leadership, and it is hurting our country. The President's policies have made it worse—made the economy worse, made health care worse, made energy availability worse, housing worse. The policies have made it worse.

This administration can accuse cut, cap, and balance of ducking, and they can accuse it of dodging, and they can accuse it of dismantling, but the strategy coming out of the White House seems to be duck and cover. That is what we are seeing.

Anyone who knows the math knows this strategy was never acceptable before, and it is doubly unacceptable now. The amount of debt we owe right now is so high that it is hurting employment at home. Experts tell us our debt is costing us 1 million jobs. Spending like this makes it harder for the private sector to create new jobs, and the unemployment numbers that just came out show us at 9.2 percent unemployment.

With that kind of unemployment, energy prices are high, and people are noticing it in the quality of their lives. It is harder for American families to buy gas, buy groceries, buy cars, homes, pay tuition for their kids to go to college, and it is harder to create jobs for those kids who will be graduating this year and next year and every year until we get the spending under control.

Debt is not just a disaster for the distant future. Our debt is irresponsible. Our debt is unsustainable. Even our military leaders have condemned it. ADM Mike Mullen, Chairman of the Joint Chiefs of Staff, has said: The biggest threat to our national security is our debt.

The debt is the threat. It is not our enemies who are defeating us, it is our spending that is hurting us so very much. It is time for America to fight back. That is why I am supporting and have cosponsored cut, cap, and balance and will vote for it on the floor of the Senate.

This piece of legislation takes commonsense steps to get our country out of debt. It will immediately reduce spending by over \$100 billion as a downpayment on our children's future. It will place a hard cap on spending so that it never reaches the unsustainable heights of the past 2 years. It will send a balanced budget constitutional amendment to the American people for ratification, and it will prevent us from defaulting on our debt.

Passing this law is the kind of leadership that America deserves; and if the President wants to show he understands leadership, he should retract his veto threat and support this approach. I absolutely will support it when it comes to this body.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AMENDMENT NO. 568

Mr. VITTER. Madam President, I rise to ask support, bipartisan support, for the Vitter amendment which we will be voting on at 12 noon. This amendment is very simple. It is very straightforward. I think it is important and makes a central point.

The amendment says these funds in this bill will not be spent unless and until we have a 2012 budget, unless we start with first things first and decide what the overall budget framework is and then move forward with spending, with appropriations bills consistent with that budget. That is all it says. It is simple, straightforward, but it is an important point.

Folks around America, including in the market, are scratching their heads. They look at Washington and us and the Congress and the President and see almost complete dysfunction in the complete lack of a budget, even lack of an attempt to get a budget in place, which is a glaring, maybe the top example of that.

This isn't just a good, commonsense idea, something every family does, something every small business does; this also happens to be required by Federal law.

The Federal Budget Act mandates that we pass a budget by April 15 of every year. We have not done that. The House passed a budget. The Senate, quite frankly, has not even tried. The Senate Budget Committee has not even met to begin to do that in regular order, through the normal process. In fact, it is worse than that. The Senate didn't even try to do that last year under the same current leadership. So we are now over 800 days and counting, that the Senate, under this leadership, has not even tried to comply with Federal law and adopt a budget.

Again, my amendment is very simple. It says first things first. We need a budget so any appropriations bill, any spending is only done consistent with and in the context of that budget.

That is the right way to do it. That is the right way to run a railroad. That is what every Louisiana family does in setting its plans. That is what every Louisiana business does in setting its plans. That is what the American people and the markets want from us.

In the last few weeks, there has been great discussion about Moody's and Standard & Poor's and the threats to downgrade U.S. Treasury notes. What they have been saying is loud and clear. It is not a pure focus on the debt ceiling; it is even a more important focus as well on the underlying issue of spending and debt. They have been saying what every economist also says: We are on a completely unsustainable path in terms of spending and debt. They want to see a real change in that—the start of a real change, adding up to at least \$4 trillion of deficit reduction. We need to do that.

Step one to doing that is to have a budget. We can't begin to do that without a budget plan, without an outline. Again, that goes to the core, the simple, fundamental, straightforward and important point of this Vitter amendment. I urge my colleagues to put first things first. I urge my colleagues to say we need to start doing our business, starting with a 2012 budget.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KIRK. Madam President, we are wrapping up to a vote that we hope will occur on Senator VITTER's amendment at noon. I will summarize where we are.

We are completing debate on a bill that provides funding for the Veterans' Administration and military construction needs. This bill backs up over 22 million veterans who have served our country.

The reason I and the Republicans on the Appropriations Committee have unanimously supported this bill is, it is

marked to the House budget resolution, the Paul Ryan budget resolution number. We cut funding by \$1.2 billion in budget authority discretionary numbers below the President's level. This bill comes in \$620 million below the 2011 enacted level, and it is even \$2.6 million below the House-passed level just adopted earlier this year, Chairman CULBERSON's bill in the House of Representatives.

The Senate voted by a vote of 71 to 26 for cloture to bring up this bill. This is the first of the working appropriations bills. I hope there are many others. The legislation is important. People may ask: How did we make the funding cuts to come in at the House level? The answer is, Chairman JOHNSON and I made some difficult decisions. We cut 24 separate military construction programs. A list is available in the report that accompanies this bill.

We made some very tough calls regarding spending that was proposed for Bahrain, for Germany, and for Korea. There was a worthwhile project proposed for the Court of Appeals for Veterans Claims. They wanted a brandnew building and a courtroom. That was denied outright. Those tough decisions—those 24 reductions denying a new Court of Appeals for Veterans Claims building—making those cuts necessary then brought us under the House level, as approved by the Paul Ryan budget.

I remind Members the legislation is endorsed by the VFW, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and the Iraq and Afghanistan Veterans of America. It had the unanimous support of Republicans in the subcommittee and in the full committee because it comes in at the House budget level. That is why I think it is necessary to move forward, especially as we talk about a budget crisis, in which checks may or may not go out. I very much hope they do. I think it is an important signal to send that the Paul Ryan-approved budget number, which is what this bill is at, goes forward, which ensures 2012 appropriated funding for our veterans and the military construction needs of our men and women in uniform.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. JOHNSON of South Dakota. Mr. President, what is the pending business?

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Vitter amendment.

Mr. JOHNSON of South Dakota. Mr. President, the Vitter amendment pending before the Senate is another at-

tempt to derail the progress we have made in a bipartisan fashion on the MilCon/VA bill.

The Senate has voted twice on this issue during consideration of this bill. At the outset of debate, the ranking member of the Budget Committee raised a point of order against consideration of this bill without prior adoption of a budget resolution. I made a motion to waive that budget point of order and the Senate voted 71 to 26 to cut off debate on the motion to waive. The Senate then agreed to waive the point of order 56 to 40.

Now we have an amendment that says none of the critical funding provided in the bill can be obligated in excess of a budget resolution that does not exist. The strictest interpretation of this means the VA can't spend money on benefits for vets, and our military can't construct new training, housing, or other critical facilities until we have a budget agreement.

I don't disagree that it is important to pass a budget, but the Senate has overwhelmingly voted to move this bill so as to not delay essential funding for our troops and vets while negotiations on the debt ceiling and budget continue.

I remind my colleagues this bill is \$618 million below the current level, \$1.25 billion below the President's budget request, and \$2.6 million below the House-passed bill. This is a responsible and bipartisan bill, and the pending amendment would stop all progress we have made. Therefore, I move to table the amendment No. 568, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—69

Akaka	Franken	Menendez
Alexander	Gillibrand	Merkley
Baucus	Graham	Mikulski
Begich	Hagan	Murkowski
Bennet	Harkin	Murray
Bingaman	Heller	Nelson (NE)
Blumenthal	Hoeven	Nelson (FL)
Boxer	Hutchison	Pryor
Brown (MA)	Inouye	Reed
Brown (OH)	Isakson	Reid
Burr	Johnson (SD)	Rockefeller
Cantwell	Kerry	Sanders
Cardin	Kirk	Schumer
Carper	Klobuchar	Shaheen
Casey	Kohl	Stabenow
Chambliss	Landrieu	Tester
Cochran	Lautenberg	Udall (CO)
Collins	Leahy	Udall (NM)
Conrad	Levin	Warner
Coons	Lieberman	Webb
Cornyn	Manchin	Whitehouse
Durbin	McCain	Wicker
Feinstein	McCaskill	Wyden

NAYS—30

Ayotte	Hatch	Portman
Barrasso	Inhofe	Risch
Blunt	Johanns	Roberts
Coats	Johnson (WI)	Rubio
Coburn	Kyl	Sessions
Corker	Lee	Shelby
Crapo	Lugar	Snowe
DeMint	McConnell	Thune
Enzi	Moran	Toomey
Grassley	Paul	Vitter

NOT VOTING—1

Boozman

The motion was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

Mr. JOHNSON of South Dakota. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 2:15 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. JOHNSON of South Dakota. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

CUT, CAP, AND BALANCE

Mr. DURBIN. Mr. President, we are going to move to a debate on our budget deficit, particularly on the debt ceiling we face on August 2. The proposal before us was enacted by the House yesterday on a virtually partisan rollcall, with one or two exceptions. The Republicans passed a proposal which they have characterized as cut, cap, and balance, and they will bring it to the floor of the Senate for consideration. It tries to project spending targets and cuts in spending for the years to come and also to include in the conversation the balanced budget amendment.

It is interesting, the way they approach it, because the balanced budget amendment is literally an amendment to the Constitution of the United States, and those of us who take our oath seriously—and I assume that is every Member of Congress and the Senate—understand that we are sworn to uphold this Constitution. In other

words, it is to be treated as the guiding document for our actions as Members of Congress. I have taken that oath many times as a House and Senate Member, and I take it seriously.

Also, because of that oath, I am skeptical of those who come forward and want to amend the Constitution on a regular basis. We have had 27 amendments to the Constitution. They have been enacted over the course of our Nation's history. They address some of the most serious issues and most historic moments in our history. I think we should address that document, that Constitution, with an air of humility, a feeling that before we add our words, whatever they may be, to this great document that has endured for more than 200 years, we should take care and be serious about it.

I don't often question the motives or the intentions of others who come to the floor, and I won't do it in this instance, but I will say that to have before us, as we will later in the day, a proposal that we amend the Constitution of the United States by choosing one of three options—and that literally is what we will face, three different versions of a balanced budget amendment to the Constitution, and what we will consider here will address choosing one of them. I don't think we were elected to the Senate and sworn to uphold the Constitution to be part of a multiple-choice test about what the next amendment will be. I think we should be much more serious in our undertaking.

I will also tell you that I have been here in Congress long enough to remember a little bit of history. There once was a President named Ronald Reagan, and Ronald Reagan, as President of the United States, was in a leadership position of the United States at a critical moment in our history, there is no question about it. Some amazing things occurred during his administration, but when it came to the budget side of things, there was some history made there as well.

We are considering the debt ceiling of the United States. What is the debt ceiling of the United States? The debt ceiling of the United States is the authority Congress gives to the President to borrow money.

Each year, the Treasury Secretary will call the President and say: I need additional authority to borrow money. Why does he ask for additional authority? Because Congress—the House and the Senate—sent requests for more spending, and the President has to borrow money to honor those requests. How much does the President have to borrow? In this day and age, about 40 cents for every dollar we spend.

So the President has been told that August 2 is the drop-dead date. He needs more authority to borrow money for the actions taken by Congress. As an example, many Members of Congress—even some who now say they won't give the President this authority—voted for America to go to war not

once but twice, and in so voting, for example, on the war in Afghanistan, they are committing the United States of America to spending \$10 billion a month in defense of our men and women in uniform, members of our family who are waging this war. They voted for that.

Now President Obama has said to them: The bill is coming in for the war in Afghanistan, and I have to borrow money to pay for it. These same Members of Congress—the House and Senate—who voted for the war in Afghanistan are now saying: We won't pay the bills. We won't extend the debt ceiling. We won't allow you, Mr. President, to borrow the money to sustain our military forces in Afghanistan.

That is literally what we are talking about here in this debate. The American people are starting to come to understand because when you first ask a person, do you want to extend the debt ceiling, the obvious answer is, no, are you crazy, Senator? Why would I want more debt in this country? We need less debt, not more. Don't you get it?

Understandably, that is the public reaction. But when you go to the point of explaining that this is to pay for debts we have already incurred—and it is not just to wage war; it is a debt incurred to pay for Medicare. We said to 65-year-olds across America: You get a health insurance plan called Medicare, and it will be there when you need it. When you go to the hospital and turn in your bills, we will pay that doctor and we will pay that hospital. And we borrowed money to do it.

Mr. BROWN of Ohio. Would the assistant majority leader yield?

Mr. DURBIN. I would be happy to yield.

Mr. BROWN of Ohio. I appreciate the Senator's comments about where we were. About 10 years ago, we had a budget surplus in this country, as you recall. We had a number of years of quarter after quarter of economic growth, and we know that when you have economic growth, obviously the budget gets in a better situation. But then it was the tax cuts in 2001 and 2003 that I believe the Senator opposed, as I did when I was in the House of Representatives, that went overwhelmingly to the wealthiest taxpayers; and then the two wars the Senator talked about that the people enthusiastically—some, not the Senator—voted for but didn't see a reason to pay for them; and then this Medicare bill, which was basically a bailout to the insurance and drug companies in the name of privatizing Medicare, and we are in a situation now where we are simply trying to pay the bills.

I appreciate the Senator's thoughts and comments about where that takes us. It seems to me it is not like raising your credit card debt limits. These are obligations we have, and we have to be responsible elected officials, as we would as responsible citizens, and pay the debts and the obligations we have incurred as a nation, correct?

Mr. DURBIN. That is correct. And I would say to the Senator from Ohio that when you look back in history, since 1939 when we had this debt ceiling, President after President has extended the debt ceiling because the cost of government—the debt of the United States—has generally gone up in most administrations.

The record holder for extending the debt ceiling in U.S. history since 1939: President Ronald Reagan, on 18 different occasions during an 8-year period of time, extended the debt ceiling. During his administration, we tripled our national debt, and so we needed to keep borrowing. So to say this debt ceiling extension is the product of a Democratic President is to misstate the case. Every President has faced it. Ronald Reagan asked for those debt ceiling extensions more than any other President. When it comes to incurring debt in 8 years in office, Ronald Reagan has the record for tripling the national debt, and coming in second is George W. Bush for doubling the national debt while he was in office and asking on seven different occasions to extend the debt ceiling.

The point I am making is that President Obama has asked to extend the debt ceiling, and there is ample history—some 89 different times—that it has been done, and it is done to pay for obligations we have already made, debts we have already incurred.

Now what happens if we don't extend the debt ceiling? Well, what would happen if the Durbin family of Springfield, IL, did not make our mortgage payment on our home this month? Not good. We are likely to get a call from the bank at some point saying: You probably overlooked it, but there was a mortgage payment due. And if you said: We are just not going to pay it, we are not going to continue to borrow money from your bank, they would say there are consequences. And the same thing is true if you don't extend the debt ceiling.

If we don't extend the debt ceiling of the United States and authorize the President to borrow money to meet our obligations, two things will happen. The credit report of the United States of America is not going to look good the next day. The same thing is true for individuals and families: If you don't pay your bills, your credit report doesn't look so hot. What is the difference? For the United States of America, it means the AAA credit rating we have enjoyed throughout our history will be in danger. It means the interest rates charged to the United States for our own debt will go up and interest rates across the economy will go up, affecting every family and business in America that borrows money, which would be most families and businesses.

Raising interest rates with this high rate of unemployment is exactly the wrong thing to do. Every single day, the Federal Reserve, under Ben Bernanke and his Board of Governors,

sits down and tries to figure out a way to make interest rates low so the economy will grow and jobs will be created. If we have a self-inflicted wound of not increasing the debt ceiling, the net result will be a higher interest rate on our government and higher interest rates on families and businesses. A 1-percent increase—1-percent increase—in the interest rate paid by our government on its debt costs us \$130 billion a year—1 percent.

We are running the risk, by missing the deadline of August 2, of raising that interest rate, killing jobs, making it more difficult for businesses to expand, and increasing the deficit. Can we imagine three worse outcomes at this moment in our history?

So when Members of the Senate and the House come and make these pious pronouncements of “I am never going to vote for an extension of the debt ceiling,” they are jeopardizing our economic recovery and the debt we face.

Some of them have said: I will tell you what. I will vote for a debt ceiling if we can amend the Constitution and put in a balanced budget amendment.

Throughout my time of service in the House and the Senate, I have never—underline “never”—voted for a balanced budget amendment and here is the reason: We don’t need the Constitution to tell us what to do. We know what we need to do. We should have the will to do it. For those who have been guilty of voting for all this spending and now want a balanced budget amendment to the Constitution, it reminds me of the person who says: I will not promise I will not steal again, but I will vote for the Ten Commandments. Well, great. Wouldn’t it be better if they changed their conduct and the way they acted? Wouldn’t it be better if Congress dealt with this budget deficit forthrightly? And we can.

For those who say we don’t have a very good track record, they are right. But efforts are underway on the part of what is known as the Group of 6, which is expanding in size, which is trying to, on a bipartisan basis—Democrats and Republicans—come up with a way through this budget deficit problem. It is not easy. We have been at it for more than 6 months. We have produced a plan which is now being carefully scrutinized and will be worked on, I am sure, for a long time to come, but it moves us in the direction of \$4 trillion in deficit reduction. It does it by putting everything on the table—everything—including spending cuts, entitlement programs, and revenue.

Spending cuts are easy compared to the other two—easier for us, I might add, because they generally involve future spending, and we make the reductions thinking, perhaps, it will not have the negative impact in the future that some imagine.

When it comes to the entitlement programs, I think we deal with a different mindset when it comes to the American people. I believe Social Security and Medicare have become even

more important to American families than they were 25 years ago because of the vulnerability of families today. Many families planned for their retirement and saved some money and maybe they had a pension plan at work and then they had Social Security. Well, over the years, perhaps the savings took a hit when the stock market went down some 30 percent a few years ago. Many of the pension plans didn’t survive corporate restructuring or bankruptcy, and Social Security was the last game in town for a lot of the people retiring.

So when we talk about changing Social Security, people all across America—40 million or 50 million Americans—perk up and say: Senator, what do you have in mind because we are counting on it and we don’t want you to mess it up.

Here is what I can say about Social Security. Untouched, with no changes—no changes—Social Security will make every promised payment with a cost-of-living adjustment for 25 years—25 years. That is pretty good. There isn’t another program in government that can say the same. But what happens at the end of 25 years? Then the trouble starts. We start running out of money and reducing Social Security payments 22 percent. About one-fifth—or a little more—of the payment a person is receiving today would disappear in 2 years. So what we are talking about in all the deficit conversations is to find ways to extend the life and solvency of Social Security.

There are ways to do it. We have talked about a variety of different ways to do it. Any savings in Social Security will stay in Social Security. It is similar to Las Vegas. We are going to make sure the savings we put in Social Security will be reinvested in the program to make it stronger longer.

I also want the program to be fair—we all do—in terms of beneficiaries, particularly the most vulnerable beneficiaries. About 20 percent of Social Security beneficiaries—the lowest 20 percent—are below the poverty line, even after they get the Social Security check. We need to change that. We shouldn’t allow that to happen. These are mainly elderly people who, with the helping hands of our government and Social Security, should be lifted above the poverty level.

Medicare is much the same. If we don’t deal with Medicare, the increasing cost of health care is going to cause that program to run into trouble. What we need to do is to make certain at the end we protect the benefits under Medicare but find ways to reduce the cost. We have to reward value rather than volume when it comes to medical treatment, and we have to keep our promise to the Medicare beneficiaries.

There have been proposals made. One was made by the House Republicans in their budget, the so-called PAUL RYAN budget, which would have dramatically changed Medicare. Out-of-pocket expenditures by senior citizens would

have more than doubled to \$6,000 a year. So \$500 a month, by a person who is retired, can be a hardship, if not an impossibility. Even worse, the House Republican budget would have taken Medicare as we know it and turned it upside down and said: In the future, under the House Republican plan, Medicare is going to be managed in the tender loving arms of private health insurance companies. I don’t think most Americans feel a sense of confidence or relief to hear that.

So as we begin this debate this afternoon on the so-called cut, cap, and balance, the point I wish to make is this: We should not be considering a plan which does not put in specific language a balanced budget amendment but asks Members of the Senate to vote for a multiple choice test as to what the next amendment to the Constitution will look like. Secondly, we should carefully scrutinize every word of that amendment. Those who have say they are poorly drafted and have no place in the most important document in America. Third, let’s accept the responsibility to do what we were elected to do—to reduce spending, to bring this budget to balance, and to do it in a sensible and humane way. The notion we would somehow amend our Constitution and wait for three-fourths of the States to ratify it is, in my mind, not responsible.

I am going to oppose this. I am not going to oppose efforts to reduce our deficit, but I am going to oppose this notion that somehow a balanced budget amendment to the Constitution is going to be our salvation. As the old Pogo cartoon used to say: We have met the enemy and they are us.

We have to do this ourselves—Members of the Senate on both sides of the aisle.

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

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

#### GANG OF 6 PROPOSAL

Mr. SANDERS. Mr. President, if there was ever a time in the modern history of America for the American people to become engaged in what is going on here in Washington, now is that time. Decisions are being made as we speak which will impact not only our generation but the lives of our children and our grandchildren for decades to come. I fear very much that the decisions being contemplated are not good decisions, are not fair decisions.

Right now, there is a lot of discussion about two things: No. 1, the importance of the United States not defaulting for the first time in our history on our debts—I think there is increased

understanding that would be a disaster for the American economy, that would be a disaster for the world's economy, and we should not do that—but, secondly, there is increased discussion now on long-term deficit reduction, how we address the crisis we face today of a record-breaking deficit of \$1.4 trillion and a \$14 trillion-plus national debt—a debt, by the way, that was caused by two unpaid-for wars, huge tax breaks for the wealthiest people in this country, a Medicare Part D prescription drug program written by the insurance companies, and the lack of revenues coming in because of a recession caused by the greed and recklessness and illegal behavior on Wall Street.

Be that as it may, regardless of how we got to where we are right now, there are efforts to develop long-term deficit reduction plans. One of them has to do with a so-called Gang of 6. While we do not know all of the details of that proposal—in fact, we never will because a lot of that proposal boots the issue to committees, such as the Finance Committee, that have to work out the details, and no one can know what those details will be at this time—I think it is fair to say that Senator COBURN, Senator CRAPO, and Senator CHAMBLISS deserve a word of congratulations. Clearly, they have won this debate in a very significant way. My guess is they will probably get 80 or 90 percent of what they wanted, and in this town that is quite an achievement. They have stood firm in their desire to represent the wealthy and the powerful and multinational corporations. They have threatened. They have been very smart in a number of ways. They have been determined. And at the end of the day, they will get 80 or 90 percent of what they want.

That is their victory, and I congratulate them on their victory. Unfortunately, their victory will be a disaster for working families in this country, for the elderly, for the sick, for the children, and for low-income people.

I did want to mention, based on the limited information we have—and as I get more information, I will be on the floor more often, but I think it is important to at least highlight some of what is in this so-called Gang of 6 that the corporate media, among others, is enthralled about.

Some may remember that for a number of years leading Democrats said: We will do everything we can to protect Social Security, that Social Security has been an extraordinary success in our country, that for 75 years, with such volatility in the economy, Social Security has paid out every nickel owed to every eligible American.

I have heard Democrats say Social Security has nothing to do with the deficit. And that is right because Social Security is funded by the payroll tax, not by the U.S. Treasury. Social Security has a \$2.6 trillion surplus today and can pay out every benefit owed to every eligible American for the

next 25 years. An enormously popular program, poll after poll from the American people says: Do not cut Social Security.

Two-and-a-half years ago, when Barack Obama—then Senator from Illinois—ran for President of the United States, he made it very clear, if you voted for him, no cuts in Social Security. Yet what Senators COBURN, CRAPO, and CHAMBLISS have managed to do in the Gang of 6 is reach an agreement where there will be major cuts in Social Security.

Do not let anybody kid you about this being some minor thing. It is not. What we are talking about is that under this so-called Gang of 6 proposal, Social Security cuts would go into effect by the year 2012—virtually immediately. What that means is that 10 years from now, the typical 75-year-old person will see their Social Security benefits cut by \$560 a year, and the average 85-year-old will see a cut of \$1,000 a year.

For some people here in Washington—maybe the big lobbyists who make hundreds of thousands of dollars a year—\$560 a year or \$1,000 a year may not seem like a lot of money. But if you are a senior trying to get by on \$14,000, \$15,000, \$18,000 a year, and you are 85 years old—the end of your life, you are totally vulnerable, you are sick—a \$1,000-a-year cut in what you otherwise would have received is a major blow.

So I congratulate Senator COBURN, Senator CRAPO, and Senator CHAMBLISS for doing what President Obama said would not happen under his watch, what the Democrats have said would not happen under their watch: major cuts in Social Security.

But it is not just Social Security. We have 50 million Americans today who have no health insurance at all. Under the Gang of 6 proposal, there will be cuts in Medicare over a 10-year period of almost \$300 billion. There will be massive cuts in Medicaid and other health care programs.

There will be caps on spending, which means there will be major cuts in education. If you are a working-class family, hoping you are going to be able to send your kid to college, and that you will be eligible for a Pell grant, think twice about that because that Pell grant may not be there.

If you are a senior who relies on a nutrition program, that nutrition program may not be there. If you think it is a good idea that we enforce clean air and clean water provisions so our kids can be healthy, those provisions may not be there because there will be major cuts in environmental protection.

I have heard some people say: Well, all that is not so good, but at least finally our Republican friends are saying we need revenue and we are going to raise \$1 trillion in revenue.

Well, Mr. President, let me ask you this. If you read the outline of the Gang of 6 proposal, which is admittedly

vague—I think they would acknowledge that; they do not have all of the details—there are very clear provisions making sure we are going to make massive cuts in programs for working families, for the elderly, for the children. Those cuts are written in black and white.

What about the revenue? Well, it is kind of vague—kind of vague. The projection is that maybe we will raise over a 10-year period \$1 trillion in revenue. Where is that coming from? Is it necessarily going to come from the wealthiest people in this country? Is it going to come from large corporations that are enjoying huge tax breaks? That is not clear at all.

What happens if we do not reach that revenue of \$1 trillion? What mechanism is in place to say it happens? That mechanism, in fact, does not exist. What we do know—and, in fairness, I think the authors of this proposal would acknowledge not all the details are out there, but certainly I want middle-class families to understand when we talk about increased revenues, do you know where that may come from? It may come from cutbacks in the home mortgage interest deduction program, which is so very important to millions and millions of families. It may mean if you have a health care program today, that health care program may be taxed. That is a way to raise revenue. It may be that there will be increased taxes on your retirement programs, your IRAs, your 401(k)s. But we do not have the details for that. All we have is some kind of vague promise that we are going to raise \$1 trillion over the next 10 years. There is no enforcement mechanism and no clarity as to where that revenue will come from.

So I think it is terribly important that the American people become engaged in this debate, which will have a huge impact not only on them, but on their parents and on their children. I believe very strongly what the American people must fight for is not a big deal or a small deal but a fair deal.

At a time when the wealthiest people in this country are doing phenomenally well—their effective tax rate is the lowest on record—at a time when the top 400 individuals in this country own more wealth than 150 million Americans, at a time when corporate profits are soaring, and in many instances these same corporations pay nothing in taxes, at a time when we have tripled military spending since 1997, there are fair ways to move toward deficit reduction which do not slash programs that working families and children and the elderly desperately depend upon.

I believe the issue we are dealing with is of enormous consequence. It is clear our Republican friends have succeeded, and I congratulate them on getting 80, 90 percent of what they wanted.

I want people to think back 3 years ago—just 3 years ago—to think that there would be a serious proposal on the floor of the Senate with all of these

devastating cuts. I think very few people would have thought that possible. So I congratulate my Republican colleagues for their apparent victory. But this Senator is going to fight back. I was not elected to the Senate to make devastating cuts in Social Security, in Medicare, in Medicaid, in children's programs, while I lower tax rates for the wealthiest people in this country. That is not what I was elected to do, and I do not intend to do that.

So I hope the American people get engaged in this issue, stand, and demand that the Congress pass a fair and responsible deficit reduction program, not what we are talking about today.

With that, 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. 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.

#### MILCON APPROPRIATIONS

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to oppose the amendment offered by the Senator from Oklahoma which would undo decades of policies on how we treat veterans who are suffering from diseases associated with Agent Orange exposure. That violates the promise we have made to a generation of veterans. The legacy of Agent Orange exposure among Vietnam veterans is one of tragedy, roadblocks, neglect, pain, and then more roadblocks. It is the legacy of our military spraying millions of gallons of poisonous herbicide indiscriminately, without any consequences or without any repercussions.

At the time of the Vietnam war—and for far too long after it—the U.S. Government neglected to track Agent Orange exposures. Then, in the decades following the war, our government stonewalled veterans who developed horrible ailments of all kinds from those exposures.

To further compound the problem, for decades our government also failed to fund any research on Agent Orange and any other toxins that Vietnam veterans were exposed to. Those mistakes, those decades of neglect, have a cost. It is a cost to the veterans and their loved ones, a cost to the government that sent them to war, and a cost to all of us as Americans. It is a cost that, even in difficult budget times, even with our backs against the wall, we cannot walk away from.

I am not here to question any Senator's commitment to our veterans, but what I am here to do is to question the standard by which this amendment says they should be treated. This amendment that was offered says we should change the standard by which we have judged Agent Orange cases for two decades.

Currently, Vietnam veterans are presumed to be service-connected when the VA Secretary determines that a positive association exists between exposure to Agent Orange and a certain disease. One of the reasons Congress chose that mechanism is because it was impossible for these veterans to prove their exposure to Agent Orange caused their cancers or other diseases. These veterans were exposed decades ago. They don't know where exactly they were exposed or how much they inhaled. However, under the amendment of the Senator from Oklahoma, Vietnam veterans would be asked to now prove the impossible. They would be asked to prove they would never have gotten cancer or heart disease or any other disease or condition if not for Agent Orange.

Vietnam veterans who have diabetes or prostate cancer or lung cancer or blood-borne diseases would be denied care and benefits under this amendment. Not only would this be a new hurdle Vietnam veterans could never overcome, it would change the rules midstream. It would literally treat Vietnam veterans whose diseases have already been presumptively service-connected different than those whose diseases have not yet been positively associated with Agent Orange exposure.

I will not deny that compensation for exposure is a difficult issue and one that we continually have to look at. We have grappled with this issue in relation to Vietnam veterans and exposure to Agent Orange. Today we continue to deal with this issue as Iraq and Afghanistan veterans come home with illnesses potentially associated with their exposure to toxins released from burn pits or other environmental exposure.

Ultimately, we have to look at the facts with reason and compassion and weigh the years of our military's failure to track these exposures, the inevitable existence of uncertainty, and the word of our veterans. That is exactly what we have to do.

On the one hand, we have thousands of veterans who have come forward and believe their cancers and ailments were caused by an exposure to a known killer. We have studies that show veterans who were exposed to Agent Orange are more likely to have heart disease, cancer, or other conditions. We have the Institute of Medicine that has recommended giving veterans the benefit of the doubt, and we have the Secretary of Veterans Affairs who has decided that we must move forward to provide compensation to presumptively service-connected veterans exposed to Agent Orange for cancer and heart disease.

On the other hand, we may have a compelling fiscal case, but the Senator from Oklahoma hasn't presented one shred of evidence that Agent Orange does not cause heart disease, cancer, or any other condition. What has been presented is an amendment that asks

veterans to wait, wait, wait until there is more scientific evidence.

Well, these veterans have been waiting for 40 years. How much longer should they wait?

The Secretary of Veterans Affairs decided that the time for waiting was over. I ask that we respect and support this decision, and that we also remember that even in the midst of this whirlwind debt and deficit debate, we have made a promise to veterans, one that doesn't go away.

Vietnam veterans have paid enough for that war. They should not end up paying for our debt. It is us who owe them a debt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent that Senator HATCH and I be allowed to participate in a colloquy.

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

#### TAXING AND SPENDING

Mr. SESSIONS. Mr. President, many of our good colleagues like to suggest our Nation has historic deficits because the American people are not taxed enough. Some claim the so-called Bush tax cuts are the culprit, but the numbers tell a different story. In fact, these tax cuts were fully implemented in 2003. Annual revenues have increased steadily from \$1.782 trillion to \$2.524 trillion in 2008, and they increase every year, for an increase of more than 40 percent. That is double the rate of inflation after the tax cuts took effect.

In fact, since the recession of 2008 and the weakest economic recovery in modern history, revenue has now declined. That makes sense. With high unemployment there are fewer taxpayers and, naturally, revenue declines.

Going forward, however, the CBO projects revenue as a share of the GDP will rise to 18.4 percentage points of GDP by 2021. That is assuming extension, not elimination, of the 2001 and 2003 tax reductions. Revenue is therefore projected to return to its historic 18.4 percent average.

It would seem, then, that the American people are already taxed enough to finance a government whose spending has grown wildly out of control. The real problem is, while revenue will return to its historic average, if nothing is done to slow spending, annual outlays will increase from \$3.7 trillion today to \$5.7 trillion by 2021, for an increase of more than 50 percent. As a share of GDP, spending will remain, on average, above 23 percent of GDP. That is nearly 3 percentage points above the historic average.

Mr. HATCH. Mr. President, I could not agree more with the Senator's point on the real driver of our deficit and debt. We have this debt because government is spending too much. But this is not a matter of personal preference; this is an indisputable and empirically verifiable fact. The systemic



problem this country faces is too much spending, not too little tax revenue.

I understand our friends on the other side of the aisle are in a tough spot. They know this, but their left wing base refuses any changes to the spending programs driving these deficits and debt. They don't want to scare off middle-class Americans by recommending the tax increases necessary to close the gap without major changes for spending programs.

When it comes to offering any real plans, they have resorted to burying their heads in the sand, as indicated on this photo. They choose to ignore the real problem. They hope their friends in the media do the same thing—ignore the fact that they are ignoring the problem. As you can see from this chart, the problem is spending.

Mr. SESSIONS. Our friends on the other side of the aisle are almost exclusively focused on hitting up the taxpayer for more revenue.

Mr. HATCH. That is right. They are talking about revenue, but the tax increases they are recommending are more distracting than illuminating. I think it is fair to say that all of the talk by the President and his congressional allies about corporate jets and yachts is a classic red herring. On this chart, it indicates this:

The name of this fallacy comes from the sport of fox hunting in which a dried, smoked herring, which is red in color, is dragged across the trail of the fox to throw the hounds off the scent. Thus, a "red herring" argument is one which distracts the audience from the issue in question through the introduction of some irrelevancy.

Mr. SESSIONS. Well, we use this turn of phrase all the time, but I am afraid it is worth discussing how politicians use it.

Mr. HATCH. As you can see, that is what they are doing. I am glad the Senator brought this up. As I just read, my research found that the term "red herring" comes from the sport of fox hunting. Again, a red herring argument is one that distracts the audience from the issue in question through the introduction of some relevancy.

In my view, all of these tax issues that President Obama and those on the other side of the aisle are discussing are red herrings. They want to distract Americans from the real driver of our deficits and debt and the real choices Democrats have to but are refusing to make.

Let me walk through some examples. If we were to raise the depreciable life on corporate Jets from 5 years to 7 years, as the Democrats propose, it would yield us \$3.1 billion over 10 years.

Mr. SESSIONS. How many days of debt reduction over that 10-year period would a \$3 billion savings or increase in taxes amount to?

Mr. HATCH. To hear the President talk, you would think this is the key to balancing our budget. We all know he is overstating the case. It would provide only a month of debt reduction

is about all it would do? Given its essential role in his deficit reduction proposals, you would hope so. But I am sorry to disappoint my friend from Alabama, because, according to our calculations, that amount equates to only 20 hours and 23 minutes of the debt over the next 10 years. Unfortunately, that doesn't even begin to solve the problem. Of course, as you can see here, \$13 trillion, the Obama debt; there would be \$3.1 billion over time with the corporate jet taxes; and remaining above the debt—assuming they didn't spend more, which is an assumption you can't make—would be \$12.9 trillion. Is the problem solved? Of course not.

Mr. SESSIONS. Well, let me say I appreciate the work of the ranking member of the Finance Committee, a longtime member of that committee. It seems to me pretty clear that the President's budget he submitted earlier this year—which I have to say was voted down 97 to 0 in the Senate—would have increased the deficit over 10 years by \$13 trillion. He has also suggested his plan to increase taxes on corporate jets by \$3 billion would somehow make a difference in that. I think Senator HATCH is right, that is not accurate.

How about other proposals we hear from the Democratic side, such as cutting back mortgage interest deduction for yachts used for second homes?

Mr. HATCH. Well, in other words, by our calculations, the savings from this proposal would be even more meager. If Congress enacted this change, we could cover the debt from the Obama budget for all of 15 hours and 47 minutes. Again, this is not solving the problems of the burdensome debt the President is piling on.

Mr. SESSIONS. It is shocking to see how small those numbers are, and we aren't hearing that in the press and in the national discussions. From the talk we have heard about these proposals, you would think they would yield more than 2 days of debt reduction over 10 years.

Mr. HATCH. You would think so. But the other 3,651 days of debt under the 10-year Obama budget would not even be touched.

There is a third red herring that has been thrown out there. Maybe that one closes the gap. We have all heard the President talk about hitting American oil companies by reducing or eliminating domestic energy incentives. This is a real priority of his and of congressional Democrats.

We had a cloture vote on a bill by our friend from New Jersey to extract \$21 billion in revenue from U.S. oil companies. The Finance Committee had a hearing where the other side touted the benefits of this tax increase by grilling the CEOs of the top five oil companies. If you listened to my friends on the other side, one would think an additional \$21 billion would solve all our fiscal problems. Their rhetoric suggests this is the only thing standing between

more money to send kids to college and provide school lunches.

But I wonder if my friend from Alabama might put into perspective how much of the 10 years of debt under the President's budget this proposal would cover.

Mr. SESSIONS. Well, with \$13 trillion—that is 13 thousand billion—\$21 billion won't amount to much.

Mr. HATCH. Well, here is how many days of the 10-year debt of the Obama budget that would be covered. Keep in mind, this proposal originated from our friend from New Jersey, the head of the Senate Democratic campaign operation, and his tag teammate, the head of the Senate Democratic message operation—the so-called war room—the senior Senator from New York. I will let others decide whether this proposal was more political than substantive, but people should at least know the facts about this proposal before deciding.

As a deficit reduction proposal, this is very weak tea. This is a much ballyhooed proposal, and it would cover the deficit for, in actuality, 5 days 18 hours and 47 minutes.

As you can see, here is the oil rig proposal. We have a \$13 trillion debt—actually it is about a \$13.5 trillion debt right now—and you would save \$21 billion from the extra taxes on oil and gas. Even at that, we would have a remaining debt of \$12.9 trillion. So is the problem solved? Of course not.

Mr. SESSIONS. The Senator has served on the Finance Committee for a number of years and is now the senior ranking Republican there. If you listen to our friends on the other side of the aisle, it would appear that all fiscal problems could be resolved by taxing millionaires. Is that an argument that the Senator is familiar with?

Mr. HATCH. Well, I sure am. Anyone watching C-SPAN will see our friends on the other side making the argument day in and day out. When I hear this argument, I often think of a saying from the distinguished former chairman of the Senate Finance Committee, Senator Russell Long. When talking about tax reform, Senator Long said: "Don't tax you, don't tax me, tax that fellow behind the tree."

And since there are a lot more folks who aren't millionaires than are, the Democrats have calculated the politics of class warfare works. All of our problems could be solved if the rich paid their fair share, according to the Democrats. As politics, this might sound—I don't even think it sounds good, but as tax policy and its proposal to reduce our deficits and debt, this is the fourth red herring. It does not come close to fixing the deficit from the Obama budget.

Our friends on the other side frequently cite the Tax Policy Center—or TPC—for tax data. That makes some sense. TPC is a professional think tank that is a joint venture of two center-left think tanks, the Urban Institute

and the Brookings Institution. With the exception of its director, Donald Marron, TPC is largely staffed by highly qualified tax professionals who worked in Democratic Treasury Departments and Democratic Hill offices. TPC is a solid professional outfit, but you can't ignore its institutional perspective. To be fair, I would say the same thing about the Heritage Foundation. Their institutional perspective is more likely to line up with folks on my side of the aisle. Nevertheless, I am drawing from TPC data, some of the assumptions with which I might not agree.

According to TPC models and estimates, for 2011, American households earning more than \$1 million account for 12 percent of the Nation's pretax income, they pay 19 percent of Federal taxes and carry an average tax rate of 29 percent.

Even more critical from my perspective, these taxpayers also account for 38 percent of all flow-through income. Flow-through income is predominantly earnings from the ownership of small businesses. So raising rates on the rich will squarely hit those who create and expand the small businesses that need to be the engine of our economic recovery.

But let us be clear about something: Higher taxes on these wealthy individuals will not only have adverse economic consequences, it will not even provide the deficit and debt reduction suggested by the left. Even if all the income—every dime they earned, of those earning more than \$1 million—were confiscated with a 100-percent rate—with the unlikely assumption of no taxpayer behavioral response—for the year of confiscation, these higher taxes would yield about \$893 billion. That would be a one-time confiscation. Surely none of these folks would continue to work, save, or invest in the future if the government were to confiscate all their income. They would have to cover all their other expenses, including State and local taxes, from savings. After taking everything from the folks behind the tree—in this case, the folks earning more than \$1 million—how many days of the 10-year Obama budget debt would be eliminated?

Mr. SESSIONS. Well, not many, is my answer to that. But as often as the President talks about taxing the rich or spreading the wealth around as a cure for our fiscal problems, you would think it would balance the budget. But would he get us there?

Mr. HATCH. I say to my friend from Alabama, confiscating all the income from those earning over \$1 million does not even fix 1 year of the 10 years of projected Obama debt. It would cover 244 days, 16 hours and 34 minutes. That is it. Not even 1 year.

Look at this. Federal policymakers could kiss that revenue source goodbye after an event such as confiscation. So there you are: \$13 trillion. Take the \$893 billion. If we took every dime that millionaires make this next year, the

\$893 billion, we would be down to \$12.1 trillion in remaining debt. Is the problem solved? Of course not.

Mr. SESSIONS. Going back to the other chart on taxation and spending under the Obama budget, I would note President Obama's budget raised taxes significantly, increased spending even more, and as a result, over 10 years, created more debt projected than if he had made no budget at all.

Mr. HATCH. That is right.

Mr. SESSIONS. That is a stunning thing. You can talk about raising taxes on American workers, on families, on small businesses and on the wealthy and investors all you want, but this talk is easy. It ignores the root causes of the deficit and debt problem here in Washington: out-of-control spending.

It may sound like a cliché to the American people that Republicans are always talking about out-of-control spending. We wish it were a joke, but sadly, it is true.

Mr. HATCH. I wish it were too. I am surprised about this debate. The press is not pushing Democrats on what a joke their proposals about jets and yachts are, but the American people—the people I represent in Utah—understand these are red herrings. These proposals deal with the President's legacy of debt for less than 2 days—less than 2 days—over the next 10 years. Add in the much-publicized tax hit on the hated oil companies and you get another 5 days.

So after all the demagoguery on jets and yachts and oil companies, you get about 1 week of deficit reduction. And even throwing in a one-time confiscation of all the income for taxpayers earning above \$1 million, you can only add 244 days. Add it all up and there is still less than 1 year. All those tax increases don't even get to one-tenth of the debt President Obama will add over the next 10 years.

It is class warfare. We all know that. All the talk from the White House and from our friends on the other side is on behalf of proposals that would address, at best, less than 10 percent of the debt forced on American families by the President's budget.

I ask my friend from Alabama if he might conclude with the classic definition of a red herring.

Mr. SESSIONS. Let's take another look at the definition of red herring on the chart. It says: The name of this fallacy comes from the sport of fox hunting in which a dried, smoked herring, which is red in color, is dragged across the trail of the fox to throw the hounds off the scent. Thus, a "red herring" argument is one which distracts the audience from the issue in question through the introduction of some irrelevancy.

Our friends on the other side, using White House talking points, sophisticatedly prepared, appear to have resorted to red herrings with their deficit reduction proposals. They want the American people to think a few easy tax increases on the rich or yacht own-

ers or corporate jet users or oil companies—the people behind the tree—can solve our debt crisis without spending reforms. They hope these red herrings will hide a serious Democratic vulnerability. If they are not going to address spending in a serious way, then massive tax increases on the middle class will be a necessity.

These red herrings are designed to throw those citizens who care deeply about reducing the \$13 trillion debt that the President's budget will incur off the trail.

The trail of deficit reduction leads to one of two places: restraining out-of-control spending; or crushing tax relief increases on middle-class families.

Restraining spending is not a red herring. It cuts to the heart of our fiscal problems. It goes to the root of the problem.

The President and his allies need to come clean with the American people. The President so far has refused to present a deficit reduction plan in these negotiations that are going on. He says he has one, but we never see it so it can be scored and analyzed. The White House seems content to produce cheap talking points justifying these red herrings, rather than meaningfully addressing our debt crisis. As I have said before, and will again, this shows a disrespect for the American people.

Our people deserve better. They need honest, fair analyses of the problems we face. I expect they will reward those who talk straight with them and offer serious grown-up efforts to reduce our debt with their support; and I think they will be unhappy once it is realized how little these proposals would impact the huge debt crisis we are now facing.

Mr. HATCH. I thank my colleague for his kind remarks.

I have to say that not only would it not impact it, but it would impact a lot of jobs.

I remember when we did the so-called yacht tax back in the early 1990s, the left thought that was a wonderful thing. We got after all these rich yacht owners. When they found out that thousands and thousands of jobs were lost because of that bill, they immediately turned tail and got rid of the bill pretty quickly.

What we haven't said is we are assuming the \$13 trillion is going to stay the same. Actually, in the next 10 years there is a good chance it will double to over \$20 trillion and possibly as high as \$25 trillion or \$26 trillion the way this administration is spending. Frankly, we are going to have a very difficult time ever coming out of this hole we are in right now.

All I can say is I like the President personally, but he hasn't presented a program. He is calling on Congress to do it all, and we have our various problems here in getting together, but he hasn't led out on these programs, and neither have the other people down at the White House.

In fact, one of the problems is I can't name one person at the White House

who has ever created a private-sector job. And let's face it, they are good at creating public-sector jobs, but they are not very good at creating private-sector jobs.

The real answer is to work our way out of them, and instead of talking about shared sacrifice, let's talk about shared prosperity by allowing the engine of this economy, the small business community, to pull us out.

Even so, we haven't even talked about the fact that the deficit this year, in 1 year, is \$1.5 trillion, \$1.6 trillion. I might add that we are going to have at least probably close to \$1 trillion deficit every year under the President's own actuarial program, every year up through 2020. You can imagine how we are going to continue to increase the debt without doing anything about it. Frankly, that is if his actuaries are right, and they are usually always wrong on the low side. That includes actuaries on both sides, to be honest with you. The expenses have always been more.

I think what is important here is that we get real about working together and coming up with a way of resolving these tremendous debt problems. The future of our young people in this country depend on that, and I don't want to let them down.

I want to thank my colleague for his colloquy with me and I appreciate it very much.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

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

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

Mr. MENENDEZ. Mr. President, I came to the floor. I heard an interesting colloquy going on between my colleagues, my friend from Utah and my friend from Alabama, and I saw that my name was invoked, so I thought I would come to the floor and maybe elucidate for them and set the record a little bit straight.

No. 1 is I am no longer the chairman of the Democratic Senatorial Campaign Committee, so my focus in ending the tax breaks that the big five oil companies in this country get to the tune of \$21 billion that the taxpayers of this country give in essence to big five oil companies that will make \$144 billion in profits this year I simply think don't need it in order to be able to achieve what the marketplace has allowed them to do. And I am happy for them. I am happy for all their stockholders and shareholders and everyone else, but they don't need \$21 billion of

the taxpayers' money and tax break—which, by the way, they describe them as these poor oil companies that, wow, we are going to stop domestic production.

One of the breaks I want to finish actually says you can't be doing what you are doing. Here in the United States, when you get access to the lands and waters to drill for oil and gas, you pay a royalty. Basically, a royalty is a license fee.

The oil companies figured out, Well, when I do this in other countries in the world, instead of paying a license fee, let me ask them to pay a tax for the same amount that it would have cost to pay a license fee. Because then I get the tax and I get to deduct it totally against my obligations here in the United States, which means that for those poor oil companies that I just heard about, we are, in essence, as taxpayers, subsidizing the exploration of foreign oil which goes on a world marketplace—does not come back to the United States—to the tune of \$21 billion.

If we want to talk about the poor, I want to talk about poor people whom Republicans, it seems, want to go after. They want to go after in their budget the things people need to get through every day. It is called Medicare for seniors and the disabled. I know it from my mother's own life. She worked in the factories of New Jersey, worked a lifetime to help build family and community. She had a terrible disease, Alzheimer's, and she would not have lived with the dignity she deserved in the twilight of her life but for what my sister and I were able to do for her and Medicare as her baseline of retirement security. That is what I call poor.

I call poor, young children who, under Medicaid, are getting money for specific health care that through no fault of their own they desperately need in order to have the quality of life—to even be able to breathe, children with respiratory ailments—so they can fulfill their God-given potential in school. That is poor.

But oil companies that are going to make \$144 billion in profits, they are poor? Give me a break. I know we belittle the fact that it is only \$21 billion that we would put directly to deficit reduction, but if we start putting in those \$21 billion and then put in the billions in ethanol subsidies and then the horse racing industry and the corporate jets and we start adding it all up, maybe if, instead of working-class and middle-class working families whom our Republican colleagues in the Congress seem to want to put all the emphasis on, if we talked about the wealthiest people in the country and said to them: We need you to help the country get out of this difficult time, they, I think, would be incredibly patriotic.

I have talked to a lot of wealthy people who told me if it is to help the country and if we are going to get our house in order, I am willing to help the

country. I am willing to pay a little bit more.

But, no, that is not possible to even talk about. It is not possible to talk about big oil companies that are going to make record profits. It is not possible to talk about ethanol. It is not possible to talk about the wealthiest in the country, millionaires, multimillionaires, and billionaires. Yet I did not hear any of these voices when Ronald Reagan raised the debt ceiling 17 times for the equivalent of \$4 trillion in today's money. I never heard any of these voices say how irresponsible it was when George Bush raised it seven times, for \$5 trillion—basically, the same amount of money he used to give tax cuts to the wealthiest people in the country but which became the collective debt of the United States. No, I did not hear any of it then.

I had no intention of coming to the floor. But when the facts are wrong and my name is invoked, I intend to come and set the record straight. I am happy to debate my colleagues. We need to make sure working-class, middle-class families in this country do not bear the overwhelming consequences of our effort to end our deficits and meet our obligations. We cannot continue to hear we cannot close the loopholes in the Tax Code for the poor oil companies, poor corporate jets, poor multimillionaires and billionaires, all because that would somehow be a tax increase, but we can take it right out of the pockets of middle-class and poor families by virtue of the services we deny them—so they will not have the money to be able to produce or scrounge or keep what little they have been able to acquire—and say that somehow is not a tax increase.

I hear about entitlements all the time. I have a new sense of what my Republican colleagues mean by entitlements. The oil companies are entitled to their \$21 billion. Those are just two provisions. I could come up with a whole bunch of others for which they get tax breaks. The oil companies are entitled. The ethanol producers, they are entitled. The large agribusinesses in the country, they are entitled. But families who struggle every day to make ends meet? No, they are not entitled. We have to cut their entitlements.

Something is wrong with that equation. A nation, at the end of the day, in its budget, talks about its values as a country. We all have a budget. We may not think about it as a budget in our personal lives, but it is income, however we derive it, through gainful employment, the job we have, maybe some investments we make, maybe some interests we get from our savings. That is our revenue. Then there are our expenditures. The house we keep for our family, the insurance we provide for their health care, the education, the tuition we pay for the education we want them to achieve, the church or synagogue we tithe to, the charitable contribution we make to an organization that we believe is worthy of the

work we do, that is an expression of our personal values.

The Nation's budget, which is both revenues and expenditures, is an expression of our collective values as a country. I cannot understand, in that expression of collective values, how it is that the very wealthy, that the very influential, that Big Oil is entitled but working-class families and the poorest among us are not entitled to realize their hopes, dreams, and aspirations in the greatest country on the face of the Earth.

Anyhow, I wanted to come, since I heard my name invoked before. I think the facts were not quite up to par. There is, obviously, a different view.

Having had the opportunity to set the record straight, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

#### HOUSE ACTION

Mr. TOOMEY. Mr. President, I wanted to take this occasion to acknowledge a very important event that occurred last night. It occurred in the other body, where we had a vote for the first time since we have been deliberating and debating and wrestling with this challenge of what to do with our debt limit and the fact we have reached that debt limit. We have had a vote by one of the two bodies that have a say in this matter on this very issue, and the House voted yesterday by a significant margin, with a bipartisan vote—although it was mostly one-sided, there were Members of both parties—in favor of raising the debt limit. The House voted to raise the debt limit, in fact, by the full amount the President requested. The House voted to raise the debt limit by \$2.4 trillion, which would completely eliminate this problem, this struggle we have had over this looming deadline we have been given.

However, the vote came with one condition. It came with the condition that the President join Congress in putting our Federal Government on a path to a balanced budget. That is the requirement. That is the contingency. The way the House bill achieves that is by establishing three parts: The first is cuts in spending, the second part is caps on spending, and the third is a balanced budget amendment to the Constitution. The colloquial name this approach has been given is the "cut, cap, and balance" approach.

This is a big deal because until last night, among the three parties to this debate—the House of Representatives, the Senate, and the President—nobody had previously laid out a case that

said: Here is how we will raise this debt limit and deal with this problem. The House has now done so. They have passed this measure by a significant margin.

I would like to quickly walk through the three elements of it—the cuts, the caps, and the balance. They are really all different pieces designed to achieve one goal, which is to put our Federal budget on a path to balance.

The cut refers to cuts in spending in this next fiscal year, which begins soon. It begins on October 1. The cut is 3 percent from this year's spending level—3 percent. So under the House-passed plan, next year we would spend 97 percent of everything we are spending this year, but we would cut 3 percent. Now, anybody who has run a business, anybody who has run a household knows that if you have to, you can cut 3 percent from any big budget. I guarantee you, from the enormously bloated and oversized \$3.7 trillion U.S. Government budget, 3 percent is not much, but that is the cut. That is the first part. That is the level of spending for next year—about 3 percent or \$111 billion.

The next part is the caps. These are the statutory limits as to how much the Federal Government would be permitted to spend in each of the subsequent years for the next 10 years. These levels have spending growth every year. Some suggest these are Draconian, savage cuts in spending. Actually, it is increases, but it is increases in spending at a slower rate than we have had in the past and certainly slower than what others have proposed—what the President's budget proposed and what the Congressional Budget Office is expecting. Therein lies savings. Therein lies the opportunity to put us on a path to a balanced budget because I think we all acknowledge that, unfortunately, we are not going to be able to achieve a balanced budget overnight. Can't do it. We have dug too deep a hole. So we need a little time to get there. The spending caps provide that discipline as we move in that direction.

The final piece is a balanced budget amendment to the Constitution, which is something most Americans have strongly supported for a long time. If we achieve that, frankly, we would never have to worry about raising the debt limit anymore because we wouldn't run a deficit. We would be forbidden. Without a deficit, you don't need to issue a new debt, so the debt would never rise, and this problem would be permanently resolved, but much more important, we would have our Federal Government on a sustainable, strong, viable fiscal path, and that would create the opportunity for strong economic growth.

I am convinced that part of the reason we are having such a weak economy and such poor job growth is because of the uncertainty we have created not so much over whether we are going to raise the debt limit on August

1 or 2 or 3 or whenever it is but whether we are going to solve the big fiscal challenge we face, the problems dragging down Europe now, and the problems that loom for us.

The President and the Treasury Secretary have been extremely alarmed about the prospect that we might not raise the debt limit on August 2. To that very point, the Treasury Secretary said—and I quote from a May 13 letter he sent to Members of Congress:

This would be an unprecedented event in American history.

He is referring to a failure to raise the debt limit.

A default would inflict catastrophic, far-reaching damage on our Nation's economy, significantly reducing growth, and increasing unemployment.

President Obama had a similar message of great alarm, again referring to a scenario in which we did not raise the debt limit by August 2. He said:

If investors around the world thought that the full faith and credit of the United States were not being backed up, if they thought that we might renege on our IOUs, it could unravel the entire financial system . . . We could have a worse recession than we already had, a worse financial crisis than we already had.

So this is how serious the President and the Treasury Secretary say their concern is that we raise the debt limit. Well, the House just did it. The House said: Mr. President, we hereby vote—and they did vote—to raise the debt limit by \$2.4 trillion, the full amount the President asked for. They have said this is the only condition: You, Mr. President, need to join us in putting our budget on a path to balance, taking care of this fiscal crisis, and giving us a sustainable fiscal footing so we can have strong economic growth.

So the question today before us is, Will the President join us? Will the President embrace this? The President, as I have just quoted, has indicated great alarm at the prospect of not getting the debt limit increase he has asked for. The House has just said: Here it is.

Actually, I think, if not every Republican Senator, a big majority of Republican Senators will support what the House has done. I hope there will be many Democrats who will support this as well because none of us wants to test the proposition of what happens if we don't raise the debt limit.

So the opportunity is here now. For the first time, we have a bill that has been passed in one of these two bodies that would do exactly what the President has asked for, with just this one condition.

Let me comment for a moment on one of the reasons I think it is so important that the President join us in putting our budget on a path to balance. We have heard from various rating agencies that several of them are considering downgrading the credit standing of the United States. This is an appalling thought.

I was involved in the bond market in my first career when I got out of college, and the United States stood above

ratings. We didn't talk about having a AAA rating because we were above even that. Our rating was so superior to anyone else's, the rating system didn't even really apply to the United States. Well, now, not only does it apply, but the danger is that we won't even qualify for the top rating.

Do you know what it is that would cause them to downgrade the debt of the United States? It is not a failure to raise the debt limit by August 2; it is the failure to address this fiscal imbalance, these massive, unsustainable deficits. That is what they have told us has to be corrected or else the downgrade follows, and a downgrade will be enormously problematic because it has all kinds of knock-on effects.

So we have heard about a lot of different ideas that have been floated, and I congratulate and commend everybody who has been involved in putting in a lot of effort. I don't agree with everything that everybody has talked about doing, but I think we have seen people from both parties make a good-faith effort to try to solve this problem one way or another. But the fact is there is only one proposal on the table that has passed either body, and there is only one proposal that actually solves our long-term fiscal challenge in the law that has already passed—the bill that has already been passed.

So my question now is, Will the President join us and put our government on a path to a balanced budget? We don't expect to get there overnight. By the way, the various levels of cuts and spending and the exact terms of the balanced budget amendment naturally would be subject to discussion. But will the President join us in this effort to restore fiscal sanity and give us the basis for strong economic growth? That is the question, and that is the opportunity for the President.

Now, I know the President has been dismissive of the idea of balancing our budget, but I certainly hope he is not so opposed to balancing our budget that he would reject the debt limit increase that he has said we desperately need. There is an opportunity here to solve two problems at once—to solve this problem over the looming date of August 2 by which he has said we absolutely must raise the debt limit, but the more important opportunity is to put our house in fiscal order.

The House took a very important step in that direction. The Senate will have a vote later this week. I hope my colleagues in the Senate will embrace this opportunity and the President will join us and will put our Federal Government on a path to balance.

With that, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. HAGAN). Morning business is closed. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—Continued

Mr. MERKLEY. Madam President, I rise to address amendment No. 570, offered by Senator WYDEN, regarding closure of the Umatilla Chemical Depot. It is an amendment on which I am proud to partner with him.

This is a very important issue to my home State of Oregon. We have a situation where 20 years of planning have gone forward to arrange for the final transition of this chemical depot based on the recommendations of the Base Closure and Realignment Commission. Indeed, the BRAC Commission, as it is known, noted:

On completion of the chemical demilitarization mission in accordance with treaty obligations, close Umatilla Chemical Depot, Oregon.

This was language that was specifically done to recognize that the chemical depot had to complete its work dismantling the chemical weapons stored there according to the Chemical Weapons Convention Treaty. That treaty had a deadline of April 29, 2012, and thus it wasn't clear that the work would be done within the 6 years outlined for most of the BRAC's work. So they changed the language from "close the Umatilla Chemical Depot" to "on completion of the chemical demilitarization mission in accordance with treaty obligations."

So since this has been a discussion for so long, with the community working so hard with so many stakeholders in order to put the plans together to transition this base to a productive civilian role, it came as a complete shock recently when the community was notified by the Army that, despite the specific language that accommodated the treaty deadline of April 2012, they were going to rule that the transfer under the BRAC legislation could not be completed because it was an exception—even an exception written into the law—to the initial 6 years.

It was quite a shock because a local reuse authority has been formed and has been working hard with representatives from all local stakeholders to make sure this base is transferred in a way that creates the best possible economy and best use of this land. It has been a complicated task. It has been an earnest effort.

This is not the time for the Army to change the rules, digging up a clause and misapplying that clause, ignoring the exception written into the law, and claiming that this work done over all this time doesn't matter.

That is why I am so delighted to join with Senator WYDEN in putting a clarification into statute that says, yes, what the original legislation said with an April 2012 deadline recognizing our treaty obligations must be honored and

the BRAC process must be honored for the best use of this land in the community.

#### MORNING BUSINESS

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Madam President, I ask unanimous consent to return to morning business.

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

#### THE RYAN PLAN

Mr. JOHNSON of South Dakota. Madam President, I quote former Reagan Economic Adviser Bartlett on the House Republican plan.

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale, utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage. It is just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Former Reagan administration economic adviser Bruce Bartlett from Capital Gains and Games Blog, "Imbalanced Budget."

I would clarify the impact of the balanced budget proposal. He has called it sheer idiocy. That comes from the former Reagan economic adviser.

#### MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—Continued

AMENDMENT NO. 575

Ms. AYOTTE. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 575, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from New Hampshire [Ms. AYOTTE] proposes an amendment numbered 575.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency, to submit a report to Congress detailing the Secretary's plans, and identifying challenges, both technical and administrative, to ensure that advanced, next-generation prosthetics are made available to injured members of the Armed Forces and veterans in a timely manner)

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I have offered an amendment to H.R. 2055. It seeks to help to make sure our wounded warriors get the benefits of next-generation advanced prosthetics in a timely fashion.

This amendment would require the Secretary of Veterans Affairs to submit to Congress a report within 90 days, identifying the bureaucratic hurdles and redtape we need to cut through to make sure the research that is being done and the next-generation advanced prosthetics that are being developed to help our wounded warriors will get to them as quickly as possible.

We have invested substantial taxpayer dollars, including through the Defense Advanced Research Project Agency, or DARPA, in developing this great technology in advanced next-generation prosthetics.

Last week, I had the chance to go to Walter Reed Hospital and meet with some of our wounded warriors. They are absolutely amazing Americans, and what they have done for our country is incredible. We can never repay the sacrifices they have made. But the last thing they should have to put up with is waiting for years of delay through the FDA or other government agencies to make sure they can get the very best technology available for next-generation advanced prosthetics. That is why I offer this amendment.

I hope this amendment will be passed to make sure we can cut through the

redtape, that the Veterans' Administration will identify any hurdles that are present, that we can get through those hurdles and get that technology to our wounded warriors as soon as possible, given what they have done for our country and continue to do in fighting on our behalf. They are heroes, and they deserve to not have to wait and wade through government bureaucracy.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 577

Mrs. BOXER. Madam President, I ask unanimous consent to set aside any pending amendments and call up amendment No. 577.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 577.

Mrs. BOXER. Madam President, I ask unanimous consent that the amendment be considered as read.

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

The amendment is as follows:

At the appropriate place, add the following:

SEC. \_\_\_\_ No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Committees on Appropriations of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, the Department of Defense runs schools that serve over 86,000 children across America, Europe, and in the Pacific region. That is why I was able to get together with Senator GRAHAM and Senator INHOFE to work on a way we could get those schools fixed because they are crumbling. Since a picture is worth a thousand words, I will show this picture from one of the schools.

We can see the tiles on the roof crumbling. We have had that in our public schools, before we woke up. Literally, these tiles fall down, and it is just by the grace of God that a child or a teacher doesn't get hit and very hurt. Clearly, we need to do something about it.

What I would like to say is, we started off with an amendment that actually required the DOD to fix these schools. Now we are asking for a report that they do it because we have to avoid some parliamentary procedure problems of legislating on approps. So we believe we have done this.

I think everyone should be read last month's Newsweek. They published an investigation by the Standard for Public Integrity, which documented the conditions of DOD-run schools with se-

rious problems, leaks, corrosion, mold and overcrowding and relying on temporary facilities.

My amendment has the strong support of the National Military Families Association. They sent me a statement and I will close with this.

DOD schools, especially at U.S. installations overseas, are a community focal point and a key element in the support network for our military families stressed by a decade of war. Poorly repaired or out-of-date buildings can also create the perception among military families that their children's education is not a priority for our Nation.

I urge support for this bipartisan amendment, and I would yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the Johnson-Kirk amendment No. 556 be modified further with the changes that are at the desk; that Senator WARNER be added as a cosponsor to the Johnson-Kirk amendment; that the pending amendments be set aside and two amendments from Senator HUTCHISON be called up, No. 562 and No. 563 en bloc, and following the reporting of the Hutchison amendments, the following pending amendments be agreed to:

Johnson-Kirk No. 556, as further modified; Wyden No. 570; Hutchison, No. 562; and Hutchison No. 563; further, the pending McCain amendment No. 553 be withdrawn; that no other amendments, motions or points of order be in order other than motions to table or budget points of order and the applicable motions to waive; that at 4:45 p.m., the Senate proceed to a vote in relation to the following amendments in the order listed below: Ayotte amendment No. 575, Boxer amendment No. 577, and Coburn amendment No. 564; that upon disposition of the Coburn amendment, the substitute amendment, as amended, be agreed to; the bill be read a third time and the Senate proceed to a vote on passage of the bill, as amended; and the motions to reconsider be made and laid upon the table; finally, that upon passage, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with a ratio of 9 to 8.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I would ask that my request be modified to allow 2 minutes of debate, equally divided, between the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 556, AS FURTHER MODIFIED

The amendment (No. 556), as further modified, is as follows:

On page 114 between lines 18 and 19, insert the following:

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a

report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records. The report should also include a description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements, and identify any remaining information technology and systems infrastructure needs of Arlington National Cemetery.

## AMENDMENTS NOS. 562 AND 563

The PRESIDING OFFICER. The clerk will report the Hutchison amendments.

The assistant bill clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes amendments numbered 562 and 563.

The amendments are as follows:

## AMENDMENT NO. 562

(Purpose: To restrict the use of funds for a permanent United States Africa Command headquarters outside of the United States)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

## AMENDMENT NO. 563

(Purpose: To limit the availability of funds for military construction projects at Grafenwohr and Baumholder, Germany, pending a report on the brigade combat team scheduled to be withdrawn from Germany in 2015)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015 versus stationing a similar brigade in the United States.

The PRESIDING OFFICER. Amendment No. 556, as further modified, and amendments Nos. 570, 562, and 563 are agreed to.

Amendment No. 553 is withdrawn.

The PRESIDING OFFICER. The Senator from Arizona.

## AMENDMENT NO. 564

Mr. MCCAIN. Madam President, I rise in support of the Coburn amendment and ask unanimous consent to engage in a colloquy with the Senator from Oklahoma.

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

Mr. MCCAIN. Madam President, I think it is important for us to understand what this amendment is about.

It does not affect the decisions regarding disability as a result of Agent Orange that have already been decided under the guidelines that were extended by the Secretary of Veterans Affairs. This is a prospective amendment. So any allegation that this somehow affects previous awarding of disability payments is not correct. It is a prospective amendment for cases that will be decided in the future.

The issue of disability is always one that is very difficult because we start on the basis that concerns men and women who have served honorably in the military. Obviously, the predilection is, appropriately, to grant disabilities where those claims are made. But we now have a situation where somewhere around \$40 billion, \$41 billion, simply over the issue of heart disease, can be awarded without what appears to be a direct connection to Agent Orange.

There were many of our men and women who were serving in the conflict in Vietnam who were exposed to Agent Orange, but there were many more who were not. I don't think one can make a case that someone who was stationed on a ship in the Gulf of Tonkin and was many miles from any Agent Orange, that one could make a plausible case that Agent Orange was the cause of this disability.

What this amendment tries to do is give a realistic set of parameters for the awarding of disability payment for those who actually were exposed, and not only exposed but also that there is a direct connection between the exposure to herbicides and the outcome.

There are many needs amongst our veterans. They are there every single day. The purpose of this amendment is to make sure there is a legitimate need for compensation for those who were exposed to Agent Orange and a direct connection between that exposure and certain disabilities, particularly heart disease, Parkinson's disease, Hodgkin's, et cetera. What we are trying to do is make sure those who were actually exposed, and there is a direct connection, are rewarded, and adequately so, but at the same time not have a situation where it is an open-ended expenditure of taxpayers' dollars.

The Veterans' Disability Benefits Commission endorsed the need for establishing a new framework for presumptions with more transparent processes but failed to take the full step of embracing causality in decision-making. This amendment will achieve that goal identified by the Institute of Medicine to ensure that scientifically

based causality is at the heart of the disability determination process.

I would match the commitment of the Senator from Oklahoma and my own for veterans with the commitment of anyone in this body, but there also has to be some rationality associated with it. I was a great admirer of the Honorable Tony Principi, who was the former Secretary of Veterans Affairs. Again, I want to quote from his statement:

If the American people lose faith in the integrity of our disability benefit system, veterans and their families will be the ones who suffer. The surest way for that to happen is for the public to be convinced that presumptive service connection decisions are based on anything other than sound scientific advice.

These presumptions, as they presently exist, are not based on sound scientific advice. With some I am sure this amendment is not popular, but I thank my colleague from Oklahoma for bringing it to the attention of this body.

Mr. COBURN. Madam President, I thank the Senator from Arizona. We want to make sure any veteran who has a positive causation factor from any aspect that would lead to any disability, that we meet that need. That is not what this is about.

This has been looked at two times by the Institute of Medicine. The first time there was no study—none of the studies they cited showed even positive association. The last time we had two that showed some positive association but absolutely no causation. There is a big difference in science. Something can be associated with something and doesn't mean it causes it. On that basis, the Secretary committed this country to make payments to people for disabilities that are not associated with their service. The point is, in a limited budget going forward, if we are paying for disabilities that are not associated with service, that means we are going to have less money available for those veterans who do have a disability.

We have heard, No. 1, this will reverse all that has come before. It will not. It is prospective only. It will not change the presumption that if someone was in or above Vietnam they have the presumption of being exposed to Agent Orange. That will not change at all. The previous scientific diseases that were based on causation will not be eliminated at all. But, in fact, those that are not associated with causality will be eliminated.

Will they be eliminated in the future? If the science at some point in time shows us that there is a causal relationship between that exposure and disease, then we can do something about it. But now we are throwing money at disabilities that are not associated and not caused by veterans' exposure to this herbicide.

I ask, given where we are in this country and the fact that we are going to have a tough time funding veterans



programs in the future anyway, that we ought not spend a dollar on something that is not directly caused by a veteran's exposure to Agent Orange so that we have that dollar to pay for those who truly were exposed and truly have a disability.

I yield back to the Senator from Arizona.

Mr. McCAIN. I thank the Senator from Oklahoma. I ask him, I have heard anecdotally the eligibility for disability under the guidelines as issued by the Secretary of the Army—and, by the way, we are talking about \$40-some billion additional of taxpayers' money. I think that should be the subject of legislative action rather than a decision made by the Secretary of Veterans Affairs.

Is it not true that, anecdotally, we have heard that people who were in the Korean war and not the Vietnam war have somehow become eligible? And people who were on ships in the Gulf of Tonkin, not anywhere near Agent Orange, have also been declared eligible?

Mr. COBURN. They are eligible, and there are some reasons for that. But that is not what this debate is about. We are not questioning it. We are just saying on this basis we are not using science how we have used it in every other aspect of veterans' disability. Now we are going beyond science.

When we look at the total number of studies, rarely 3 percent or so show any association, and association does not imply any causation. So we have the Secretary who has made a decision to commit this country to \$42 billion of additional expenditures not based on sound science but the fact that he can do that, and that is what I think is wrong. If the veterans committee thinks there is the science to do that, they should bring a bill to the floor and do that. But the science is not there. I have looked at it. I have read it. It is not there.

The Institute of Medicine says it is not there, and they say disability ought to be based on causation, not on association.

Mr. McCAIN. Madam President, I yield the floor.

Mr. JOHNSON of South Dakota. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

AMENDMENT NO. 577, AS MODIFIED

Mrs. BOXER. Madam President, I ask unanimous consent that Boxer amendment No. 577 be modified with the changes that are already at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 577), as modified, is as follows:

At the appropriate place, add the following:

SEC. \_\_\_\_ . No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Congressional Defense Committees of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JOHNSON of South Dakota. I thank the Chair.

AMENDMENT NO. 575

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 575.

The amendment (No. 575) was agreed to.

AMENDMENT NO. 577, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Boxer amendment No. 577, as modified.

The amendment (No. 577), as modified, was agreed to.

AMENDMENT NO. 564

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Coburn amendment.

The Senator from Oklahoma.

Mr. COBURN. This is a commonsense amendment that will secure this for veterans and make sure we are not paying for disabilities for those who are not truly service connected, that are not based on science or causation. I know it is a tough vote, but in the environment we face today we ought to be using science to positively connect causality with any disability we grant.

With that, I reserve the remainder of my time.

Mrs. MURRAY. So my colleagues know, there is a reason we have made this type of compensation like Agent Orange presumptive. It is because our military did a miserable job of tracking these exposures, and it is because no veteran will ever be able to go to a map and tell you with certainty where they were exposed. No veteran will tell you what and how much of this poison Agent Orange they inhaled. So we have to look at the facts with reason and compassion, and in this case on the one hand we have the knowledge that we sprayed a known killer throughout the area where a number of these veterans were serving.

We have had thousands of veterans who have come forward and believe their cancers and ailments were caused by that exposure. We have studies that show veterans exposed to Agent Orange are more likely to have heart disease,

cancer, and other conditions. We have the Institute of Medicine which has recommended giving these veterans the benefit of the doubt, and we have the Secretary of Veterans Affairs who has decided we need to move forward to provide compensation.

On the other hand, you have an amendment today—while it makes a compelling case for saving money, it hasn't presented any evidence at all that Agent Orange did not cause the conditions faced by these Vietnam veterans coming forward. An amendment that asks our veterans to wait longer? That is something they have already done too much of. They have been waiting and getting sicker. They have been dying for 40 years or more. We should not ask them to wait longer.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. I thank the Chair. I urge my colleagues to vote to table this amendment. And if the Senator wants to finish his remarks, I will move to table when he is finished.

Mr. COBURN. I wish to make one point. The Institute of Medicine did not recommend this. As a matter of fact, their recommendation was that causality ought to be the only way in which we would do this.

I would ask for the yeas and nays on the amendment.

Mrs. MURRAY. Madam President, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll. The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 30, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—69

Akaka	Hagan	Murkowski
Ayotte	Harkin	Murray
Baucus	Heller	Nelson (NE)
Begich	Hoeben	Nelson (FL)
Bennet	Inhofe	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Kerry	Rubio
Burr	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Snowe
Casey	Leahy	Stabenow
Collins	Levin	Tester
Conrad	Lieberman	Thune
Coons	Manchin	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Webb
Gillibrand	Mikulski	Whitehouse
Grassley	Moran	Wyden

NAYS—30

Alexander	Chambliss	Cochran
Barrasso	Coats	Corker
Blunt	Coburn	Cornyn

Crapo	Kirk	Portman
DeMint	Kyl	Risch
Enzi	Lee	Sessions
Graham	Lugar	Shelby
Hatch	McCain	Toomey
Hutchison	McConnell	Vitter
Johnson (WI)	Paul	Wicker

NOT VOTING—1

Boozman

The motion was agreed to.

Mr. DURBIN. Mr. President, I rise to express my support for the fiscal year 2012 Military Construction and Veterans Affairs appropriations bill.

As a nation we are dedicated to taking care of our troops, those same troops who deploy into harm's way regardless of whether we are able to come to an agreement on our debt ceiling.

We are also dedicated to upholding our commitment to our veterans who have fought past wars and did so because they believed in this country and the freedoms we all enjoy today.

This bill passed the Appropriations Committee unanimously on June 30, and I'm pleased the Senate moved quickly to bring this measure to the floor for debate.

Our Nation has been at war for almost a decade. We are involved in three wars. In support of our troops on the front lines, we need to make sure they have the infrastructure they need to train and the family housing facilities they deserve.

The bill includes \$11.1 billion for military construction worldwide to provide for barracks, readiness centers, schools, hospitals and clinics.

In particular, it provides the entire requested amount, \$1.2 billion, for reservist construction projects.

Several of these projects from the President's budget are in Illinois, totaling some \$146 million. The bill provides for Army Reserve centers in Homewood and Rockford, IL. It also provides for an Army National Guard Readiness Center in Normal, IL, as well as renovations to the Great Lakes Naval Station.

The bill provides funding for necessary projects like these all across the country.

Without them, our Guard and Reserve would struggle to maintain the training and preparations necessary in a time of war.

The bill also keeps our commitment to our veterans, some of whose lives have changed forever as a result of their service.

We are all committed to providing our veterans with the care, services and facilities they deserve, even in tough budget years.

As such, the bill provides VA medical research at \$72 million above the budget request for mental health, traumatic brain injury, spinal cord injury, burns and sensory loss.

These are key areas for a cohort of veterans who are surviving in larger numbers than previous wars due to improved medical care.

To take one example: Our men and women on the front lines are increas-

ingly suffering brain injuries from improvised explosive device, IED, blasts. While we have advanced our understanding of how traumatic brain injury, TBI, affects the brain, there is still a lot more to learn through this research.

This funding will also continue work with prosthetics. Walter Reed Army Medical Center has done amazing work with providing prosthetics that even help return some servicemembers to their pre-injury jobs in the military.

Many use their new prosthetics and relearn how to not only take care of themselves, but also ski, ride a bike, and even fish. Without this funding our troops and veterans would not have access to the amazing medical advances which make these activities possible.

Another key area of this bill fully funds the information technology infrastructure at the VA. This will allow the agency to continue developing and improving electronic health records, paperless claims systems, and implementing the seamless integration between the DOD and the VA.

These systems should help address the claims backlog—a problem our veterans deserve to have addressed.

Yes, the VA has expanded eligibility to include those exposed to Agent Orange, a policy long time coming. Yes, there are large numbers of OEF and OIF veterans submitting claims, an unfortunate state of events.

But not one of these veterans deserves to wait for months and years for a response to their disability claim. We can do better. And we must do better.

And for our veterans who have been severely injured as a result of their service and now require full-time care, the VA has already begun accepting applications for the Caregivers Program. Over 1,100 applications have been received nationwide by the end of last month.

I am proud to have helped create this program as part of the Caregiver and Veterans Omnibus Health Services Act of 2009.

The Caregiver Program helps keep the promise our country has made to our veterans by providing comfortable and dignified home care by a family member for post-9/11 veterans.

I have met several of these veterans and their caregivers in Illinois. It has been a long and winding road, but we are finally going in the right direction and supporting those families whose servicemember was severely injured.

This bill provides 100 percent of the President's request, \$208 million, for implementation of the Caregivers Program, and our veterans and their families are depending on the passage of this bill.

Americans are counting on us to pass bills and legislate. Our servicemembers are counting on us to fund their needs so they can get on with the business of keeping us safe. And our veterans are expecting us to honor our commitment and honor their service by paying for the care and services they have so rightly earned.

Senator JOHNSON and Senator KIRK, the managers of this bill, have put a great deal of effort into creating a spending bill that is fiscally responsible without sacrificing the needs of our men and women in uniform. I look forward to the conclusion of debate on this bill and moving to final passage.

Mr. WARNER. Mr. President, I call to the attention of my colleagues two amendments that Senator WEBB and I have filed to the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act for 2012.

Each of these amendments relates to the Navy's proposal to build a new nuclear pier facility to support east coast aircraft carriers. With annual recurring costs, this new project would likely cost just shy of a billion dollars.

At a time when our Nation is in a severe fiscal crisis and the Navy cannot pay to maintain the infrastructure it currently owns. As Admiral Mullen has said, the greatest challenge to our national security is our mounting debt.

Together, these amendments would save nearly \$15 million for an unnecessary Navy military construction project at Naval Station Mayport, FL. We are awaiting completion of an independent GAO assessment of the strategic risks to our carrier fleet which include manmade and natural disasters. It would also consider the cost and benefits of what other measures we can take to mitigate risk.

This is not a small project, the Navy estimates its homeporting plan will cost nearly \$600 million, but that cost could escalate to up to \$1 billion during the eight years ahead. Tack on to that more than \$20 million in annual maintenance costs currently estimated for an additional homeport and we are signing the taxpayer up for a big bill, much of which is not funded. It is in the "outyears" as they say.

The justification for a new homeport is the mitigation of the risk of a terrorist attack, accident, or natural disaster occurring at the nuclear handling facility at the existing carrier homeport at Norfolk, VA.

However, the current Navy plan fails to take into account the two additional east coast carrier capable facilities at Newport News, VA, and the Naval Shipyard. Each of these facilities maintains separate nuclear handling sites located many miles apart. If there were damage to the existing Naval base, the Navy could simply disperse the carriers to other piers. That is a lot cheaper and more efficient than building a new, duplicative facility.

Additionally, recent Navy briefings indicate there is a 50-percent greater chance of a major hurricane hitting Mayport than Norfolk. Why would we want to build a new facility at a higher risk location?

The Navy has also identified unfunded priorities totaling \$11.8 billion between fiscal year 2008 and fiscal year 2012. These priorities are in critical areas including shipbuilding, military construction, maintenance, and acquisition programs—programs which are

critical to both our current and future readiness.

We must maintain our existing infrastructure properly before pursuing a duplicative homeporting project. It is more fiscally responsible for the Navy to reduce its current unfunded requirements, which total tens of billions of dollars.

With our serious fiscal reality, it is much more responsible to focus on taking care of the infrastructure we have then embarking on buying new infrastructure which we cannot afford and piles more money onto our national debt.

The PRESIDING OFFICER. The substitute amendment, as amended, is agreed to.

The question is on the engrossment of the amendment and third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I would like to yield to Senator KIRK for any final remarks he may have.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I remind Members, we are now moving to final passage on our first appropriations bill of this Congress. It has been 2 years since the Senate has passed a separate freestanding appropriations bill, but this is a bipartisan measure. It is marked to the House budget level, the Paul Ryan budget. We made difficult decisions cutting 24 separate military construction programs. We denied the Court of Appeals for Veterans Claims a new building. We came in below the President, about \$1.2 billion below the President; \$620 million below last year, and even \$2.6 million below the House-passed bill.

This is the bill that takes care of over 22 million veterans and our military construction needs. I thank Chairman JOHNSON for his work as we get the Appropriations Committee going again in a bipartisan way.

With that, I yield back to the chairman.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, shortly we will be voting on final passage of the MILCON-VA appropriations bill. I would like to thank Leaders REID and MCCONNELL and Chairman INOUE and Vice Chairman COCHRAN for their leadership and support in getting us to this point.

I would especially like to thank my ranking member, Senator KIRK, for his cooperation and support in crafting this bill and steering it through the Senate. I am confident we would not be where we are today without his help and hard work on this bill.

I also thank my colleagues for helping us to move this bill forward by re-

jecting dilatory amendments and by showing restraint in offering amendments to this bill. A number of Senators have filed amendments that are very important to them but are also controversial or not relevant to the bill. I appreciate their willingness to postpone debate on some of these issues so as not to bog down this bill.

For example, I know Senators WEBB and WARNER feel very strongly about their amendments regarding the homeporting of a Navy carrier on the east coast, and I know the Florida Senators have equally strong feelings on this subject. I understand the Defense authorization bill includes a provision mandating a GAO report on this issue, and I appreciate the willingness of both delegations to postpone the debate on the carrier issue so we can focus on timely passage of this appropriations bill.

Mr. President, I also thank the subcommittee staff who do the heavy lifting in the drafting and managing of the bill on the Senate floor.

As I have said many times, this is a good bill. It is bipartisan, and it is responsible. I urge all of my colleagues to support it.

Mr. KIRK. If the Senator would yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KIRK. I also thank Dave Schiappa, Laura Dove, and Ashley Messick on the Senate floor for guiding this bill through; Chairman INOUE and especially his staff director, Charlie Houy; Vice Chairman COCHRAN and his staff director, Bruce Evans.

I thank Chairman JOHNSON and especially Tina Evans, Chad Schulken, Andy Vanlandingham, Dennis Balkham, D'Ann Lettieri, and Patrick Magnuson who have brought this first appropriations bill of this Congress through.

With that, I yield the floor.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. JOHNSON of South Dakota. I ask for the yeas and nays on passage of the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—97

Akaka	Boxer	Cochran
Alexander	Brown (MA)	Collins
Ayotte	Brown (OH)	Conrad
Barrasso	Burr	Coons
Baucus	Cantwell	Cornyn
Begich	Cardin	Crapo
Bennet	Carper	DeMint
Bingaman	Casey	Durbin
Blumenthal	Chambliss	Enzi
Blunt	Coats	Feinstein

Franken	Leahy	Roberts
Gillibrand	Lee	Rockefeller
Graham	Levin	Rubio
Grassley	Lieberman	Sanders
Hagan	Lugar	Schumer
Harkin	Manchin	Sessions
Hatch	McCain	Shaheen
Heller	McCaskill	Shelby
Hoeven	McConnell	Snowe
Hutchison	Menendez	Stabenow
Inhofe	Merkley	Tester
Inouye	Mikulski	Thune
Isakson	Moran	Toomey
Johanns	Murkowski	Udall (CO)
Johnson (SD)	Murray	Udall (NM)
Johnson (WI)	Nelson (NE)	Vitter
Kerry	Nelson (FL)	Warner
Kirk	Paul	Webb
Klobuchar	Portman	Whitehouse
Kohl	Pryor	Wicker
Kyl	Reed	Wyden
Landrieu	Reid	
Lautenberg	Risch	

NAYS—2

Coburn

Corker

NOT VOTING—1

Boozman

The bill (H.R. 2055), as amended, was passed, as follows:

H.R. 2055

*Resolved*, That the bill from the House of Representatives (H.R. 2055) entitled "An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, namely:*

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$3,066,891,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$255,241,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,187,622,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$84,362,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both*

Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,227,058,000, to remain available until September 30, 2016: Provided, That of this amount, not to exceed \$81,913,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$3,380,917,000, to remain available until September 30, 2016: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$439,602,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That of the amount appropriated, notwithstanding any other provision of law, \$24,118,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$773,592,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$20,671,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$116,246,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$9,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the

Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$280,549,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$28,924,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$26,299,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,591,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$33,620,000, to remain available until September 30, 2016: Provided, That of the amount appropriated, not to exceed \$2,200,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$272,611,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$186,897,000, to remain available until September 30, 2016.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$494,858,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including

acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$100,972,000, to remain available until September 30, 2016.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$367,863,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$84,804,000, to remain available until September 30, 2016.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$404,761,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$50,723,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$2,184,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

HOMEOWNERS ASSISTANCE FUND

For the Homeowners Assistance Fund established by section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, (42 U.S.C. 3374), as amended by section 1001 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 194), \$1,284,000, to remain available until expended.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, \$75,312,000, to remain available until September 30, 2016, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$323,543,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$258,776,000, to remain available until expended: Provided, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project

that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or \$2,000,000, whichever is less: Provided further, That the previous proviso shall not apply to projects costing less than \$5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

#### ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except:

- (1) where there is a determination of value by a Federal court;
- (2) purchases negotiated by the Attorney General or the designee of the Attorney General;
- (3) where the estimated value is less than \$25,000; or
- (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to:

- (1) acquire land;
- (2) provide for site preparation; or
- (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project:

- (1) are obligated from funds available for military construction projects; and
- (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883, of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to:

- (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time

as amounts appropriated directly to the Fund; or

(2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 120. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 121. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 122. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 123. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United

States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 124. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 127. (a) CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.—The closure of the Umatilla Army Chemical Depot, Oregon, and subsequent management and property disposal, may be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(b) RETENTION OF PROPERTY AND FACILITIES.—The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Army Chemical Depot, to-

taling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(c) OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

SEC. 128. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

SEC. 129. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military construction costs) to be incurred during fiscal years 2012 through 2015 in connection with keeping the brigade identified in Germany through September 30, 2015 versus stationing a similar brigade in the United States.

SEC. 130. No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the congressional defense committees of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$58,067,319,000, to remain available until expended: Provided, That not to exceed \$32,187,000 of the amount appropriated under this heading shall be reimbursed to "General operating expenses, Veterans Benefits Administration", "Medical support and compliance", and "Information technology systems" for necessary expenses in implementing the pro-

visions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical care collections fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 51, 53, 55, and 61 of title 38, United States Code, \$11,011,086,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapters 19 and 21, \$100,252,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2012, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$154,698,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$19,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,019,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$343,000, which may be paid to the appropriation for "General operating expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,116,000.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as



authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of Public Law 111-163; \$41,354,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013: Provided, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); \$5,746,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$5,441,000,000, plus reimbursements, shall become available on October 1, 2012, and shall remain available until September 30, 2013.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$581,000,000, plus reimbursements, shall remain available until September 30, 2013.

#### NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$250,934,000, of which not to exceed \$25,100,000 shall remain available until September 30, 2013.

#### DEPARTMENTAL ADMINISTRATION GENERAL ADMINISTRATION (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$431,257,000, of which not to exceed \$21,562,000 shall remain available until September 30, 2013: Provided, That \$15,000,000 shall be to increase the Department's acquisition workforce capacity and capabilities and may be transferred by the Secretary to any other account in the Department to carry out the purposes provided therein: Provided further, That funds provided under this heading may be transferred to "General operating expenses, Veterans Benefits Administration".

#### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,018,764,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That of the funds made available under this heading, not to exceed \$105,000,000 shall remain available until September 20, 2013: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase (on a one-for-one replacement basis only) up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

#### INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$3,161,376,000, plus reimbursements: Provided, That \$915,000,000 shall be for pay and associated costs, of which not to exceed \$25,000,000 shall remain available until September 30, 2013: Provided further, That \$1,709,953,000 shall be for operations and maintenance as designated in the President's 2012 budget justification, of which not to exceed \$110,000,000 shall remain available until September 30, 2013: Provided further, That \$536,423,000 shall be for information technology systems development, modernization, and enhancement as designated in the President's 2012 budget justification, and shall remain available until September 30, 2013: Provided further, That none of the funds made available under this heading may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that:

- (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget;
- (2) complies with the Department of Veterans Affairs enterprise architecture;
- (3) conforms with an established enterprise life cycle methodology; and

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects and in the amounts, specified under this heading in the report accompanying this Act.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$112,391,000, of which \$6,600,000 shall remain available until September 30, 2013.

#### CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, onsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$589,604,000, to remain available until expended, of which \$5,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2012, for each approved project shall be obligated:

- (1) by the awarding of a construction documents contract by September 30, 2012; and
- (2) by the awarding of a construction contract by September 30, 2013: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of



both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$550,091,000, to remain available until expended, along with unobligated balances of previous "Construction, minor projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for:

(1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and

(2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$85,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2012 for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical services", "Medical support and compliance", and "Medical facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical services" and "Medical support and compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, major projects", and "Construction, minor projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2011.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and pensions".

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2012, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information technology systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2012 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2012 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not exceed \$42,904,000 for the Office of Resolution Management and \$3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General administration" and "Information technology systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than \$1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, major projects" and "Construction, minor projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, major projects" and "Construction, minor projects".

SEC. 214. Amounts made available under "Medical services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian

Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, major projects" and "Construction, minor projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical services", "Medical support and compliance", "Medical facilities", "General operating expenses, Veterans Benefits Administration", "General administration", and "National cemetery administration" accounts for fiscal year 2012, may be transferred to or from the "Information technology systems" account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Amounts made available for the "Information technology systems" account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: Provided, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 222. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 223. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2012, in this Act or any other Act, under the "Medical facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obli-

gated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2011 for "Medical services", "Medical support and compliance", "Medical facilities", "Construction, minor projects", and "Information technology systems", up to \$241,666,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available:

(1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and

(2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for "Medical services", "Medical support and compliance", and "Medical facilities", a minimum of \$15,000,000, shall be transferred to the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSION OF FUNDS)

SEC. 227. (a) Of the funds appropriated in title X of division B of Public Law 112-10, the following amounts which will become available on October 1, 2011, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified, to become available on October 1, 2011, and to remain available until September 30, 2013:

(1) "Department of Veterans Affairs, Medical services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical support and compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical facilities", \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in "Construction, major projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

#### TITLE III

##### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$61,100,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,770,000: Provided, That \$2,726,323 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL  
CEMETERIAL EXPENSES, ARMY  
SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed \$1,000 for official reception and representation expenses, \$45,800,000, to remain available until expended: Provided, That none of the funds available under this heading shall be for construction of a perimeter wall at Arlington National Cemetery. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be relocated to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME  
TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$67,700,000, of which \$2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

SEC. 301. Not later than 90 days after enactment of this Act, the Executive Director of Arlington National Cemetery shall provide a report to the Committees on Appropriations of the Senate and the House of Representatives; the Senate Armed Services Committee; the Senate Veterans' Affairs Committee; and the Senate Homeland Security and Governmental Affairs Committee, detailing the strategic plan and timetable to modernize the Cemetery's Information Technology system, including electronic burial records. The report should also include a description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements, and identify any remaining information technology and systems infrastructure needs of Arlington National Cemetery.

TITLE IV  
GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2012 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

This Act may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012".

The PRESIDING OFFICER. The Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints:

Mr. JOHNSON of South Dakota, Mr. INOUE, Ms. LANDRIEU, Mrs. MURRAY, Mr. REED of Rhode Island, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. TESTER, Mr. LEAHY, Mr. KIRK, Mrs. HUTCHISON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. BLUNT, Mr. HOEVEN, Mr. COATS, and Mr. COCHRAN, conferees on the part of the Senate.

The majority leader is recognized.

Mr. REID. Mr. President, I express my appreciation to the chairman and the ranking member of the subcommittee for the work they have done on this bill. It took a little longer than we wanted, but they got it done. They have been excellent managers of this important legislation. It is our first appropriations bill. Senator MCCONNELL and I want to do other appropriations bills. It would be a new day to do these bills rather than having a big omnibus bill. Again, I express my appreciation to the managers.

There will be no more rollcall votes today. Tomorrow, I am going to move to proceed to the bill that we call the Cut, Cap, and Balance bill received from the House today. Under the rules of the Senate, a cloture vote on the motion to proceed will occur Saturday. Therefore, I expect a cloture vote sometime before lunchtime.

I am committed to allowing a full and fair debate on this bill. I want the proponents and the opponents to have plenty of time to air their views. If the proponents of the bill would like to have the vote sooner, they can let me know and we will try to work something out. There may be efforts to try to advance that vote. As far as I am concerned, we should have a full and fair debate, and I look forward to that.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, let me echo the remarks of the majority leader regarding the chairman and the ranking members of this subcommittee, who have done a fine job. I commend Senator KIRK, who has served around here for the last couple of years. It is truly remarkable to pass an appropriations bill. We passed it at a level where it is likely to be conferenced successfully with the House. I congratulate both Senators—in particular our new Senator from Illinois.

I also share the view of the majority leader that we should have a vigorous debate over cut, cap, and balance. I look forward to being here Saturday to vote to proceed to that bill.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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 now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MILCON APPROPRIATIONS

Mr. KIRK. Mr. President, I extend my thanks to Chairman JOHNSON

again. This bill passed by a vote of 97 to 2. It is the first appropriations bill separately passed by the Senate since November of 2009. It represents a substantial achievement of bipartisan cooperation between the majority and minority. It meets the needs of our over 22 million veterans and the military construction needs of the Army, Navy, Air Force, and allied services around the world.

I am happy that the Senate has begun working again on separate appropriations bills. I commend Chairman INOUE and Vice Chairman COCHRAN for moving forward, as well as the leadership staff. I only hope that further subcommittees can bring other bills forward, as Chairman JOHNSON and I have done, to return regular order to the Senate and its appropriations process.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from New Hampshire.

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

#### BALANCED BUDGET AMENDMENT

Mr. THUNE. I have been coming to the floor for several weeks to talk about the need to restrain spending and cut our deficit. As we look at the next few days, we are going to have an opportunity to debate something that does that. We are going to be talking about the Cut, Cap, and Balance plan.

The third part of the plan—the balanced budget amendment—is something I have supported since I first ran for the House of Representatives about 15 years ago. This past week, I received a letter from a Boy Scout in South Dakota, who was writing in to earn a merit badge. I will read an excerpt from the letter. This is what he said:

I feel that the Federal Government needs a balanced budget. If we don't, the debt gets larger each year. I feel that there are two solutions for this. In our house, we are careful to only spend what my Mom and Dad earn. The needs come first and what is left is for wants. Many times we were told no when we asked for something. With my allowance and lawn mowing money, I divide it between donations, savings and spending. I can't spend more than I make.

I think there are two very powerful thoughts in this statement. First is that the need for a balanced budget is obvious—even to this young man because, like him, we cannot spend more than we make. The second is that this has a profound impact on the younger generation. The debts we are running up now will have profound impacts on our children and our grandchildren.

The Senator from New Hampshire is on the floor. She is fairly new to the Senate, but she has already had an immediate impact on many of these budget debates. She is also the mother of two young children, each of whom is carrying a \$46,000 debt. I ask the Senator from New Hampshire about those two young children and the \$46,000 burden that has been placed on them by the \$14.3 trillion national debt we have. Does she feel comfortable having her children essentially owe \$46,000 of this massive national debt we have accumulated now for the past several years?

Ms. AYOTTE. I thank my colleague from South Dakota. This is such an important issue, as he has pointed out, and as his constituent has written him.

As a mother of two children, I am deeply concerned with what is going to happen to the next generation if we continue to kick this can down the road and if we don't use common sense to balance our budget.

I have heard from constituents in New Hampshire—and I am sure the Senator from South Dakota hears the same—that basically only in Washington would the notion of balancing your budget be called “extreme.”

It is common sense that you can't spend more money than you have. We need to pass the Cut, Cap, and Balance plan, because it is a commonsense proposal to ensure that we don't continue along this cycle of continuing to increase our debt and not have a plan to pay our bills.

And borrowing money from China—that has to stop. When you think about all the money we have borrowed from a country such as China, which doesn't share our values—right now, there is no other plan that has been presented but the Cut, Cap, and Balance plan, which was just passed by the House. We can do this now and put our nation on a path to a balanced budget and make sure that the Senator's constituents—and I know he is a father as well—and our children don't bear the burden of our failure to make the tough decisions today. We owe it not only to everybody in our generation but to our children and our grandchildren.

I wanted to ask the Senator from South Dakota this: The cut, cap, and balance plan puts emphasis on cutting spending instead of raising taxes to bring down our deficit and our \$14 trillion debt. Does he believe that is the right approach for America?

Mr. THUNE. Absolutely. I say to my colleague from New Hampshire that the cut, cap, and balance approach is the correct way to approach this problem, because it makes cuts to spending today—real cuts—this year, to this year's budget. It caps spending in the near term, and then it puts into place a balanced budget amendment that would require Congress to balance its budget in the future years. Obviously, that is something many States have. My State of South Dakota has that. I know that the “live free or die” State of New Hampshire has some very dis-

tinct and direct views about the role of government and making its role limited, keeping spending under control, and living within your means.

Cut, cap, and balance is the correct approach because it puts the emphasis on getting spending under control. If you look at the five times our country balanced the budget since 1969, the average amount we spent was just under 18.7 percent of GDP—our entire economy. This year, we are set to spend 24.3 percent of our GDP. That is just on the Federal Government—a historic high.

The President spends substantially above this average in his budget for every year. You literally have to go back to the end of World War II to find a time when we spent this amount as a percentage of GDP on the Federal Government.

Part of the reason for this is the huge increase we have seen in nondefense discretionary spending from 2008 to 2010. In those 2 years, in which the economy was hurting and families everywhere were cutting back, these accounts increased by a mind-boggling 24 percent.

This year, part of our deficit is also caused by low tax receipts, which are caused by a slow economic recovery. If you look at the tax revenue that we brought in in 2006 and 2007, we brought in over 18 percent of GDP in both years. So if we are able to constrain spending, we know we will be able to balance our budget once our economy improves.

I argue that one of the ways we help our economy improve and get back on track is to get Federal spending under control. In 2006 and 2007, the income Tax Code—the way we collected taxes was similar to what we have today. We brought in over 18 percent of GDP in both of those years. So if we get back to a more normal footing in terms of the economy, we will see revenues start to come back. But we have to get spending controlled and actually start to rein in the out-of-control spending we are seeing here in Washington, DC.

If there is still a gap, even if we get back to 18 percent of GDP in terms of what we collect in the form of tax receipts, there is still 23, 24, 25 percent of GDP that the President wants to be comprised of Federal spending. The gap cannot be met through tax increases. It has to be dealt with through spending restraint.

A couple of years ago—and I want to get back to my colleague from New Hampshire in just a moment—Senator AYOTTE's predecessor in this job, Senator Gregg of New Hampshire, who was a great fiscal mind around here and somebody who was very focused on spending and debt, along with Congressman RYAN, asked the Congressional Budget Office to estimate how high tax rates would have to rise to pay for our projected spending. CBO's response had two parts. First, they said marginal rates would have to more than double to cover the expected expenditures of our government. They said:

The tax rate for the lowest tax bracket would have to be increased from 10 percent to 25 percent. The tax rate on incomes in the current 25 percent bracket would have to be increased to 63 percent. And the tax rate at the highest bracket would have to be raised from 35 percent to 88 percent. The top corporate income tax rate would also increase from 35 percent to 88 percent.

That is a quote from the Congressional Budget Office in response to an inquiry from Senator Gregg and Congressman RYAN about what the tax rates would have to be in order to get our budget back into balance.

CBO also said that, practically speaking, this is impossible; you cannot increase tax rates and create this huge disincentive that would have a profound impact on our economy and our ability to create jobs.

So we know that amount of revenue would never be collected when you raise tax rates that high. We know the real way to deal with the budget and to get the budget balanced and under control in this country is to get spending under control. So I think the cut, cap, and balance approach is the correct way in which to proceed because it puts that focus on spending. We need to make sure to constrain spending and live within our means. The cut, cap, and balance approach does that.

By the way, I would like to make one observation about that because there are people who have said the balanced budget amendment that has been proposed by Republicans is too Draconian and won't work. The cut, cap, and balance plan doesn't specify or prescribe a specific balanced budget amendment; it just says a balanced budget amendment.

I think my colleagues on this side would be more than happy to work with our colleagues on the other side to come up with a balanced budget amendment that actually would work to ensure we don't spend more than we take in each and every year, which is what almost every State in the country has in its constitution. That is why they are able to live within their means.

I would say to my colleague from New Hampshire, I am told she recently held a townhall meeting back in New Hampshire, and I am interested in knowing what her constituents had to say because I think New Hampshire has always been a good barometer when it comes to fiscal issues. What did they think about the crisis we are facing? Do they believe the way we ought to deal with this would be to constrain spending and to get our budget balanced in that way, as opposed to moving toward raising taxes, which is what many of our colleagues on the Democratic side and the President have suggested doing?

Ms. AYOTTE. I thank my colleague. What I have heard from my constituents in New Hampshire—and we do have a requirement to balance our budget, and it is not easy to make those tough choices—is that they do not understand why in Washington

there is controversy over the notion of balancing the budget because at home people are balancing their budgets. Families balance their budgets, and businesses balance their budgets.

I meet with businesspeople, and they look at me in disbelief and say: I don't understand why in Washington they don't look at what they have to spend and then stick within a strict budget. It really comes down to common sense.

One of the biggest issues I have heard about from my constituents is that they are concerned that it has been over 2 years—over 800 days—since the Democrat-controlled Senate last passed a budget. The notion that we have been operating without a budget and running well over trillion-dollar deficits and haven't sat down and done the hard work of rolling up our sleeves, allowing the Budget Committee to do its work, astounds New Hampshire citizens because they understand that if we don't have a basic spending blueprint for our country, the end result is that we are going to continue to run up deficits and spend money we don't have, borrowing from countries such as China, which doesn't share our values.

One of the things that is very important about this cut, cap, and balance plan is that it cuts \$111 billion in fiscal year 2012 and it places firm caps on future spending, contingent upon the House and Senate passing a balanced budget amendment, which is so important.

As we have talked about, let's let the States decide. Really, this is about sending it to the people of this country and allowing them to say whether we should balance our budget. I know what the answer will be in New Hampshire. They will say: Yes, please, balance the budget.

If you look at where we are, as Senator THUNE has mentioned, with respect to spending in terms of the size of our economy, we are over 24 percent of our GDP that we are spending right now—well above our historical level, well above the amount of money we are bringing in. Yet the only fiscal plan the President brought forward would massively increase our debt over the next decade, so much so that not even one Member of his own party in the Senate voted for that budget.

So when we talk about a real plan to get America back on track, this cut, cap, and balance plan has a very commonsense approach. We will cut spending right away, put together a responsible fiscal plan for America, and then make sure we have those caps in place so we don't continue to spend close to 24, 25 percent of our GDP. I mean, the President has increased our debt 35 percent since he has been in office.

Finally, let's put to the States the question of whether they think it makes sense to balance our budget. I think we know what the answer will be. They will say: Yes, please balance your budget, as we have to do at home, as we do in State government.

The other issue we are facing right now is, of course, what the rating agen-

cies have said about our failure to handle this fiscal crisis. We have heard about the concerns that if we do not come up with a credible plan that really cuts spending right now, our credit ratings will be threatened. That will further impact our economy, and that is why we can't continue to put off the tough decisions. This cut, cap, and balance plan will put forward \$6 trillion of cuts over the next decade. That will help make sure we preserve our credit ratings for this country. It will make sure we focus on real economic growth that get people back to work.

If we raise taxes the way CBO has suggested based on the questions from Senator Gregg and Congressman RYAN, we know that is going to hurt the American taxpayer. It is going to hurt job creators in this country.

I also happen to come from a small business family. I know the impact of raising taxes in the way that was described. If we have to raise taxes to address the spending problem we have in Washington, it is going to hurt our small businesses—those who create the jobs in this country—and that is the last thing we should be doing when we have over a 9-percent unemployment rate.

So I hope my colleagues will pass the cut, cap, and balance plan right away. The House has passed it, and we can raise the debt ceiling with a responsible plan to cut spending right away, impose spending caps, and send a balanced budget amendment to the States.

I would ask my colleague from South Dakota, when the Senator was first elected, before he served in the Senate, I know he had a career in the House of Representatives and served the people of South Dakota there. There was a vote on the balanced budget amendment at the time in the Senate, and it only failed by one vote. What does the Senator believe our current fiscal situation would be had the balanced budget amendment passed the Senate at that time?

Mr. THUNE. What is remarkable about that is when I first got here, there was a vote in the Senate in 1997. We didn't have the opportunity to vote on it in the House of Representatives, although I think we could have passed it with a two-thirds majority there at the time. It failed in the Senate by one vote. It got 66 votes in the Senate and it needed 67.

I can't help but think how different things would be today had we passed the balance budget amendment then and sent it to the States. I presume, as does the Senator—and New Hampshire is not unlike South Dakota—that we would certainly have ratified it. The 38 States would have ratified it, and it would have put us on a path that is fiscally sustainable. Ironically, at that time the debt was about \$5 trillion. We are talking about \$14 trillion today. Back then, it was \$5 trillion. So that is a \$9 trillion increase. If we had passed a balanced budget amendment, we wouldn't have run up this debt.

Now, it is interesting because—and I will point this out to my colleague from New Hampshire too—if you go back 29 years ago this week, President Reagan led a rally of people—thousands of people on the Capitol—calling for a balanced budget amendment. He said:

Crisis is a much abused word, but can we deny that we face a crisis?

I would say to my colleague from New Hampshire that the Federal debt at that time was \$1 trillion, and President Reagan thought that was a crisis at that time. Obviously, we are in a situation now where the debt is 14 times that amount—\$14 trillion since President Reagan 29 years ago suggested we needed a balanced budget amendment because of the debt crisis we faced then.

A lot of our Democratic colleagues say we just need to balance our budget; we don't need a balanced budget amendment. My response to them is, as the Senator from New Hampshire pointed out, where is your plan? We have been sitting here for 812 days since the Democrats passed a budget in the Senate, and even then that was a budget that didn't balance. The President's budget submitted earlier this year, as the Senator from New Hampshire pointed out, was rejected by the Senate 97 to 0. When the President sent a budget up here, it was actually voted on in the Senate and didn't get a single vote, either Democrat or Republican. So the President took a mulligan on that budget, and he gave a speech outlining the framework for how he would cut the deficit. That didn't balance either.

So it is clear the Democrats don't have the will to balance the budget now. But if we had a balanced budget amendment, they would, along with all of us—Republicans and Democrats because we have all contributed to where we are today—be required to balance the budget every single year, and that would have a huge impact on what our future is going to look like and what the future for your two children and my two children will be.

The rating agencies are considering, as the Senator from New Hampshire mentioned, downgrading us if we don't take concrete steps to reduce our deficits. It would have a tremendous impact on interest rates if that happened. As I mentioned earlier today, 3-year government bond interest rates for Portugal are 19.4 percent; for Greece, they are 28.9 percent; and for Ireland, 12.9 percent. We are already suffering from slower economic growth because of our debt and deficit.

There is a study by economists Reinhart and Rogoff that found that debt levels above 90 percent of GDP were associated with economic growth that was 1 percentage point less than it would be otherwise.

We know from the President's own economic advisers that translates into the loss of about 1 million jobs every year. So it is clear we need to cut

spending now, we need to balance our budget, we need a discipline imposed on Congress. A balanced budget amendment would do that, as it has done for so many States around the country.

But the cut, cap, and balance approach cuts spending, as the Senator from New Hampshire mentioned, now, today, by over \$100 billion this year, cuts spending over the next decade by almost \$6 trillion, and then puts in place a balanced budget amendment that would ensure that going forward into the future we learn to live within our means, that we don't continue to spend money that we don't have.

So I appreciate the observations of my colleague from New Hampshire, as I said. She represents a State that has a great tradition when it comes to keeping spending and government under control. We need that tradition in Washington, DC. I would simply say to my colleague from New Hampshire, I hope we can find the support among our colleagues in the Senate when we have this vote—and it sounds like now it is going to be scheduled for sometime on Saturday—to get a big bipartisan vote in support of cut, cap, and balance.

I know that is what my colleague from New Hampshire hopes as well. I do believe it is the pathway that will get us toward fiscal sustainability for the future of this country and put us on a trajectory that is good for our children and grandchildren, doesn't put this Nation on the verge of bankruptcy, doesn't have the adverse economic impacts that we are experiencing in real time both in terms of jobs lost, potential for much higher interest rates that would affect homeowners, people who are trying to get student loans, auto loans, people who are trying to start businesses. It would be absolutely devastating to this economy if that happened. If we don't get our fiscal house in order, that is the train wreck we are headed for.

Ms. AYOTTE. I thank my colleague from South Dakota. And I, too, hope we will have bipartisan support for this cut, cap, and balance plan. It is so critical, and as the President's own fiscal commission said:

Our challenge is clear and inescapable. America cannot be great if we go broke. Our businesses will not be able to grow and create jobs and our workers will not be able to compete successfully for the jobs of the future without a plan to get this crushing debt burden off our backs.

Well, the cut, cap, and balance plan will help get this crushing debt burden off our backs to allow our job creators to actually create jobs.

Also, when we think about starting from where we began this discussion, our children, we have to act now. I don't want my two children looking at me one day in the future and saying: Mom, what did you do about the fiscal crisis that everybody saw coming? Right now in the Senate, we can come together around this cut, cap, and balance plan. Once and for all, let's com-

mit to passing a balanced budget amendment. Let's send that question to the States. Let's let the people of this country weigh in, because we know they will weigh in with common sense because they do it at the State level, they do it at a family level, they do it in their small businesses.

So I, too, hope we will work with our colleagues on the other side of the aisle; that we will get this cut, cap, and balance plan passed. I look forward to working with all the Senators in this Chamber, and particularly the Senator from South Dakota who, I know, has been such an advocate and such a strong fiscal conservative, wanting to preserve our country and the greatness of America to make sure we get this plan passed now.

Mr. THUNE. I think our colleagues in the House have shown us the way. They passed this last night. They have given us an opportunity now to have this vote, and it is long overdue. In my view—and I think the numbers bear this out—this is not a revenue problem. This is not a problem of having too little tax revenue. This is not a problem, as I pointed out, that can be solved by tax increases, which would devastate the job creators in this country and make it more difficult for our economy to recover and to get people back to work. But this is really about spending.

This is about getting Federal spending back to a level that is historically normal. If we could do that, we will have done a great thing for the future of this country, for our children and grandchildren. It is so important, in my view, that we not wait any longer. We can't afford to wait. The time is now.

We are going to have this vote coming up, it looks like probably on Saturday. I hope we will have a big bipartisan vote in support of this approach that would cut spending today, cap it in the future, and get a balanced budget amendment on the books.

Mr. President, I yield back the remainder of our time.

#### REMEMBERING THOMAS "BROWN" BADGETT, SR.

Mr. MCCONNELL. Mr. President, I rise today to note for my colleagues the passing of a distinguished Kentuckian and my friend, Mr. Thomas "Brown" Badgett, Sr., who passed away this June 30 at the age of 88. A leading citizen of Madisonville, KY, Brown was a philanthropist who will be remembered for his many gifts to his community.

From the Brown Badgett Sr. Energy and Advanced Technology Center on the Madisonville Community College campus to the Brown Badgett Loop roadway and Badgett Athletic Complex there that also bear his name, he will have an enduring legacy.

Brown was able to make this mark not only because he was so highly successful in his chosen fields of coal, real



estate and highway construction, but also because he was successful at reaching out to other people and sharing his success and his zeal for life. I extend my deepest condolences to his many beloved family members and friends for their loss. He will be missed by many.

The Louisville Courier-Journal recently published an obituary for Mr. Thomas "Brown" Badgett, Sr., and I ask unanimous consent that said article be printed in the RECORD.

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

[From the Louisville Courier-Journal, July 1, 2011]

THOMAS BROWN BADGETT SR.

MADISONVILLE.—Badgett, Thomas Brown Sr., 88, died Thursday, June 30, 2011 at 8:10 a.m. at his residence.

He was born January 17, 1923, in Bellefonte, Ark., to the late Russell and Rheaetta Badgett. In addition to his parents, he was preceded in death by his wife, Helen "Heidi" Badgett; a daughter, Deidre Badgett Griffin; one son, Owen Kinsley Badgett; one brother, J. Rogers Badgett; and one sister, Julia Badgett Badger.

Mr. Badgett loved his community, and he served all walks of life such as the coal business, highway construction, and real estate. He received his Eagle Scout in 1991. Mr. Badgett was a philanthropist who supported education with donations to college and high schools. His favorite saying was, "The youth of today are going to be running this country in the next 20 to 30 years, and they need to be educated." Mr. Badgett is survived by a daughter, Heidi K. Honchariw, of Asheville, N.C.; a son and daughter-in-law, Thomas Brown and Sue Badgett, Jr., of Madisonville; two grandchildren, Corbett G. and Casey McCormick, of Naperville, Ill., and Kyle Owen Yates, of Madisonville; and five great-grandchildren, Lily McCormick, Gavin McCormick and Ryder McCormick of Naperville, Brice Yates of Madisonville and Kyle Owen Yates II, of Central City, Ky.

Funeral services will be 1 p.m. Sunday at Barnett-Strother Funeral Home with Russell Badgett III officiating and Dr. William Klompus and Terry McBrayer to speak. Burial will follow in Odd Fellows Cemetery. Visitation will be 4-7 p.m. Saturday and after noon Sunday at the funeral home. Pallbearers will be Calvin Griffith, Bennie Mouser, Oda Inglis, Jr., John Davis, Don Gish, Bentley Badgett, II and Russell Badgett, III. Honorary pallbearers will be Frank Ramsey, Jr., Coach Joe B. Hall, Terry McBrayer, O.T. Rudd, C.M. Newton and Dr. William Klompus.

Memorials may be made to Boy Scouts of America Shawnee Trails Council, P.O. Box 487, Owensboro, KY 42302, or Green River Hospice, 418 N. Scott St., Madisonville, KY 42431.

### 37TH ANNIVERSARY OF THE INVASION OF CYPRUS

Mr. CARDIN. Mr. President, I rise in my capacity as cochairman of the Helsinki Commission to again draw attention to the tragic consequences of Turkey's invasion and ongoing occupation of the Republic of Cyprus begun 37 years ago today. I applaud the leadership demonstrated by President Christofias in an attempt to bring about a comprehensive settlement and

reunification of his country based on a bizonal, bicomunal federation with political equality, as defined in the relevant U.N. Security Council resolutions, with a single sovereignty, single citizenship and single international personality. Attempts to resolve the Cyprus issue are exacerbated by Turkish intransigence; the continued deployment of tens of thousands of Turkish troops in occupied northern Cyprus; and the introduction of an estimated 160,000 settlers from mainland Turkey. Indeed, the reality is that settlers outnumber indigenous Turkish Cypriots altering the demographic composition of that community by a margin of about two to one.

Previously, I have addressed a number of specific human rights concerns stemming from the ongoing occupation, including freedom of movement, property rights, and freedom of religion. Under my chairmanship, the Helsinki Commission convened a public briefing, "Cyprus' Religious Cultural Heritage in Peril" to document the desecration and destruction of sacred sites in occupied Northern Cyprus.

Today, I want to focus on the situation in the city of Famagusta, the once thriving commercial center and tourist destination on the east coast of Cyprus, featuring the country's deepest water port. This cosmopolitan city, home to nearly 50,000 Cypriots, was a center for trade and finance as well as culture, known for its many museums and vibrant nightlife. The second wave of the Turkish invasion, launched in August 1974, targeted Famagusta and the surrounding region. Seaside hotels that attracted tourists from throughout the world and other important high rise buildings were targeted for bombardment as residents were forced to flee. Today, barbed wire rings the city of Famagusta, a veritable ghost town except for Turkish troops patrolling the perimeter of this once bustling urban center. What looters left behind is slowly being reclaimed by nature and decades of exposure to the elements.

The only thing I can compare this scene to comes from my walk along the deserted streets in the city of Prypiat, a Ukrainian city of similar size to Famagusta, located in the Chornobyl exclusion zone a short distance from the site of the world's worst nuclear accident. While health concerns keep the residents of the former away, armed Turkish troops prevent lawful residents of Famagusta from returning.

Notwithstanding numerous U.N. resolutions on Cyprus, including provisions specifically addressing the city of Famagusta, Turkey continues to illegally occupy a third of Cypriot territory, preventing Greek Cypriots from returning to their homes and businesses in the occupied area, including Famagusta. In keeping with these UN resolutions and principles enshrined in the Helsinki Final Act, it is time for Turkey to end its illegal occupation of the sovereign Republic of Cyprus. Agreement allowing the lawful resi-

dents to return and rebuild the city of Famagusta would be an important step in the right direction.

Mr. MENENDEZ. Mr. President, on July 20, 1974, Turkey invaded Cyprus. Thirty-seven years later, Turkish troops continue to occupy 37 percent of the island. The invasion and occupation resulted in the deaths of more than 5,000 Cypriots and made some 200,000 Cypriots refugees in their own land.

Since 1974, more than 75 resolutions have been adopted by the U.N. Security Council and more than 13 by the U.N. General Assembly, calling for the return of the refugees to their homes and properties and for the withdrawal of the Turkish troops from Cyprus. In addition to these Resolutions, the European Court of Human Rights has in various judgments held Turkey responsible for the violation of the basic human rights and fundamental freedoms of Greek Cypriots, such as the right to life, the right to liberty and security, the right to respect for family life, the right to the protection of property and the prohibition of inhuman or degrading treatment.

Building on past meetings in November 2010 and January 2011, President Christofias again this month met with Turkish Cypriot leader Mr. Eroglu in the presence of U.N. Secretary General Ban Ki-moon in Geneva, where they agreed to intensify discussions on the difficult "core issues" of the negotiations, including the sharing of power and authority between the two communities of Cyprus, territorial adjustments, property issues, and the issue of the withdrawal of foreign troops, security and guarantees. The Cypriot government is working in good faith to achieve a viable agreement and I remain supportive of the Cypriot government's insistence that this process remain a Cypriot-led process, with any solution agreed upon by the Cypriots and for the Cypriots, without any external arbitration or timeframes, while recognizing that a solution cannot be reached without the full and constructive cooperation of Turkey.

As Cypriot-Americans join with Cypriots from throughout the world in this effort to unify their homeland, and as they seek to secure an economically prosperous state free of illegal occupation, I will stand by them. I will work to ensure that the Turkish occupation comes to an end.

This week, we remember those who perished in the invasion of Cyprus, and honor those who survived and who continue to live under Turkish occupation. We have not forgotten and our thoughts and prayers are with them and their families.

Remembering together the events of July 20, 1974, in solidarity gives reverence to historical events we cannot afford to forget as we move forward to a peaceful, just solution and a hopeful tomorrow.

Ms. SNOWE. Mr. President, I rise in remembrance of the disastrous invasion of Turkish armed forces into the



Republic of Cyprus. On this day, 37 years ago, Turkish soldiers began the forcible expulsion of approximately 200,000 Greek Cypriots from the island's northern territory. It is in support of the liberty and human dignity of those evicted that I stand to address my colleagues today.

At this moment, there are more than 43,000 Turkish troops on Cyprus—that is roughly one Turkish soldier for every two Turkish Cypriots. And regrettably, their presence continues to perpetuate the usurpation, occupation, and destruction of Greek Cypriot-owned property. So too continues the egregious desecration of Greek Orthodox churches and religious artifacts that are not only sacred to millions of faithful believers, but also beautiful and irreplaceable historic sites and objects of inherent cultural value to all of humanity.

Since 1974, more than 75 resolutions have been adopted by the United Nations Security Council calling for the withdrawal of Turkish troops from Cyprus and the return of refugees to their homes and properties. Yet despite 37 frustrating years of diplomatic stops and starts, a procession of U.N. special representatives and envoys, and untold hours of negotiations, Turkey continues to occupy this region in complete violation of international law.

It is imperative that Turkey withdraw its forces and at long last concede that the Cyprus question is one that can only be resolved through mutual agreement on a solution, not the imposition of one. In this way, Turkey must contribute practically and substantially to the negotiating effort and embrace in concrete terms a reunified and prosperous Cyprus where Greek Cypriots and Turkish Cypriots can live together in peace.

As a fellow democracy, the Republic of Cyprus shares basic values with the United States and has remained a close friend and ally for many years. Indeed, the U.S.-Cyprus friendship remains an anchor of American foreign policy in this region.

We must, in our solemn role as a nation that champions human rights and adherence to the rule of law, stand with Cypriots to bring peace, stability, and prosperity to their island. I therefore urge my colleagues to join me in supporting the Cyprus settlement process with the goal of finding a fair and lasting agreement for the benefit of all Cypriots.

#### ADDITIONAL STATEMENTS

##### REMEMBERING JAMES NOEL SMITH

• Mr. BAUCUS. Mr. President, I wish to take a moment to pay tribute to the life of a fine Montanan and good friend, James Noel Smith. Jim passed away last month after a long and courageous battle with cancer.

Raised in the mountainous northwest Montana town of Thompson Falls, Jim

grew up with a deep reverence for the land, the water, and the wise stewardship of our natural resources. This became his calling in life.

After graduating from the University of Montana, Jim heard the noble call of public service. He was inspired by national leaders like President Kennedy and Montana's Senators Mike Mansfield and Lee Metcalf. Senator Metcalf, in particular, became Jim's mentor. Jim, his wife Camie, along with their young son Mark—who later served on my staff for a number of years—made their way back to Washington where Jim worked as a legislative aide for Senator Metcalf. In their early days in Washington, Jim and Camie had a daughter Terry. As a young adult, Terry found her way back to Montana, where she lives in Bozeman today.

Jim went on to serve with distinction at the Interior Department, the Environmental Protection Agency, and several conservation organizations. During the latter part of his career, Jim organized the Council of Infrastructure Financing Authorities, a trade association dedicated to helping municipalities pay for infrastructure improvements.

While they remained in Washington for four decades, Jim and Camie were never Washingtonians. They were Montanans. Thus, when they decided to retire, it came as no surprise to those of us who knew them that they headed home to the "Big Sky."

They settled in Bozeman, sharing their love of Montana, its land, and its people. Jim immersed himself with his work on the board of directors of the Gallatin Valley Land Trust, GVLTL, an organization that protects open land and promotes recreational opportunities throughout the Gallatin. While environmental issues too often turn fractious, Jim respected GVLTL's consensus-based approach. He thought it got results and made a difference.

That is the way Jim lived his life—striving for consensus, getting results, and making a difference. Mel and I offer condolences to Camie, Mark, Terry, and their family.●

##### DELMONT, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Delmont, SD. The town of Delmont will commemorate the 125th anniversary of its founding this year.

Delmont was founded in 1886 after the first train passed through. Located in Douglas County, it boasts community members dedicated to supporting and growing local business. It is also home to the annual Kuchen Festival and the Harvest Festival. The citizens of Delmont have committed themselves to developing their strong heritage and traditions.

Delmont has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations

to the citizens of Delmont on this landmark date and wish them continued prosperity in the years to come.●

##### HERMOSA, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Hermosa, SD. The town of Hermosa will commemorate the 125th anniversary of its founding this year.

Located in Custer County in western South Dakota, Hermosa was founded in 1886 and was named after the Spanish word meaning "beautiful" because of its breathtaking landscape. Today, Hermosa's rich history, strong traditions and beautiful scenery continue to make it a great place to live.

Hermosa has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Hermosa on this landmark date and wish them continued prosperity in the years to come.●

##### TRENT, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Trent, SD. The town of Trent will commemorate the 125th anniversary of its founding this year.

Located in Moody County, Trent was originally a post office for the early settlers of eastern South Dakota. Trent was officially given its name with the arrival of the railroad in the late 19th century and soon after, many settlers migrated to the town from neighboring states as well as other areas throughout South Dakota. Today, the citizens of Trent are known for their commitment to growing the community and their local businesses.

Trent has been a successful and thriving community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Trent on this landmark date and wish them continued prosperity in the years to come.●

##### TRIBUTE TO MALLORY REIS

• Mr. WHITEHOUSE. Mr. President, today I wish to commend the heroic actions of Ms. Mallory Reis, of Johnston, Rhode Island. Last week, the Providence Journal reported that while vacationing in Massachusetts, Ms. Reis helped resuscitate a 3-year-old boy who had stopped breathing after choking and falling in the water.

Ms. Reis, an officer with the Cranston Police Department, reacted immediately upon hearing screams for help coming from the water's edge of Curlew Pond. She raced over to the crowd that had formed around the boy. His body was blue and limp, and he had no pulse. The boy needed cardiopulmonary resuscitation or CPR, and Ms. Reis was the first to arrive with the necessary training. Immediately, she began performing CPR and directed bystanders to call 911.

After Ms. Reis performed a series of chest compressions and mouth-to-mouth resuscitation, an off duty New Bedford firefighter arrived on the scene. Together, they worked to clear the boy's airway and get him breathing again. Thanks to Ms. Reis' efforts, the boy is alive today and it is reported that he is recovering well.

The efforts of Ms. Reis underscore the vital role our first responders play in keeping our communities safe. Law enforcement officers, firefighters, and emergency medical personnel are often the first line of protection, taking risks to keep us and our families safe.

Today I would like to thank Ms. Reis for her swift and heroic response that saved this young boy's life, and commend the Cranston Police Department for providing officers of that caliber. I would also like to commend all our first responders who dutifully perform these acts of heroism every day, and express my deep appreciation for their unwavering commitment to our safety. ●

sary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures dealing with the former regime of Charles Taylor are to continue in effect beyond July 22, 2011.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.  
THE WHITE HOUSE, July 20, 2011.

the Office of the President of the Senate on July 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2537. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to a series of violations of the Antideficiency Act including violations at the appropriation level occurring in a variety of Department of Health and Human Services (HHS) accounts, and one violation occurring at the appropriation level; to the Committee on Appropriations.

EC-2538. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-064, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2539. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-059, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2540. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-020, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-2541. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General James E. Cartwright, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-2542. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Bank Secrecy Act Regulations—Definitions and Other Regulations Relating to Money Services Businesses" (RIN1506-AA97) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2543. A communication from the Deputy Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Brokers or Dealers Engaged in a Retail Forex Business" (RIN3235-AL19) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2544. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing the Salmon-Crested Cockatoo as Threatened Throughout Its Range with Special Rule; Final Rule" (RIN1018-AW38) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Environment and Public Works.

EC-2545. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant

#### 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 which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT RELATIVE TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR AND ON THE CONTINUATION OF THE NATIONAL EMERGENCY BLOCKING PROPERTY OF CERTAIN PERSONS AND PROHIBITING THE IMPORTATION OF CERTAIN GOODS FROM LIBERIA THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13348 ON JULY 22, 2004—PM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date.

#### MESSAGES FROM THE HOUSE

At 11:08 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2560. An act to cut, cap, and balance the Federal Budget.

At 5:41 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2553. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

H.J. Res. 66. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2560. An act to cut, cap, and balance the Federal budget.

#### 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-2536. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Business and Industry Guaranteed Loan Program" (RIN0570-AA81) received in

to law, the report of a rule entitled "Incorporation by Reference of Edition and Addenda to American Society of Mechanical Engineers (ASME) Codes and New and Revised ASME Code Cases into 10 CFR 50.55a" (RIN3150-AI35) received in the Office of the President of the Senate on July 15, 2011; to the Committee on Environment and Public Works.

EC-2546. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011-0103A—2011-0112); to the Committee on Foreign Relations.

EC-2547. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Filing, Retention, and Return of Export Licenses and Filing of Export Information" (RIN1400-AC91) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2011; to the Committee on Foreign Relations.

EC-2548. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: International Import Certificate BIS-645P/ATF-4522/DSP-53" (RIN1400-AC85) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Foreign Relations.

EC-2549. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Office of the Inspector General's Semiannual Report for the period of October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2550. 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; Bullhead City Regatta, Bullhead City, AZ" ((RIN1625-AA00) (Docket No. USCG-2011-0410)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2551. 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; Independence Day Fireworks Celebration for the City of Martinez, Martinez, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0400)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2552. 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; Big Sioux River from the Military Road Bridge North Sioux City to the Confluence of the Missouri River, SD" ((RIN1625-AA00) (Docket No. USCG-2011-0528)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2553. 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; Missouri River from the Border between Montana and North Dakota" ((RIN1625-AA00) (Docket No. USCG-2011-0511)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2554. 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; Upper Mississippi River, Mile 856.0 to 855.0, Minneapolis, MN" ((RIN1625-AA00) (Docket No. USCG-2011-0198)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2555. 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; Delta Independence Day Foundation Celebration, Mandeville Island, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0395)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2556. 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; Stockton Ports Baseball Club Fourth of July Fireworks Display, Stockton, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0397)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2557. 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; Jameson Beach Fourth of July Fireworks Display" ((RIN1625-AA00) (Docket No. USCG-2011-0398)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2558. 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; The Pacific Grove Feast of Lanterns, Fireworks Display, Pacific Grove, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0159)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2559. 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; Waterway Closure, Atchafalaya River from Mile Marker 117 (Morgan City Railroad Bridge) to Mile Marker 0 (Simmesport, LA)" ((RIN1625-AA00) (Docket No. USCG-2011-0433)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2560. 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; Mile Marker 98.5 West of Harvey Lock Gulf Intracoastal Waterway to Mile Marker 108.5 West of Harvey Lock Gulf Intracoastal Waterway" ((RIN1625-AA00) (Docket No. USCG-2011-0434)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2561. 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; Waterway Closure, Morgan City—Port Allen Route from Mile Marker 0 to Port Allen Lock" ((RIN1625-AA00) (Docket No. USCG-2011-0432)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2562. 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; Independence Day Fireworks Celebration for the City of Richmond, Richmond, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0399)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2563. 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; Marine Events Requiring Safety Zones in the Captain of the Port Sault Sainte Marie Zone" ((RIN1625-AA00) (Docket No. USCG-2011-0542)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2564. 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; Shore Thing and Independence Day Fireworks, Chesapeake Bay, Norfolk, VA" ((RIN1625-AA00) (Docket No. USCG-2011-0303)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2565. 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; Cape Charles Fireworks, Cape Charles Harbor, Cape Charles, VA" ((RIN1625-AA00) (Docket No. USCG-2011-0304)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2566. 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; Fourth of July Fireworks Event, Pagan River, Smithfield, VA" ((RIN1625-AA00) (Docket No. USCG-2011-0588)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2567. 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; New Port River; Morehead City, NC" ((RIN1625-AA00) (Docket No. USCG-2011-0230)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2568. 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; Multiple Firework Displays in Captain of the Port, Puget Sound Area of Responsibility" ((RIN1625-AA00) (Docket No. USCG-2011-0450)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2569. 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; Fireworks Displays in the Sector Columbia River Area of Responsibility" ((RIN1625-AA00) (Docket No. USCG-2011-0448)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2570. 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; July 4th Fireworks Displays within the Captain of the Port Miami Zone, FL" ((RIN1625-AA00) (Docket No. USCG-2011-0439)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2571. 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; New York Water Taxi 10th Anniversary Fireworks, Upper New York Bay, Red Hook, NY" ((RIN1625-AA00) (Docket No. USCG-2011-0222)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2572. 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; Nicole Cerrito Birthday Fireworks, Detroit River, Detroit, MI" ((RIN1625-AA00) (Docket No. USCG-2011-0416)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2573. 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; Michigan Bankers Association Fireworks, Lake Huron, Mackinac Island, MI" ((RIN1625-AA00) (Docket No. USCG-2011-0265)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2574. 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; Augusta Southern Nationals Drag Boat Race, Savannah River, Augusta, GA" ((RIN1625-AA00) (Docket No. USCG-2011-0438)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2575. 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; Barrier Testing Operations, Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA00) (Docket No. USCG-2011-0453)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2576. 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; Rochester Harbor Festival, Genesee River, Rochester, NY" ((RIN1625-AA00) (Docket No. USCG-2011-0374)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2577. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M/V DAVY CROCKETT, Columbia River" ((RIN1625-AA00) (Docket No. USCG-2010-0939)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2578. 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; Independence Day Fireworks Celebration for the City of Half Moon Bay, Half Moon Bay, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0396)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2579. 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; Fan Pier Yacht Club Fireworks, Boston Harbor, Boston, MA" ((RIN1625-AA00) (Docket No. USCG-2011-0437)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2580. 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; Pantego Creek; Belhaven, NC" ((RIN1625-AA00) (Docket No. USCG-2011-0473)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2581. 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; Charleston Sharkfest Swim, Charleston Harbor, Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2011-0501)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2582. 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; Bay Point Fireworks, Bay Point Marina; Marblehead, OH" ((RIN1625-AA00) (Docket No. USCG-2011-0516)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2583. 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; 4th of July Festival Berkeley Marina Fireworks Display Berkeley, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0370)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2584. 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; Hylebos Bridge Restoration, Hylebos Waterway, Tacoma, WA" ((RIN1625-AA00) (Docket No. USCG-2011-0114)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2585. 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; July 4th Weekend Fireworks Displays within the Captain of the Port St. Petersburg Zone, FL" ((RIN1625-AA00) (Docket No. USCG-2011-0350)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2586. 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; Truman-Hobbs Alteration of the Elgin Joliet and Eastern Railroad Drawbridge; Illinois River, Morris, IL" ((RIN1625-

AA00) (Docket No. USCG-2011-0199)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2587. 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; Marine Events in Captain of the Port Long Island Sound Zone" ((RIN1625-AA00) (Docket No. USCG-2011-0470)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2588. 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; Brandon Road Lock and Dam to Lake Michigan Including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-Saganashkee Channel, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2011-0228)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2589. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program" ((CG Docket Nos. 03-123 and 10-51) (FCC 11-104)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2590. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Electronic Tariff Filing System (ETFS)" ((RIN3060-AJ41) (WC Docket No. 10-141)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2591. 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; Atlantic Intracoastal Waterway (AIWW), Elizabeth River, Southern Branch, Chesapeake, VA" ((RIN1625-AA09) (Docket No. USCG-2010-0879)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2592. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Superfund Site, New Bedford Harbor, New Bedford, MA; Anchorage Ground and Regulated Navigation Area" ((RIN1625-AA01 and RIN1625-AA11) (Docket No. USCG-2010-1119)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2593. 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 for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District; Mill Creek, Hampton, VA" ((RIN1625-AA08) (Docket No. USCG-2011-0540)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2594. 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; Monongahela River,

Morgantown, WV" (RIN1625-AA08) (Docket No. USCG-2011-0235)) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

\*Phyllis Nichamoff Segal, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.

\*Lisa M. Quiroz, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2014.

\*John D. Podesta, of the District of Columbia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

\*Matthew Francis McCabe, of Pennsylvania, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.

\*Marguerite W. Kondracke, of Tennessee, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2014.

\*Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

\*Richard Christman, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2012.

\*Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*William Carl Lineberger, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*Aaron Paul Dworkin, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2014.

\*Eric S. Edelman, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

\*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. NELSON of Nebraska:

S. 1389. A bill to exempt any road, highway, or bridge damaged by a natural disaster, including a flood, from duplicative environmental reviews if the road, highway, or bridge is reconstructed in the same location; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mr. BEGICH):

S. 1390. A bill to amend the Internal Revenue Code of 1986 to simplify, modernize, and improve public notice of and access to tax lien information by providing for a national, Internet accessible, filing system for Federal tax liens, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 1391. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself, Mr. WYDEN, Mr. ALEXANDER, Ms. LANDRIEU, Mr. TOOMEY, and Mr. PRYOR):

S. 1392. A bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BARRASSO:

S. 1393. A bill to prohibit the enforcement of a climate change interpretive guidance issued by the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WEBB (for himself and Mr. ALEXANDER):

S. 1394. A bill to allow a Commissioner of the Nuclear Regulatory Commission to continue to serve on the Commission if a successor is not appointed and confirmed in a timely manner; to the Committee on Environment and Public Works.

#### ADDITIONAL COSPONSORS

S. 401

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 401, a bill to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law.

S. 576

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 605

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 605, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 641

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Rhode Island

(Mr. REED) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 726

At the request of Mr. RUBIO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 798

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 838

At the request of Mr. TESTER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 839

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 839, a bill to ban the sale of certain synthetic drugs.

S. 871

At the request of Mr. COBURN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 871, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 1000

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1000, a bill to promote energy

savings in residential and commercial buildings and industry, and for other purposes.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1069

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1069, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1208

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1208, a bill to provide an election to terminate certain capital construction funds without penalties.

S. 1214

At the request of Mrs. GILLIBRAND, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1214, a bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions.

S. 1219

At the request of Mr. BARRASSO, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1219, a bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes.

S. 1228

At the request of Mr. WHITEHOUSE, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

S. 1231

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.

1231, a bill to reauthorize the Second Chance Act of 2007.

S. 1274

At the request of Mr. ENZI, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1274, a bill to provide for a biennial appropriations process with the exception of defense spending and to enhance oversight and the performance of the Federal Government.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1316

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1333

At the request of Mr. REED, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1333, a bill to provide for the treatment and temporary financing of short-time compensation programs.

S. 1340

At the request of Mr. LEE, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 1340, a bill to cut, cap, and balance the Federal budget.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1380

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1380, a bill to suspend until January 21, 2013, certain provisions of Federal immigration law, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the names of the Senator from

Oregon (Mr. WYDEN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 216

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

S. RES. 228

At the request of Mr. LAUTENBERG, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. CORKER), the Senator from Colorado (Mr. BENNET), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. PRYOR), the Senator from Nebraska (Mr. NELSON), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

S. RES. 230

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 230, a resolution expressing the sense of the Senate that any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.

AMENDMENT NO. 556

At the request of Mr. REID, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 556 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 563

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 563 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself and Mr. BEGICH):

S. 1390. A bill to amend the Internal Revenue Code of 1986 to simplify, modernize, and improve public notice of and access to tax lien information by providing for a national, Internet accessible, filing system for Federal tax

liens, and for other purposes; to the Committee on Finance.

Mr. LEVIN. Mr. President, as Congress continues to debate ways to reduce our national deficit, some Members of Congress are taking the time to reflect on the state of the Federal tax system and consider how we can simplify it and make it more efficient and fair. Today, as part of that effort, I along with my colleague Senator BEGICH are introducing legislation aimed at simplifying and modernizing the existing system for filing Federal tax liens, a key tool used by the Treasury to collect unpaid taxes. The bill has been endorsed by Citizens for Tax Justice, Tax Justice Network, Public Citizen, US Public Interest Research Group, and the FACT Coalition, an organization of public interest and business groups concerned with tax fairness.

It has been 45 years since Congress has made any significant changes to the laws regulating how the Internal Revenue Service, IRS, files Federal tax liens. Right now, outdated laws are forcing the IRS to waste taxpayer dollars on an old-fashioned, inefficient, and burdensome paper-based filing system spread out over 4,000 locations that should be replaced by a modernized electronic filing system capable of operating at a fraction of the cost. It is time to bring the Federal tax lien system into the 21st century. The Tax Lien Simplification Act, which we are introducing today, will simplify the process of recording tax liens at an estimated ten-year cost savings of \$150 million, while at the same time improving taxpayer service by making it easier to verify lien information and speed up the release of liens after taxes are paid.

Tax liens are a principal way to collect payment from persons who are delinquent in paying their taxes. By law, Federal tax liens arise automatically ten days after a taxpayer's failure to pay an assessed tax. The lien automatically attaches to the taxpayer's real and personal property and remains in effect until the tax is paid. However, the tax lien is not effective against other creditors owed money by the same taxpayer, until a notice of the Federal tax lien is publicly recorded. Generally, between competing creditors, the first to file notice has priority, so the filing of tax lien notices is very important to the Government and to the taxpaying public if taxes are to be collected from persons owing taxes.

Current law requires the IRS to file public notices of Federal tax liens on paper in State, county, or city recording offices around the country, to ensure other creditors receive notice of the government's claim. There are currently more than 4,100 of these recording offices, many of which have developed specific rules regulating how such liens must be formatted and filed in their jurisdictions. This patchwork system developed more by default than by plan, as different offices developed

procedures for filing a variety of legal documents affecting title to real and personal property.

In 1966, to help the IRS comply with a proliferating set of filing rules for Federal tax liens, Congress passed the Tax Lien Act to standardize certain practices. This act provided, for example, that liens against real estate had to be filed where the property was located, and required each State to designate a single place to file Federal tax liens applicable to personal property. Most States subsequently adopted a version of the Uniform Tax Lien Filing Act, enabling the IRS to file a notice of tax lien in each locality where the taxpayer's real estate is located, and a single notice where the taxpayer resides to reach any personal property. For corporations, States typically require the IRS to file a notice to attach real estate in each locality where the real estate is located, and a separate notice, usually at the State level, to attach other types of property. There are often additional rules for trusts and partnerships. The end result of the law was to reduce some but not all of the multiple sets of rules regulating the filing of Federal tax liens.

The bottom line today is that, in most cases, tax liens have to be physically filed in one of over 4,000 recording offices. In most cases, that filing is accomplished by mail, using paper documents. Some jurisdictions also allow electronic filings, but those jurisdictions are few and far between. The same is true if a lien has to be corrected, or a related certificate of discharge, subordination, or nonattachment needs to be filed, or when a tax liability has been resolved and the IRS wants to release a lien. Each action usually requires a paper filing in one or more recording offices and requires the additional involvement of third parties. If a paper filing is lost or misplaced, the IRS often has to send an employee in person to deal with the problem, adding travel costs to other administrative expenses.

The paper filing system imposes similar burdens on other persons dealing with the tax lien system. Any person who is the subject of a tax lien, for example, or who is a creditor trying to locate a tax lien, is required to make a physical trip to one or more recording offices, which may not even be in the same State as the taxpayer, to search the documents, see if a lien has been filed, and verify or examine the information. Currently, there is no single database of tax liens that can be accessed by any taxpayer that is the subject of a federal tax lien, by any creditor, or by any member of the public. Not even IRS personnel have access to such a tax lien database. It does not exist.

The result is an inefficient, costly, and burdensome paper filing system that can and should be completely revamped. Businesses across the country learned long ago that electronic filing systems outperform paper; they save

personnel costs, material costs, time, and aggravation. Government agencies have learned the same thing as they have moved to electronic databases and recordkeeping, including systems made available to the public on the Internet. Among the many examples of government-sponsored, Internet-based systems currently in operation are the contractor registry operated by the General Services Administration to allow persons to register to bid on federal contracts, the license registry operated by the Federal Communications Commission to allow the public to search radio licenses, and the registry operated by the U.S. Patent and Trademark Office to allow the public to search currently registered patents and trademarks. Each of these systems has saved taxpayer money, while improving service to the public.

Just as government agencies gave up the horse and buggy for the automobile, it is time for the IRS to move from a decentralized, paper-based tax lien filing system to an electronic national tax lien registry. But the IRS' hands are tied, until Congress changes the laws holding back modernization of the federal tax lien filing system.

The bill we are introducing today would make the changes necessary to enable the IRS to take immediate steps to simplify and modernize the federal tax lien filing system. The operative provisions would require the establishment of a national registry for the filing of tax lien notices as an electronic database that is Internet accessible and searchable by the public at no cost. It would mandate the use of this system in place of the existing system of paper filings. It would establish the priority of federal tax liens according to the date and time that the relevant notice was filed in the national registry, in the same way that priorities are currently established from the date and time of a paper filing. The bill would also shorten the time allowed to release a tax lien, after the related tax liability has been resolved, from 30 days to 20 days.

To establish this new electronic filing system, the bill would give the Treasury Secretary express authority to issue regulations or other guidance governing the establishment and maintenance of the registry. Among other obligations, Treasury would be required to ensure that the registry was secure and prevent data tampering. Treasury would also be required to work with industry and other potential users of the registry to develop accurate search criteria to identify persons who are the subject of a tax lien. In addition, prior to the implementation of the national registry, the Treasury Secretary would be required to review the information currently included in public tax lien filings to determine whether any of that information should be excluded from disclosure on the Internet. For example, the Treasury Secretary would end disclosure of social security numbers that are currently included in some tax lien filings.



While such identifying information could continue to be included in a tax lien filing to ensure that the filing is directed toward the correct person, the registry could be constructed to prevent such information from being disclosed publicly and instead provide such information only upon request from appropriate persons involved in the enforcement of the tax lien or collection of the tax debt. By requiring this information review prior to implementing the national tax lien registry, the bill would provide greater privacy protections for taxpayer information than occurs in current tax lien filings.

To ensure a successful transition to the new system, the bill would require the Treasury Secretary to establish one or more pilot projects to be carried out within 2 years of enactment of the bill, and require a successful nationwide test of the tax lien registry before it can be made operational. The bill would also allow the IRS to continue to use the existing paper-based tax lien filing system, in parallel with the new system, for an appropriate period to ensure a smooth transition.

Moving to an electronic tax lien filing system using an Internet-based national registry of tax liens, would accomplish at least three objectives. It would save taxpayer dollars, streamline the process for filing, correcting, and releasing tax liens, and improve taxpayer and public access to tax lien information.

The IRS estimates that moving from a paper-based tax lien system to an Internet-based, Federal tax lien registry would save about \$150 million over 10 years. These savings would come from the elimination of State filing fees, paper and mailing costs, IRS administrative and travel costs related to paper filing problems, and the cost of lost taxes whenever the IRS makes an error or a tax lien filing is misplaced or delayed. Filing fees, for example, vary widely from State to State, but typically cost at least \$10 per filing, and in some States cost as much as \$150. If a taxpayer has real estate in multiple jurisdictions, those costs multiply. A Federal tax lien system would standardize costs for all taxpayers, and require only one filing across all jurisdictions.

In addition, right now, an IRS service center is currently charged with filing tax liens nationwide and complying with the myriad filing rules in effect in the 4,100 recording offices across the country. Eliminating the paper filing system would free virtually that entire service center for other taxpayer services and enforcement work.

Electronic filing would not only save money, it would improve taxpayer service. Taxpayers who are the subject of a tax lien filing, for example, would benefit from an electronic registry in several ways. First, taxpayers would be able to review their liens as soon as they are filed online, without having to make a physical trip to one or more recording offices. Second, taxpayers

would have an easy way to look up their liens on multiple occasions, identify problems, and correct any errors. A single tax lien registry would be particularly useful for taxpayers who move during the ten years that a tax lien can be in effect and have to look up liens in jurisdictions where they no longer live.

Third, once the underlying tax liability is resolved, the IRS would be required to release the tax lien in 20 days, instead of the 30 days allowed under current law. The longer 30-day period is necessitated by the current complexities associated with filing a paper lien in one or more offices across the country, requiring the action of multiple parties in different jurisdictions. These complexities would be eliminated by the establishment of an electronic registry. The registry would also enable taxpayers, after they pay their taxes, to make sure their liens have been lifted.

Creditors who need to research Federal tax liens would also benefit from a single electronic registry. Lenders, security holders and others, for example, would be able to use a simplified search process that could take place online and would not require procedures that, ultimately, require physical trips to multiple locations. A single tax lien registry would make it easier to locate tax liens for persons who have moved from the jurisdictions where the liens were first filed. Simplifying the search process would also provide greater certainty that all tax liens were found. The ability to research Federal tax liens remotely and instantaneously should be of particular benefit to larger lenders and to creditors of taxpayers with assets in more than one county or State.

Tax liens are not a topic that normally excites the public's interest. But sound tax administration requires attention to efficient, effective and low-cost filing systems. Saving taxpayer dollars is more important than ever as Congress looks for ways to tackle the deficit.

Federal law is currently impeding development of a more efficient, cost effective tax lien filing system. Amending the law as indicated in the Tax Lien Simplification Act to streamline the tax lien filing system, moving it from a paper-based to an electronic-based system, would not only advance the more efficient, effective tax system we all want, it would also save taxpayer money. At the same time, it would make the system work better for individual taxpayers by reducing the possibility for mistakes and speeding up the release of liens for taxpayers who have paid. Modernizing our tax lien filing system makes sense in every way. I urge our colleagues to join us in enacting this bill into law this year.

By Ms. COLLINS (for herself, Mr. WYDEN, Mr. ALEXANDER, Ms. LANDRIEU, Mr. TOOMEY, and Mr. PRYOR):

S. 1392. A bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, I rise today to introduce the EPA Regulatory Relief Act of 2011. I am pleased to be joined in this effort by my colleagues Senators WYDEN, ALEXANDER, LANDRIEU, PRYOR, and TOOMEY. Our legislation is straight forward: it would allow the EPA the time it needs, by its own estimate, to adequately consider and propose a reasonable, workable rule that affects boilers.

Our bill includes four key provisions. First, it provides the EPA with the 15 months it requested to properly analyze the best methods for implementing the application of the Clean Air Act to certain boilers. Second, it will give businesses adequate time to comply with any requirements the EPA adopts by extending the compliance deadline from 3 years to 5 years. Third, our bill will direct the EPA, when developing the new rules, to ensure that renewable and carbon-neutral materials remain classified as fuel and not solid waste. Fourth, our legislation will help ensure that the rules are achievable by real-world standards consistent with the President's directive to improve Federal regulations.

At a time when manufacturers are struggling to retain jobs, it is essential that this rule not jeopardize thousands of jobs in manufacturing, particularly in the forest products industry, by imposing billions of dollars of new costs. Our legislation provides common sense solutions to the challenges the EPA is facing in attempting to draft and implement these complicated rules, which if written without proper data, analysis, and consideration, would cost the industry billions of dollars and potentially thousands of jobs.

To be sure, the EPA performs some vital functions in helping to ensure that the air we breathe is clean and the water we drink is safe. We need, however, to make sure that as the EPA issues new regulations, it does not create so many roadblocks to economic growth that it discourages private investment, which is the key to maintaining and creating jobs.

The EPA's proposed "boiler MACT" rules, which would affect tens of thousands of boilers, have been an issue of great concern to many of my constituents in Maine. The forest products industry, in particular, is the economic backbone of many rural areas in our country, including in Maine. Mill managers and workers in Maine have expressed their concern to me about the impact of imposing excessively costly regulations on their mills at this time of economic hardship.

Since these rules were first proposed in April 2010, I have been very troubled that the cost of implementation would

be far greater than EPA originally estimated. According to industry estimates, this rule could cost Maine businesses alone hundreds of millions of dollars and put many jobs at risk, when less expensive approaches could be used to address emissions from boilers. This is simply unacceptable in this economic climate.

Furthermore, these rules might force some of our mills in Maine to stop using biomass, a source of renewable energy, and instead dump the biomass in landfills and switch to fossil fuels. This makes no sense. As the President has stated, biomass is an important renewable energy source that our nation should promote in working to reduce our dependence on foreign oil. Converting to fossil fuels alone would also cost mills hundreds of millions of dollars.

My colleagues and I have been concerned about this issue since the EPA proposed these new boiler MACT rules in April 2010. Last year, 40 of my Senate colleagues, including 17 Democrats, wrote to the EPA expressing our deep concern that the boiler MACT regulations would impose onerous burdens on U.S. manufacturers. We asked the EPA to set emissions standards based on what real-world, best-performing units actually can achieve. This letter reflected the widespread bipartisan concern about the proposed boiler MACT rules.

It is important to remember that, under The Clean Air Act, a Maximum Achievability Control Technology rule, or "MACT" rule, is designed to reduce emissions to an achievable degree while also considering the economic impact on businesses. The MACT rule must also set its standard according to the best performing practices existing facilities. However, in the case of the boiler MACT rule, the EPA cherry-picked data without considering the real world operating practices of the facilities that will be affected by this rule.

In March 2011, I also asked Administrator Jackson at a hearing to explain why the EPA is not considering alternative standards for emissions since the MACT limits may be far more stringent than necessary to protect public health. Additionally, I have pressed officials at the Office of Management and Budget, such as Administrator of the Office of Regulatory Affairs, Cass Sunstein, about the very negative impacts EPA's Boiler MACT rules would have on the forest products industry.

In 2010, the EPA did request more time from the court to analyze and prepare the boiler MACT rules after it received thousands of comments that raised technical and cost concerns the agency had not originally considered. In response, the EPA appealed for an additional 15 months to implement the rule, noting that the public interest would be best served if it could obtain additional input from the public on these complex rules. Unfortunately,

this plea was rejected by the D.C. District Court, and the agency was forced to re-propose the rule in a mere 30 days.

The stakes are too high for the EPA to be forced to rush a complex, multi-step process that could cost thousands of American jobs. Our bill will provide a balance that will help the EPA protect the environment and public health while ensuring that businesses in Maine and throughout the country are not faced with needlessly onerous burdens.

The EPA has claimed that the cost of the final rule has been lowered by 50 percent since the proposed rule last year; however, this is little comfort to manufacturers because the initial rule, according to industry estimates, was approximately \$4 billion in capital costs to the forest industry and over \$14 billion for all industrial sectors nationwide. The industry experts that I've talked with are very concerned that the standards are being set so high that they are going to have to make a massive new investment at a time when they can least afford it.

The EPA is making progress in reducing the costs and coming up with a more practical approach to the boiler MACT rules, and I believe we can achieve the health benefits that we desire without putting thousands of people out of work. This bill will help ensure that result.

I look forward to working with my colleagues on both sides of the aisle to ensure that the EPA has sufficient time to propose a well thought-out rule that minimizes the negative effect on the economy, while helping to protect public health and the environment.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

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

JULY 20, 2011.

Hon. SUSAN COLLINS,  
U.S. Senate, Washington, DC.

Hon. RON WYDEN,  
U.S. Senate, Washington, DC.

DEAR SENATORS: We are writing to express our united and strong support for legislation you are introducing today and for H.R. 2250, the "EPA Regulatory Relief Act of 2011," bipartisan legislation to address the serious concerns that remain with EPA's Boiler MACT rules. As they exist today, the final Boiler MACT rules will have serious economic impacts on a vast array of facilities across the industrial, commercial and institutional sectors. These rules place at risk tens of thousands of high-paying manufacturing jobs that our nation cannot afford to lose.

As finalized, the Boiler MACT rules are unaffordable, just as the proposed rules were. The rules are not achievable for real-world boilers across the range of fuels and operating conditions. EPA also has created a presumption that materials commonly used as fuels are wastes subject to the extremely costly and stigmatizing incinerator standards. This would not only impose billions of dollars in unreasonable costs, but it also would cause millions of tons of valuable materials to be diverted to landfills and re-

placed with fossil fuel—a bad result for the environment.

As EPA has acknowledged, the rules were finalized with serious flaws because EPA was forced to meet a strict court-ordered deadline. The final Boiler MACT rule alone would cost over \$14 billion in capital for the manufacturing sector, plus billions more in annual operating costs. Complying with the incinerator standards could cost several billion dollars more in capital.

Legislation is needed to resolve serious uncertainties and vulnerabilities, including to: ensure the rules are stayed for an adequate and certain period, as EPA's current administrative stay is being challenged in court; allow EPA adequate time to re-propose the rules and get them right, including time for stakeholders to conduct more emissions testing and to avoid mistakes that occur when rulemakings of this scope and importance are rushed and become vulnerable to legal challenge; provide direction and support for EPA to use the discretion it already has under the Clean Air Act and Executive Order 13563 to add flexibility and make the rules achievable; clarify that using non-hazardous materials as fuels does not result in boilers being treated as incinerators; and give facilities more time to comply with the complex and capital-intensive requirements of the rules.

If enacted, the "EPA Regulatory Relief Act" will provide the much-needed certainty and time for EPA to get the rules right and for businesses that will be investing billions of dollars to rationally plan for the capital expenses. This legislation will preserve jobs and the competitiveness of the U.S. manufacturing sector while protecting the environment.

Thank you for your leadership on this issue of great importance to our industries and our workers.

Sincerely,

American Forest & Paper Association, American Chemistry Council, American Home Furnishings Alliance, American Petroleum Institute, American Wood Council, Association of American Railroads, Biomass Power Association, Brick Industry Association, Business Roundtable, Cement Kiln Recycling Coalition, Composite Panel Association, Construction Materials Recycling Association, Corn Refiners Association, and Council of Industrial Boiler Owners.

Hardwood Plywood and Veneer Association, International Falls Chamber of Commerce (MN), National Association of Manufacturers, National Federation of Independent Business, National Oilseed Processors Association, National Solid Wastes Management Association, NORA, An Association of Responsible Recyclers (formerly the National Oil Recyclers Association), Rubber Manufacturers Association, Society of Chemical Manufacturers and Affiliates, The International Association of Machinists and Aerospace Workers, The United Brotherhood of Carpenters and Joiners of America, Treated Wood Council, U.S. Chamber of Commerce, and Virginia Forestry Association.

Mr. WYDEN. Mr. President, biomass energy development is not only a great economic opportunity for Oregon, it is an essential piece of the forest health puzzle. Biomass energy helps create a market and a way to pay for forest thinning and hazardous fuels programs. It is also a way for keeping local timber and wood products mills in business at a time when the industry, like many

in the U.S. is going through hard times. Biomass also provides an important renewable energy option for the Nation as a substitute for coal and other fossil fuels. Every region of the country has biomass energy opportunities even if the exact nature of the biomass that would be used varies from region to region. Today, I am joining my colleague from Maine, Senator COLLINS, and a bipartisan group of Senators, in introducing legislation to make sure that the U.S. Environmental Protection Agency can, and will, issue regulations under the Clean Air Act and the Solid Waste Disposal Act that ensure that the owners of these mills and biomass energy plants can continue to invest in them and maintain and create the jobs that are so badly needed.

Pending Environmental Protection Agency regulations governing boilers and incinerators will make it very difficult for biomass energy to be used in the U.S. To its credit, EPA recognizes this fact and has repeatedly proposed to rewrite those regulations to address the concerns of biomass energy users, the forest products industry, and other industries. The legislation being introduced today is aimed at making sure that EPA can collect the necessary data and reissue its regulations in an orderly process that preserves biomass energy as a national energy option and allows economically hard pressed timber and forest products mills to remain in operation.

On December 7, 2010, EPA, which was under court order to issue new Clean Air Act regulations for boilers and incinerators, filed a request with the Federal Court overseeing the boiler emissions rules asking for a delay in the court-ordered deadline for issuing the rules by 15 months so that EPA could reevaluate its own proposed rules and address the problems raised by the forest products industry and others. However, the Federal judge hearing the case rejected EPA's request and gave EPA just a month to fix the rule. In February 2011, EPA met that deadline, but continuing to recognize the flaws in its regulations, it immediately triggered an administrative process known as reconsideration to allow affected industries to provide more information and for the agency to revise its regulations. In May, EPA agreed with industry comments that the rule needed to be reviewed and it agreed to stay, or delay, the implementation of the existing Clean Air Act rules for boilers and incinerators. Unfortunately, EPA did not issue a stay of a related rule which defines which materials can be burned in those boilers and which need to be burned in incinerators. EPA has now proposed a schedule, which it confirmed in letters to me and several other Senators, to consider additional comments by industry and others and develop new Clean Air Act rules.

Unfortunately, this is not the end of the story. Stays can be lifted by the courts. This legislation would statu-

torily affirm the EPA's stay of the Clean Air Act rules. And it would affirm EPA's proposal to issue new regulations by a date certain. That date would be 15 months from the date of enactment, the same period of time EPA claimed was necessary to draft a new rule. The goal here, which I believe EPA shares, is to issue Clean Air Act regulations that make sense, not to do away with Clean Air Act regulations for boilers and incinerators.

On the other hand, by not agreeing to make changes to the "what's a fuel and what's not" rule, EPA has made it very likely that many widely used boiler fuels can no longer be used, like wood scrap from door and window mills. And some results of the rule make little practical sense. For example, scrap tires that are picked up at a tire shop can continue to be burned as a fuel. Scrap tires that are picked up at a landfill cannot. EPA has indicated that it will try to develop regulatory guidance to help industry navigate the regulatory confusion it has created.

I appreciate the fact that EPA recognizes that there is a problem with the fuel-or-waste rule and that they are offering to try to fix it by issuing regulatory guidance. However, I am not convinced that EPA can fix the problems with the rule by just by issuing guidance. This legislation will direct EPA to establish new rules on what materials can be burned as boiler fuel, and which cannot, and give EPA clear statutory direction on what can be included. This direction limits allowable fuels to a specific list so that there are no surprises or backdoor exceptions. EPA can add to the list only after notice and comment so the public knows what, if any, additions are being made.

This process for defining which fuels can be burned in a boiler and which cannot is very important to me. While it makes sense to continue to allow many materials that the wood products industry and others have used as boiler fuels for generations, I do not think that it's appropriate to simply decide that any fuel that was used in a boiler in the past should be grandfathered in. The provisions in this bill defining what materials can be burned in a boiler ensure that will not be the case. This was a major issue in litigation surrounding earlier versions of these rules and I do not think it is wise to ignore this fact. Congress has the opportunity to try to address the legitimate concerns about what is being burned in these boilers and it should.

Finally, the bill would extend the normal 3 year period for boilers to come into compliance to 5 years. It is my hope that once there a final regulations and industry knows what it has to do that it will not take that long. However, there some 2000 boilers in the U.S. that would all have to upgrade or replace their units all at the same time and coincident with similar rules going into effect for electric utility company boilers. This extra time will mean that there will be no excuse for not meeting the final standards.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

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

U.S. ENVIRONMENTAL  
PROTECTION AGENCY,  
Washington, DC, June 27, 2011.

Hon. RON WYDEN,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WYDEN: I appreciate the opportunity to meet with you on June 16, 2011, regarding the Environmental Protection Agency's (EPA) Non-Hazardous Secondary Materials (NHSM) rule, the Boiler Maximum Achievable Control Technology (MACT) rule, and the Commercial and Industrial Solid Waste Incinerators (CISWI) rule. Thank you for your constructive engagement on these priority issues. We are currently exploring various pathways under existing authority to address your concerns.

As you know, the Boiler MACT and CISWI standards are currently subject to an administrative stay. Today, as part of a filing with the United States Court of Appeals for the District of Columbia Circuit, the EPA announced the intended schedule for reconsideration of the boilers and CISWI rules. To ensure that the agency's standards are based on the best available data and that the public is given ample opportunity to provide additional input and information, the agency intends to propose the reconsideration rule by the end of October 2011 and issue a final rule by the end of April 2012. This is the best approach to establish technically and legally sound standards that will bring significant health benefits to the American public.

We believe that this stay and the reconsideration period will provide ample time to administratively address the issues raised by various stakeholders on these corresponding rules.

The NHSM rule, which we discussed in our meeting, aims to ensure that the burning of solid waste is subject to appropriate emission controls required under the Clean Air Act and that exposure to harmful pollutants is minimized. We understand that biomass derivatives have long been used for energy purposes in the wood products industry and we believe our rule allows such use to continue without being subject to the CISWI standards, provided that criteria, referred to as "legitimacy" criteria, are met.

Since promulgation of our rule, questions have arisen about how these criteria will be applied and our goal has been to ensure that the flexibility provided by the rule is in fact realized. To that end, we have held several meetings with industry representatives to discuss and understand their concerns and to review newly available data. In addition, on June 21, 2011, my Assistant Administrator for Solid Waste and Emergency Response, Mathy Stanislaus, met with representatives of several industries that use biomass derivatives and other non-hazardous secondary materials as fuel to ensure that they understand the significant flexibility already afforded by the rule, and to discuss the EPA's concepts for further clarifying that flexibility.

As part of that discussion, Mr. Stanislaus explained that one of the options that EPA is considering is issuing clarifying guidance regarding the Agency's legitimacy criteria. Such guidance is a useful tool that is often used under the Resource Conservation and Recovery Act (RCRA) to address these types of issues. The guidance could provide a clear guidepost for comparing traditional fuels with secondary materials. It potentially could clarify that certain nonhazardous secondary materials would not be considered

solid waste when combusted and that the units combusting those materials can continue to be used as fuels without having to meet the CISWI standards. Mr. Stanislaus requested that the industry representatives provide the Agency with supporting data on traditional fuels that could further inform the development of such guidance, and asked for feedback on the approach he outlined. In addition to this approach, the Agency is also exploring other options.

We recognize that stakeholders have also raised other issues with the NHSM rule. We are continuing to evaluate those issues expeditiously.

I believe we have made significant progress in addressing the concerns raised by the industry. I will continue to watch the issue closely and keep you informed. My goal is to bring these issues to closure as soon as possible.

Sincerely,

LISA P. JACKSON,  
*Administrator.*

U.S. ENVIRONMENTAL PROTECTION  
AGENCY, OFFICE OF SOLID WASTE  
AND EMERGENCY RESPONSE,  
*Washington, DC, July 11, 2011.*

Hon. RON WYDEN,  
*U.S. Senate,  
Washington, DC.*

DEAR SENATOR WYDEN: Thank you again for the constructive dialogue regarding issues relating to EPA's Non-Hazardous Secondary Materials (NHSM) rule, the Boiler Maximum Achievable Control Technology (MACT) rule and the Commercial and Industrial Solid Waste Incinerator (CISWI) rule. In the Administrator's letter of June 27, 2011 she indicated that the agency is exploring various pathways to address your specific concerns regarding implementation of the NHSM rule. EPA is committed to issuing guidance to assist industry in applying the legitimacy criteria, and had requested that industry representatives provide the agency with supporting data to further inform the development of such guidance.

We received additional information from industry and based on this information and further discussions, we have developed the enclosed concept paper for the development of guidance. The paper identifies approaches to the guidance that EPA continues to evaluate for determining whether concentrations of contaminants in the NHSM are "comparable" to concentrations of those same contaminants in traditional fuels. These comparisons are important in ensuring that NHSM are being legitimately recycled and are not solid wastes, as well as recognizing the varied uses of such secondary materials as product fuels.

We are optimistic about our ability to develop guidance that meaningfully addresses the industry concerns and we are giving it the highest priority within the agency. We intend to complete internal development of draft guidance based on the concept paper by August 31, 2011. In addition, we continue to evaluate all available options available to address the issues raised.

Please be assured that EPA will continue to keep you informed of our progress in addressing the issues involved with the NHSM rule, as well as the related Clean Air Act rulemakings. If you or your staff have any questions regarding the enclosed concept paper, please contact me or your staff may call Carolyn Levine in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-1859.

Sincerely,

MATHY STANISLAUS,  
*Assistant Administrator.*

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 571. Mrs. BOXER (for herself, Mr. GRAHAM, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 572. Mr. WEBB (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 573. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 574. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 556 proposed by Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 575. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 2055, supra.

SA 576. Mr. SESSIONS (for himself, Mr. CORNYN, Mr. VITTER, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 577. Mrs. BOXER (for herself, Mr. GRAHAM, Mr. INHOFE, and Mr. NELSON of Florida) proposed an amendment to the bill H.R. 2055, supra.

SA 578. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Ms. SNOWE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 571. Mrs. BOXER (for herself, Mr. GRAHAM, and Mr. INHOFE) submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) FINDINGS.—Congress makes the following findings:

(1) Over 86,000 children attend Department of Defense Education Activity (DoDEA) schools across the United States, Europe, and the Pacific region.

(2) According to an October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program, 149 of 189 schools assessed, or nearly 79 percent, had facilities with an overall condition rating of either Q3 (poor) or Q4 (failing).

(3) The October 2009 Report to Congress also indicated that many DoDEA schools require significant recapitalization efforts to bring facilities up to current standards and eliminate space shortfalls and temporary facilities.

(4) In the Future Years Defense Plan for Fiscal Years 2012 through 2016, the Department of Defense has established a plan to recapitalize many but not all of these school facilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the state of disrepair of more than ¾ of Department of Defense Education Activity school facilities is deplorable, and that the Department of Defense should make

every effort to accelerate the recapitalization of these facilities.

(c) RECAPITALIZATION OF SCHOOLS.—The Secretary of Defense is encouraged to include funding for each DoDEA school with an overall condition rating of Q3 (poor) or Q4 (failing) according to the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program in the Future Years Defense Plan for Fiscal Years 2013 to 2017.

SA 572. Mr. WEBB (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, between lines 12 and 13, insert the following:

SEC. 410. No amounts appropriated or otherwise made available by this Act may be obligated or expended to implement or carry out any program that creates a price evaluation adjustment that is inconsistent with the holdings in the following:

(1) *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995).

(2) *Rothe Development Corporation v. Department of Defense*, 545 F. 3d 1023 (2008).

SA 573. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. Not more than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Appropriations of the Senate and the House of Representatives a report that includes—

(1) an assessment of the property management and caretaker costs, including base security, fire protection, and maintenance of the military installations closed or realigned under the 2005 round of defense base closure and realignment;

(2) a description of the risks to property value, safety, and human life if such costs are not funded;

(3) a description of the extent to which the Department of Defense is funding such costs; and

(4) if such costs are not fully funded, an explanation for the shortfall.

SA 574. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 556 proposed by Mr. JOHNSON, of South Dakota (for himself and Mr. KIRK) to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Strike "Sec. 301. Not later" and all that follows and insert the following:

SEC. 301. (a) Not later than 90 days after the date of the enactment of this Act, the Executive Director of Arlington National

Cemetery shall submit to the Committee on Appropriations, the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations of the House of Representatives a report on the efforts of the Executive Director to modernize the information technology and management systems of the Cemetery.

(b) The report required by subsection (a) shall include the following:

(1) A detailing of the strategic plan and timetable to modernize the information technology and management systems of the Cemetery, including digital burial records.

(2) A description of the steps taken by the Executive Director in 2011 to implement information technology and management systems improvements.

(3) Identification of any remaining information technology and systems infrastructure needs of the Executive Director for administration of the Arlington National Cemetery.

**SA 575.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in coordination with the Defense Advanced Research Projects Agency (DARPA), shall submit to the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the Senate and the Committee on Appropriations, the Committee on Veterans' Affairs, and the Committee on Armed Services of the House of Representatives a report, in writing, on the plans of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics.

(b) The report required by subsection (a) shall include the following:

(1) Details of the strategic plan and timetable of the Secretary to make available to injured members of the Armed Forces and veterans the next generation of advanced prosthetics

(2) A description of the challenges, both technical and administrative, that could delay injured members of the Armed Forces and veterans access to prosthetics described in paragraph (1).

(3) The plans of the Secretary to address these challenges described under paragraph (2).

**SA 576.** Mr. SESSIONS (for himself, Mr. VITTER, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

**SEC. \_\_\_\_ . NO BUDGET—NO APPROPRIATIONS.**

Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (c)(1), by inserting after "Sections" the following: "303(c)."; and

(2) in subsection (d)(2), by inserting after "sections" the following: "303(c).".

**SA 577.** Mrs. BOXER (for herself, Mr. GRAHAM, Mr. INHOFE, and Mr. NELSON of Florida) proposed an amendment to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. \_\_\_\_ No later than 90 days after enactment of this Act, the Secretary of Defense shall report to the Committees on Appropriations of the Senate and the House of Representatives on the status and improvement plan for all DODEA schools with an overall condition rating of Q3 (poor) or Q4 (failing) as identified in the October 2009 Report to Congress on Department of Defense Education Activity's Military Construction Program.

**SA 578.** Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Ms. SNOWE, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) LIMITATION ON CLOSURE OF COMMISSARIES.—Notwithstanding any provision of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), none of the funds appropriated or otherwise made available by this title may be obligated or expended to cease operations of any commissary until the Secretary of Defense has issued new instructions regarding commissary operations of the Armed Forces that clarify general and economic criteria used for establishing, continuing, or discontinuing commissary operations.

(b) SUBMISSION OF PROPOSED INSTRUCTIONS TO CONGRESSIONAL DEFENSE COMMITTEES.—The Secretary of Defense may not issue the instructions described in subsection (a) until 60 days after the Secretary submits to the congressional defense committees a copy of the proposed instructions and a description of the impact of those instructions on—

(1) existing commissary operations;

(2) operations of commissaries at locations affected by a base closure law;

(3) future construction and operation of new commissaries; and

(4) the operation and funding of commissary stores at which substantial percentages of users are from more than one military service.

#### NOTICES OF HEARINGS

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 27, 2011, at 10 a.m. in SD-430 to mark-up the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. \_\_\_\_, the Workforce Investment Act Reauthorization Act of

2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224-5375.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, August 3, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 1024, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, and for other purposes;

S. 1090, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and for other purposes;

S. 1144, to amend the Soda Ash Royalty Reduction Act of 2006 to extend the reduced royalty rate for soda ash;

S. 1149, to expand geothermal production, and for other purposes; and

S. 1344, to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [jake\\_mccook@energy.senate.gov](mailto:jake_mccook@energy.senate.gov).

For further information, please contact David Brooks at (202) 224-9863 or Jake McCook at (202) 224-9313.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled "Building American Transportation Infrastructure through Innovative Funding."

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. DURBIN. 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 on July 20, 2011.

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

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. to conduct a hearing entitled "Federal Regulation: A Review of Legislative Proposals, Part II."

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

## COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 20, 2011, at 9:45 a.m. in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "S. 598, The Respect for Marriage Act: Accessing the Impact of DOMA on American Families."

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

## SUBCOMMITTEE ON ECONOMIC POLICY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Economic Policy be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. to conduct a hearing entitled "Access to Capital: Fostering Job Creation and Innovation through High-Growth Startups."

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

SUBCOMMITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 20, 2011, at 10 a.m. in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled "Yellowstone River Oil Spill Oversight."

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE,  
FISHERIES, AND COAST GUARD.

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 20, 2011, at 2:30 p.m. in room SR-253 of the Russell Senate Office Building, to conduct a hearing entitled "Looking to the Future: Lessons in Prevention, Response, and Restoration from the Gulf Oil Spill."

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

## SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on July 20, 2011, at 2 p.m.

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

## PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Alexa Damis-Wulff be granted floor privileges for the balance of the day.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 21,  
2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., tomorrow, Thursday, July 21; 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 until later in the day; that when the Senate considers the motion to proceed to H.R. 2560, the Cut, Cap, and Balance Act, the time until 2 p.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

## PROGRAM

Mr. REID. Mr. President, tomorrow morning, the majority leader will move to proceed to H.R. 2560, the Cut, Cap, and Balance Act. There will be a full debate on this bill. We will decide how much time is needed. We will work on this as we proceed. If all the time is used, we will vote Saturday morning.

ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. REID. 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 6:48 p.m., adjourned until Thursday, July 21, 2011, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

## THE JUDICIARY

MICHAEL WALTER FITZGERALD, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL

DISTRICT OF CALIFORNIA, VICE A. HOWARD MATZ, RETIRED.

## IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

*To be lieutenant colonel*

MARY F. HART-GALLAGHER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531(A) AND 716:

*To be major*

RAYMOND S. COLLINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

DAVID B. BARKER  
DANISHIA A. BARTON  
MELISSA J. BEASLEY  
TERECA V. BENTON  
JAMIE SUE BING  
RANDOLPH T. BOSCH  
MERRITT M. BROCKMAN  
SCOTT A. BROWN  
JAMES M. CAMILLERI  
BRIAN M. CARUTHERS  
MARIABETHY PULIDO CASH  
KENNETH M. CHAPMAN  
SHAWN M. COFFIN  
DANIEL C. COLEMAN  
BONITA Y. DENNIS  
KELLY LYNN DETERING  
JOI BLYTHE DOZIER  
MICHAEL R. EMERSON  
IAN C. ERSKINE  
DAVID A. FERGUSON  
STEVE V. FLEMING, JR.  
STEVEN M. FOX  
EMIRZA G. GRADIZ  
RONICA S. GRUVER  
CHANG M. HAN  
FRED L. HARRIS  
ADAM G. HENSON  
TODD M. HOGGATT  
KIRK D. HUNTSMAN  
JAMIE M. KAAUAMO  
ALEXEI KAMBALOV  
NATHAN T. KELLETT  
SYLVIA CHIHUYUN KIM  
AMANDA M. LAWSON  
JOSHUA J. LESLIE  
JORDAN H. LINDEKE  
RANDALL L. LIVENGOOD  
CHARLES E. LUEKER  
PAUL E. MACDONALD, JR.  
STEPHEN W. MARTIN  
CHRISTOPHER B. MATHEWS  
RENEE A. MCCLENNON  
WENDY J. MORENO  
MARLON A. MUTHUVEERAN  
JOY U. NAVARRO  
PHILLIP D. OLIPHANT  
LISA A. PERRY  
BECKY K. QUENNEVILLE  
DANIEL J. RIVAS  
BRENDA TALINA ROBERTS  
VICKI K. ROBLES  
JAVIER A. RODRIGUEZ  
TODD M. ROMAN  
DAWN M. ROSE  
JOSEPH H. ROUNTREE  
TIMOTHY A. SCHMIDT  
HEIDI P. SIMPSON  
TANYA M. SIMULICK  
STATWELL G. SINCLAIR, JR.  
JAMES A. STEWART  
LEWIS RANDOLPH TAYLOR  
THOMAS JASON TELFER  
ALISON M. THOMAS  
JASON T. TOMPKINS  
ROBERT E. TRAYLOR  
NEVA J. VANDERSCHAEGEN  
MERLINDA VERGONIOWILLIAMS  
GLORIA JEN WALSKI  
TOBIE A. WETHINGTON  
JOCELYN M. WHALEN  
LINDSEY KAY WILLHARDT  
THOMAS E. WINDLEY  
RYAN K. YATES  
TANYA R. YELVERTON  
ANGELA M. YUHAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

WADE B. ADAIR  
TRACY L. ALLEN  
SUSAN G. ANGUS  
NORA ASHBY  
JOYCE C. BEATY  
PAMELA BELLGARVIN  
JACQUELINE L. BOWERS  
WILLIAM CHADRICK BREEDLOVE  
DAVID B. BROWN  
TERA Y. CARTER  
GREGORY A. COLEMAN  
ANADIS COLLADOVALENTIN

JEFFREY N. COOK  
 SARAH A. COORS DAVIDSON  
 ROBERT A. CORBY  
 MANUEL DOMINGUEZ  
 STEPHANIE K. DUSZA  
 TOMMY D. FRANKLIN, JR.  
 RICHARD A. FRENCH  
 MARIA D. GRAVES  
 RONALD J. GREENAWAY  
 RODNEY A. GUMBISH  
 ALAN C. HARDMAN  
 ALISHA N. HENNING  
 JOHN J. ISTVAN  
 RANDALL G. IVALL  
 CHRISTOPHER R. JOSEPH  
 MATTHEW S. KRAUCHUNAS  
 TED C. LEMON  
 JAY T. LUDESCHER  
 ROGER E. LYNCH  
 KATHLEEN M. MACKEY  
 PATRICK R. MISNICK  
 ROYCE F. MOORE  
 JAMES F. MULLEN  
 KENNETH C. PERRY  
 CAROLINE D. PLAHUTA  
 LYDIA A. RADFORD  
 EDWARD E. RHODES III  
 JONATHAN E. RICHARDS  
 JENNIFER E. RIGGINS  
 MARK W. ROGERS  
 AMY ELIZABETH RUSSO  
 ANDREA NIKITAMONA RYAN  
 ALVIN SCOTT, JR.  
 BRYAN K. SIMPSON, SR.  
 JOSE A. SORTO  
 MARY E. STEWART  
 JAY W. VEEDER  
 ELIJIO J. VENEGAS, JR.

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

*To be lieutenant colonel*

JOHNATHAN M. COMPTON  
 MAURICE E. YOUNG

*To be major*

AMY M. HENSEL  
 BENJAMIN J. MITCHELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

JESSE ACEVEDO  
 GILBERT A. ACOSTA  
 MARC M. ADAIR  
 CHARLES D. ADAMS  
 RYAN J. AERNI  
 JEREMY S. AGTE  
 KIRSTEN G. AGUILAR  
 PETER A. AGUIRRE, JR.  
 KRISTOPHER H.O. AHLERS  
 JAMES D. AKERS  
 TODD J. ALDRICH  
 JOSEPH R. ALKIRE II  
 MATTHEW S. ALLEN  
 ANTONIO ALVARADO  
 AIMEE C. ALVSTAD  
 ERIC K. AMISSAH  
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 AARON G. NORRIS  
 BRIAN P. NOWINSKI  
 LEO M. NOYES  
 JEREMY B. NYGREN  
 ROBERT K. OAKES III  
 ROY H. OBERHAUS  
 DEVIN O. ODOWD  
 GALEN K. OJALA  
 MICHELE J. OLSEN  
 MATTHEW I. OLSON  
 RICHARD M. OPERHALL  
 MATTHEW M. OLOWSKY  
 PATRICK J. OROURKE  
 JAY A. ORSON

STEVEN H. OSBORNE  
 WILLIAM L. OTTATI  
 DAVID B. OWEN  
 JAMES P. OWEN  
 MILKO R. PADILLA  
 THOMAS P. PAGANO  
 DAMIAN D. PANAJIA  
 DAVID A. PAPINEAU  
 ROBERT M. PARKER  
 MICHAEL B. PARKS  
 RUSSELL L. PARRAMORE  
 JAMES J. PARSLOW  
 RAYMOND G. PARTLOW  
 YORK W. PASANEN  
 WILLIAM P. PASTEWAIT  
 ANDREW H. PATE  
 DAVID K. PATTERSON  
 DAVID S. PATTERSON  
 JASON P. PAVELSCHAK  
 BRIAN C. PAYNE  
 ROBERT E. PEACOCK  
 GEORGE A. PEASANT  
 KENNETH E. PEDERSEN  
 MICHAEL J. PEELER  
 ANTHONY J. PELKINGTON  
 AARON D. PEPKOWITZ  
 CLAYTON JOSEPH PERCLE  
 ELEANOR S. PEREDO  
 VICTOR M. PEREIRA  
 TODD J. PERLMAN  
 CHRISTOPHER W. PETERS  
 EDWARD C. PETERS  
 MARK T. PETERS II  
 ERIN D. PETERSON  
 STEFANIE S. M. PETERSON  
 CAREY E. PETIT  
 STEPHEN H. PEUTE  
 STEPHEN PHILLIPS  
 JOSHUA J. PICCIRILLO  
 DAMIEN F. PICKART  
 GREGORY B. PICKETTE  
 PATRICIA Y. PIE  
 JOHN M. PILONG  
 DAVID L. PITTNER  
 KIRSTIN L. PLAGGE  
 CHRISTOPHER J. PLOURDE  
 LYNN LOUISE PLUNKETT  
 JAMES A. W. POINTER  
 JOHN F. POLKOWSKI  
 DANIEL E. POLSGROVE  
 JOHN A. PORCHE  
 TIMOTHY W. PORTER  
 JEREMY P. POTVIN  
 ORVAL A. POWELL  
 CRAIG D. PRATHER  
 SHELLY PRESCOD  
 THOMAS J. PRESTON  
 DEREK D. PRICE  
 JEREMY E. PROVENZANO  
 DAVID R. PRYOR  
 ANDREW MICHAEL PURATH  
 SCOTT GRAYSON PUTNAM  
 DINA L. QUANICO  
 JEFFREY M. QUEEN  
 CARLOS A. QUINONES  
 NATHAN R. RABE  
 MICHAEL J. RADERMACHER  
 JASON J. RAFFERTY  
 MICHAEL J. RAFFERTY II  
 JEREMY A. RALEY  
 MARCUS D. RANDALL  
 ROBERT W. RANDALL  
 ERIC J. RANKE  
 JAMES R. RAPALLO, JR.  
 MICHAEL C. RASBACH  
 DAVID E. RAYMAN  
 ROBERT T. RAYMOND  
 DANIEL J. REBECKY  
 BRYAN K. REBESH  
 PETER S. REDDAN  
 EDWARD J. REDER  
 BRIAN L. REECE  
 KURT N. REGLING  
 CHRIS E. REICHARDT  
 JEROME L. REID  
 ROBERT B. REID  
 ROBERT D. REIMER  
 CARRIE A. REINHARDT  
 MATTHEW W. RENBARGER  
 JASON M. REPAC  
 JASON SANCHEZ RESLEY  
 FRANK N. REYES  
 RAMSAMOOJ J. REYES  
 KEVIN R. RHODES  
 CHRISTOPHER M. RICE  
 TIMOTHY L. RICHARDSON  
 MATTHEW B. RICHTER  
 JEROD G. RICK  
 JUSTIN A. RIDDLE  
 JONATHAN D. RITSCHHEL  
 KEVIN A. RIVERO  
 WILLIAM E. ROACH  
 ROBERT R. ROBE  
 SANDRA C. ROBERTS MORROW  
 JOHN C. ROBERTS  
 MARIA C. ROBERTS  
 BENJAMIN S. ROBINS  
 CLAYTON E. ROBINSON  
 JORI A. ROBINSON  
 JOHN D. ROCHE  
 ROY V. ROCKWELL  
 JUNE F. D. RODRIGUEZ  
 CHAD A. ROGERS  
 THOMAS C. ROGERS  
 DANIEL S. ROHLINGER  
 JONATHAN M. ROMAINE  
 GEOFFREY J. ROMANOWICZ

RICHARD J. ROMANSKI  
 LANCE ROSAMIRANDA  
 JAMES F. ROSS, JR.  
 JOSEPH J. ROTH  
 FRANCOIS H. ROY II  
 JONATHAN S. ROYER  
 CHAD E. C. RYTHER  
 JOSEF E. SABLATURA  
 JEFFREY A. SALEM  
 KELLY M. SAMS  
 PETER A. L. SANDNESS  
 MARK A. SANDOR  
 ELIOT A. SASSON  
 DANIEL M. SAUCER  
 LYNN E. SAVAGE  
 MICHAEL A. SAVILLE  
 MICHAEL M. SAX  
 TRAVIS J. SCHEEL  
 STEPHEN L. SCHEIN  
 NICOLAS J. SCHINDELER  
 CHRISTOPHER G. SCHLAK  
 DAMIAN SCHLUSSSEL  
 JASON A. SCHMIDT  
 DANIEL T. SCHMITT  
 MATTHEW A. SCHNOOR  
 DONALD E. SCHOFIELD II  
 JOHN M. SCHUTTE  
 LAWRENCE J. SCHUTZ  
 NATHAN C. SCOPAC  
 JOHN DANIEL SCOTT II  
 BARRY R. SECRET  
 DAVID C. SEITZ  
 PETER A. SELKEY, JR.  
 JAMES D. SELLENOW  
 CHRISTOPHER SENSENEY  
 SHAWN A. SERFASS  
 MARIO A. SERNA  
 JASON R. SETTLE  
 JOHN M. SEVIER  
 DEVIN L. SHANKS  
 GRANT BROOKS SHARPE  
 JOSEPH L. SHEFFIELD  
 JEROME K. SHELDON  
 MICHAEL S. SHELDON  
 DAVID R. SHORT  
 JON L. SHUMATE  
 JOSEPH P. SIBERSKI  
 KENNETH A. SIERRA  
 JAMEY P. SILLENCE  
 CHAD A. SILVA  
 MATTHEW M. SIMMONS  
 TIMOTHY J. SIMMONS  
 EDWARD H. SIMPSON  
 JAMY L. SIRMAN  
 TRAVIS D. SJOSTEDT  
 JAMES D. SKELTON  
 MARK ROBERT SLOAN  
 ALBERT E. SMITH  
 ANDREW M. SMITH  
 ANTHONY L. SMITH  
 BENJAMIN T. SMITH  
 DANIEL W. SMITH III  
 JESSE V. SMITH  
 TRACEY E. SMITH  
 VERONICA E. SMITH  
 WILLIAM H. SMITH  
 BRIAN L. SNYDER  
 DARREN D. SOKOL  
 JONATHAN M. SONGER  
 CADE R. SONNICHSEN  
 WILLIAM G. SOSNOWSKI  
 ANDREW A. SOUZA  
 DANNE EMMETT SPENCE  
 GUY T. SPENCER  
 JAMES H. SPENCER  
 MITCHELL R. SPILLERS, JR.  
 EDWARD T. SPINELLI  
 ERIC J. SPRINGER  
 DANIEL C. ST PIERRE  
 JAMES W. STAHL  
 THOMAS W. STALEY  
 DONALD L. STARLING  
 WILLIAM R. STAUD  
 BRADLEY J. STEBBINS  
 DERICK N. STEED  
 ANDREW J. STEFFEN  
 RICHARD E. STEGGERDA  
 KAYLE M. STEVENS  
 RODNEY S. STEVENS  
 WILLIAM M. STOVER  
 DAWN M. STRAIGHT  
 STEVEN A. STRAIN  
 JOHN C. STRATTON  
 THOMAS A. STRATTON  
 KELLY L. STRONG  
 ERIC M. STRUMPF  
 KRISTOPHER W. STRUVE  
 CHEN Y. SU  
 BETH ANN SUBERO  
 PATRICK C. SUERMANN  
 CLIFFORD V. SULLHAM  
 JOHN D. SULLIVAN  
 LAWRENCE T. SULLIVAN  
 SEAN P. SUTHERLAND  
 GARY A. SWAIN  
 BRETT T. SWIGERT  
 STEPHEN C. SZTAN  
 KIRSTIE I. TALBOT  
 JEFFREY M. TANG  
 RICHARD C. TANNER  
 MICHAEL A. TARABORELLI, JR.  
 ROY R. TATE, JR.  
 MICHAEL B. TATUM  
 ANDREW J. TAYLOR  
 JASON T. TAYLOR  
 STEPHEN T. TAYLOR  
 TERENCE G. TAYLOR

KEVIN B. TEMPLIN  
 PETER G. TERREBONNE, JR.  
 VINCENT M. TERRELL  
 KATRINA A. TERRY  
 CHAD R. TESKE  
 BRIAN C. THILL  
 BRYAN W. THOMAS  
 DILTRICE M. THOMAS  
 JOHN M. THOMAS  
 MICHAEL A. THOMAS  
 BRIAN A. THOMPSON  
 LANE D. THOMPSON  
 SHAWN O. THOMPSON  
 GREGORY D. THORNTON  
 CASEY J. TIDGEWELL  
 MICHAEL C. TODD  
 JAMES M. TRACHIER  
 JOHN D. TRAN  
 TRENT W. TRIPPLE  
 CHRISTOPHER D. TROYER  
 AARON A. TUCKER  
 BRADLEY E. TURNER  
 KENNETH D. UNDERWOOD  
 ROBERT T. UNGERMAN III  
 DENNIS W. UYECHI  
 ROD L. VALENTINE  
 TARA R. VALENTINE  
 THOMAS B. VANCE, JR.  
 JEFFREY S. VANDUSEN  
 JERRY M. VANDYKE  
 SPENCER T. VANMETER  
 MATTHEW T. VANN  
 JASON F. VATTIONI  
 BRADY P. VAUCLIN  
 OMAR A. VELASCO  
 MARGARET F. VENCIOUS  
 SHANE M. VETTER  
 DOUGLAS W. VIEWEG  
 DAVID L. VILLA  
 JUSTIN M. VINCENT  
 GRANT T. VINEYARD  
 SHAD D. VINSON  
 JILEENE M. VIVIANS  
 JASON D. VOORHEIS  
 CHRISTOPHER M. WACHTER  
 WILLIAM O. WADE  
 TED A. WAHOSKE  
 ANTHONY L. WALKER  
 BRADLEY C. WALKER  
 JASON C. WALKER  
 PHILLIP WALKER, SR.  
 JEFFREY A. WALLACE  
 WILLIAM M. WALLIS  
 ERICK JOHN WALLMAN  
 SHAWN P. WALRATH  
 STACY E. WALSER  
 BRENDAN P. WALSH  
 MICHAEL O. WALTERS  
 BRANDE HELEN WALTON  
 ZACHARY S. WARAKOMSKI  
 BENJAMIN GRAY WARD  
 RANDY S. WARDAK  
 RICHARD L. WARRR  
 MICHAEL S. WATSON  
 JEFFERY A. WEAK  
 JAMES C. WEAVER  
 JONATHAN D. WEBB  
 JOHN S. WEIR  
 JEFFREY H. WELBORN  
 NAOMI M. WELCOME  
 LINWOOD E. WELLS, JR.  
 KIMBERLY LEE WELTER  
 BRENT D. WENTHUR  
 WILLIAM W. WENZEL  
 DERRICK J. WEYAND  
 SCOTT P. WEYERMULLER  
 RYAN W. WHITE  
 PAUL W. WHITFIELD, JR.  
 JONATHAN C. WHITNEY  
 JUSTIN A. WHITSON  
 STACY S. WIDALUF  
 JASON T. WIEHRDT  
 DAVID A. WIELAND  
 STEVEN T. WIELAND  
 COLIN C. WIEMER  
 JANINE O. J. WIGGINS  
 CHRISTOPHER M. WILCOX  
 BRIAN K. WILKERSON  
 BRADY J. WILKINS  
 GARY M. WILLIAMS  
 NICHOLE L. WILLIAMS  
 SARAH C. WILLIAMS  
 SEAN A. WILLIAMS  
 ALAN L. WILLINGHAM  
 DARREN M. WILIS  
 CLINTON M. WILSON  
 JAMES G. WILSON  
 KEITH D. WILSON  
 KYLE J. WILSON  
 ROCKIE K. WILSON  
 WAYNE W. F. WILSON  
 AARON N. WILT  
 HEATH WIMBERLEY  
 JOSEPH H. WIMMER  
 BRIAN D. WITKOWSKY  
 JEFFREY S. WITT  
 THOMPSON C. WOFFORD III  
 KEITH M. WOLAK  
 IAN S. WOLFE  
 MARK R. WOLFE  
 DAVID B. WOODLEY  
 JOHN P. WOODRUFF  
 CHRISTOPHER WORDEN  
 CARRIE L. WORTH  
 PAUL S. WRIGHT  
 RASHEEM J. WRIGHT  
 MICHAEL C. WYATT

BENJAMIN A. WYSACK  
 JARED C. YARRINGTON  
 JASON D. YEATTS  
 JEFFREY W. YOST  
 MATTHEW J. ZAMISKA  
 SHAO H. ZERBA  
 JESSE B. ZYDALLIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

CINDY B. KATZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 4336(A):

*To be colonel*

WILEY C. THOMPSON

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

MARSHALL S. HUMES

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

CYRUS A. TSURGEON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

COLLEEN F. BLAISES  
 CURTIS T. CHUN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

*To be major*

BRAD M. EVANS  
 JAY S. KOST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

MATTHEW J. BAKER  
 RUSSELL B. CHAMBERS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be lieutenant colonel*

JOSEPH B. RUSINKO

*To be major*

VIRGILIO A. CANTU  
 STANLEY H. CHAO  
 PAUL S. LAJOS  
 MARIO A. MIGLIETTA  
 PAULA S. OLIVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

CHARLES PAUL T. ANONUEVO  
 BRECK S. BREWER  
 KANIKA L. DAVILA  
 ABBY M. DEBONIS  
 PETER N. DROUILLARD  
 NICKOLI DUBYK  
 JOSEPH M. DUTNER  
 STEPHEN K. EDWARDS  
 NASSER I. FIQIA  
 BRANDON M. GAGE  
 ROBERT N. GILLIAM  
 KAREN E. GONZALEZ TORRES  
 PRABHDEEP S. GREWAL  
 ZACHARY H. HIGHBERGER  
 JERRI D. HINES  
 NGHIA N. HO  
 WILLIAM C. JEFFREY  
 MEENAL P. JOHNSON  
 LELAND B. KIMBALL  
 JACOB L. KITSON  
 DAVID H. KWON  
 TIMOTHY A. LEW  
 KURTIS G. LIGHTHEART  
 ANDREW C. MARSHALL  
 ALVIN B. MATTESON  
 SLOAN D. MC LAUGHLIN  
 JAMES D. MEDWICK  
 LARRY L. MUNK  
 JUSTIN M. NELSON  
 TIMOTHY J. NEUNER  
 ADAM R. OCHSNER  
 MILTON M. ONG  
 ZACHARY A. PAUKERT  
 MICHAEL S. PETERMAN

SAMUEL E. POINDEXTER  
 SHANE S. PORTER  
 DAVID L. REDMOND  
 MURRAY M. REEFER, JR.  
 JASON D. ROE  
 LUCERO SANABRIA  
 MICHELLE D. SARNO  
 MARC M. SERRA  
 JESSICA S. SHARP  
 KRISTIN L. SOILEAU  
 CHRISTOPHER D. SWAGERTY  
 FELICIA V. SWINNEY  
 JEREMY M. THOMPSON  
 MATTHEW B. THOMPSON  
 SAMIRA F. THOMPSON  
 JUSTIN M. TRISLER  
 J. R. TUCKER  
 JOHN F. UNDERWOOD  
 JOHNNY R. VIDIC  
 ALAN D. WALKER  
 TRACY E. WALTERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

DAVID H. BURNHAM  
 JAMES C. CLEMENTS  
 ARMANDO V. CORRAL  
 ANN DIRKS  
 QUINCY GAINES  
 JAMES R. HOCK  
 MICHAEL E. LAMBERT  
 GAETANO C. MANGANO  
 WALLACE M. MATTOS  
 FREDERICK PALMER  
 PATRICK W. SCANLAN  
 RANDALL S. VERDE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

MICHAEL A. ADAMS  
 JEFFREY B. ADLER  
 JASPAL AHLUWALIA  
 OMOLARA R. ALAO  
 MAZER ALLY  
 KAREN A. ALVAREZ  
 JONG AN  
 JASON ANDRES  
 MATTHEW S. ANGELIDIS  
 WASIL M. AQL  
 KELLY A. ARBLASTER  
 ANTHONY ARNETT  
 GAVIN W. ARNETT  
 SYLVIA G. ARORA  
 CHARLES ASHER  
 CHARLES ATKINSON  
 EDWARD P. BAHK  
 DREW C. BAIRD  
 DAGOBERTO BALDERAS  
 TODD P. BALOG  
 RAYMONDA L. BARBOUR  
 MICHAEL BARTOSZEK  
 ROBERT A. BASSETT  
 KELLY A. BEAR  
 BRAD E. BECKMANN  
 MEGAN M. BELPREZ  
 ETHAN S. BERGVALL  
 JOHNNY R. BERNARD  
 KATHRYN E. BERRYMAN  
 AARON M. BETTS  
 ELIZABETH A. BLANK  
 DAVID V. BODE  
 NICHOLAS O. BOE  
 SARAH BOLDT  
 REED A. BONVICINO  
 MELISSA L. BORDEN  
 PAUL H. BORNEMANN  
 ANDREW J. BRACKBILL  
 JENNIFER BREEDLOVE  
 CHRISTOPHER C. BREUDER  
 PAUL A. BREWER  
 AARON C. BRINKMAN  
 RICHARD A. BRODERICK  
 ANGELA R. BRYAN  
 SUMMER D. BRYANT  
 JASON B. BUENAVENTURA  
 MIKI A. CAIN  
 CHRISTOPHER J. CALCAGNO  
 SCOTT W. CALCAGNO  
 TERRA L. CALLAHAN  
 WILLIAM G. CALLIS  
 NAPOLIEON A. CAMPOS  
 SAMUEL CANCELRIVERA  
 JORGE E. CAPELLAGONZALEZ  
 KEVIN A. CARTER  
 JULIA M. CAVALLARO  
 LACIA B. CHAPMAN  
 JOHN B. CLARK  
 MICHELLE S. CLARK  
 TREVOR CLAYTON  
 GUY CLIFTON  
 JUSTIN P. COCO  
 GARRETT W. COLBY  
 SHAWN P. CORCORAN  
 CHRISTOPHER COWAN  
 BENJAMIN E. CRABB  
 CRISTINA CRUZZESPINO  
 JUSTIN M. CURLEY  
 JOSEPH DAI  
 LEO A. DAMASCO  
 MATTHEW R. DEBIEC

KRISTIAN E. DELGADO  
 ANDREW S. DELMAS  
 JESSE P. DELUCA  
 SALLY P. DELVECCHIO  
 SKY A. DENNISTON  
 JEREMIAH J. DEPUE  
 ZACHARIAH M. DEYOUNG  
 JONATHAN F. DICKENS  
 MICHAEL M. DICKMAN  
 MARY DIGIULIO  
 CHRISTOPHER D. DOWNER  
 IAN R. DRISCOLL  
 SCOTT A. DRUMMOND  
 MARK C. DUBER  
 MELISSA E. DUBER  
 LEIGH D. ECKERT  
 KIM EDHEGARD  
 JAMES ELDER  
 BEAU ELLENBECKER  
 TROY ELLIS  
 ZAHER ELMIR  
 MATTHEW EVANS  
 ADAM EVERETT  
 MELISSA FAGA  
 TASHEEMA L. FAIR  
 RUTH S. FAIRCLOTH  
 MICHAEL J. FARRELL  
 TODD FEATHERS  
 DARRELL J. FERGUSON  
 COLBY A. FERNELIUS  
 JAMES B. FESKO  
 RYAN P. FOLEY  
 MIRANDA C. FOWLER  
 ANTHONY R. FRATTALONE  
 SHARON L. FRATTALONE  
 DENNIS T. FUJII  
 BRIAN K. FUJIOKA  
 JOHN J. GARTSIDE  
 NICOLE M. GIAMANCO  
 STEVEN W. GILLROY  
 MICHAEL E. GOLDBERG  
 GARCIA H. GONZALEZ  
 SCOTT D. GOODROAD  
 ROSCO S. GORE  
 DAVID W. GRANT  
 MAX L. GRATRIX  
 JON R. GRAY  
 CHARLES E. GROOTERS  
 AMIT K. GUPTA  
 JEFFREY A. GUTHRIE  
 MITCHELL T. HAMELE  
 ANDREW HAMMER  
 CHADWICK B. HAMPTON  
 BRIAN R. HANEY  
 JACOB J. HANSEN  
 STEPHEN A. HARPER  
 JASON N. HARRIS  
 LEAH E. HASTINGS  
 TRAVIS T. HAWKS  
 MAXIMILIAN W. HECHT  
 JASON D. HEINER  
 BRYCE C. HEITMAN  
 RHINE N. HEIRAN  
 PAUL W. HENDRIX  
 BRANDI N. HICKS  
 ERIC J. HILL  
 TINA HILLS  
 MICHELLE N. HOANGQUOCCIA  
 MARC H. HOHMAN  
 SUSANNA N. HOLT  
 SONNY S. HUITRON  
 OLIVIA T. HUNTE  
 PAUL F. HWANG  
 LUIS G. IZQUIERDO  
 KHALID JABOORI  
 JONATHAN JI  
 CHRISTOPHER JOHN  
 JACQUELINE M. JOHNSON  
 JOSEPH S. JONES  
 ROBERT A. JONES  
 KAMALJEET S. KALSI  
 GRACE KANG  
 PATRICIA KAPUNAN  
 BENJAMIN KASE  
 SEAN KEARNEY  
 DAVID M. KELLER  
 JEREMY B. KENT  
 LEAH K. KERNAN  
 REBECCA A. KESSLER  
 MATTHEW C. KIDD  
 JIEHUN M. KIM  
 YOUNG S. KIM  
 KATE E. KINNAIRD  
 ALISON R. KINSLER  
 CHARLES A. KITLEY  
 ELIZABETH A. KNAZEK  
 CHIEF S. KNIFE  
 TODD C. KNUDSON  
 CHRISTINE J. KO  
 CAROLINE M. KOLB  
 GREGORY P. KRAUS  
 BRIAN R. KRIETE  
 MATTHEW D. KUHNLE  
 MARY L. KWOK  
 ELENA H. KWON  
 CHAD E. LAMPHERE  
 ANGELA A. LANTANG  
 JOSEPH T. LANZI, JR.  
 NOELLE S. LARSON  
 JARED I. LENZ  
 RICHARD N. LESPERANCE  
 GARY LEVY  
 TRACY L. LEVY  
 LEVI LIN  
 MATTHEW J. LINCOLN  
 JEREME P. LONG  
 ABRAHAM LOO

CARLTON A. LOOMIS  
 SPENCER E. LUDLOW  
 EMILY E. LUERSSEN  
 JAMES E. MACE  
 JOSHUA MANDEVILLE  
 ANTHONY L. MARK  
 ANA E. MARKELZ  
 JORGE I. MARTINEZOSORIO  
 MITCHELL C. MARZO  
 TABATHA H. MATTHIAS  
 RYAN J. MCDONOUGH  
 MEGAN H. MCKINNON  
 HSIANG C. MCLEAGHLIN  
 BRANDI S. MCLEOD  
 LAWRENCE W. MCMILLION  
 NATHAN E. MCWHORTER  
 CHRISTOPHER J. MEYER  
 MARCY MEYER  
 JOEL MILLER  
 LONNIE MILLER  
 NATHANIEL R. MILLER  
 DAUN J. MILLIGAN  
 JOSHUA D. MITCHELL  
 DAVID MOORE  
 MELINDA J. MORTON  
 BENJAMIN A. MOSES  
 SUSAN M. MOSIER  
 JOHN E. MUSSER  
 CRISSY A. NAVEJAR  
 JAMES R. NEINER  
 SEAN R. NELSON  
 JAMES NICHOLSON  
 UPNEET K. NIJJAR  
 TYLER M. NIXON  
 DEREK T. NOEL  
 TIMOTHY A. NYDAM  
 CRYSTALE J. OAKMAN  
 FREDERICK P. OBRIEN  
 KEARY E. OCONNOR  
 COLLEEN M. OLSON  
 ADAM R. OLSSON  
 HEATHER M. OMARA  
 BRIAN OREILLY  
 LINDSAY E. ORMSBY  
 RASTISLAV OSADSKY  
 HAINES K. PAIK  
 STEPHEN PARADA  
 ANGELO H. PAREDES  
 DENNIS J. PARK  
 PATRICK M. PARKER  
 SHIMUL S. PATEL  
 TANVI D. PATEL  
 VINCENT J. PAUL  
 KATHRYN M. PAYNE  
 KEVIN S. PAYNE  
 JESSICA J. PECK  
 ANGELA PENN  
 KEITH H. PENSKA  
 CORYELL J. PEREZ  
 PAUL G. PETERSON  
 THACH PHAM  
 KIMBERLEY J. PHILLIPS  
 SAMUEL C. PHINNEY  
 JENNI PICKINPAUGHINOCENCIO  
 TIMOTHY P. PLACKETT  
 BENJAMIN F. PLATT  
 MARK D. POIRIER  
 JOHN J. POULIN  
 DOUGLAS F. POWELL  
 NATHAN F. PURSIFULL  
 RAYMUNDO C. RACELA  
 RASEL M. RANA  
 MICHAEL A. REDD  
 ANGELA L. REETZ  
 KURT J. REYES  
 ROBERT D. RICE  
 SHANE M. RINEHART  
 BRADLEY A. RITTENHOUSE  
 PAUL M. ROBBERJ  
 MATTHEW D. RODGERS  
 DEREK J. ROGERS  
 CHRISTOPHER J. ROSEMEYER  
 FRANCISCO C. RUBIO  
 JEREMY K. RUSH  
 JENNY L. RYAN  
 KATHLEEN C. RYAN  
 JUAN C. SAAVEDRA  
 SHARI L. SAMMS  
 JOHN R. SANTAANA  
 ERIN S. SEEFELDT  
 BRETT M. SHAFFER  
 MOHAMMAD A. SHAH  
 SHAHROOZ SHAHEGAN  
 MALIA A. SHIMOKAWA  
 PAUL J. SHOGAN  
 JISON SIM  
 JOHN W. SIMMONS  
 MICHAEL P. SIMPSON  
 JASON D. SMITH  
 RYAN C. SMITH  
 NIKOLAUS T. SNESHKOFF  
 JON S. SOLBERG  
 JAEKYUNG SONG  
 ADAM T. SOTO  
 KEVAN M. SPENCER  
 CHRISTOPHER A. SPOJA  
 DANIELLE A. STACKHOUSE  
 GREG E. STARLEY  
 LAUREL R. STEARNS  
 THERON R. STINAR  
 DANIEL STINNER  
 FRANKLIN STUMP  
 JOSHUA J. STUTZMAN  
 THOMAS A. SUMMERS  
 ZOE E. SUNDELL  
 ERIC M. SWANSON  
 DUSTIN TAUFERNER

RANDOLPH TAYLOR II  
 NATHANIEL TEAGUE  
 HILLARY THOMAS  
 KEVIN M. TOU  
 CORY TRICKETT  
 JEFF TZENG  
 ALICE UY  
 RAMESH VENKATARAMAN  
 DAVID L. WAITE  
 DANIELLE WARNER  
 MATTHEW WEBB  
 MARK WELCH  
 MELANIE D. WHITMAN  
 SCOTT WHITWORTH  
 SCOTT WILCHEK  
 SHAPRINA R. WILLIAMS  
 BART J. WINTER  
 KELLY J. WINTER  
 SEAN R. WISE  
 ALLAN G. YOUNG  
 PAULA YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

GEOFFREY R. ADAMS  
 SCOTT R. ALLEN  
 PATRICK S. ALTENBURG  
 PHILIP W. ANDERSON  
 NIKOLAI L. ANDRESON  
 PAUL M. ARMSTRONG  
 SHERMAN ARMSTRONG  
 ARIC N. ARNOLD  
 ROBERT R. ARNOLD, JR.  
 KENNETH S. ATES  
 DENNIS R. ATKINS III  
 GAIL E. ATKINS  
 CHRISTOPHER S. AUCLAIR  
 ROBERT C. BAILEY  
 VINCENT P. BAILEY  
 JAMES J. BAIRD III  
 DARIEN L. BAISLEY  
 TODD E. BAJAKIAN  
 KOO BAKER  
 MICHAEL D. BAKER  
 THOMAS W. BAMBORD  
 GARY A. BANTAD  
 SHAWN M. BARNES  
 CATINA M. BARNESRICKS  
 MAURICE O. BARNETT  
 THOMAS J. BARRIETT  
 STEVEN T. BARRY  
 AARON C. BARTA  
 LISA M. BARTEL  
 SCOTT L. BARTLEY  
 LAWRENCE O. BASHA  
 BASSEY E. BASSEY III  
 BRETT A. BASSINGER  
 JAMES E. BATCHELOR  
 BRYAN K. BATSON  
 TAMMY L. BAUGH  
 RICARDO A. BAUTISTA  
 TIMOTHY R. BECK  
 GARY M. BELCHER  
 VINCENT J. BELLISARIO  
 JASON M. BENDER  
 IAN S. BENNETT  
 LEROY D. BENTON  
 PAUL E. BERG  
 STEPHEN M. BERT  
 MICHAEL R. BIANKOWSKI, JR.  
 DREW A. BISSELL  
 WILLIAM R. BLACK  
 JAY A. BLAKLEY  
 PHILIP J. BORDERS  
 PETER S. BORETSKY  
 JOSEPH W. BOSCIA  
 KIRT R. BOSTON  
 CLARENCE W. BOWMAN III  
 EDWARD A. BRADY  
 WILLIAM P. BRAMAN  
 CHRISTOPHER C. BRESKO  
 TIMOTHY S. BROADENAX  
 KEVIN BROADNAX  
 WILLIAM F. BROCKMAN III  
 JARETT D. BROEMMEL  
 GEORGE B. BROWN III  
 ROBERT S. BROWN  
 DUDLEY C. BROWNELL III  
 JAMES E. BROWNLEE, JR.  
 JAKOB C. BRUHL  
 JEFFREY C. BRYSON  
 JEFFREY D. BUCK  
 ROBERT S. BUINSKIS  
 DALE W. BURBANK  
 ROBERT L. BURGESS  
 CHARLES R. BURNETT  
 LUCIEN CAMPILLU  
 GREGORY A. CANNATA  
 KEVIN S. CAPRA  
 BARRY R. CARLSON, JR.  
 ADAM J. CARSON  
 CHRISTOPHER M. CARTER  
 MARCUS D. CARTER  
 RAFAEL E. CATHELINAUD  
 CHAD C. CHALFONT  
 MALCOLM O. CHANDLER  
 DERRICK W. CHENG  
 MARK S. CHILDRESS  
 BRYAN J. CHIVERS  
 ERIC CHOY  
 DEREK P. CHRISTENSEN  
 MARK W. CHRISTENSEN  
 JUSTIN T. CHUMAK  
 KENDALL J. CLARKE

CHRISTOPHER J. CLAY  
DOMENIC P. CLEMENTI  
SPENCER J. CLOUTRE  
MARC A. CLOUTIER  
DANIEL K. COFFEY  
STEVEN R. COLE  
MICHAEL D. COLEMAN  
TIMOTHY E. COLLIER  
DARYL L. COLLINS  
RICHARD C. COLLINS  
KEVIN A. COMFORT  
MICHAEL W. CORLEY  
STACEY P. CORN  
TRAVIS W. CORNETT  
JIM B. CORRELL  
ORLANDO V. COSME  
PATRICK M. COSTELLO  
BARBARA R. CRAWFORD  
DAVID W. CRIPE  
JOHN R. CRISAFULLI  
EDWARD C. CROOT  
RODNEY J. CRUM  
MATTHEW J. CRYSTAL  
LUIS A. CUBILLANHERNANDEZ  
BENJAMIN F. CURETON  
JASON A. CURL  
JASON D. CZAR  
MATTHEW B. DALE  
MARK R. DANNER  
JOHN P. DAVIS  
JOHNATON L. DAWBER  
ALLISON L. DAY  
ERIC J. DEAL  
JOSEPH S. DEGLIUOMINI  
CORY J. DELGER  
RICHARD A. DENNIS  
JEROME F. DENTE  
JAMES M. DEPOLO, JR.  
ALEXANDER G. DERANEY  
DAVID P. DIAMOND  
RYAN S. DILSON  
ABRAHAM C. DIMARCO  
ROBERT B. DIXON  
BRAD L. DOBOSZENSKI  
NEIL B. DOHERTY  
DENNIS P. DONEGAN, JR.  
JAMES T. DONOVAN  
DARRELL A. DOREMUS  
MICHAEL A. DOUGLAS  
WILLIAM M. DOWLING  
JONATHAN H. DOYLE  
FREDERICK H. DUFAULT  
RICHARD A. DUNBAR  
RICHARD L. DUNTON  
LUIS A. DUPERON  
JOHN R. DYKE III  
MICHAEL R. EASON  
DANIEL H. EDWAN  
DEVNELL M. EDWARDS  
DOMINICK L. EDWARDS  
EDWARD D. ELDRIDGE  
DANIEL G. ELLIOTT  
TROY N. ELLIS  
BRAD W. ENDRES  
JARED B. ERICKSON  
DANIEL A. J. ERKER  
JOSEPH E. ESCANDON  
SHANNON ESPINOZA  
MICHAEL L. ESSARY  
MARCOS A. ESTRADACASTRO  
EDWARD R. EVANS III  
LAKEI C. EVANS  
JASON A. EVERS  
PETER W. FARRELL  
KATHLEEN B. FARREN  
DAVID M. FAULK  
MICHAEL J. FAZIO  
THOMAS B. FENOSEFF  
JASON E. FIGUEIREDO  
LUIS M. FONTANEZROLON  
BRETT C. FORBES  
LUIS A. FREGOSO  
ANGELA L. FUNARO  
ROBERT A. GAGNON  
ROBERT J. GARBARINO  
WILLIAM B. GARBER III  
RICHARD R. GAREY  
MARCUS A. GENGLER  
RANDY D. GEORGE  
MARK C. GILLESPIE  
JOHN W. GIOP  
DARRYL W. GLASS  
CHRISTOPHER N. GLOVER  
MICHAEL G. GONZALEZ  
DAVID W. GORDON IV  
THOMAS R. GORDON, JR.  
MICHELLE M. GOVETTE  
JOHN M. GRANTZ  
RICHARD A. GRAVES  
NATHAN M. GRAY  
TRAVIS B. GRAY  
THOMAS M. GRECO  
JAMES D. GREER  
DENNIS M. GRIMSLEY  
PAUL B. GUNNISON  
KARSTEN J. HAAKE  
DEWEY C. HAINES  
CHRISTINE E. HALE  
JOSEPH E. HALLORAN IV  
ROBERT D. HALVORSON  
GEORGE L. HAMMAR IV  
WILLIAM J. HAMPTON IV  
ROGER S. HARBISON  
PATRICK K. HARKINS  
BERNARD J. HARRINGTON  
CHAD M. HARRIS  
DUSTIN K. HARRIS

BRADLEY P. HARVEY  
STEPHEN S. HARVEY  
ROBERT J. HASKIN  
BRANDON H. HAVRON  
JOSEPH A. HAWKINS, JR.  
BYRON S. HAYES  
BRADLEY J. HERMAN, JR.  
AXEL HERNANDEZ  
LUIS R. HERNANDEZ  
JOSHUA P. HIGGINS  
JOSEPH J. HODGSON  
CHARLES P. HOGEBOOM IV  
DAVID A. HOLLIS  
KENNETH K. HOLMSTROM  
CAROLINE K. M. HORTON  
MARK C. HOUSTON  
JONATHAN D. HOWELL  
JOHN M. HUBBARD  
TIMOTHY L. HUDSON  
SEAN F. HUGGINS  
ANTHONY V. HUGHES  
BENJAMIN E. HWANG  
ERNEST J. IRVIN II  
CHARLES E. JACK  
STEPHEN S. JACKMAN  
BRETT G. JACKSON  
EDWARD M. JAGODZINSKI  
JAMES M. JAMES  
MICHAEL R. JAZDYK  
PHILLIP G. JENISON  
PETER R. JENSEN  
EDWARD J. JOHNSON, JR.  
ERIC M. JOHNSON  
MARK C. JOHNSON  
SEBASTIEN P. JOLY  
JASON J. JONES  
WILLIAM L. JUDSON  
MARK G. KAPPELMANN  
ELLEN J. KELLEY  
MATTHEW F. KETCHUM  
JASON A. KIDDEEN  
DOUGLAS D. S. KIM  
JAMES M. KIMBROUGH IV  
MILTON L. KINSLOW  
KEVIN L. KIRBY  
WILLIAM L. KIRBY  
SCOTT W. KIRKPATRICK  
SCOTT W. KOAST  
MATTHEW J. KONZ  
PAUL J. KRÉMER  
TIMOTHY R. KREUTTNER  
SCOTT C. KRUSE  
SEAN H. KUESTER  
CORNELIUS W. KUGLER  
CHRISTOPHER T. KUHN  
DOMINIC Y. KUSUMOTO  
JOSE R. LAGUNA  
MARC V. LAROCHE  
PAUL L. LARSON  
SCOTT A. LEBLOND  
THEODORE J. LECOUFFE  
DANIEL L. LEE  
JAMES K. LEE, JR.  
DARREN D. LEMASTER  
HEATHER A. LENTZ  
ALLEN D. LETH, JR.  
ALEXANDER F. LEWIS  
APISIT LEWIS  
CHAD B. LEWIS  
MARK A. LIBBY  
ANDREW N. LIFFRING  
PETER A. LIND  
TRAVIS J. LINDBERG  
ERIC N. LINDSAY  
TIMOTHY A. LINDSAY  
MATTHEW R. LITTLE  
JOHN T. LITZ  
BRIAN S. LOCKE  
ANDREW R. LOEB  
RONALD E. LOFTON, JR.  
JAMES B. LOVE  
KEVIN J. LOVELL  
JEREMIAH C. LUMBACA  
CREDE J. LYONS  
ROMEO R. MACALINTAL, JR.  
JON P. N. MADALONI  
RYAN O. MAENDER  
TOBIN A. MAGSIC  
SCOTT J. MALONE II  
ISAAC C. MANIGAULT  
GERALD G. MAPP  
STEPHEN T. MARCHANT  
TANYA T. MARKOW  
RAUL E. MARQUEZHERNANDEZ  
HUNTER M. MARSHALL  
TODD H. MARSHBURN  
HARRY C. MARSON V  
RICHARD A. MARTIN  
ROBERTO R. MARTINEZ  
THOMAS R. MATELSKI  
ERIC L. MAXWELL  
MATTHEW R. MAYBOUER  
VIRGINIA A. MCCABE  
MICHAEL C. MCCABE  
CAROL A. MCCLELLAND  
CLIFTON R. MCCREADY  
IAN A. MCCULLOH  
KIMEISHA Y. MCCULLUM  
ERIN A. MCDANIEL  
KENNETH P. MCDANIEL III  
JOHN J. MCDERMOTT III  
BRIAN D. MCDONALD  
JEFF H. MCDONALD  
GEORGE F. MCGRATH III  
LADD D. MCGRAW  
ANDREW S. MCINTYRE  
DANIEL S. MCKEEGAN

CHRISTOPHER T. MCKINNEY  
GEOFFREY A. MCLAUGHLIN  
THELONIOUS F. MCLEANBURRELL  
MICHAEL G. MCLENDON  
SEAN J. MCWILLIAMS  
CHRISTOPHER MEDINA  
BRIAN C. MELLEN  
RICHARD V. MELNYK  
NORBERTO R. MENENDEZ III  
OTMARO A. MENJIVAR  
DOUGLAS W. MERRITT  
MARK D. METZGER  
RUSSELL D. MEYER  
HILARY J. MILLER  
GEORGE O. MIMS  
MICHAEL A. MINENI, JR.  
JAMES E. MIXSON III  
CHARLES F. MOEHLBROCK  
MACEDONIO R. MOLINA  
RAPHAEL B. MONTGOMERY  
PAUL M. MOODY  
JULIO V. MORALES III  
MICHAEL P. MORAN  
RANDOLPH M. MORGAN  
JEROME S. MORRISON  
JOHN C. MORROW  
SINLAN MORROW  
THEDRIC J. MOSELEY  
FRANCIS R. MOSS  
JOHN C. MOSTELLAR  
VANESSA Y. MOYE  
MICHAEL S. MULLINS  
STEVEN E. MUNDY  
JEANJACQUES T. MURPHY  
ROBERT A. MURPHY  
WILLIAM C. NALL  
GREGORY J. NARDI  
SCOTT C. NAUMAN  
CHRISTINE M. NELSONCHUNG  
MATTHEW P. NEUMAYER  
STEPHEN T. NEWMAN  
KEVIN T. NICHOLAS  
SHANNON E. NIELSEN  
KATRISA L. NORWOOD  
JOSEPH M. OCALLAGHAN, JR.  
JOSE H. OCASIO-SANTIAGO  
SHAWN P. OCONNOR  
BENJAMIN R. OGDEN  
PATRICK M. OHARA  
DAVID J. OLSON  
CAMERON M. ONEIL  
MARK P. OTT  
JOSEPH E. PACE  
MARK A. PAPPAL  
WILLIAM M. PARKER  
GREGORY A. PARKINS  
MICHAEL D. PARSONS  
RODEL F. PASIBE  
MATTHEW C. PASTER  
BRIAN A. PEDERSEN  
JON S. PENDELL  
MICHAEL N. PERRY  
LEE I. PETERS III  
WILLIAM R. PETERSON  
PAUL A. PFEIFFER  
ROBIN K. PICKEL  
JEROME J. PIONK  
CHRISTOPHER S. PITTMAN  
CARTER L. PRICE  
KEVIN B. PRICE  
RUSSELL M. PRICE  
CHARLES A. PUDIL II  
JASON M. RAILSBACK  
RENE RAMOSRIVERA  
BRIAN C. RAY  
OWEN G. RAY  
BRENDAN C. RAYMOND  
GREGORY J. RECK  
PAUL M. REEB  
KENNETH N. REED  
KYLE A. REED  
TIMOTHY J. REED  
BRANDON E. REEVES  
JOHN T. REINERT  
LUIS O. RESMIGIO  
DANA E. RESNICK  
MICHAEL A. REYBURN  
EDWIN REYESMONTANEZ  
JENNIFER A. REYNOLDS  
JOHN M. REYNOLDS  
NATHAN P. REYNOLDS  
JESUS T. REYNOSO  
STEPHEN M. RHUDY, JR.  
DANIEL L. RICE  
ARIE C. RICHARDS  
JOHN P. RICHARDS  
ALVARO F. ROA  
WALTER G. ROBERSON, JR.  
KURT W. ROBERTS  
SAMUEL R. RODRIGUEZ  
RICHARD R. ROPER  
STEPHEN V. RUZICKA  
SEAN J. RYAN  
RAFAEL SAENZ  
DENNIS A. SALCEDO  
ERICK J. SALSBURY  
IKE L. SALLEE  
MICHAEL J. SALVO  
ANDREA L. SAMPSON  
STEVEN M. SATTINGER  
MATTHEW C. SAUNDERS  
TIMOTHY L. O. SAVIDGE  
MATTHEW SCALIA  
MICHAEL A. SCARPULLA  
FRANK P. SCHANTZ  
ROBERT J. SCHEXNAYDER  
ERIC A. SCHMIDT

TIMOTHY J. SCHMITT  
JEFFREY SCHRICK  
DARRYL T. SCHROEDER  
GERD D. SCHROEDER  
JAMES C. SCHWARTZ, JR.  
GREGORY C. SCRIVENS  
STACY M. SEAWORTH  
ALLAN M. SELBURG  
SCOTT A. SENDMEYER  
TIMOTHY R. SHAFFER  
WILLIAM J. SHAVCE  
JEFFREY A. H. SHAW  
JERAL J. SHELTON  
MARK B. SHERKEY, JR.  
DAVID R. SHOUBE  
SAMUEL S. SHRADER  
JAMES D. SIDES  
PAUL A. SIGLER  
CHRISTOPHER A. SIKES  
ALEXANDER V. SIMMONS  
RAYMOND T. SIMONS  
JEFFEREY A. SLOWN  
BRADFORD W. SMITH  
CHARLES J. SMITH  
CLOYD A. SMITH, JR.  
EDLYN E. SMITH  
JASON E. SMITH  
KELSEY A. SMITH  
TYLER B. SMITH  
WAYNE C. SODOWSKY  
ERIC G. SORENSON  
PHILLIP D. SOUNIA  
JOSEPH R. SOWERS  
JON R. SPELL  
KEVIN SPIELMAN  
WARREN E. SPONSER, JR.  
STEPHEN J. STASEVICH  
JENNESS F. STEELE  
MICHAEL P. STEPHENS, JR.  
MICHAEL A. STINNETT  
CARRINGTON L. STOFELS  
KEVIN J. STOLL  
TOMMY E. STONER  
DANA T. STOWELL  
DAVID A. STRANGE  
JENNIFER L. STRIEGEL  
ERIC S. STRONG  
PATRICK J. SULLIVAN  
RICHARD J. SUROWIEC  
GRAHAM R. SWENSON  
NEIL TATOR  
T. G. TAYLOR  
TONY TAYLOR  
JAMES L. TENPENNY  
ERICH R. THEN  
CHRISTOPHER W. THOMAS  
JOEL W. THOMAS II  
CHARLES S. THOMPSON  
MARK W. THOMPSON  
MICHAEL A. THOMPSON  
MICHELE A. THOMPSON  
JEFFREY A. TIEGS  
MATTHEW J. TIESZEN  
ERIC B. TOWNES  
STEVEN B. TRAUM  
MARK L. TROMBLEE  
MICHAEL J. TROTTER  
JAMES J. TUITE IV  
JAMES E. TURLEY  
MARCIA J. TUTT  
TIMOTHY S. TYSON  
RONALD H. UPTON  
JOHN B. VAN HOOK  
CHRISTIAN G. VAN KEUREN  
GEOFFREY R. VANEPPS  
MARK D. VERTULLI  
TIMOTHY C. VILES  
TITO M. VILLANUEVA  
SAMUEL L. VOLKMAN  
WILLIAM D. VOORHIES  
CHRIS A. WADE  
BLAINE N. WALES  
JOSHUA H. WALKER  
BRADLEY J. WALLACE  
DOUGLAS R. WALTER  
JOHN P. WALTON  
CHRISTOPHER J. WARD  
MARK S. WARDEN  
STEPHEN WARGO  
RONALD A. WARNER  
MICHAEL B. WEATHERS  
SETH A. WEAVER  
SYLVESTER O. WEGWU  
HEATHER E. WEIGNER  
MATTHEW R. WEINSHIEL  
SHAMAI T. WELLS  
PATRICK C. WENTZ  
CHRISTOPHER M. WHELAN  
EDWARD S. WHITAKER  
JOHN C. WHITE, JR.  
RYAN H. WHITTEMORE  
MARCUS A. WILDY  
CURTIS D. WILEY  
PATRICK S. WILKINS  
JOHN C. WILLIAMS  
JOHN M. WILLIAMS  
LEEVAINE WILLIAMS, JR.  
RAYMOND E. WILLIAMS  
RHONDA Y. WILLIAMS  
ANTHONY T. WILSON  
JEREMY S. WILSON  
MARK A. WINKLER  
SCOTT M. WINTER  
KEVIN D. WISSEL  
AARON W. WOLF  
PHILLIP E. WOLFORD  
FREDERICK D. C. WONG

ROBIN S. WOODY  
JOHNNY WORKMAN, JR.  
BRIAN K. WORTINGER  
NANCE J. WRIGHT  
TED D. YATES  
RODNEY R. YOUNG  
WILLIAM R. YOUNG  
DAMON M. YOURCHISIN  
JOHN J. ZEIGLER  
ANDREW S. ZIESENIS  
D005671  
D002838  
D005789  
D002100  
D002605  
D002495  
D006597  
D010372  
D002598  
D001162  
D003921  
D002565  
D001537  
D005579

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

ALISSA R. ACKLEY  
STEPHANIE R. AHERN  
THOMAS S. AKIN  
ANDY R. ALLEY  
DANIEL P. ALLMACHER  
ROBERT R. ANDERSON  
MARIA T. ANGELI  
WANDRA F. ARNOLD  
SCOTT C. BAGER  
STEPHEN K. BARKER  
MARK W. BARLOW  
CHRISTOPHER T. BARRY  
JOHN M. BARRY, JR.  
CHAD T. BATES  
ERIK M. BAUER  
JOHN W. BAUER  
DAMON A. BECKNEL  
CEASAR P. BERGONIA  
BRIAN A. BISSONNETTE  
WARD T. BLACKLOCK III  
MARK A. BOEKE  
BRIAN G. BOLIO  
CRAIG J. BONDR  
AGUANITA R. BONDS  
TIMOTHY B. BORAAS  
WILLIAM E. BOSWELL  
JESUS E. BOTELLO  
COOPER D. BOWDEN  
STEVEN T. BOWER  
DONALD W. BRADY, JR.  
WILLIAM H. BROOKS III  
ERIC L. BROWN  
JUSTIN W. BROWN  
JAMES W. BRYANT, JR.  
TED M. BRYANT  
BENJAMIN D. BUALAT  
WILLIAM B. BURLEY  
JEREMY D. BUSHYAGER  
RAYMOND D. BUTLER  
RICHARD D. BUTLER  
JASON C. CALDWELL  
TERENCE A. CALIGUIRE  
JAMES J. CAMERON  
CHAD E. CAMPFIELD  
SHAWN B. CARDEN  
DAVID F. CAREY  
SHAWN E. CARPENTER  
HORACE CARTER, JR.  
RICHARD K. CASSEM II  
ROBERTO R. CASTILLO  
JENNIFER CHAPMAN  
DONALD J. CHARRON  
JAMES A. CHARTERS  
CHRISTA M. CHEWAR  
KEITH T. CHINN  
BRIAN J. CHWOJDAK  
CHRISTOPHER W. CIRINO  
GREGORY S. COBURN  
JOHN D. COLWELL, JR.  
KRIS M. COLWELL  
JASON P. CONROY  
BRADLEY J. COOK  
BRANT R. CORNISH  
DAVID J. CREASMAN  
DANIEL J. CURTIS  
TIMOTHY G. DALTON  
BRIAN S. DAVIS  
JACQUELINE H. DAVIS  
ROGER K. DAVIS  
KEITH L. DAWSON  
PHILIP H. DAWSON  
MICHAEL L. DEAN  
MATTHEW S. DENNY  
KAREN J. DILL  
JOHN J. DISMER  
JAMES R. DOOLEY  
THOMAS W. DORREL, JR.  
JAMES L. DOTY III  
SEAN P. DUVAL  
MARY T. EBERST  
DAVID P. ELSEN  
MICHAEL C. ENOS  
SAMUEL A. ESCALANTE  
CHARLES D. FAINT  
DIANE A. FAIRFAX  
GARY E. FARLEY, JR.  
ANDREW T. FERGUSON

JENNIFER P. FINCH  
MICHAEL D. FORBIS  
YVETTE FOSTER  
IAN E. FRANCIS  
RONALD L. FRANKLIN, JR.  
STEVEN J. FREDERIKSEN  
ERNEST A. FREUND  
JOSEPH A. FUNDERBURKE  
COREY S. GERVING  
KURT D. GIESE  
MATTHEW T. GILL  
SCOTT D. GILMAN  
JOHN C. GIORDANO  
MICHAEL A. GLODE  
BRANDON S. GLOVER  
CURBY W. GRAHAM  
JESSICA L. GREGRIS  
JON D. GRIESE  
GREGORY C. GRIFFIN  
JENNIFER S. M. GRIFFIN  
RANDALL D. GRIGG, JR.  
GEORGE C. HACKLER  
CHAD K. HACKLEY  
JAY W. HALEY  
MICHAEL P. HANSEN  
TIMOTHY L. HARDY  
WILLIE J. HARRIS, JR.  
TANYA L. HARRIS  
ANTHONY J. HARTSOOK  
RONALD C. HASZ  
DONALD A. HAUSSER, JR.  
JUSTIN M. HAYNES  
MARVIN G. HAYNES IV  
BENNETT E. HAYTH  
CHRISTOPHER K. HEATH  
JON L. HEFFNER, JR.  
DUANE I. HENDERSON  
OBIE C. HENDERSON  
RAY C. HERNANDEZ  
DAVID HERNANDEZMORALES  
STEVEN J. HILDEBRAND  
ALBERT C. HILL, JR.  
ERIC M. HIU  
GREGORY L. HOLDEN  
CHRISTOPHER R. HOLLIFIELD  
PETER H. HOPEWELL  
ROBERT E. HORNE  
KEVIN G. HOSIER  
JEFFREY M. HOWELL  
CHRISTOPHER G. HURLBURT  
SCOTT E. HUTCHISON  
KENNETH P. HYNES  
UNKYONG IM  
BOB A. ISAAC  
CHAD S. JACKSON  
WILLIAM K. JAKOLA  
EDWIN B. JANKOWSKI  
MATTHEW A. JESOP  
CHARLES L. JOHNSON  
RICHARD H. JOHNSON, JR.  
JACKIE D. JONES, JR.  
OLIVIA A. JONES  
ALVIN L. JORDAN, JR.  
JONG H. JUN  
DEBORAH S. KARAGOSIAN  
BRIAN A. KASTNING  
DANIEL J. KEEL  
RHONDA L. KEISTER  
EMMAINE L. KEMP  
MATTHEW R. KENT  
LEONARD W. KERGOSIEN  
RAYMOND A. KIMBALL  
WARREN E. KIMMEL  
MICHAEL J. KING  
JOSEPH KLOIBER  
QUINTA A. KLOPFLEISCH  
JONATHAN P. KLUG  
RODGER D. KNEDEL  
HYUNJU V. KO  
MICHAEL A. KOEHL  
KEVIN W. KOERNER  
CHERYL R. KOERVER  
JEREMY S. KOTKIN  
ROBERT J. KRESS  
CHRISTOPHER A. LAMBERT  
ANNMARIE K. LAROQUE  
KARL F. LEDEBUHR  
SHAWN E. LEONARD  
JOHN F. LEOPOLD  
GEORGE D. LEWIS IV  
DAVID T. LIBERT  
JASON T. LIDDELL  
JOSEPH M. LINDQUIST  
DERRICK C. LONG  
WENDY Y. LUPU  
STUART A. LUTTRELL  
ALEXANDER D. MACCALLMAN  
KELLY G. MACDONALD  
JILL L. MACKIN  
CECIL F. D. MACPHERSON  
VERONICA H. MAGNOTTO  
MELVIN T. MAGSINO  
RYAN M. MARRO  
CHRISTOPHER S. MARTIN  
JUAN F. MATA  
JONATHAN S. MATEY  
JAMES S. MATTHEWS IV  
STUART T. MCCALL  
HUGH P. MCCAULEY  
BRIAN W. MCLAUGHLIN  
LOUIS P. MELANCON  
JOHN C. MICHAUD  
MELISSA C. MILES  
TRICA M. MILES  
TIMOTHY W. MILLER  
CHRISTOPHER D. MILLS  
SAMUEL T. MITCHELL II

JEFFREY T. MORAN  
 HOWARD A. MURRAY  
 MARGARET M. MUSSER  
 SCOTT C. NAYLOR  
 GARY P. NELSON  
 JAMES H. NELSON  
 JEFFREY S. NELSON  
 JOHN E. NELSON  
 JAMES E. NICHOLS III  
 MELVIN J. NICKELL  
 QUENTIN C. NOREIGA  
 GRETCHEN M. NUNEZ  
 JEFFREY P. O'DONNELL  
 KEVIN M. ONEIL  
 ROBERT J. ORSI  
 AARON D. OSBURN  
 JOHN D. PAGE  
 DAVID J. PALAZZO  
 CHARLES G. PALMER IV  
 JASON N. PALMER  
 MATTHEW S. PALMER  
 DAVID W. PARKES  
 SAMUEL L. PARTON  
 JON F. PARVIN  
 RICHARD S. PEEKE  
 JOSE PEREIRA  
 JAY L. PERSONS  
 AARON L. PETERSON  
 DONALD PETERSON, JR.  
 KEVIN L. PETERSON  
 GARY D. PHILMAN  
 ROBYN L. PIETRON  
 BURCHELL O. PORTER  
 GARY L. PRATER  
 TED M. PREISTER  
 DOUGLAS A. PRYER  
 ALAN J. QUATTRIN  
 RALPH J. RAGOSTA III  
 CHAD O. RAMBO  
 RONALD V. RANALLI  
 THOMAS B. RANSOM  
 RICHARD A. RASSBACH  
 JOHN C. RAYBURN  
 MARK G. REARDANZ  
 DONALD W. REEVES  
 DWAYNE D. B. REEVES  
 MASON J. RICE  
 JOHNNIE L. RICHARDSON, JR.  
 WALTER E. RICHTER  
 PAUL H. RIGBY  
 JAMES F. RILEY  
 JAWARA RILEY  
 NED C. RITZMANN  
 JOSE R. RIVAS  
 BRIAN L. ROBINSON  
 DARELL M. ROBINSON  
 PAUL R. ROMANO  
 FRED D. ROTHENBUSH, JR.  
 PETER J. ROWELL  
 JONATHAN A. RUFENACHT  
 TODD D. SABALA  
 BILL N. SABBAGH  
 AARON D. SAMMONS  
 ROBERT SAYRE  
 ADAM C. SCHLANG  
 ROBERT F. SCHLICHT  
 CRAIG M. SCHLOZMAN  
 KURT P. SCHOMAKER  
 ADAM D. SELLERS  
 EDWIN S. SERRANO  
 JOHN D. SHANNON  
 MICHAEL P. SHANNON  
 ANTHONY E. SHEPARD  
 CARLOS R. SHIPPY  
 ROBERT E. SHOLL  
 SAMUEL R. SMITH, JR.  
 DERRICK C. SMITS  
 MICHAEL D. SPAKE  
 PAUL S. SPARKS  
 ERICH C. SPRAGG  
 RYAN E. SQUIRES  
 NICOLE J. STANFORD  
 JOHN W. STANLEY  
 ROGER E. STANLEY  
 BRIAN M. STEPHAN  
 ALEXANDER D. STEPHENSON  
 HEATHER L. STEWARTJOHNSTON  
 BERNIE E. STONE  
 DONALD B. TREATER  
 BRENDA J. SUGGARS  
 MARNE L. SUTTEN  
 SULEV A. SUVARI  
 STEPHEN P. SZYMANSKI  
 IAN J. TARASEVITSCH  
 DAVID A. TARVIN  
 JAMES S. TAYLOR, JR.  
 EDWARD B. TEAGUE IV  
 JAMES C. TEAGUE  
 KIRBY K. TEAGUE  
 STEPHEN D. TERSTEGGE  
 ENRIQUE P. TORRES  
 STONEY A. TRENT  
 WILLIAM M. UNDERWOOD  
 SCOTT L. UNSWORTH  
 HEIDI A. URBEN  
 CAINAZ A. VAKHARIA  
 LITA VAN HOOK  
 ERIC J. VANDENBOSCH  
 BRYAN D. VELARDE  
 NATALIE C. VINES  
 JOSEPH W. VONGSVARNRUNGRUANG  
 JOHNNIE R. WALKER, JR.  
 MARK D. WALTERS  
 ALEX L. WEHMEYER  
 JEFFREY J. WEINHOFER  
 JAMES R. WEST  
 DALE M. WHITE

CARLOS A. WILEY, SR.  
 RONALD D. WILKES  
 DENNIS G. WILLE  
 TUWANDA F. WILLIAMS  
 TERRI A. WISE  
 KIEU D. WOLFORD  
 ERNEST Y. WONG  
 BRIAN D. WOOLWORTH  
 CHRISTOPHER J. YOUNG  
 JOSEPH J. ZELAZNY  
 KIRK F. ZIMPEL  
 RAYMOND C. ZINDELL III  
 D006015  
 G001179  
 G001160  
 G001241  
 G001366  
 D010134  
 D002626  
 D010564  
 D002561  
 G010046  
 G001223  
 D010809  
 G001213  
 D003185

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

THOMAS H. AARSEN  
 KRISTIN A. ABERG  
 PAUL E. ALESSIO  
 CHRISTINE E. ALLEN  
 RONNIE D. ANDERSON, JR.  
 JOHN M. ASKEW  
 GERALD AVILA  
 ALEJANDRO AYALA  
 CHAD A. BAGLEY  
 JAMES E. BAGLEY  
 JEFFREY E. BAKER  
 SCOTT R. BAKER  
 ANDREW M. BALANDA  
 THOMAS M. BALLENGER III  
 SHANE A. BARNA  
 SHANE C. BARNES  
 LESLIE A. BARNETT  
 SEAN G. BARRETT  
 ANTHONY C. BAUER  
 HEATHER O. BELLUSCI  
 GARRICK B. BENSON  
 TYRONE C. BENTINCK  
 LAWRENCE W. BITTNER  
 JOSEPH C. BLANKENSHIP  
 DENNIS BOWERS  
 MATTHEW R. BOWLER  
 KENNETH C. BRADFORD  
 ANGELIQUE O. BROUGH  
 TODD A. BROWNING  
 BRADLEY N. BRUCE  
 BOBBY W. BRYANT  
 LETITIA L. BRYANT  
 ANGELA R. BUCHANAN  
 TODD E. BUHR  
 SEAN M. BURKE  
 DONALD L. BURTON  
 JAMES M. CALLIS II  
 JONATHAN G. CAMERON  
 LANCE CANGELOSI  
 HEATHER J. CARLISLE  
 ANDREW T. CARTER  
 JOHN H. CHAFFIN IV  
 KEVIN S. CHANEY  
 JAMES C. CLARKE, JR.  
 KELVIN R. CLAUDE  
 JAMES L. CLIFT  
 NOAH C. CLOUD  
 JERRY E. COBURN  
 BRENT D. CORVELL  
 LAWRENCE M. COUSINS  
 JESSE A. CRISPING  
 LESLIE E. DARLING  
 MARY M. DASILVA  
 CHERRIE L. DAVIS  
 JOSEPH M. DAVIS  
 ANDREW J. DEKEVER  
 ANTHONY R. DEKEYZER  
 TROY M. DENOMY  
 DAVID S. DINKELMAN  
 JULIAN A. DOMINGUEZ  
 MICHELLE K. DONAHUE  
 STEVEN T. DOWNEY  
 CHARLES P. DOWNIE  
 DEREK J. DRAPER  
 MICHAEL C. DUSABLON  
 BRYAN D. EDWARDS  
 JASON T. EDWARDS  
 DANIEL P. ELLINGER  
 PAUL A. ESMAHAN  
 JOSEPH E. FAGAN  
 RAY C. FALLARIA  
 RYAN D. FEARNOW  
 ROBERT S. FEATHERS  
 ANGEL M. FELICIANOCASILLAS  
 KEVIN E. FINCH  
 AARON P. FITZSIMMONS  
 CHRISTOPHER A. FORD  
 GREGORY S. FORTIER  
 MICHAEL P. FRANK  
 JOHNATHAN B. FRASIER  
 TIMOTHY R. FULLER  
 DEZZAIRE D. FULLTON  
 DONOVAN O. FUQUA  
 WILLIAM A. GALINGER  
 ADAM GAMEZ

JAMES M. GARRETT  
 RAYFUS J. GARY  
 JERRY E. GAUSSOIN, JR.  
 WAYNE J. GAVIN  
 EDWARD J. GAWLIK III  
 PATRICIA L. GEORGE  
 RODNEY M. GIBSON  
 GLENDA A. GILL  
 MARSHANNA M. GIPSON  
 EDWARD C. GOSLINE III  
 SIDNEY M. GOURDINE II  
 KIMBERLY K. GRAHEK  
 DANIEL M. GRAY  
 DAMIAN A. GREEN  
 ROCHELLE Y. GREEN  
 MICHAEL H. GREENBERG  
 JOEL M. GREER  
 RUDOLPH C. GRIMES  
 KEVIN J. GROTH  
 BORIS A. HALL  
 JOHN F. HALL  
 MATTHEW T. HAMILTON  
 RAPHEAL J. HAMILTON  
 SIDNEY A. HARRIS  
 JAMEY P. HAUKAP  
 KELDA S. HAWKINS  
 DANIEL J. HEAPE  
 NICOLE M. HEUMPHREUS  
 JUSTIN L. HIGHLEY  
 KELSIE C. HILLHUSTON  
 LINNEN E. HODO  
 GARY A. HOFFMAN, JR.  
 LANNY A. HOGABOOM II  
 CAIN A. V. HOPSON  
 LOWELL E. HOWARD, JR.  
 STEPHEN M. HOWELL  
 CORT J. HUNT  
 ANGELA R. HUTCHERSON  
 EDWARD A. IVEY  
 ERIK A. JABLONSKI  
 JASON K. JEFFERIS  
 PAIGE M. JENNINGS  
 GREGORY S. JOHNSON  
 TRAVIS H. JONES  
 ROGER L. KEEN, JR.  
 RAYMOND D. KELLER  
 MILTON G. KELLY  
 KEVIN H. KERBY  
 STEFAN S. KING  
 TIMOTHY W. KLENKE  
 MATTHEW H. KNORR  
 MICHAEL J. KOVACS  
 BRIDGET A. KROGER  
 WILLIAM D. LASH  
 NOEMI LAUREANO  
 ANTHONY Q. LEE  
 STEPHANIE J. LEGGETT  
 BRIAN A. LESIAK  
 JEREMY R. LEWIS  
 CHRISTOPHER R. LIERMANN  
 JOSEPH L. LISELLA  
 ELISABETH S. LITVIN  
 WALTER LLAMAS  
 BRIAN D. LOFTON  
 JARED T. LONGFIELD  
 BRETT K. LORD  
 JOHN M. LORENZEN  
 JON A. LUSTI  
 GABRIELLE M. MADDALONI  
 DENNIS C. MAJOR  
 ANTHONY T. MANERI  
 CHASE S. MARTIN  
 DANIEL P. MARTIN  
 MISTY L. MARTIN  
 RICHARD MARZANCOLLAZO  
 CHERYL B. MASISAK  
 WILLIAM W. MAY  
 MARK W. MAY  
 JAMES J. MCANDREWS  
 TAMARA MCLENDON  
 MICHAEL J. MCCURTY  
 SCOTT W. MCINTOSH  
 KELLEY L. MCINTYRE  
 WANDA Y. MCLEAN  
 MICHAEL MCNEELY  
 JAMES K. MCPHERSON  
 BRIAN A. MEINSHAUSEN  
 CHRISTOPHER E. METZ  
 RICHARD L. MICHAELS  
 MICHAEL T. MOORE  
 STACEY A. MOORE  
 MARCUS A. MOOTLEY  
 HAROLD L. MOXLEY  
 ROBERT C. MURRAY  
 MICHAEL S. NAVARRO  
 JAMES T. NAYLOR  
 WIL B. NEUBAUER  
 KHOI T. NGUYEN  
 THOMAS H. NGUYEN  
 COLIN P. NIKKILA  
 SETH A. NORBERG  
 CHARLES G. NOVOTNY  
 JASON J. NOWAK  
 SEAN M. OBRIEN  
 KENNETH C. O'DONNELL  
 CARL S. OELSCHIG  
 MARSHAL E. OLLER  
 MICHAEL D. OLSON  
 CHRISTOPHER C. OSTBY  
 ARTHUR A. PACK  
 MARK E. PARSONS  
 RICHARD G. PETERSEN, JR.  
 STEVEN A. PETERSEN  
 ROBERT L. PHILLIPS III  
 JOSEPH C. PISANI, JR.  
 LAURA N. POSTON  
 BRYCE D. PRINGLE



KERRY S. PROWELL  
HEATHER J. PUTMAN  
JEFFREY E. REDECKER  
MARK J. REED  
BRADLEY L. REES  
RYAN G. REGTUYT  
THOMAS J. RICE  
BRIAN K. RICHIE  
TIMOTHY C. RIGGS  
LORENZO P. RIOS  
STEVEN D. RIOS  
MICHAEL T. RITTENHOUSE  
MONIQUE N. RIVERA  
SANDRA E. ROBINSON  
LUIS A. RODRIGUEZ  
LUIS E. ROJAS  
CHRISTOPHER J. ROMERO  
GARY D. ROWLEY  
ROBERT W. RUGG  
MICHAEL J. RUTHERFORD  
BRYAN W. SALYERS  
DARCY L. SCHNACK  
JONATHAN E. SCHRADER  
STEPHEN R. SEIGER  
TYRA S. SELLERS  
NORERT G. SIMONNET  
ROBERT C. SLOSSON  
BRIAN A. SMITH  
GREGORY S. SMITH  
JOEY R. SMITH, JR.  
KEVIN Z. SMITH  
VICTORIA L. SNOW  
TOY Y. SOBERS  
ROY W. SPEAKS  
MARC D. STAATS  
MEGAN B. STALLINGS  
JAMES M. STEPHENS  
JONATHAN A. STEVENS  
EMILLY M. STOFFEL  
SENODJA F. SUNDIATAWALKER  
JACOB C. SWANTKOWSKI II  
TODD N. TERRAL  
GREG R. THAYER  
ARMOND THOMAS III  
JARRETT A. THOMAS II  
STEPHEN THOMAS  
WILLIAM M. THORNHILL II  
PATRICK M. TIEMANN  
MICHAEL S. TITUS II  
WILLIAM TRIMBLE, JR.  
MICHAEL T. TRIPLETT  
PATRICK W. TRIPLETT  
JOHN K. TULIFUA  
JAMES L. TURNER V  
MICHAEL N. TURNER  
MICKY A. TURNER  
DANE A. TYNES  
FELIX J. VALENTIN  
STEWART J. VANBUREN  
JENNIFER S. WALKAWICZ  
FRANK E. WALKER  
ANDREW H. WARNINGHOFF  
MICHELLE G. WASHINGTON  
DAVID C. WELCH  
KENNETH W. WICAL  
JOHN S. WIEMAN  
JESSE R. WIGHTMAN III  
XAVIERA C. WILLIAMS  
WESLEY J. WILLIAMSON  
GARTH K. WINTERLE  
MARK D. WOLF  
DAVIE L. WRIGHT, JR.  
STEVEN C. WRIGHT  
MITCHELL L. YBARRA  
MICHAEL R. ZAHURANIC  
D002834  
D005087  
D006019  
D010459  
D010563  
D010898  
D010899

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

MATHEW R. LOE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

MICHAEL J. O'DONNELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

LAWRENCE BRANDON, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ROBERT A. SLAUGHTER  
ROBERT THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

*To be lieutenant commander*

ANTHONY DIAZ

TAMI M. LINDQUIST  
ERROL K. MANDRELL  
TODD A. MCINTYRE  
JANE E. MCNEELY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

CARISSA L. GAREY  
BRYAN E. LONG  
DANIEL G. NICASTRI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

TIMOTHY M. DERBYSHIRE  
TOMASZ DMITRUKOWSKI  
VON H. FERNANDES  
BARBARA E. JONAS  
RICHARD L. MCKNIGHT II  
CHRISTINA E. ORTEGA  
DANIEL G. UPP  
CHRISTINA J. WONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

JEREMIAH E. CHAPLIN  
ROBERT J. CLEARY  
ERIC L. DALEY  
DAVID W. DAMRON  
CASEY J. GON  
JAMES D. HARRIS  
DARIN H. KEETER  
GREGORY J. KURTZ  
RAZA AK O. LAIYEMO  
JENNIFER J. LANDRY  
NATALIE A. LAUDIER  
ANGELA S. LEFLER  
STEPHEN A. MCINTYRE  
MATTHEW W. MCKENZIE  
JEANETTE SHEETS  
ADAM B. SHINABARGER  
PAMELA A. TELLADO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

PAIGE H. ADAMS  
ALEXANDER J. BEECROFT  
GRETCHEN A. BUNDYLADOWICZ  
JEFFERY L. BURKE  
CHARLES Y. CHA  
DAVID E. DWIGGINS, JR.  
CRAIG A. FOWLER  
RAYMOND G. FREDRICKS, JR.  
LONNIE N. GRIFFITH, JR.  
BRANDY L. GROSSI  
JONATHAN M. HAY  
PHILLIP L. HICKMAN, JR.  
GENE J. JACKSON  
ERIC L. KIRK  
CASANDRA L. KOISTINEN  
GARY A. MCCONAGHY, JR.  
JASON A. TRACEY  
BRIAN P. WALSH  
CORNELL A. WOODS  
DURKE A. WRIGHT  
ANDREW F. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

ROBERT S. BAIR  
BRIAN R. BAKER  
TRISTAN M. BORNE  
DANNY R. BOUIE  
ANTHONY A. BUMATAY  
JAMES E. DELOSSANTOS  
BRIAN A. EVANS  
AARON C. GEARY  
ERVIN B. HATCHER  
ROBERT N. JOHNSON  
WILLIAM R. JOHNSON  
JUDITH L. LEMLEY  
HENRY A. MARTINEZ II  
CODY K. MORTENSEN  
PHILLIP C. PETERSEN  
RALPH J. STEPHENS  
PATRICIA R. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

KIRKLAND M. ANDERSON  
MARTIN J. ARA  
STACY A. BELDEN III  
MATTHEW R. BLANCHETTE  
TRAVIS Z. BODE  
SEAN P. BOYLE  
LAWRENCE R. CADENA  
JAMES G. CARVER  
RUSSELL D. CHAPMAN  
TRAVIS R. CLEMINS  
RONALD B. CLOVE  
JOHN C. COPELAND  
MATTHEW P. DOMINGOS

ADRIAN A. DY  
ANDREA C. EASTON  
LYNDON D. EASTON  
SCOTT K. EMLEY  
RICHARD E. FAROTTEKRUCHAS  
NATHAN A. FEEZOR  
JASON M. FLOOD  
TYRONE T. GABRIEL  
BERTHEA G. HAMPTON  
JOHN D. HEAVRIN  
JOHN M. HERMAN  
ERIN E. HIGGINBOTTOM  
KARL T. HJEMBO  
SEAN R. HOLMAN  
CHRISTIAN E. JIMENEZ  
CHARLES K. JONES  
PAUL C. KELLER  
RYAN K. KING  
MELISSA A. MACLIN  
ROBERT A. MADDEN  
NICK D. MARTINEZ  
DAVID H. MILLNER  
AMANDA J. MITTELSTADT  
DAVID M. MROSEK  
JON J. MUHOBERAC  
SUNG D. NGUYEN  
ROBERTO R. PEREZ  
JEFFREY M. ROARK  
DAVID N. SAVERY  
KIMBERLY K. SHELburne  
STEFANIA A. SIGURDSSON  
JEFFERY C. STEPHENSON  
ROBERT J. STORER  
MICHAEL B. STURM  
SETH F. TAYLOR  
GABRIEL A. THOMAS  
BRIAN E. WALKER  
FRANK A. WARNER  
KATHRYN E. WATSON  
GEOFFREY J. WEBER  
DAVID M. WHITE  
WILLIAM D. WHITEMAN III  
JEREMY B. WILGUS  
SHANE A. WINKER  
MARTHA A. WITTOSCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CHERYL E. AIMESTILLMAN  
JEFFRY A. ALSUP  
DAVID C. ANDERSON, JR.  
ROSS M. ANDERSON  
TODD A. ATKINSON  
JAMES S. BALDWIN  
MICHAEL J. BALDWIN  
ANTHONY C. BARBER  
JOHN P. BARD  
LANCE O. G. BARKER  
BRAD A. BAUER  
MATTHEW J. BELL AIR  
ANTHONY J. BELLVILLE  
BRENT J. BENLIE  
BRYAN G. BENNETT  
WILLIE J. BERNARD  
DOWAYNE BISTLINE  
GEORGE V. BODINE  
LESTER F. BOERNER  
KELLY V. BORDEN  
CURTIS BROWN  
KENNETH A. BRUCE  
FRED E. BRUMMER  
ROBERT W. BURGETT  
ZEVEKICK L. BUTTS  
PABLO CAMARILLO III  
STEVEN S. CARPENTER  
CRAIG A. CARSTEN  
EDWARD CASAS  
JOEL A. CASTILLO  
JAMES M. CATTEAU  
THOMAS S. CAVANAGH  
MICHAEL L. CAWYER  
JAMES C. CLARK  
JOHN W. CLINE  
DAVID A. CONTI  
PETE A. COORE  
HARVEY J. COPELAND  
MICHAEL C. CRUTCHFIELD  
MICHAEL C. CURETON  
JON R. DAVIS  
RANSOM A. DAVIS, JR.  
ROBERT D. DAVIS, JR.  
JASON A. DAVY  
BRIAN C. DEMANGE  
WILLIAM A. DENNIS  
JAMES W. DESROSIERS, JR.  
SHAWN W. DEVLIN  
PATRICK D. DONOVAN  
MARK P. DUMAS  
LYNOR A. DUNCAN  
ANDREW B. DUNHAM  
ALAN V. DUNN  
GARY D. DUNN  
SCOTT M. DURDLE  
ROBERT DURHAM  
STEPHEN J. DURHAM  
FRANK A. DURSO  
KELLY D. EGGLEHOF  
WILFREDO A. ESLAO  
RICHARD E. EVANS  
JOHN S. FAIRWEATHER  
SHAUN W. FISCHER  
TAYLOR R. FORESTER  
ROBERT C. FRY  
FELIPE D. GARCIA

MARK T. GEORGE  
 CARL J. GERHARD  
 PHILIP L. GESAMAN  
 RUSSELL J. GOFF, JR.  
 ALBERT GUAJARDO  
 BRUCE A. HAMILTON  
 CHAD M. HAMM  
 MICHAEL L. HANKE  
 JOHN A. HARDESTY  
 RONALD A. HARMON, JR.  
 LEE M. HART  
 SCOT A. HAVEN  
 BRIAN HEASLEY  
 MILES G. HICKS  
 RICHARD D. HILTON  
 HAROLD E. HONEYCUTT  
 ROBERT L. HYLTON, JR.  
 SHAWN W. IRISH  
 MICHAEL R. ISAAC  
 DWIGHT A. JEFFERSON  
 MICHAEL B. JENSEN  
 BRANDON L. JOHNSON  
 ROBERT M. JOHNSON  
 MITCHELL R. JONES  
 LOYAL A. KAMM, JR.  
 STEPHEN E. KASHUBA  
 MARVIN L. KEEN, JR.  
 ARTHUR C. KEENAN II  
 SCOTT F. KESLER  
 BRIAN L. KING  
 PAUL J. KITE  
 DEBRA A. KLEINSMITH  
 JEFFREY S. KLINKER  
 JOHN A. KNOLLA  
 RICHARD K. KNOTT  
 FREDDIE B. KOONCE  
 BRIAN J. LADIEU  
 GARY L. LANE  
 RUSSELL A. LAWRENCE  
 LINDA K. LAWS  
 THOMAS E. LAYNE  
 GERARD P. LETOILE, JR.  
 GARY A. LOCK, JR.  
 MANUEL LOPEZ, JR.  
 JON O. MAGNUSON  
 MICHAEL J. MARTIN  
 DAVID M. MARTINEZ  
 KENNARD L. MASSIE  
 ANDREI L. MCARTHUR  
 NIGEL L. MCDONALD  
 DARNELL C. MCNEILL  
 GLEN A. MECKES  
 JOSEPH E. MIKOLAJCZAK  
 BRENT A. MILLER  
 RICHARD E. MILLER III  
 TEREETHA A. MINTZ  
 RUSSELL A. MOSER  
 LELAND M. MURPHY  
 TROY L. NAATUS  
 TODD D. NELSON  
 GREGORY F. NOTARO  
 JAMES A. O'BRIEN  
 RONALD K. OCHELTREE  
 JUNSIMON A. OLIVEROS  
 BENICIA I. ONEAL  
 ROBERT L. PAGE  
 DAVID W. PIERCE  
 ERIC J. PIERCE  
 ANTHONY D. PINK  
 BLAINE C. PITKIN  
 KEITH D. PLAVNICK  
 BRIAN PONCE  
 DAVID P. PRATT  
 JOHNNY QUEZADA  
 DAVID A. QUINTON II  
 ROBERT E. RAMSEY  
 WESLEY D. REEDY  
 JAMES L. REMINGTON, JR.  
 SAM C. RENNER  
 FLOYD F. RINEHOLD  
 GREGORY K. RING  
 MARVIN G. ROBINSON  
 CHARLES B. ROEGIERS  
 MARK V. ROLLSTON  
 STEPHEN R. ROSE  
 DAVID J. RUSSELL

MICHAEL A. RUSSELL  
 STEPHEN L. RUSSO  
 WAYNE N. SALGADO, JR.  
 RAMIL Y. SALVADOR  
 SAMANTHA J. SAVAGE  
 ELIZABETH A. SHAMANOW  
 SCOTT N. SHENK  
 JAMES R. SHIRLEY  
 RONALD R. SHORTER  
 GREG N. SHUPP  
 JAMIE J. SIGALA  
 ERICK W. SMITH  
 RICHARD T. SNYDER  
 MICHAEL J. SPANGLER  
 DENYSE F. SPRINGER  
 JOHN A. STAHLEY II  
 BOBBY C. STANCIU  
 CLINTON STONEWALL III  
 ROBERT J. STREMMEL  
 LUKE S. SULLIVAN  
 OTIS S. SUMMERS  
 LARRY E. TARVER  
 GREGORY L. TAYLOR  
 TODD N. TAYLOR  
 MONTE R. TEMPLE  
 JOHN T. THOMPSON  
 ANTOINE D. THORNTON  
 BARON D. TILLINGHAST  
 GARY A. TINCHER  
 TOMMY L. TINNEY, JR.  
 DAVID R. TOLINE  
 ERIC A. TRAINI  
 SHAWN A. TRISLER  
 SCOTT TROJAHN  
 MICHAELANGELO T. TUNGOL  
 KARL E. VAUGHN  
 JAMES M. WALKER  
 THOMAS S. WARE  
 STEVEN R. WHEATLEY  
 GARY E. WHITE  
 DEAN E. WHITEHOUSE  
 PEGGY S. WHITENER  
 BENJAMIN J. WIECHERT III  
 STERLING R. WOOLRIDGE  
 MICHAEL J. WORKS  
 RICHARD D. WRIGHT  
 GILBERT A. YARBROUGH, JR.  
 HECTOR R. YOUNG  
 ELLIOTT W. YOUNGBLOOD  
 JON E. ZATLOROWICZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

ARCHIE L. BARBER  
 AARON E. BETZ  
 PETER BISSONNETTE  
 KRISTINA M. CHENERY  
 JAMES J. CULNEN, JR.  
 MICHELE R. EWING  
 RICHARD G. GLASGOW II  
 KIMBERETTA Y. GREEN  
 LOUIS F. IMBODEN  
 RANDALL D. KREKELER  
 KELLY A. MAKSEM  
 LAURA L. MCDONALD  
 DEANNE B. MCPHERSON  
 TERESA S. MITCHELL  
 JEFFREY L. MORIN  
 SCOTT A. MOWERY  
 CHRISTOPHER C. MULLER  
 JAMES R. PEDERSON  
 ERIC L. POND  
 GUNER L. SANDERS  
 CHRISTOPHER J. SCHLOBOHM  
 CHRISTY N. SIBLEY  
 MELODY L. STAHR  
 ZAVEAN V. WARE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

MYLENE R. ARVIZO

GREGORY P. BALL  
 DARRIN E. BARBER  
 BOBBY A. BASSHAM  
 MARK F. BOSEMAN  
 PERRY L. BRANCH  
 JEREMY J. BRAUD  
 JAMES L. BRAWLEY  
 KRISTIN D. CARTER  
 CEDRIC N. DEDEAUX  
 SCOTT R. DELWICHE  
 COLIN J. DUNLOP  
 JOHN M. GALLEBISHOP  
 JONATHAN W. GANDY  
 RICHARD C. GARGANO  
 JOHN A. GENTA  
 JASON A. HICKLE  
 ANTHONY C. HOLMES  
 JOHN D. JUDD  
 BIRUTE I. JURJONAS  
 ANDREW M. LAVALLEY  
 JOSEPH J. MARRA  
 ARMANDO MARRONFERNANDEZ  
 CHRISTOPHER K. MATASSA  
 JEROME S. MCCONNON  
 DAVID A. MCGLONE  
 JOSEPH D. MEIER  
 HECTOR A. OJEDA, JR.  
 MATTHEW R. ONEAL  
 ANGELA C. OWENS  
 JONATHAN E. PAGE  
 TRAVIS J. PLUMMER  
 UPENDRA RAMDAT  
 JOHN A. RAMSEY  
 SARAH B. RICE  
 CHRISTOPHER M. SCHINDLER  
 BRIAN D. SNEED  
 WILLIAM J. SUMSION  
 JACK A. TAPPE  
 CHAD N. TIDD  
 ERROL A. WATSON, JR.  
 ASHLEY S. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

AMELIA F. DUDLEY  
 JESSIE J. HALLAN  
 JASON SAGLIMBENE  
 BRANDON D. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RICHFIELD F. AGULLANA  
 SAMUEL A. BORNINO, SR.  
 DEREK H. BURNS  
 LEANNE R. CARTER  
 HARRY D. CHEST  
 RICHARD MERCADO  
 ERIC A. NAGLEY  
 SHANTELE J. OVERLY  
 MICHAEL D. PHILLIPS  
 BECKY L. RAMOS  
 DANIEL D. REID  
 JAMES L. RORER  
 ANDREW L. RUTHERFORD  
 THOMAS A. SCHROEDER  
 FRANKLIN A. SUELA  
 SHANNON P. THOMPSON  
 JERICHO B. TIMOG  
 CHIEH YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CHARITY C. HARDISON  
 ZACHARY F. HARRELL  
 PAUL D. MACAPAGAL  
 STEPHANIE B. MURDOCK