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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Eternal spirit, You are our only safe haven. Give our Senators this day the courage and strength of spirit to continue to serve You and country. Reinforce within them the belief that with Your help, they can make a substantive difference in their Nation and world. May they refuse to cower in adversity, to compromise bedrock principles, or to turn their backs on those who need them most. Restore in them an equanimity of temperament that can dispel their doubts and fears.

Lord, today we thank You for the nearly four decades of faithful service by Alan Frumin, our Parliamentarian, as he prepares to retire.

We pray this prayer in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 31, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 11:30 a.m. The majority will control the first half and the Republicans will control the final half. Following morning business, the Senate will begin consideration of the STOCK Act. Senators will be notified when votes are scheduled.

MEASURE PLACED ON THE CALENDAR—S. 2041

Mr. REID. Mr. President, I am told that S. 2041 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2041) to approve the Keystone XL pipeline project and provide for environmental protection and government oversight.

Mr. REID. Mr. President, I would object to further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar under rule XIV.

RETIREMENT OF ALAN FRUMIN

Mr. REID. Mr. President, for a few weeks in March 2010, Alan Frumin was one of the most talked about men in the entire city of Washington. The Senate was poised to send a historic health care reform bill to President Obama's desk for him to sign, but the usual procedural hurdles stood in the way.

Health care policy staffers were camped out in Alan Frumin's office studying Senate procedure and precedent. But despite the pressure, despite the national spotlight, Mr. Frumin remained calm and professional through what must have been one of the most intense moments of his career. For a very few weeks, every Capitol Hill reporter knew his name for sure. His respectable face was on every political news blog. Every political science professor talked about him. Even a few folks outside the beltway learned what on Earth was a Senate Parliamentarian. What do they do? He was briefly a Washington celebrity. But for those of us who work in the Senate, Alan Frumin has always been a star, even when very few of us knew who he was or what job he did. But it did not take us long after coming to the Senate to learn that quickly.

Alan has served in the Office of the Secretary of the Senate since 1977. In his 18 years as chief Parliamentarian, he has made countless difficult decisions with composure. He has a knowledge of complex rules that certainly would be deemed to be extraordinary. These are rules that are convoluted, and procedures are somewhat unique. But he understands every one of them.

He is, above all, impartial to a fault. I have been upset at Alan a few times when I wished he were not so impartial, but he has always been impartial. That is why he is the only Parliamentarian ever to be hired by both Democratic and Republican leaders to serve in this crucial role. In fact, he was retained in his position despite a change

of Senate control four times by five different majority leaders.

One cannot be an effective Parliamentarian without being fairminded and judicious, but Alan Frumin also brings to the job a willingness to hear both sides of an argument and consider every side of the issue. He has patience. I have never heard him raise his voice. I never saw him to be agitated. He is always calm and cool. What a wonderful example he is for all of us.

The truth is, Senate Parliamentarians aren't simply appointed, they grow into the job. So I am pleased that the talented Elizabeth MacDonough, who has worked for Alan for a decade, will succeed him. Elizabeth will be the sixth person to hold the job of Parliamentarian since it was created in 1935, and the first woman. She steps into very large shoes.

I will miss Alan's experience and guidance greatly, but I wish him all of the best in his retirement. But he is really not going to retire; he is going to continue to edit Riddick's Senate Procedure, the official book of Senate procedure, and no one is more qualified than Alan to do this.

Congratulations, Alan. Thank you very much for your service.

RECOGNITION OF THE REPUBLICAN LEADER

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

Mr. MCCONNELL. Mr. President, let me also add some words about Alan Frumin. For those who are not aware of what the Parliamentarian does around here, he is sort of like an umpire in a ball game calling balls and strikes. It should not surprise anyone to hear that we have not always agreed on those calls. But it is not an easy job to be an umpire for 100 Senators. It is not easy to keep up with 200 years of precedents. And to Alan's credit, he never hesitates to admit when he thought he got something wrong.

Alan has a deep love for the Senate and the people who make it work. From the elevator operators and the cooks to the most senior Senators, he keeps up relationships with all of them. He cares a lot about this institution, and he has the service to show for it.

As the majority leader indicated, Alan has been here since 1974—longer than all but just a handful of us. So he has really seen it all. We will miss his devotion and his intellect. We are glad he has been able to spend more time with his wife Jill and his daughter Allie. I know they love to travel. Hopefully they will be able to do more of that.

Thank you, Alan, for four decades of service to this institution we all love and admire, and good luck in everything that lies ahead.

STOCK ACT

Mr. MCCONNELL. Mr. President, last night the Senate voted to proceed to the STOCK Act—a bill, incidentally, that was coauthored by two Republicans. I am glad the majority leader is going to allow amendments for a change. Up until a few years ago, the Senate has been known as a forum for open-ended debate. The minority party may not have always gotten its way, but at least it knew it would always be heard. It is something we have not done nearly enough of in these past few years. I hope it does not prove to be a false promise. I expect Senators on both sides of the aisle will have a number of amendments to this legislation.

But one thing that stands out is the fact that the President is calling on Congress to live up to a standard he is not requiring of his own employees. So I think we can expect at least one amendment that calls on executive branch employees to live up to the same standards they would set for others. If the goal is for everyone to play by the same rules, that should not mean just some of us, and it certainly should not leave out those in the executive branch who, after all, have access to the most privileged information of all.

So the goal in the course of this floor debate will be to make sure the executive branch—those most likely to take advantage of insider information—is fully and adequately covered by this regulation.

But let's be clear. President Obama is not interested in this bill because it would address the Nation's most pressing challenges. Of course it will not. He is interested in it because it allows him to change the subject. The more folks are talking about Congress, the less they are talking about the President's own dismal economic record. Frankly, for a President who has presided over a 43-percent increase in the national debt in just 3 years and the stain of the first ever downgrade of America's credit rating, I can certainly understand why he would want to change the subject. I can see why he would rather be talking about Congress or the Super Bowl or the weather or anything other than his own failed economic policies. But the problems we face are too grave and too urgent, and every day the President spends time trying to change the topic instead of changing the direction of the economy is another day he is failing the American people who elected him.

Now, the President can pretend he just showed up. He can try to convince people, as he tried to do this weekend, that the economy is moving in the right direction, but he is not fooling anybody. Americans know we are living in an economy that has been weighted down and held back by legislation he passed with the help of a big Democratic majority in each House of Congress. Americans know we are living in the Obama economy now—we are living in the Obama economy right now—and they are tired of a President who spends his time blaming others for an economy he put in place. They want the President to lead.

I have yet to see a survey in the past year that shows Americans agreeing with the President on the direction of the country or the economy. The ones I have seen all say the opposite. Wide bipartisan majorities believe the country is on the wrong track.

For small business owners, the people we are counting on to create jobs in this country, the numbers are even starker. According to a recent survey conducted by the U.S. Chamber of Commerce, 85 percent—85 percent—of small business owners say the economy is on the wrong track. Eighty-four percent of them say the size of the national debt makes them unsure about the future of their businesses. Eighty-six percent worry that regulations, restrictions, and taxes will hurt their ability to do business. Just about three-quarters of them say the President's health care bill will make it harder for them to hire. In other words, it is a huge drag on job creation.

If I were the President, I would probably rather be talking about Congress too. I understand why he would rather be talking about what Congress may or may not do rather than what he has already done. He would rather be talking about what Congress may or may not do rather than what he has already done. But he has a job to do. He was elected to do something about the problems we face, not blame others for our problems. He was elected to take responsibility for his own actions, not pretend they somehow never happened.

Today the Congressional Budget Office will release an annual report on the Nation's finances. We do not know all the particulars, but I can tell you this: It will not paint a very rosy picture. Our fiscal problems are serious, and every day that the President refuses to address them, they become harder to solve.

So my message to the White House this morning is simple: It is time to lead.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11:30 a.m., 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.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

RETIREMENT OF ALAN FRUMIN

Mr. DURBIN. Mr. President, many years ago when I graduated from

Georgetown Law School, I was offered a job by the Lieutenant Governor of Illinois, Paul Simon. He asked if I would join his staff in Springfield, IL, in the State capital and if I would serve as his senate parliamentarian. I jumped at the chance. I was in desperate need of a job with a wife, a baby, and another one on the way.

Deep in debt, I skipped my commencement exercise to get out and on the payroll in Springfield of the Illinois State Senate. The first day I walked in on the job at the Lieutenant Governor's office they handed me the senate rule book. It was the first time I had ever seen it. They parked me in a chair next to the presiding officer of the Illinois Senate, the Lieutenant Governor, and said: Now you are here to give advice.

I spent every waking moment reading that rule book and trying to understand what it meant. There wasn't a course like that in law school or anything that gave me guidance as to what I was to do. I made a lot of stupid mistakes, and I learned along the way what it meant to be a senate parliamentarian.

It was a humbling experience, in many respects, to learn this new body of law, how it applied to the everyday business of the Illinois State Senate. It was equally humbling to be in a position where your voice was never heard but your rulings were repeated by so many.

I recall that many years later—14 years later—I was elected to the U.S. House of Representatives. After serving 12 of those 14 years in the office of the Illinois State Senate Parliamentarian, I cannot describe to you the heady feeling I had when I went on the floor of the U.S. House of Representatives, they handed me the gavel, and I actually presided over the U.S. House. After 14 years of silence as the Illinois State Senate Parliamentarian, I was speaking before one of the greatest legislative bodies in the world. So I have some appreciation for the role of a parliamentarian, and particularly for the contribution of people such as Alan Frumin. In some respects, it is a thankless job, because you are bound to make some people upset. As the majority leader mentioned, we respect Alan's impartiality as Parliamentarian, but many times we go back to our office and are critical of it at the same time. We hope he will rule in our favor instead of the other way.

Alan has been faithful to precedent, to the rules of the Senate, and that is all we can ask of a person who serves in his position. He has to tolerate the titanic egos that occupy this Chamber. I used to say that the majority leader is the captain of a small boat full of titanic egos. That is the nature of this institution. Alan has been called on more often than most to deal with the peculiarities of even my colleagues and myself.

I wish him the best after more than 35 years of service to the Congress, both in the House and the Senate. I am glad he is going to continue at least on the research side to establish a body precedent that will guide the Senate and the Congress in the years to come.

Alan, thank you so much for all the service you have given to the Senate, to the Congress, and to the United States.

To Elizabeth MacDonough, congratulations. It is great you will be coming into this new role. It is precedent-setting in and of itself that you will be the first woman to serve as the U.S. Senate Parliamentarian. We all respect very much your professionalism and look forward to working with you—even when you give us disappointing rulings.

THE ECONOMY

Mr. DURBIN. Mr. President, I listened to the comments made by the Republican leader about how he believed President Obama is trying to change the topic and not talk about the economy and, rather, talk about ethical standards in the U.S. Congress. I have to say this is an issue that resonates with me personally because, as I mentioned earlier, I have been honored to have been brought up in public service by two outstanding individuals, former U.S. Senators Paul Simon and, before him, Paul Douglas. Both of these men had integrity as a hallmark. Even as people in Illinois disagreed from time to time with their positions on issues, they never questioned their honesty. That is my background, my training, and I have tried to continue in that tradition.

I accepted the standard, which was first initiated by Senator Paul Douglas and carried on by Senator Paul Simon, of making a complete income and asset disclosure every single year. I think if I look back now, I can trace it back to my earliest campaign, certainly back to my time in the office of the Lieutenant Governor. Almost every year I made that disclosure. There was some embarrassment in the early years, because my wife and I were broke and we showed a negative net worth because of student loans. We suffered some chiding and embarrassment over that. Over the years, even my wife got to where she didn't pay much attention on April 15 when I released all this information.

What we are considering on the floor is a tough issue. It is this: When you earn something as a Congressman or Senator, what should you do to take care that you don't capitalize on that, that you don't turn that into part of a personal decision that might enrich you? It is a legitimate issue, and I support the legislation that is on the floor, though I think it will be challenging to implement.

We should never capitalize on insider information, private information given to us in our public capacity, to enrich ourselves, period, no questions asked. What we have before us now is an opportunity to call for more timely disclosure of those transactions that Members of Congress—in this case Senators—engage in that might or could have some relationship to information they learned in their official capacity.

I quickly add that this is a challenge because, honestly, in our work in the Senate we are exposed to a spectrum of information on virtually every topic. People sit and talk to us, those in an official capacity and also unofficially, about the future of the European Community, what will happen there, and if the European economy goes down or up, what impact will it have on the United States. We learn these things in meetings; we think about them as we vote on measures on the floor. Obviously, they are being discussed widely in the public realm as well. So drawing those lines in a careful, responsible way is going to be a challenge for us.

But disclosure is still the best antidote to the misuse of this public information. I don't think it is wrong for the President to challenge us or for the Republican leader to challenge the executive branch at the same level. That is fair. You know I am friendly to the President. I am a member of his party and was a personal friend to him before he was elected, and I still am today. He should accept the challenge from the Senator from Kentucky to look at the standards within the executive branch to see if they meet at least the minimum standards set by this legislation. We should look at it, as well, in terms of our responsibilities as Senators.

I take exception to the comments made by the Republican leader when it comes to the state of the economy and the role of the executive. The Senator from Kentucky said there has been change in the national debt, since the President was elected, by an increase of 4 percent. I am sure that is close to true if not true in detail. But look at the circumstances. When President Clinton left office and turned the keys over to President George W. Bush, the national debt was $5 trillion, and the next year's budget would have been the third in a row in surplus by $120 billion—not a bad welcome gift from the outgoing President, William Jefferson Clinton.

Now fast forward 8 years as President Bush left office and handed the keys to President Obama—quite a different world. Instead of a national debt of $5 trillion, 8 years later, it was $11 trillion, more than double under President George W. Bush, a fiscal conservative by his own self-description. Look at what he left for President Obama in his first budget, in the first year: a $1.2 trillion deficit. Not a surplus, but a deficit 10 times as large as the surplus left by President Clinton. That is what President Obama inherited.

He said in the State of the Union Address that we had lost 3 million jobs in the 6 months preceding his being sworn in and another 3 million before his stimulus bill was passed and implemented. Six million jobs were gone;

750,000 people lost their jobs the month President Obama was sworn into office.

Now Senator MCCONNELL comes to the floor and says that is President Obama's fault. I don't think that is a fair characterization. I think the President would accept responsibility not only for his time in office but for the decisions he has made. But to saddle him with the legacy of the previous President and his economic policies is fundamentally unfair.

The Senator from Kentucky says, don't forget, it was on President Obama's watch that a rating agency downgraded the credit rating of the United States. True. If you read the downgrade, it is not about the state of the economy, it was about the state of politics in Washington. We were downgraded by Standard & Poor's because they believed that we were incapable, as a divided government, to make important decisions for this Nation.

How did they reach that conclusion? Perhaps it was because of this divided government, with the tea party dominance in the House of Representatives, that led us into a position in 2011 where we faced two government shutdowns and one shutdown of the economy in the same year. This weakened economy, suffering from recession, still had to worry about whether the fights between the House and the Senate would lead to even more economic peril. That is why we were downgraded. Don't blame the President for that. We can blame ourselves—at least partially—for the downgrade. Let me say that too.

We know there is uncertainty about the future. People are waiting for certainty when it comes to the value of real estate, the future of jobs, and business. I understand that. But things are moving in the right direction. Last week, we learned that our economy grew at a rate of 2.8 percent in the last 3 months of 2011—the strongest quarter of the year—and it shows that the chances of double-dip recession are receding.

In 2011, the unemployment rate fell from 9 to 8.5. The private sector added more jobs in 2011 than in any year since 2005. The American manufacturing sector was growing for the first time since the late 1990s.

The Republicans don't want to credit this President as they should. There are 3 million new private sector jobs. The weakness in our unemployment figures reflects the loss of public sector jobs. Federal, State, and local employment has gone down as the revenues of government have decreased.

But this recovery is still fragile. Those who come to the floor, as many have, and argue for austerity and budget deficit concentration aren't wrong, but their timing is wrong. This is the moment when we need to strengthen this economy and move it forward. I was on the Bowles-Simpson commission. Understand that their deficit reduction did not begin until the first of 2013. We wanted to create enough time in that commission for the economy to recover and come out of this recession.

Those who argue that we should abandon that now would sink us even more deeply into a recession instead of on the road to recovery. We need to continue to act, to find that which will strengthen our economy—investment in education and training for our workers, investment in research, whether it is at the National Institutes of Health or other agencies of government, so that we can move forward with innovation and create jobs in areas such as green and clean energy.

Third is the development of our infrastructure. It is indefensible that Congress has been unable to pass a highway bill, an infrastructure bill to rebuild America. The trip I took to China last year was a stark reminder that China is determined to lead the world in the 21st century. They are building in China an infrastructure to do it, while we nurse one that has been falling apart for decades.

Can't Republicans and Democrats agree even in a Presidential election year that we need a solid infrastructure bill that will rebuild America and create good-paying jobs right here in America? It is time for us to have a balanced plan and to work together to achieve it.

The President is not trying to avoid the topic. He addressed it in his State of the Union Address. It is up to the Congress to follow.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

TRIBUTE TO KEVIN HAGAN WHITE

Mr. KERRY. Mr. President, last Friday Kevin Hagan White, a four-term mayor of Boston, passed away.

In the city of Boston, in the shadows of Faneuil Hall, there is a statue of Mayor White that stands 10 feet tall, larger than life. There could not be a more fitting tribute to a mayor and a man who was himself a huge figure in the history of Boston and a mayor who helped to give our city the extraordinary skyline and the extraordinary spirit it has today.

He was a mayor who, more importantly, through four terms led the city of Boston through a remarkable transition, from times of division to a time of new international and singular identity for the city. He led the transition of a great city. But this good man and ground-breaking mayor was, frankly, much more than a transitional leader himself. He was a transformative figure in a city that, when it comes to history-making mayors, does not use the word ''transformative'' lightly.

Mayor White's passing gives Boston and its people a chance to reflect on how one leader, one politician could help to reshape a major city in America—to some degree reflecting his own persona, bright and energetic. Kevin White was elected to city hall in 1967, a time when big city mayors in America were political forces even as the days of the all-powerful political machines were beginning to dwindle. In Chicago, there was Richard Daley; in New York, John Lindsay; in Los Angeles, Sam Yorty, among some of the big city mayors of our Nation. But in Boston, Kevin represented a new generation of urban leaders. He was only 38 years old and was filled with optimism and energy and clear ideas of what he wanted Boston to be—summarized, perhaps, in the notion of being a world-class city.

He attracted brilliant, idealistic young people to help him achieve his goal, brilliant young people such as BARNEY FRANK, Micho Spring, Ann Lewis, Paul Grogan, Fred Salvucci, George Regan, Robert Kiley, Bo Holland, Cecily Nuzzo Foster, Dennis Austin, and Clarence ''Jeep'' Jones, all of whom saw in him a reason to dedicate themselves to public service.

When Kevin White moved into city hall, some people assumed they were getting a business-as-usual mayor—Irish and Catholic, typical and traditional. But the times were changing. The political and social climate of Boston in the late 1960s was hardly traditional, and Kevin White was anything but your typical politician.

He glided effortlessly between the old world and the new. No one had ever seen a Boston politician go to Rhode Island to get the Rolling Stones released into their personal custody after they were arrested, and then the next night, when they appeared at a concert in Boston, stand up and announce to a cheering crowd, ''The Stones have been busted, but I sprung them.'' Kevin did just that in 1972, which happened to be right after 18-year-olds got the right to vote.

Kevin White opened Boston's political system to African Americans, women, Jews, and gay Americans alike. He spearheaded rent control. He decentralized the city government by forming little city halls in the neighborhoods. He made jobs for young people a priority. He organized outdoor summer activities known as ''Summerthing.'' He refused to let Interstate 95 run right through the city in order to protect low-income homes and boost public transportation. But perhaps most importantly, he sparked a downtown renaissance that began with Quincy Market, now one of the city's top tourist attractions, and it became the heartbeat of the new Boston that is his legacy.

Mr. President, Kevin White came to city hall with an ambitious plan to build a new Boston brick by brick if he had to, and that is pretty much what he did. When Kevin White took office, Boston was in many ways still stuck in the 1920s—virtually no new buildings in decades, a steady decline in population and jobs, flophouses in the Back Bay, Quincy Market, a ramshackle warehouse of butchers and cheese dealers. But Kevin and his new team at city hall hit Boston like a bolt of lightning,

eventually reversing the city's economic slide and laying the groundwork for the vibrant Boston of today. He had a vision.

Boston was in Kevin's blood and so was politics. His father and maternal grandfather had been Boston city council presidents, and he married Kathryn Galvin in 1956, the daughter of another city council president. He was elected Massachusetts secretary of state three times before being elected mayor for the first time in 1967.

Kevin White was the right man for the job at the right time, as he proved so importantly and so poignantly within months of taking office on April 5, 1968—to be precise, the day after Dr. Martin Luther King, Jr. was assassinated. James Brown was scheduled to do a concert at Boston Garden that night. Rather than allow it to be cancelled, as many suggested, Kevin arranged for the concert to be televised live in hopes of minimizing unrest. He even appeared on stage himself to plead for calm. He stood on the stage and said:

All of us are here tonight to listen to a great talent. But we are also here to pay tribute to one of the greatest of Americans, Dr. Martin Luther King, Jr. Twenty-four hours ago, Dr. King died for all of us, black and white, so that we may live together in harmony, without violence, and in peace. I'm here to ask for your help. Let's make Dr. King's dream a reality in Boston. No matter what any other community might do, we in Boston will honor Dr. King in peace.

That was leadership, and it helped. Cities across the country exploded in violence, but Boston summoned relative restraint. James Brown called Kevin ''a swinging cat.'' Of course, difficult times lay ahead, a turbulent period of racial strife. But Kevin White sought to shepherd Boston through those difficult times, and in the process he ushered in the remarkable city we know today. He did his best to hold the city together by walking the streets, reaching out and fighting with every ounce to get Boston where it is today. At one point, he led a march of 30,000 people to protest racial violence.

Kevin White was, according to his most famous campaign slogan, a loner, in love with the city. But this self-proclaimed loner did love Boston, and Boston loved him back. His wide circle of friends and former staff remained loyal and close throughout his life. Above all he was a family man, devoted to his wife Kathryn of 55 years, to his five children, and to his seven grandchildren. To all of them and to the rest of his family, we extend our deepest sympathy and a thank-you for sharing Kevin with us.

The devotion of Kevin's family was boundless throughout his long and valiant fight against Alzheimer's disease. From his diagnosis nearly a decade ago to the very end last Friday, they gave him all the love and care he needed to face his debilitating challenge with the same dignity and courage with which he served the city of Boston for so long.

Mr. President, Boston is that shining city on a hill that John Winthrop, one of the founders of the Massachusetts Bay Colony, spoke about in 1630 as he sailed to America. It is a city teeming with people of all kinds, a city of commerce and creativity, a city of grit and greatness. And Kevin White helped to make it that way.

I consider it a privilege to have watched his journey, to have enjoyed his friendship, support, and counsel. I join with so many in thanking him and his family for his service.

May he rest in peace.

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

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

The legislative clerk proceeded to call the roll.

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

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

RECESS APPOINTMENTS

Mr. PAUL. Mr. President, I rise today in defense of the Constitution. I rise today to condemn the President for making appointments that are unconstitutional and illegal. Recently the President appointed members to the National Labor Relations Board and to the Consumer Financial Protection Agency. He did so by saying we were in recess.

This is news to us because those of us in the Senate maintain that we were never in recess. The President has usurped a power never previously taken by a President and has decided unilaterally that he gets to decide when we are in recess. These appointments are illegal and unconstitutional, and I am surprised—I am surprised—that no member of the majority party has stood to tell the President so.

I am not surprised that the President has engaged in unconstitutional behavior. His health care law is brazenly unconstitutional. His war with Libya was unconstitutional. He got no congressional authority. So, for a man who once gave lip service to the Constitution, the President now has become a President who is prone to lawlessness and prone to unconstitutional behavior.

Our Founders clearly intended that the President have the ability and the power to appoint advisers, but they also separated that power and gave power to the Senate to advise and consent on these high-ranking officers in government. The President has gone an end-around on this and has done something that breaks with historical precedent. It goes against the notion of checks and balances.

In fact, the notion that underlies the whole idea of recess appointments is mostly a historic relic. Alexander Hamilton explained in Federalist 67 that the power was included so the Senate did not have to remain in session year round to deal with nominations. This was also done at a time when Congress would go out of session for months at a time for members to return to their farms and their businesses. Now Congress meets nearly year round.

So, in other words, recess appointments should only happen rarely, in extreme occurrences, if at all. There also should be agreement that we are in recess, and there is no disagreement that we were in recess.

There is a lot of talk about bipartisan cooperation on the other side of the aisle, but I am disappointed that not one Senator has stood to tell the President this sets a terrible precedent; that this is a usurpation of power that is bad for the country and bad for the idea of checks and balances. I am disappointed that not one Senator from the other side of the aisle has stood to oppose this President on this unconstitutional power grab. This is an opportunity for us to stand together in defense of the Constitution.

I state now, unequivocally, if a Republican President tries to usurp his power, if a Republican President tries to define a recess and appoint people illegally, I will stand on the Senate floor and oppose him. This is not about being a Republican or a Democrat, it is about having respect for the Constitution. These lawless, illegal, and unconstitutional appointments fly in the face of the respect for our Constitution. This is an issue of separation of powers, of constitutional authority, and of Senate prerogative. It is sad that not one member of the opposition party will stand for the Constitution, will stand to the President.

Make no mistake, this is a huge breach of precedent. If the President is allowed to determine when we are in recess, nothing prevents him from making recess appointments this evening at 8 o'clock or on the weekends. If this precedent is allowed to stand, nothing stops the President from appointing a Supreme Court Justice tonight at 8 o'clock. Is that the kind of lawlessness we want in our country? Are we going to completely abandon the advise-and-consent role of the Constitution and of the Senate?

I ask today, is there not one Senator from across the aisle who will stand against this unconstitutional power grab? Is there not one Senator from across the aisle who will say to the President that these illegal appointments set a terrible precedent; that these appointments will encourage lawlessness; that these appointments eviscerate the advise-and-consent clause of the Constitution? I ask my colleagues from across the aisle: Where is your concern for the checks and balances? Where is your concern for the Constitution?

I am greatly saddened by this action, and I hope the President will reverse course. I hope the majority party in

the Senate will stand for the Constitution. But I am greatly disappointed in where we are in this debate.

I yield back my time.

The PRESIDING OFFICER. The Senator from Nevada.

THE STOCK ACT

Mr. HELLER. Mr. President, later today the debate will center on the fundamental question of whether Members of Congress should be responsible for upholding the same laws as the American people. The unified answer from this Congress must be an unequivocal yes. It is no secret that Congress has a track record of exempting itself from the very laws it writes.

Former Senator John Glenn said such exemptions are ''the rankest form of hypocrisy. Laws that are good enough for everyone else ought to be good enough for us.''

Former Congressman Henry Hyde once quipped that ''Congress would exempt itself from the laws of gravity if it could.''

I have long supported efforts to ensure that Congress refuses to give into any temptation to exempt itself. When I was serving in the House of Representatives, I was proud to be a leader in the effort to require Members of Congress and their staffs be subject to the same requirements that the Obama health care bill put on all citizens.

While the bad old days of Congress exempting itself from major occupational safety and health and fair labor standard laws were done away with to some extent after passage of the Congressional Accountability Act, and other reforms of the mid-1990s, Congress should not miss this opportunity to show the American people that it is willing to live by the very rules that are imposed on the American people. The people of this Nation are tired of business as usual in Washington. They are tired of the congressional exemptions or carve-outs that create a chasm between the working class and the political class.

My home State of Nevada is currently enduring the highest unemployment rate in the country. In fact, Nevada has led the Nation in unemployment for more than 2 years. As I travel the State, I hear from individuals who are frustrated because the public servants who are supposed to be representing them don't feel their pain. While our economy limps on, the Nation's Capital remains untouched by the difficulties Nevadans experience every day. In light of these facts, is it any mystery why Congress is currently experiencing its worst approval ratings in history?

I am a cosponsor of the STOCK Act because I believe confidential information acquired as a result of holding public office should not be used for private gain. The STOCK Act would prohibit Members or employees of Congress and executive branch employees from profiting from nonpublic information obtained because of their status and requires greater oversight of the growing political intelligence industry. Members and employees should also be required to report the purchases, sales, and exchange of any stock, bond, or commodity transaction greater than $1,000 within 30 days.

As a strong supporter of transparency in Congress and the Federal Government, I believe the STOCK Act is an important step for Congress to take and start earning back the trust and faith of the American people. Restoring that confidence will surely be a long journey because public servants have in too many cases not taken their job seriously. But through legislation such as the STOCK Act, we send an important message to the citizens of this Nation that we understand our position requires us to uphold the highest ethical and moral standards, and we are willing to undergo the scrutiny required to regain that trust.

Members of Congress should follow the same rules as every other American. No American can trade on insider information without the risk of prosecution, and Congress should be held to the same standard. Elected officials should take every precaution to ensure that they do not use public information for personal gain.

I hope both Chambers will take the time to thoughtfully consider this legislation and send it to the President for his signature. My hope is that the American people will view passage of this legislation as an earnest bipartisan effort to change the way Washington does business.

I appreciate the opportunity to discuss this important bill.

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 role.

Mr. LEE. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

THE ECONOMY

Mr. LEE. Mr. President, I rise today to talk about the state of the Nation's economy. Upon taking office, President Obama encountered one of the worst recessions in this country's history. He faced tremendous challenges under any standard. To be sure, it would have been difficult for any President to make the kinds of reforms that would have had an immediate effect on an economy this bad. But at the end of the day we see that although he was handed something that we can fairly characterize as an economic emergency, he, through his actions and through his policies, turned that emergency into a national tragedy.

In his first 2 years, instead of focusing on creating jobs and creating a set of circumstances in which the private sector could bring jobs to fruition, President Obama and his substantial majorities in both Houses of Congress used their tremendous advantage to push for greater government control over America's health care choices, more burdensome and debilitating regulations on businesses, and a failed stimulus package that led to record-setting annual deficits.

Just look at America before President Obama took office and compare it to our economic situation now. For example, unemployment is up 9 percent from when President Obama took office. The price of gasoline is up 83 percent compared to when he took office. Long-term unemployment is up 107 percent. The median value of a single-family home in America is down 14 percent, and the U.S. national debt is up 43 percent. He has added over $4 trillion to our national debt.

Then, last year, President Obama created a standoff with Republicans by refusing to accept a reasonable compromise on spending reforms as a condition for raising the Nation's debt ceiling. He presided over the downgrading of America's credit rating, the first in our country's history, and he has taken every opportunity to block the development of America's energy resources, a source of much-needed revenue and jobs.

Perhaps most troubling, this President has intentionally divided the country by waging vicious class warfare campaigns separating average, hard-working Americans by income and then pitting them against one another. The President's record on this score has been repugnant and damaging.

Instead of working with Congress to address our genuine economic challenges, the President has responded by starting his reelection campaign early. In a series of taxpayer-funded campaign stops, the President sharpened his divisive message and astoundingly blamed Republicans for legislative gridlock—never mind that the President's most recent budget proposal failed to attract even a single vote in the U.S. Senate, and it was, in fact, Senate Democrats who refused to bring the President's own jobs plan to the floor for a vote. Even today, members of the President's own party are lining up against him to oppose his tone-deaf decision on the Keystone XL Pipeline. This project would create 20,000 American jobs, it would inject much needed private sector capital into our economy, and it would increase the country's energy security, but the President has chosen to block the project as an election-year nod to his friends in the extreme leftwing of the environmentalist movement.

President Obama has put the state of our Union in disarray. Certainly he inherited a poor economy, but the decisions he has made and implemented since taking office are making it worse. He was handed an economic emergency, and instead of taking the

challenge head-on, he chose to ignore it, and then he turned it into a national tragedy.

There is a void of leadership in the White House. He must end the divisiveness and start dealing directly and decisively with the needs of the country. The President has very little time left to show the American people that he can be the kind of leader who will put the country before his own personal political interests. For the sake of all Americans, I sincerely hope he uses that time wisely.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I thank the Chair.

(The remarks of Senator COLLINS pertaining to the introduction of S. 2044 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. 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 (Mr. TESTER). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2038, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 2038, a bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to S. 2038.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (S. 2038) to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

AMENDMENT NO. 1470

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, I have a substitute amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN, proposes an amendment numbered 1470.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Monday, January 30, 2012, under ''Text of Amendments.'')

AMENDMENT NO. 1482 TO AMENDMENT NO. 1470

Mr. REID. Mr. President, on behalf of Senator LIEBERMAN, I call up an amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LIEBERMAN, proposes an amendment numbered 1482 to amendment No. 1470.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make a technical amendment to a reporting requirement)

On page 7, line 22, after ''Reform'' insert ''and the Committee on the Judiciary''.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1478 TO AMENDMENT NO. 1470

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

Mr. BROWN of Ohio. Mr. President, I call up amendment No. 1478.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 1478 to amendment No. 1470.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To change the reporting requirement to 10 days)

On page 6, strike lines 12 through 15, and insert the following:

''(j) After any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress shall file a report of the transaction not later than 10 days following the day on which the subject transaction has been executed.''.

On page 9, line 17, strike ''30'' and insert ''10''.

AMENDMENT NO. 1481 TO AMENDMENT NO. 1470

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I call up my amendment No. 1481.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] for himself and Mr. MERKLEY, proposes an amendment numbered 1481 to amendment No. 1470.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit financial conflicts of interest by Senators and staff)

At the appropriate place, insert the following:

SEC. ___. PUTTING THE PEOPLE'S INTERESTS FIRST ACT OF 2012.

(a) SHORT TITLE.—This section may be cited as the ''Putting the People's Interests First Act of 2012''.

(b) ELIMINATING FINANCIAL CONFLICTS OF INTEREST FOR MEMBERS OF THE SENATE.—A covered person shall be prohibited from holding and shall divest themselves of any covered transaction that is directly and reasonably foreseeably affected by the official actions of such covered person, to avoid any conflict of interest, or the appearance thereof. Any divestiture shall occur within a reasonable period of time.

(c) DEFINITIONS.—In this section:

(1) SECURITIES.—The term ''securities'' has the same meaning as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) COVERED PERSON.—The term ''covered person'' means a Member, officer, or employee of the Senate, their spouse, and their dependents.

(3) COVERED TRANSACTION.—The term ''covered transaction'' means investment in securities in any company, any comparable economic interest acquired through synthetic means such as the use of derivatives, or short selling any publicly traded securities.

(4) SHORT SELLING.—The term ''short selling'' means entering into a transaction that has the effect of creating a net short position in a publicly traded company.

(d) EXCEPTION.—Nothing in this section shall preclude a covered person from investing in broad-based investments, such as diversified mutual funds and unit investment trusts, sector mutual funds, or employee benefit plans, even if a portion of the funds are invested in a security, so long as the covered person has no control over or knowledge of the management of the investment, other than information made available to the public by the mutual fund.

(e) TRUSTS.—

(1) IN GENERAL.—On a case-by-case basis, the Select Committee on Ethics may authorize a covered person to place their securities holdings in a qualified blind trust approved by the committee under section 102(f) of the Ethics in Government Act of 1978.

(2) BLIND TRUST.—A blind trust permitted under this subsection shall meet the criteria in section 102(f)(4)(B) of the Ethics in Government Act of 1978, unless an alternative arrangement is approved by the Select Committee on Ethics.

(f) APPLICATION.—This section does not apply to an individual employed by the Secretary of the Senate, Sergeant at Arms, the Architect of the Capitol, or the Capital Police.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thought we had a tentative, informal agreement that we were going to go

back and forth, alternating to make amendments pending, and that we would do one from the Democratic side, then one from the Republican side, and go back and forth.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I appreciate the comments from the Senator from Maine. I was just asking that they be offered. I was going to speak on them together, but I am certainly willing for a Republican to go next and then I speak about my two amendments together—whatever the Senator from Maine would like.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I thank the Senator.

Mr. President, I, then, ask unanimous consent that we proceed with amendments so that we do alternate from side to side, since there are a number of amendments that have been filed, and I think that would be the fairest way to proceed to make them pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Pennsylvania.

AMENDMENT NO. 1472 TO AMENDMENT NO. 1470

Mr. TOOMEY. Mr. President, I ask unanimous consent to set aside the pending amendment.

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

Mr. TOOMEY. Mr. President, I call up amendment No. 1472, my amendment with Senator MCCASKILL.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY], for himself, Mrs. MCCASKILL, Mr. DEMINT, Mr. UDALL of Colorado, Mr. RUBIO, Ms. AYOTTE, Mr. PORTMAN, Mr. THUNE, and Mr. JOHANNS, proposes an amendment numbered 1472 to amendment No. 1470.

Mr. TOOMEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit earmarks)

At the appropriate place, insert the following:

SEC. ___. EARMARK ELIMINATION ACT OF 2012.

(a) SHORT TITLE.—This Act may be cited as the ''Earmark Elimination Act of 2011''.

(b) PROHIBITION ON EARMARKS.—

(1) BILLS AND JOINT RESOLUTIONS, AMENDMENTS, AMENDMENTS BETWEEN THE HOUSES, AND CONFERENCE REPORTS.—

(A) IN GENERAL.—It shall not be in order in the Senate to consider a bill or resolution introduced in the Senate or the House of Representatives, amendment, amendment between the Houses, or conference report that includes an earmark.

(B) PROCEDURE.—Upon a point of order being made by any Senator pursuant to subparagraph (A) against an earmark, and such point of order being sustained, such earmark shall be deemed stricken.

(2) CONFERENCE REPORT AND AMENDMENT BETWEEN THE HOUSES PROCEDURE.—When the Senate is considering a conference report on, or an amendment between the Houses, upon a point of order being made by any Senator pursuant to paragraph (1), and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable under the same conditions as was the conference report. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(3) WAIVER.—Any Senator may move to waive any or all points of order under this section by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(4) DEFINITIONS.—

(A) EARMARK.—For the purpose of this section, the term ''earmark'' means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives as certified under paragraph 1(a)(1) of rule XLIV of the Standing Rules of the Senate—

(i) providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

(ii) that—

(I) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(II) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

(iii) modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(B) DETERMINATION BY THE SENATE.—In the event the Chair is unable to ascertain whether or not the offending provision constitutes an earmark as defined in this subsection, the question of whether the provision constitutes an earmark shall be submitted to the Senate and be decided without debate by an affirmative vote of two-thirds of the Members, duly chosen and sworn

(5) APPLICATION.—This section shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

Mr. TOOMEY. Mr. President, I would like to make some comments about this amendment, but I will do that at a later time when time is more available.

I thank my colleague from Maine and my colleague from Ohio for their helpful cooperation in this process.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I thank both the Senator from Pennsylvania and the Senator from Maine.

AMENDMENTS NOS. 1478 AND 1481

I will speak in more detail about my amendments later, but now I want to say a few words about each of them.

First, they are consistent with the spirit of the underlying bill—a version of which I cosponsored. I am particularly appreciative to Senator GILLIBRAND for her good work on this overall issue.

The underlying STOCK Act clarifies that insider trading laws apply the same way to Members of Congress as they do to the rest of the country, pure and simple. It makes sense.

My amendments would also extend generally applicable laws to Members of Congress.

One amendment would apply financial trade disclosure rules to Members in the same way they apply to others, such as corporate insiders, financial advisers, SEC employees. It would narrow the window for disclosure from 30 days down to 10 days. It would make Member disclosure more consistent with rules that require timely disclosure of transactions by corporate directors, officers, and large shareholders. We should do the same more strictly than we have in the past to do the same as they do. Let's hold ourselves to the same standard of openness and shine the light of transparency on our financial trades, if we make them.

The second amendment would extend to Senators the same conflict of interest rules that currently apply to committee staff and executive branch officials. This amendment, which is No. 1481, is coauthored by Senator MERKLEY of Oregon.

Members of the Senate and staff would be prohibited from owning or short-selling individual stock in companies affected by their official duties. We would still be permitted to invest in broad-based funds or place our assets in blind trusts, as permitted by the Select Armed Services Committee—SASC—rule and Federal regulations.

When asked about the fact that the SASC conflict of interest rules apply to staff and DOD appointees, President George W. Bush's Deputy Secretary of Defense, Gordon England, said:

I think Congress should live by the rules they impose on other people.

That is why I am offering these two amendments. It is pretty simple. We vote on a whole range of very important issues in this country. We should not only not benefit from our votes on investments we might have, but it is important that the perception be that when we make decisions, we make them for the good of the country, not for our own financial interests. That is something the public finds pretty distasteful. These two amendments together will help fix 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.

Mr. BROWN of Massachusetts. 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. BROWN of Massachusetts. Mr. President, I know we are starting to get the intake of amendments. I want to reiterate what we talked about yesterday, about having relevant amendments filed. This is a very specific issue we are addressing, which is to deal with perceived insider trading and/or Members of Congress having an unfair advantage and having obviously nonpublic information, confidential information that would ultimately be used for financial gain.

As we are reviewing some of the amendments or hearing discussions of others that may be forthcoming, I want to remind the Members that this is something that forces outside this building may not want to happen. I feel very strongly that this is something we need to do and use to reestablish the trust with the American citizens and Members of Congress.

That being said, as our Members are listening or their staffs are proposing amendments that are forthcoming, I hope they would be relevant to the issue at hand and not get sidetracked into a discussion that would take us away from what we are trying to do here.

Again, I am looking forward to the amendments. I know Senators LIEBERMAN, GILLIBRAND, COLLINS, and I will be managing the floor today to try to make sure that happens and convince our Members to stay focused on this very important issue.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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 set aside the pending amendment.

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

AMENDMENT NO. 1477 TO AMENDMENT NO. 1470

Mr. THUNE. Mr. President, I ask unanimous consent to call up amendment No. 1477.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 1477 to amendment No. 1470.

Mr. THUNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D)

At the appropriate place, insert the following:

SEC. _. MODIFICATION OF EXEMPTION.

(a) REMOVAL OF RESTRICTION.—Section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2)) is amended by inserting before the period at the end the following: '', whether or not such transactions involve general solicitation or general advertising''.

(b) MODIFICATION OF RULES.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall revise its rules issued in section 230.506 of title 17, Code of Federal Regulations, to provide that the prohibition against general solicitation or general advertising contained in section 230.502(c) of such title shall not apply to offers and sales of securities made pursuant to section 230.506, provided that all purchasers of the securities are accredited investors. Such rules shall require the issuer to take reasonable steps to verify that purchasers of the securities are accredited investors, using such methods as determined by the Commission.

Mr. THUNE. Mr. President, this amendment would make it easier for small business to better access capital in order to expand and create jobs. On November 3, 2011, the House of Representatives passed a companion measure, which was introduced by Representative KEVIN MCCARTHY, on a near unanimous vote of 413 to 11; 175 Democrats in the House supported this legislation. We have an opportunity here to show the American people that we are serious about creating jobs and to pass this amendment here in the Senate.

This amendment would remove a regulatory roadblock in order to make it easier for small businesses to access needed capital to expand and create jobs. Current SEC registration exemption rules severely hamper the ability of small businesses to raise capital by allowing them to raise capital only from investors with whom they have a preexisting relationship.

By modernizing this rule, small businesses and startups would be able to more easily raise capital from accredited investors nationwide. According to the Small Business and Entrepreneurship Council:

This is a long overdue solution that will widen the pool of potential funders for entrepreneurs. Our economy will improve once entrepreneurs are provided the tools, opportunities and incentives that they need to hire and invest.

Earlier this month, the SEC Small Business Advisory Committee on Small and Emerging Companies recommended that the agency ''relax or modify'' the general solicitation prohibition as a good policy to increase the amount of capital available to small businesses.

In his State of the Union Address last week, President Obama called on Congress to pass legislation that will help startups and small businesses access capital in order to expand and create jobs. The President said:

Most new jobs are created in start-ups and small businesses. So let's pass an agenda that helps them succeed. Tear down regulations that prevent entrepreneurs from getting the financing to grow. Both parties agree on these ideas. So put them in a bill and get it on my desk this year.

This is exactly what this amendment will do. And it has support from investors and entrepreneurs alike. When you have unemployment hovering around 9 percent, we need to pass legislation that will enable our job creators to expand and create jobs. As I said, this legislation received overwhelming bipartisan support in the House of Representatives. I hope we can do the same here in the Senate by passing this amendment.

We all talk about the importance of making it easier, making it less costly, less difficult for our small businesses and entrepreneurs to get access to capital so they can create jobs and get the economy growing again. So many times these are contentious, they are controversial differences of opinion about how best to do that. We fight over regulations, we fight over taxes. This is something where there is broad bipartisan support, almost unanimous support in the House of Representatives, a vote of 413 to 11 in support of this legislation when it was voted on in the House of Representatives.

We have an opportunity to do something that is very straightforward, that is broadly supported by both Democrats and Republicans—at least it was in the House of Representatives—that the President has suggested we ought to be working on, looking for these types of approaches to freeing up access to capital for our small businesses.

You have the folks out there in the business community overwhelmingly supportive of doing away with the regulatory barrier, the regulatory obstacle this particular regulation represents in terms of access to capital for our small businesses. It seems like one of those issues on which there should be no disagreement. I hope that will be the case. I hope we can get a vote on this amendment, get this put into law and put into effect so our small businesses and our entrepreneurs in this country can do what they do best; that is, create jobs. They have to have access to capital in order to do that. This makes that process easier. It does away with some of these unnecessary regulations and roadblocks and barriers that exist today.

I hope my colleagues in the Senate will support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, earlier we agreed to alternate side to side for the offering of amendments. However, I would say to the Democratic floor manager that there do not appear to be any Democrats right now who are seeking recognition. Therefore, I would ask unanimous consent that the Senator from Arizona be permitted to proceed at this time, given the absence of a Democrat on the floor.

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

The Senator from Arizona.

AMENDMENT NO. 1471 TO AMENDMENT NO. 1470

Mr. MCCAIN. Mr. President, I thank both the Senator from New York and the Senator from Maine for their courtesy.

I ask unanimous consent to set aside the pending amendment and call up amendment No. 1471.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. ROCKEFELLER, Mr. ENZI, Mrs. MCCASKILL, Mr. JOHANNS, Mr. BARRASSO, Mr. BLUNT, and Mr. GRAHAM, proposes an amendment numbered 1471 to amendment No. 1470.

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

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

The amendment is as follows:

(Purpose: To protect the American taxpayer by prohibiting bonuses for Senior Executives at Fannie Mae and Freddie Mac while they are in conservatorship)

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON BONUSES TO EXECUTIVES OF FANNIE MAE AND FREDDIE MAC.

Notwithstanding any other provision in law, senior executives at the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation are prohibited from receiving bonuses during any period of conservatorship for those entities on or after the date of enactment of this Act.

Mr. MCCAIN. Mr. President, this bipartisan amendment is very simple. It would prohibit bonuses for senior executives at Fannie Mae and Freddie Mac while they are in a taxpayer-backed conservatorship. I am joined in this effort by Senators ROCKEFELLER, ENZI, MCCASKILL, JOHANNS, BARRASSO, BLUNT, GRAHAM, COBURN, and THUNE.

Since they were placed in conservatorship in 2008, these two government-sponsored entities have soaked the American taxpayer for nearly $170 billion in bailouts. Recently Freddie Mac requested an additional $6 billion and Fannie Mae requested an additional $7.8 billion. That is $13.8 billion more coming out of the pockets of hard-working Americans, many of whom are underwater on their mortgages.

I wish to read an article from Politico from back in October entitled ''Fannie, Freddie dole out big bonuses.''

The Federal Housing Finance Agency, the government regulator for Fannie and Freddie, approved $12.79 million in bonus pay after 10 executives from the two government sponsored corporations last year met modest performance targets tied to modifying mortgages in jeopardy of foreclosure.

The executives got the bonuses about two years after the federally backed mortgage giants received nearly $170 billion in taxpayer bailouts—and despite pledges by FHFA, the office tasked with keeping them solvent, that it would adjust the level of CEO-level pay after critics slammed huge compensation packages paid out to former Fannie Mae CEO Franklin Raines and others.

Securities and Exchange Commission documents show that Ed Haldeman, who announced last week that he is stepping down as Freddie Mac's CEO, received a base salary of $900,000 last year, yet took home an additional $2.3 million in bonus pay. Records show other Fannie and Freddie executives got similar Wall Street-style compensation packages. Fannie Mae CEO Michael Williams, for example, got $2.37 million in performance bonuses.

Including Haldeman, the top five officers at Freddie banked a combined $6.46 million in performance pay alone last year, though a second bonus installment for 2010 has yet to be reported to the SEC, according to agency records. Williams and others at Fannie pocketed $6.33 million in incentives for what SEC records described as meeting the primary goal of providing ''liquidity, stability and affordability'' to the national market.

I think it is important to ask the question, is it necessary for these bonuses to be provided to these executives when we have men and women who are literally in harm's way, who are compensated far less? Is it possible that there aren't some patriotic Americans who would be willing to serve and head up these organizations and try to get them cleaned up?

The primary causes of the collapse of our economy still plague us to this day.

I ask unanimous consent that an article from Politico be printed in the RECORD.

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

[From Politico, Oct. 31, 2011]

FANNIE, FREDDIE DOLE OUT BIG BONUSES

(By Josh Boak and Joseph Williams)

The Obama administration's efforts to fix the housing crisis may have fallen well short of helping millions of distressed mortgage holders, but they have led to seven-figure paydays for some top executives at troubled mortgage giants Fannie Mae and Freddie Mac.

The Federal Housing Finance Agency, the government regulator for Fannie and Freddie, approved $12.79 million in bonus pay after 10 executives from the two government-sponsored corporations last year met modest performance targets tied to modifying mortgages in jeopardy of foreclosure.

The executives got the bonuses about two years after the federally backed mortgage giants received nearly $170 billion in taxpayer bailouts—and despite pledges by FHFA, the office tasked with keeping them solvent, that it would adjust the level of CEO-level pay after critics slammed huge compensation packages paid out to former Fannie Mae CEO Franklin Raines and others.

Securities and Exchange Commission documents show that Ed Haldeman, who announced last week that he is stepping down as Freddie Mac's CEO, received a base salary of $900,000 last year yet took home an additional $2.3 million in bonus pay. Records show other Fannie and Freddie executives got similar Wall Street-style compensation packages; Fannie Mae CEO Michael Williams, for example, got $2.37 million in performance bonuses.

Including Haldeman, the top five officers at Freddie banked a combined $6.46 million in performance pay alone last year, though a second bonus installment for 2010 has yet to be reported to the SEC, according to agency records. Williams and others at Fannie pocketed $6.33 million in incentives for what SEC records describe as meeting the primary goal of providing ''liquidity, stability and affordability'' to the national market.

''Freddie Mac has done a considerable amount on behalf of the American taxpayers to support the housing finance market since entering into conservatorship,'' Freddie spokesman Michael Cosgrove, told POLITICO on Monday. ''We're providing mortgage funding and continuous liquidity to the market. Together with Fannie Mae, we've funded the large majority of the nation's residential loans. We're insisting on responsible lending.''

A Fannie Mae spokesman said it is currently in a ''quiet period'' in advance of its third-quarter earnings report and declined to comment.

Most analysts believe the financial implosion of 2008 was fueled in part by Fannie Mae and Freddie Mac's zeal in promoting homeownership and their backing of risky loans. And critics say that the mortgage giants' deep backlog of repossessed homes, and their struggle through government conservatorship, is a staggering weight on a weak economy and puts even more downward pressure on home values.

''Fannie and Freddie executives are being paid millions to manage losses,'' Rep. Patrick McHenry (R–N.C.), a longtime critic of the administration's programs to rescue the housing market, told POLITICO. ''By these same standards, I should be the starting forward for the Lakers. It's completely absurd.''

''It is outrageous that senior executives at Fannie and Freddie are receiving multi-million-dollar compensation packages when they now rely on funding from U.S. taxpayers, many of whom face foreclosure or whose homes are underwater,'' Rep. Elijah Cummings of Maryland, who has led House Democrats in efforts to ease Fannie and Freddie's restrictions on restructuring loans or lowering payments for mortgage holders who owe more than their homes are worth, wrote in an email.

Compensation at Fannie and Freddie is, in fact, 40 percent below pre-government takeover levels, according to the FHFA, though those pay packages before conservatorship involved stock awards, while the current payments are exclusively cash. But compensation at both corporations, in particular Fannie Mae, has been a contentious issue since long before the 2008 financial meltdown, thanks to executives like Daniel Mudd, who earned $12.2 million in base pay and bonuses while heading Fannie, and Richard Syron, Freddie's CEO, who pocketed $19.8 million in total compensation the year before the organization went into conservatorship.

Both Fannie and Freddie have long argued that they have to offer Wall Street-size paychecks to compete for the best private-sector talent. House Financial Services Committee Chairman Spencer Bachus (R–Ala.) introduced a bill in April to place the executives on a government pay scale, but it has yet to move out of committee.

A March report by FHFA's inspector general, however, found the agency ''lacks key controls necessary to monitor'' executive compensation, nor has it developed written procedures for evaluating those packages.

FHFA's acting director, Edward J. DeMarco, told Congress last year that the managers who were at the helms of the mortgage companies during the market collapse were dismissed but also argued that generous pay helps lure ''experienced, qualified'' executives able to manage upward of $5 trillion in mortgage holdings amid market turmoil.

DeMarco told lawmakers he's concerned that suggestions to apply ''a federal pay system to nonfederal employees'' could put the companies in jeopardy of mismanagement and result in another taxpayer bailout. He said the compensation packages at Fannie and Freddie are part of the plan to return them to solvency while reducing costs to taxpayers.

An FHFA representative said the agency is installing pay package recommendations outlined in the report. Currently, she wrote, the agency ''carefully reviews all executive officer pay requests and considers suitability and comparability with market practice, after consulting with the Treasury Department in certain circumstances.''

Since both companies' stock is worthless, bonuses are paid in cash, deferred bonuses and incentive pay rather than stock options. A key factor in determining those bonuses is how Fannie and Freddie performed in the loan modification program created by the administration, in addition to measures tied to financial and accounting objectives.

For example, Freddie Mac helped a mere 160,000 homeowners change their mortgages ''in support'' of the president's Home Affordable Modification Program and contacted only 45 percent of eligible borrowers, according to SEC filings. The company itself has modified 134,282 of its own loans since the start of the program. Those measures determined a significant share—35 percent—of deferred bonus salary and, to a lesser extent, ''target incentives'' for Freddie executives.

Fannie, which was involved in modifying 400,000 mortgages last year, also assessed executive payments based in part on how it administered HAMP.

President Barack Obama in the past has derided Wall Street ''fat cats'' for raking in seven-figure bonuses even though their banks and finance companies needed billions of dollars in government bailouts just to stay in business. Yet the White House so far has remained largely silent about comparable bonuses at Fannie Mae and Freddie Mac.

The congressional criticism over compensation follows other charges that DeMarco has been unwilling to throw a lifeline to homeowners plunged underwater when the market collapsed.

The government-sponsored firms have essentially filled the vacuum caused by an exodus from private lenders. But critics want the FHFA to embrace ''principal write-downs,'' in which lenders and, by extension, Fannie and Freddie, would have to forgive a significant portion of homeowners' outstanding mortgages; the move, they argue, would be a major step toward restoring housing market stability and boosting the economy but would force the two companies to accept red ink on their balance sheets.

DeMarco has resisted plans to modify troubled mortgages, insisting it wasn't part of his legal mandate to bring Fannie and Freddie to fiscal stability.

Both HAMP and a similar program, Home Affordable Refinance Program, were seen as having the potential to modify at least 3 million government-backed mortgages and refinance 4 million others. The results were disappointing, however: Just 1.7 million borrowers have been helped since the programs were launched two years ago.

Last week, the White House announced a plan to relax restrictions for the HARP refinance program, which lets homeowners in good standing refinance their mortgages at current rock-bottom interest rates. DeMarco, whom aides say had been studying a similar proposal, gave the plan his blessing—a rare point of agreement between him and the Obama administration.

Mr. MCCAIN. For decades, the American taxpayer has been the victim of outright corruption and blatant abuse at the hands of Fannie Mae and Freddie Mac. There have been countless warnings over the mismanagement of both Freddie and Fannie over the years. In May 2006, after a 27-month investigation into the corrupt corporate culture and accounting practices at Fannie Mae, the Office of Federal Housing Enterprise Oversight, the Federal regulator which oversees Fannie Mae, issued a blistering 348-page report which stated in part that ''Fannie Mae senior management promoted an image of the enterprise as one of the lowest-risk financial institutions in the world, as ''best in class'' in terms of risk management financial reporting, internal control, and corporate governance. The findings in this report show that risks at Fannie Mae are greatly understated and the image was false.

During the period covered by that report, Fannie Mae reported extremely smooth profit growth and had announced targets for earnings per share precisely each quarter. Those achievements were illusions deliberately and systematically created by the enterprise's senior management with the aid of inappropriate accounting and improper earnings management.

A large number of Fannie Mae's accounting policies and practices did not comply with generally accepted accounting principles. The enterprise also had serious problems with internal control and corporate governance. These errors resulted in Fannie Mae overstating reported income and capital by a currently estimated $10.6 billion.

By deliberately and intentionally manipulating accounting to hit earnings targets, senior management maximized the bonuses and other executive compensation they received at the expense of the shareholders. Earnings management made a significant contribution to the compensation of Fannie Mae chairman CEO Franklin Raines, which totaled—Franklin Raines' bonus totaled over $90 million from 1998 through 2003. Of that total, over $52 million was directly tied to achieving earnings per share targets, which turned out to be totally false.

The list goes on and on. Mr. President, I recommend to my colleagues, before I go too much further, this book. The title is ''Reckless Endangerment,'' by Gretchen Morgenson, who happens to be a columnist and writer for the New York Times, and Joshua Rosner. ''How Outside Ambition, Greed and Corruption Led to Economic Armageddon.''

In this book it points the finger directly at Fannie and Freddie. I will quote one part of it:

> Because bonuses at Fannie Mae were largely based on per share earnings growth, it was paramount to keep profits escalating to guarantee bonus payouts. And in 1998, top Fannie officials had begun manipulating the company's results by dipping into various profit cookie jars to produce the level of income necessary to generate bonus payouts to top management.
>
> Federal investigators later found that you could predict what Fannie's earnings-per-share would be at year-end, almost to the penny, if you knew the maximum earnings-per-share bonus payout target set by management at the beginning of each year. Between 1998 and 2002, actual earnings and the bonus payout target differed only by a fraction of the cent, the investigators found.
>
> Investigators uncovered documents from 1998 detailing the tactics used by Leanne Spencer, a finance official at Fannie, to make the company's $2.48 per-share bonus payout target. That year, Fannie Mae earned $2.4764 per share.
>
> In a mid-November memo to her superiors, Spencer forecast that the company was on track to earn $2.4744 per share, just shy of what was needed to generate maximum bonus payments to executives. She described various ways she could juice the company's profits if need be.

It goes on and on, and then it says this:

> That month, Thomas Nides, Fannie's executive vice president for human resources, warned a swath of top managers that earnings growth was coming in weak as the year-end approached.
>
> ''You know that as a management group member, you help drive the performance of the company,'' Nides wrote in a memo. ''That's why your total compensation is tied to how well Fannie Mae does each year.

In other words, he was jacking them up, telling them that they have to cook the books some more.

It says:

> The memo achieved the desired result. Fannie Mae executives wound up exceeding their target in 1998 by accounting improperly for low-income housing tax credits the company received. The result: 547 people shared in $27.1 million in bonuses. This was a record—the bonuses represented 0.79 percent of Fannie Mae's after-tax profits, more than ever before in the company's history.

The list goes on and on. By the way, executive pay at Fannie Mae was a well-kept secret, and the company successfully blocked some in Congress, such as Congressman Richard Baker of Louisiana, from receiving information about salaries and bonuses paid by the company. It was only after Fannie was caught cooking its books that details of the lavish pay came out.

The accounting fraud went undiscovered until 2005, when an investigation by OFHEO unearthed it in a voluminous and detailed 2006 report. OFHEO noted that if Fannie Mae had used the appropriate accounting methods in 1998, the company's performance would have generated no executive bonuses at all. Although a highly kept secret at the time, Johnson's bonus for 1998 was $1.9 million. Investigators returned and it later emerged that the company made inaccurate disclosures when it said Johnson earned a total of almost $7 million in 1998. In actuality, his total compensation that year was more like $21 million.

None of these people, to my knowledge, have ever been punished—ever. It is one of the great scandals of our time. What steps were taken by Congress at that time to punish Fannie Mae? None.

According to published reports, including Fannie Mae's own news release, Daniel Mudd, the President and CEO of Fannie Mae at the time, was awarded over $14.4 million in 2006 and over $12.2 million in 2007 in salary, bonuses, and stock, and Fannie Mae continued their risky behavior, successfully posting profits of $4.1 billion in 2006.

Well, I fully understand that the corrupt individuals who cooked the books

in order to meet the targets necessary for maximum executive compensation are no longer in place at Fannie Mae and Freddie Mac. For that, we can be thankful. But let's be clear about one thing: the structure for executive bonuses remains in place. There is still incentives for executives at Fannie and Freddie to meet certain goals in order to be rewarded with millions of dollars in bonuses.

I am not suggesting that either one of these GSEs is using fraudulent accounting methods, but the taxpayer remains at risk if an unscrupulous individual or a group of individuals decides to put their own self-interests above that of the American people. It has happened at Fannie and Freddie before, and it can happen again. It is unconscionable.

It has been proven time and again that Fannie Mae and Freddie Mac are synonymous with mismanagement, waste, and outright corruption and fraud, and their Federal regulator had the audacity to approve $12.8 million in executive bonuses to people who make $900,000 a year. This body should be ashamed if we let this happen again, especially in these tough economic times.

Every day more and more Americans are losing their jobs and their homes, and we are allowing these people to take home annual salaries of $900,000 and bonuses of $12.8 million, all while they ask the taxpayers for $6 billion more in bailout money.

Many of my colleagues sent a letter to Edward DeMarco, the Acting Director of the FHFA, asking for an explanation for his decision to award millions in bonuses to executives at Fannie and Freddie. In his response, Mr. DeMarco echoed what has become an increasingly popular theme used to defend the big payouts. Essentially, Mr. DeMarco argues that in order to get the best people in place, we need to pay them outrageous amounts of taxpayer dollars. Well, I don't buy that argument.

It is ridiculous to tell the American taxpayer: Look, we lost hundreds of billions of your money, so we need to pay these smart guys millions of dollars of your money so that we don't lose the rest of your money. The American people are smart enough to see through that sham logic and they are angry.

As I have previously stated on the Senate floor, I find it hard to believe that we cannot find talented people with the skills necessary to manage Fannie and Freddie for good money—$900,000—without the incentive of multimillion-dollar bonuses. There are many examples of intelligent, well-qualified, patriotic individuals working in our Federal Government who make significantly less than the top executives at Fannie and Freddie, with just as much responsibility.

For example, the basic pay for a four-star general is $179,700. Including the basic allowance for housing, that figure rises to $214,980. Chief Justice Roberts makes $223,500 a year. The President's Cabinet Members make $199,700 a year. Today, to add a little insult to injury—or a lot of insult to injury—here is today's story from NPR.

> Freddie Mac, the taxpayer-owned mortgage giant, has placed multibillion-dollar bets that pay off if homeowners stay trapped in expensive mortgages with interest rates well above current rates.

This is the same outfit we are paying all this money to in these bonuses; so they decided to bet against the homeowners of America.

> Freddie began increasing these bets dramatically in late 2010, the same time that the company was making it harder for homeowners to get out of such high-interest mortgages.
>
> No evidence has emerged that these decisions were coordinated. The company is a key gatekeeper for home loans but says its traders are ''walled off'' from the officials who have restricted homeowners from taking advantage of historically low interest rates by imposing higher fees and new rules.
>
> Freddie's charter calls for the company to make home loans more accessible. Its chief executive, Charles Haldeman, Jr., recently told Congress that his company is ''helping financially strapped families reduce their mortgage costs through refinancing their mortgages.''
>
> But the trades, uncovered for the first time in an investigation by ProPublica and NPR, give Freddie a powerful incentive to do the opposite, highlighting a conflict of interest at the heart of the company.

Do we need this company around? Can't we find something better?

> In addition to being an instrument of government policy dedicated to making home loans more accessible, Freddie also has giant investment portfolios and could lose substantial amounts of money if too many borrowers refinance. . . . Freddie Mac's trades, while perfectly legal, came during a period when the company was supposed to be reducing its investment portfolio, according to the terms of its government takeover agreement. But these trades escalate the risk of its portfolio, because the securities Freddie has purchased are volatile and hard to sell, mortgage securities experts say.
>
> The financial crisis in 2008 was made worse when Wall Street traders made bets against their customers and the American people. Now, some see similar behavior, only this time by traders at a government-owned company who are using leverage, which increases the potential profits but also the risk of big losses, and other Wall Street strategums. ''More than three years into the government takeover, we have Freddie Mac pursuing highly levered, complicated transactions seemingly with the purpose of trading against homeowners,'' says Mayer. ''These are the kinds of things that got us into trouble in the first place.''

You can't make it up. So it seems to me that the first thing we ought to do, as I and others have recommended, is get these GSEs on the track to going out of business as quickly as possible. Their track record is outrageous. The second thing, let's not give millions of dollars in bonuses to people who are betting against the homeowners of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will shortly be offering, as an amendment, an amendment to the substitute. It will be on behalf of myself and Senator JOHN CORNYN. I will ask consent in a moment to suggest the absence of a quorum but, upon the rescission of the absence of a quorum, that I be recognized for up to 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1483 TO AMENDMENT NO. 1470

(Purpose: To deter public corruption, and for other purposes)

Mr. LEAHY. Mr. President, I am soon going to offer an amendment to the substitute. I am going to offer it on behalf of myself and Senator CORNYN.

I hear Senators saying that with the public's opinion of Congress at a low point, we need to take action to restore public confidence. I think our amendment does that by closing loopholes in the laws that have allowed corruption to escape accountability.

I believe we have to provide investigators and prosecutors the tools they need to hold officials at all levels of government accountable when they act corruptly.

This amendment, which reflects a bipartisan, bicameral agreement, will strengthen and clarify key aspects of Federal criminal law and help investigators and prosecutors attack public corruption nationwide.

I should note, the Senate Judiciary Committee has reported this bill with bipartisan support in three successive Congresses, and I would note that the House Judiciary Committee, under a Republican chairman, recently reported a companion bill and did so unanimously. Every Republican and every Democrat voted for it. So I believe it is time for Congress to pass serious anticorruption legislation. We have demonstrated that this is something that could bring both Republicans and Democrats together, and we ought to pass it.

Public corruption erodes the trust the American people have in those who are given the privilege—and it is a privilege—of public service. Too often, loopholes in existing laws have meant corrupt conduct can go unchecked. The stain of corruption has spread to all levels of government, and that victimizes every American by chipping away at the foundation of our democracy. The amendment, I believe, will help to restore confidence in government by rooting out criminal corruption. It includes a fix to reverse a major step backward in the fight against crime and corruption.

In Skilling v. United States, the Supreme Court sided with a former executive from Enron and greatly narrowed the honest services fraud statute, a law that has actually been used for decades in both Republican and Democratic administrations as a crucial weapon to combat public corruption and self-dealing. Unfortunately, whether intended, the Court's decision leaves corrupt conduct unchecked. Most notably, the Court's decision would leave open the opportunity for State and Federal public officials to secretly act in their own financial self-interest rather than in the interest of the public.

The amendment Senator CORNYN and I have put together would close this gaping hole in our anticorruption laws. It includes several other provisions designed to tighten existing law. It fixes the gratuities statute to make clear that while the vast majority of public officials are honest, those who are not cannot be bought. It reaffirms that public officials may not accept anything worth more than $1,000, other than what is permitted by existing rules and regulations, given to them because of their official positions. It also appropriately clarifies the definition of what it means for a public official to perform an official act under the bribery statute. It will increase sentences for serious corruption offenses. It will provide investigators and prosecutors more time to pursue these challenging and complex cases. It amends several key statutes to clarify their application in corruption cases to prevent corrupt public officials and their accomplices from evading prosecution based on legal ambiguities.

If we are serious about addressing the kinds of egregious misconduct we have seen in some of these high-profile corruption cases, then let's enact meaningful legislation. Let's give investigators and prosecutors the tools they need to enforce our laws. It is one thing to have a law on the books; it is another to have the tools to enforce it. So I hope this bipartisan amendment will be adopted.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I send to the desk an amendment to the substitute proposed by myself and Senator CORNYN.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. CORNYN, proposes an amendment numbered 1483 to amendment No. 1470.

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

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

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

RECESS

Ms. COLLINS. Mr. President, I know of no other speakers who plan to come to the floor before we are scheduled, under the previous order, to recess at 12:30. So I suggest that we might want to move up the recess time by a couple moments.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT—Continued

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, what is the regular order, may I ask?

The PRESIDING OFFICER. The pending amendment is amendment No. 1483 by Senator LEAHY to S. 2038.

Mr. LIEBERMAN. I thank the Chair. So we are on the STOCK Act and Senator LEAHY has introduced this amendment, which I appreciate that he has done that. This underlying bill, as we said yesterday, responds to the concern about whether Members of Congress and our staffs are covered by insider trading laws; that is, laws that prohibit a person from using nonpublic information for private profit.

I suppose most of us here believed we have always been covered by insider trading laws. There were some questions raised about that at the end of last year. In fact, our committee held a hearing on two bills offered, one by Senator KIRSTEN GILLIBRAND of New York, the other by Senator SCOTT BROWN of Massachusetts, on this question, and we had some broadly respected, credible experts on securities law who said in fact there might be a question about Members of Congress, whether Members of Congress and our staffs were covered by Securities and Exchange Commission law and regulation on insider trading for a reason that would only make sense to lawyers and therefore may not be sensible but I will mention it anyway.

It is that the law relating to insider trading is actually the result not of a specific statute prohibiting insider trading, it is the result of regulations and enforcement actions by the SEC pursuant to antifraud provisions of the Securities Exchange Act of 1934.

In these regulations that have become the law of insider trading, a necessary element for prosecution for violating insider trading laws is the breach of a duty of trust, of a fiduciary duty. The law professors told us at our hearing at the end of last year that in fact one might raise the question of whether Members of Congress had a duty of trust as defined in insider trading cases, which is more typically the duty of trust that a corporate executive, for instance, has to stockholders. I presume that most Members of Congress would say of course we have a duty of trust, we have a very high duty of trust to our country, to our constituents. But it is, apparently, in the contemplation of securities law, perhaps not covered by the existing definitions, so this bill makes clear that Members of Congress and our staffs are covered by insider trading laws.

We cannot derive personal profit from using nonpublic information that we gain as a result of our public offices. That is made absolutely clear by stating that indeed we do have a duty of trust to the Congress, to the government of the United States and, most importantly, to our constituents, to the people who were good enough to send us here.

I do believe that provision gives us an opportunity to take a step forward. It is going to take a lot more than one step to rebuild the trust and confidence that the American people have lost at this moment in our history in Congress and in our overall Federal Government.

There are two other very important provisions. One requires Members of Congress and our staffs to file a statement within 30 days of any transaction, purchase, or sale of a stock or other security with the Senate—and that would immediately go on line, as will now, as a result of this legislation, the annual financial disclosure statements that we file. Incidentally, these statements are now available to the public but you have to go to the office here in the Senate to get them and copy them. That is out of date and not consistent with the general principles of transparency and disclosure that I think people rightly expect of Congress today.

Our bill makes clear that both the annual statements and the 30-day statements have to be filed on line. That should help provide the transparency that the SEC itself has said—in testimony before the House of Representatives on this bill or one quite similar to it—would assist them, the SEC, in guarding against insider trading by Members of Congress or our staffs; that is, that the regular reporting, the 30-day reporting and the online reporting, would assist them in preventing insider trading.

I know there are a lot of amendments filed; actually, thankfully, not too many, but a significant number. Seeing the presence of the Senator from Oklahoma, I hope he may be here to take up one of his amendments. Obviously we would all like to begin to debate the amendments and have some votes.

I yield to the Senator from Maine, Senator COLLINS.

Ms. COLLINS. Mr. President, before the Senator from Oklahoma offers his amendment—and I will not take a great deal of time in my comments—I want to respond to some questions that many of our colleagues have raised about the reporting requirements in this bill. One of my colleagues, for example, has asked if a change in a Member's or staff's allocation in the Thrift Savings Program would be required to be reported under this bill. It would not. It is not required to be reported under the annual financial disclosure and it is not required under this bill.

A second of our colleagues has brought up a question of how would mutual funds be treated. Again, I would say that the treatment is not changed by this bill, other than the time period. Under this bill, as under the annual financial disclosure forms, qualified investment funds—those are the widely available mutual funds that are exempt from trades being disclosed—would be exempt under this bill as well.

As with our annual financial disclosures, you still list the fund and the amount of assets in categories for those funds, but you indicate that they are a qualified exempt fund and there is no requirement for trying to figure out what the trades are within that fund.

I mention these two examples because I fear there is some misinformation about the bill that is circulating. There is a legitimate dispute over whether 30 days is too short a time, whether the 90-day period in the original bill is better, which is my own preference. But the fact is that the information that is being reported is not being changed. The issue is how often it is reported. The inquiries from my colleagues about the implications for the Thrift Savings Plan allocations and for qualified exempt investment funds, widely held mutual funds, remain the same. They are reported, the category of the investment, the amount is reported, but the individual trades within the fund are not reported.

I apologize for surprising the Senator from Connecticut with this inquiry, and hope he will forgive me for that, but I would, through the Chair, pose a question to the Senator from Connecticut, the chairman of the committee, as to whether his understanding is the same as mine with regard to the Thrift Savings Plan and qualified mutual funds?

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

Mr. LIEBERMAN. Mr. President, first let me thank Senator COLLINS for making these points because there is concern about this particular part of the bill. There is a lot of misinformation around. I totally agree with her interpretation, which is that the reporting on the 30-day basis in the bill will not change what is reported and therefore both transactions within Thrift Savings Plan accounts and in qualified mutual funds will not have to be reported. I thank my colleague for clarifying that.

Ms. COLLINS. I thank my colleague and friend from Connecticut, the chairman of the committee.

Thank you, Mr. President, for allowing us to pose a question through the Chair. I hope our colleagues have heard this exchange, this colloquy, which clarifies what appears to be a rather widespread misunderstanding about the reach of this bill. As I said, the 30-day issue is a different issue, a legitimate dispute as to whether that is too aggressive. We have some colleagues who think it should be a 10-day reporting period and an amendment has been filed to implement that. I personally prefer the 90 days in the original bill. I think that is more realistic. But the fact is there is a lot of misinformation and questions regarding what is reported. I appreciate the clarification from the Senator, the chairman of the committee.

At this point I yield to Senator COBURN for the next amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, as my colleagues are no doubt aware, I stand in opposition to this bill, not because I think we should have insider trading. As a physician I am trained to fix the real problem and you are treating the symptoms. Several months ago, CBS did a series and showed some questionable, not necessarily insider trading, stock transactions, which, given the low level of confidence by the American public in this institution, have raised the question: What about insider trading?

I honestly believe everyone in our body is never going to use insider trading to advantage themselves over the best interests of our country. But the real problem is the confidence in the Congress to do what is in the best long-term interest of the country. The reason the confidence is not there doesn't have anything to do with insider trading as we would normally think about it. It has to do with insider trading that we do not normally think about, as to how we sell a vote to get something else on the next vote, how we trade a position, how we saw positions were bought and sold on the health care bill. Whether it be the Cornhusker Kickback or the Florida Gator-aid, whatever it was, the fact is the American people saw behavior of Members of Congress doing things that were politically expedient rather than what is in the long-term best interest of our country. That is the real insider trading scandal we ought to be addressing.

How do we do that? The way we address that is bring to the floor bills that actually address the problems our country is having today. Every second of every day this year our Government will spend $121,000. We will borrow $52,000 a second every day. We are not addressing any of that in the Senate. We did not all last year and we are not this year. The real problem in front of our country is America does not see a Congress that is willing to address the real issues and make the hard choices.

Hard choices are coming. We will make those choices ultimately. Some of us will not be here. But the longer we delay in making those very difficult choices—such as saving Medicare, such as saving Social Security, such as reforming the Tax Code to stimulate economic activity and create job opportunities for Americans—that is what they want us doing.

The other thing I will mention is I was one of two people who voted against the last ethics law. I ask my colleagues, did we improve the Senate with the last ethics law? Will we improve the quality of representation with this law? I do not think so. I think what we are doing is playing a political game to say we are all guilty, now we have to prove that we are not. That is not what our system of law is built on. Our system of law is built on the fact innocent until we are proven guilty. The assumption that the Senate is undertaking now is that some of our colleagues are doing insider trading on the stock market. Nothing could be further from the truth. The real insider trading is the horse-trading that goes on in this body that is not always in the best interest of the country. This legislation is not about to earn back the trust of the American people.

The SEC and the Ethics Committee already have the power to investigate inside trading abuses. Yearly we fill out a report saying: Let's deem every trade we have made. If it is true what the chairman of the committee said that what the SEC would like to do is have it more refined so they can have better access, then that ought to be the bill we bring forward. We ought to bring forward a bill that says: No. 1, we are under the laws of the SEC, section 10b, and we are. We don't hear that said anywhere, but we are. If our intent is to bring forward a bill to fix the potential for insider trading, then that is what we ought to be doing. But the assumption we are guilty first and have to prove we are not by making a notification every 30 days of any trade that somebody makes for us—we may not have even been involved, but we have a fiduciary that we asked to trade for us, and then we are going to have to make that representation.

Has anybody asked the question: What happens if you do have inside information, have no involvement whatsoever in a trade because you put it in a trust account for yourself, but it is still being traded and they happen to coordinate at the same time? Are you guilty of insider trading or are you going to spend $50,000 to $100,000 proving that you are not guilty?

This is a fine institution. It can be better, but it is best when it fixes the real problems, not the symptoms of the problems.

AMENDMENT NO. 1473 TO AMENDMENT NO. 1470

Mr. President, I ask unanimous consent that the pending amendment be

set aside and that amendment No. 1473 be called up.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma, [Mr. COBURN], for himself, Mr. UDALL of Colorado, Mr. MCCAIN, Mr. BURR, Mrs. MCCASKILL, and Mr. PAUL, proposes an amendment numbered 1473.

Mr. COBURN. Mr. 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:

(Purpose: To prevent the creation of duplicative and overlapping Federal programs)

At the appropriate place, insert the following:

SEC. _____. PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Duplicative and Overlapping Government Programs Act''.

(b) REPORTED LEGISLATION.—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking ''and (b)'' and inserting ''(b), and (c)'';

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

''(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.''.

(c) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

''(b) The analysis and explanation required by this subparagraph shall contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

''(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

''(1) a significant disruption to Senate facilities or to the availability of the Internet; or

''(2) an emergency as determined by the leaders.''.

Mr. COBURN. This is a bipartisan amendment. This amendment is sponsored by Senator MCCAIN, Senator MCCASKILL, Senator UDALL from Colorado, Senator BURR, and Senator PAUL, as well as myself.

This is a straightforward amendment. We have asked for this multiple times but have not gotten it. What this amendment says is, every bill that comes before Congress and to be considered by the Senate should determine whether it is duplicating something that is already happening in the Federal Government. It is common sense, and all we are saying is to have an analysis by the CRS, Congressional Research Service, to determine if the bill creates a new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, Federal office, or initiative with a similar mission, similar purpose, similar goal or activities along with a listing of all the overlapping duplicative Federal programs or offices or initiatives or initiative.

Now, why is that important? Last February the GAO brought to us the first third of the Federal Government and outlined to us $200 billion worth of spending on duplicate programs. They gave it to us. It was held as a great thing. Now we know we have all of these areas: 82 teacher-training programs, 47 job-training programs, 56 financial literacy programs, and on and on. They brought that to us, and we all said that was good. The problem is we didn't do anything about it. If we want to restore confidence in the Congress, do something about the problems that have been identified already.

This is a good government policy that says before we act on a new bill that we actually will know what we are doing, and we will have checked with CRS, and they will tell us if we are duplicating again something that is already happening now.

One of the other amendments we should pass is to have every agency give us their list of programs every year. Do you realize there is only one agency in the Federal Government, one department, that actually knows all their programs? There is only one. It is the Department of Education. They are the only ones we can go to and find a list of all of their programs. The rest of them don't know it. There is no catalog. They have no idea.

So before we pass a new piece of legislation, we ought to at least have the help of the Congressional Research Service, and we ought to pass good legislation that doesn't duplicate. It may be a well-intentioned piece of legislation, but because we, as a Congress, have failed in our oversight responsibility, we don't know that it is duplicative when we bring it to the floor and pass it in the Senate.

All I am asking is, let's do a doublecheck, especially in the time of trillion-dollar deficits. We ought to do a doublecheck and make sure we are not duplicating something that is already happening.

That is important for a second reason: If we don't know we are duplicating something, that means we are not ''oversighting'' what is occurring right now, the program or the office or the initiative that is out there now, if we don't have knowledge of it. Rather than create a new program, it might give us the opportunity to fix one that was well-intentioned but is not working.

So this is a good government amendment that is bipartisan that says: Let's do this before we pass additional legislation. But let's know what we are doing. It is complete and it is thorough. It also will provide greater transparency for both us and taxpayers regarding the impact of the legislation we are passing.

Some may say: What if we have an emergency? This has a clause in it that says if it is an emergency, that requirement is waived. So if in the case of an emergency we need to do something, we will waive the requirement that we have to look at CRS to see if there are duplications. So it is a commonsense amendment. I would hope my colleagues will support it, and that we can, in fact, actually fix the real problems not the symptoms of the disease.

AMENDMENT NO. 1474 TO AMENDMENT NO. 1470

Mr. President, I ask unanimous consent that the current amendment that is pending be set aside, and I call up amendment No. 1474.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma, [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 1474.

The amendment is as follows:

(Purpose: To require that all legislation be placed online for 72 hours before it is voted on by the Senate or the House)

At the appropriate place, insert the following:

SEC. _____. AVAILABILITY OF LEGISLATION IN THE HOUSE AND SENATE.

(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to proceed to any legislative matter unless the legislative matter has been publically available on the Internet as provided in subsection (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate or the House of Representatives is in session on such a day) prior to proceeding.

(b) AVAILABILITY.—With respect to the requirements of subsection (a), the legislative matter shall be available on the official website of the committee with jurisdiction

over the subject matter of the legislative matter.

(c) WAIVER AND SUSPENSION.—

(1) IN THE SENATE.—The provisions of this section may be waived in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) IN THE HOUSE.—The provisions of this section may be waived in the House of Representatives only by a rule or order proposing only to waive such provisions by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(3) POINT OF ORDER PROTECTION.—In the House of Representatives, it shall not be in order to consider a rule or order that waives the application of paragraph (2).

(4) MOTION TO SUSPEND.—It shall not be in order for the Speaker to entertain a motion to suspend the application of this section under clause 1 of rule XV of the Rules of the House of Representatives.

(d) LEGISLATIVE MATTER.—In this section, the term ''legislative matter'' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment.

Mr. COBURN. Mr. President, this is another good government amendment. If we want to restore confidence, this is something we should do. It says before we vote on a bill, we are going to have at least 72 hours to read it. It is going to be available online with a CBO score so that when we cast a vote, we actually know what we are casting a vote on and we actually know how much it costs. It just says it has to be online for 72 hours.

In other words, we get the privilege of reading the bills we are voting on, and we also get the privilege of knowing the financial costs of the bill or at least an estimate of the financial cost and what that will entail. This transparency is designed to make the Senate better. If we want to build confidence with the American public, then the way we build confidence is to assure them that we knew exactly what we were doing when we cast a vote, not guessing at what the consequences and the details of that legislation are.

For many pieces of legislation right now, what we have seen in the last 2 or 3 years is there was no time given, no capability to study the legislation to make improvements, and many of the pieces of legislation came without the ability to modify it. If we cannot read the legislation, then we cannot amend it. What does that tell us about the legislative temperament and thoughtfulness of the Senate? We cannot read it, we don't have time to contemplate and consider it, and we cannot amend it even if we could. That doesn't have anything to do with the Senate as it was designed and has functioned for the last 170 years. It has everything to do with politics today rather than the best long-term interests of the country.

Amendments like this have gained a large amount of bipartisan support and have had the support in the past when we voted on it, although we have not acquired the 67 votes that have been necessary in the past to pass it. The cosponsor of this amendment is Senator MCCAIN. He understands the importance of reading what we pass. All of our colleagues do. Why not put in the self-discipline that we have to rather than the political moment that says we have to vote on this whether we know anything about it or not?

During the health care debate, eight of my colleagues sent a letter to review the health care legislation. They ultimately voted for the health care legislation. Their request was to give them 72 hours to read the legislation. The legislative text and complete budget scores from the Congressional Budget Office of the health care legislation considered on the Senate floor should be made available on a Web site the public can access for at least 72 hours prior to the first vote to proceed to the legislation.

Why shouldn't the public be able to see what we are doing 72 hours before we do it? Just as important, why shouldn't we be able to know what we are doing before we vote so it is straightforward, commonsense, and transparent to the American public as well as to our colleagues in the Senate that now we have the time available to read a piece of legislation contemplated and hopefully have the opportunity to improve it. What is the goal? The best long-term outcome for the country.

AMENDMENT NO. 1476

Mr. President, I would ask that the pending amendment be set aside, and I call up amendment No. 1476.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma, [Mr. COBURN], proposes amendment numbered 1476.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

Mr. COBURN. Mr. President, this amendment would provide a complete substitute for the STOCK Act. It requires Members and staff to certify that they have not used inside information for private financial profit. In other words, they are going to make an affirmative statement under the law that they have not violated section 10b of the Securities and Exchange Act. All Members would be required to sign the following statement on an annual financial disclosure form: I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material nonpublic information.

The STOCK Act does not create new restrictions for Congress against insider trading. We all know that. Those restrictions are there. There are no new restrictions. We don't change the restrictions at all. The SEC has stated that the Members of Congress and staff are already subject to insider trading laws. They just need some clarity with that. They also would like to have timeliness with that.

In fact, all Americans are subject to these laws, including the Senate, found primarily in section 10b. This provision restricts anyone who trades stocks from using material nonpublic information to profit financially, and Congress is no different from anybody else.

The STOCK Act was carefully written to carefully reaffirm that Congress is not exempted from these laws, and I believe the chairman stated that just a moment ago, which we would include in this. As such, the bill brings no new reforms to the table nor does it create any real expectation that behavior will change. It just requires paperwork filing. All Members and relevant staff should have to certify they are not trading on private information.

Each year every Member and certain high-salaried staff are required to disclose their financial holdings. Senate rule 37 also already prohibits any Senator or staff from conflicts of interest. That would be a conflict of interest. Specifically, rule 37 prohibits the receipt of compensation by virtue of influence improperly exerted from his position as a Member or officer or employee.

So we are covered doubly. We are already covered under rule 37, and we are covered under section 10b of the Securities and Exchange Act.

If, in fact, somebody fails to do this, then they will be liable under the False Statements Act in title 18, section 1001, which makes it a crime to lie to Congress. Section 1001 prohibits anyone from knowingly and willfully making any material false, fictitious, or fraudulent statement to the government. The punishment for violating the False Statements Act is a fine and a prison term up to 5 years. This does not mean that someone who makes a good-faith effort but mistakenly forgets something will face punishment. Yet any Member who knowingly signs that form in error will be liable for making a false statement on his or her finances, carrying large penalties.

I think efforts to reestablish trust in the Congress are important. I disagree with my colleagues that this is one that will make a difference. It won't. Nothing materially changes other than a paperwork requirement. Nothing materially changes other than having to report every 30 days instead of annually.

What is the real problem? The people of this country do not have confidence in Congress because Congress does not address the real issues of the country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to thank my friend from Oklahoma for coming to the floor and introducing these three amendments. It begins the process of considering the legislation.

I wish to go back to the first point he made, which I think is an important point—that we have to do a lot more than deal with the concern that Members of Congress and our staffs are not covered by insider trading laws to restore the confidence of the American people in this institution. It has taken a long time to get us as low as we are in public esteem today, and it is going to take a long time, I am afraid, to get back to it.

The first thing we can do is begin to work more across party lines to be less partisan, to be less ideologically rigid. This institution represents people across the widest array of origins, of ideologies, of political policy beliefs, et cetera. We can't function without compromise. When I say ''compromise,'' I don't mean a compromise of principle, I mean compromise in the sense that one can rarely in a democratic institution of this kind—small ''d''—get everything one aspires to get on a particular piece of legislation. If a person gets half of what they are aspiring to or even more, hopefully, that is a good result.

It reminds me of what my dad used to say about marriage, which was that in a successful marriage a spouse felt they were giving in 70 percent of the time to the other spouse, and maybe that is a good guideline for a successful Congress. We are not doing that enough here, and we are particularly not doing it enough on the central question of the deficit annually and the debt overall. The public sees this, so they are upset.

I wish to, therefore, put what we are doing in the STOCK Act in context. I think if we pass it, both because of the clarity with which we state that Members of Congress and our staffs are covered by anti-insider trading laws and the disclosure improvements we make in the law, we will take a step forward in beginning to rebuild some confidence the American people have lost in this institution, but, O Lord, it is only the beginning. The more we can deal particularly with the imbalances we have created in our Federal books, the more we are going to restore confidence in this institution.

Also, I hope we can prove on this measure and any number of others that we are still capable of working across party lines to get things done. That is, after all, why our constituents sent us here.

This is the beginning of my 24th year in the Senate. It has been a privilege. This is my last year in the Senate since I have announced I am not seeking reelection. I am forced to say that last year was the least productive of the 23 years I have been here. I hope we can perhaps on this bill prove, at least, that we can come together and get this done, and it will be the beginning of getting other much more important things done, including, as Senator COBURN has stated, doing something about the debt and the deficit. I have been privileged to work with him on some ideas we have put forward to make that happen. We can't do it and make everybody happy. We can't do it and make all the interest groups happy. But that is not why we came here. We came here to support and protect this extraordinary country of ours that we are blessed to be citizens of. So I say that by way of a first reaction.

The second is that I wish to take some time in that context to take a look at amendments Nos. 1473 and 1474 that the Senator from Oklahoma has introduced, the first to prevent the creation of duplicative and overlapping Federal programs, and the second is this requirement that all legislation be placed online for 72 hours before voted on in the House and Senate. Both of these on first response have some merit, in my opinion. Certainly the first one has a lot of merit.

I am concerned and I know all of us—meaning Senators COLLINS, BROWN, and GILLIBRAND—who have worked to bring the main parts of the bill out are concerned that we not go too far afield in amendments to the bill for fear that it will weight it down and it will ultimately get stopped or, at worst, that the majority leader will take the bill off the floor because we are not coming to a point of completing our business because amendments keep coming in that are not relevant. But these are two serious amendments, and I want to look at them and take a little time to respond.

The third, amendment No. 1476, I guess is a good news, bad news reaction that I have. The good news is that this really is directly relevant to the substance of the bill. The bad news, if you will, is that I am opposed to it because it really does—it is a totally different approach to what we are trying to do in the bill. I don't think it accomplishes the intention of most Members on this bill because it would really replace the entire STOCK Act with the requirement that Members or anyone in the government who has to fill out a financial disclosure form certify that they—we—haven't traded on inside information. I don't think as a result that the amendment does anything to clarify the current ambiguity in the law; that is, the question we heard raised before our committee by these experts on securities law about whether Members of Congress are really covered. If we don't clarify that we have a duty of trust to bring our behavior totally within existing securities law against insider trading, then I don't think the legislation would get us to where we need to go and we are still left with the kind of ambiguity that creates the kind of mistrust I know none of us want.

We have spoken at length on this question with the Securities and Exchange Commission staff, and I must say they share the concerns I have just expressed and believe that if the legislation doesn't explicitly state that a duty of trust exists and is held by Members of Congress, then the legislation will not do what is needed to get at the problem, which is whether an insider trading case brought before a court could be objected to by a Member of Congress who is the target of that suit.

Mr. COBURN. Will the Senator yield?

Mr. LIEBERMAN. Yes.

Mr. COBURN. Through the Chair, would the chairman accept that modification to my amendment, that we would, in fact, establish positively that Members of Congress are under rule 10b of the Securities and Exchange Commission? Would that give the Senator less heartburn?

Mr. LIEBERMAN. Well, it would give me less heartburn, but it would probably still leave me needing at least a Rolaid.

Mr. COBURN. Well, I have plenty of those. In fact, I will do better—I will give you a Zantac.

Mr. LIEBERMAN. We should reason together. But, as the Senator from Oklahoma knows, there are three main parts to the STOCK Act. One is the declaration we have just talked about, and the second and third are disclosure requirements, one 30 days, and then the other is the online requirement. But I am glad to talk with the Senator about adding the requirement of a certification to the STOCK Act as opposed to substituting it for the whole STOCK Act.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent that my amendment No. 1476 be modified with the change to the instruction line only. I am just doing some housekeeping on that.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

Strike all after the first word and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

Mr. COBURN. I would make one other point, and I am not trying to put my chairman in the hot seat, but nobody in this Chamber can name somebody right now who is trading on inside information. I believe that is a true statement. Yet we are changing the law not because anybody has done something wrong but because we are struggling to try to get people to think we are doing things right. There is

nothing wrong with that as long as we are not going to entrap our colleagues.

The question I have is, if we can't name somebody and if there is not factual truth, what we are really putting the Senate on notice for is that, by the way, you are assumed to be trading on inside information now, and therefore we must do this to ensure that you are not. Well, I don't believe anybody in this body is doing that. And when we put our Members in that position by changing the law to, for example, 30 days—if I have three stock tradings and I miss it by 1 day, what is the consequence of that filing and of this bill? What is going to be the penalty that comes out of the Ethics Committee for missing it 1 day or missing one of the three trades because you didn't know? We have lots of questions that are not answered.

I can tell my colleagues that many Members of this body have spent a lot of their personal money defending themselves on accusations that were absolutely untrue before the Ethics Committee, and that should be addressed and clarified in the body, the report language, of this bill.

I have no doubt this bill is going to pass in one form or another. I understand I am in the very slim minority of people who think it is unnecessary because I think the law already applies to us, and I also don't think we have a bunch of cheats working in the Senate. But would the Senator agree through the Chair that we ought to make clarification of everything we can so we know what the ultimate results are or are we going to leave that up to the lawyers on the Ethics Committee? What are we going to do with that? Are we going to determine what the penalties are for late filing or an accidental omission? What is going to be our direction to the Ethics Committee in this regard?

Mr. LIEBERMAN. Mr. President, I thank Senator COBURN. Let me go back to the first point, but it is not the question he ultimately asked.

The Senator is raising a very high standard because I hope nobody is involved in insider trading as a Member of Congress. I presume they are not. There were some serious allegations made last year by people outside Congress against Members of—certain Members of Congress, a small number. They have been denied and responded to by those Members. I presume that if there is any substance to them, the SEC will be investigating and take action. But obviously, necessarily, for dealing with insider trading, we would not know it is going on because they are using nonpublic information privately to secure private profit. So, as the Senator from Oklahoma well knows, the purpose of the law is to make sure that if anybody is doing this—and again, I know the people here, this is an honorable group of people, but if anybody is acting dishonorably—human nature being what it is—and a prosecution is brought by the Securities and Exchange Commission, then there won't be any defense that the law doesn't cover Members of Congress. It is simple as that.

But let me come to the other point. I know there is a lot of unease amongst some Members about the 30-day requirement in this bill, which is that within 30 days one has to file a disclosure of any trade in a stock or security that a Member has been involved in that has a value of more than $1,000. There is a lot of concern about the requirements that will put on Members. Ultimately, the Ethics Committee will adjudicate this. I assume there would be some rule of reasonableness if an unintentional error was made, and I certainly am happy to try to clarify in report language what our intention is, but the overall intention is to create transparency.

While I am on this—and I will be very brief with this—I know that people are worried about what it will take to fulfill this requirement and that it is in some sense unfair to ask Members of Congress to have to disclose stock purchases or sales within 30 days. But it is my understanding that people defined by law as corporate insiders have to declare it within 48 hours of trades they make in their company stock. The staff of the SEC have to publicly declare their trades within 5 days. So it is possible to do this. I gather it is possible to do it by simply asking whomever trades for you to copy the office here in the Senate when a transaction occurs, and then it automatically goes into a database online. We are asking more, and for some it will be an inconvenience. But we are different. We hold a public office. We have a public trust and public responsibility. So that is why this provision was in the original STOCK Act introduced in the House, bipartisan, and here in the Senate, both by Senator GILLIBRAND and Senator BROWN. But I do want to state I am happy to work with the Senator from Oklahoma on report language that will encourage the Ethics Committee to apply a kind of rule of reason if there is an unintentional violation of that 30-day reporting requirement.

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

Mr. COBURN. Mr. President, I have one more question for the chairman.

If, in fact, this is what we should do—and I think the body is going to agree this is what we should do—does not the Senator think this should apply to the administration as well, the executive branch, that this should apply the same 30-day rule to every member of the executive branch? You talk about real knowledge of inside information, they have it. We do not have it. They have it. Why would this rule not apply to—no matter who is President—executive employees in the administration?

Mr. LIEBERMAN. Mr. President, the Senator from Oklahoma is asking good questions.

Let me say first, as a point of clarification, as a result of an amendment submitted in the committee by Senator PAUL, and adopted, the insider trading parts of the bill do relate to executive branch employees. The 30-day disclosure requirement does not. I am happy to work with the Senator on this. I gather the administration itself applies certain disclosure requirements to a group of people in the administration at a Cabinet level or somewhat slightly below, but, obviously, not to all executive branch employees. But we can talk about this one.

I continue to be concerned, overall, that we are going to extend this so far and make it so ''good'' that it is going to fall of its own weight and not make it through. But the Senator is raising a reasonable question, and Senator BROWN and I just talked about it. We are glad to continue the conversation.

Mr. COBURN. Mr. President, I would make a couple points. One, we already file all our stock trades—correct?—every year.

Mr. LIEBERMAN. That is right. We file annually.

Mr. COBURN. Every change in every investment we have, we file every year. We already do that. We are already under rule 37 of the rules of Senate Ethics, which forbids any conflict of interest action that would benefit ourselves. That would include inside information to trade stocks. There are 5 to 10 times as many senior executive positions within the administration than Members of Congress that, in fact, this same thing should apply to.

If the important thing is ''within 30 days,'' my hope would be the chairman and the sponsor of the bill, Senator BROWN, would give very clear instructions to the Ethics Committee on how this is to work. Because I will note for you, last year 16 Senators got a 90-day extension on their filings with the Ethics Committee. That is 16 percent. We have to have some vow to make sure we do not put the Members who are absolutely innocent of anything in a corner because they cannot timely respond to this bill.

So my hope is—and I will finish with this; I know Senator BROWN wants to speak—looking at the timeliness of the filing I think is important to still accomplish what you want, but not make it so rigorous that people are going to fall out of that. We all know how things get busy here, how we come in, we come out. We are traveling, and we have all these things we are responding to. It will be difficult for many Members to comply with the 30 days.

My hope would be you would look at that, and you would also look at rule 37 of Senate Ethics because, in fact, we are already doubly covered. We are covered under 10b. And I do not have any problem with modifying my amendment to say we are covered so you cannot have a defense to say you are not. But we are also covered under rule 37, which forbids any conflict of interest under which you would benefit personally.

With that, I yield the floor and thank the chairman of the committee.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I have enjoyed the back and forth between the chairman and the Senator from Oklahoma. The Senator from Oklahoma has raised some very valid points, points that we actually had discussed in committee.

I originally asked for a 90-day reporting period, and it was changed out of committee to the 30-day period. Obviously, I am happy to work with the Senator from Oklahoma and the chairman and the ranking member to determine if, in fact, there is some guidance necessary to Ethics; and, sure, I am happy to do it. This needs to not only be done in the proper manner but, obviously, to be implemented in a way that everybody can comply and not be caught short in that type of situation.

So I am looking forward—in speaking to the chairman—that we will certainly take those valid points into consideration, any guidance we need to put in for the record, or letters of guidance to Ethics as to what our legislative intent is. I am happy to do that and look forward to continuing that dialog.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I thank my friend from Massachusetts.

Seeing no one else seeking recognition, 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. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE POSTAL SERVICE

Mr. SANDERS. Mr. President, I want to say a word about an issue I think has not gotten the kind of attention it deserves here in Washington or even among the general public; that is, the situation regarding our Postal Service.

Right now, for a number of reasons, the Postal Service is facing financial difficulties.

No. 1, it is no secret to any American that first-class mail has declined significantly because the American people are using e-mail and not first-class mail, and that decline in first-class mail has significantly impacted the revenue for the Postal Service.

Second of all, not widely known is the fact that the Postal Service, every single year now, because of legislation passed in 2006, is forced to come up with $5.5 billion—every single year—for future health retiree benefits. To the best of my knowledge—and to the best of the knowledge of anybody whom I have talked to—there is no agency of government forced to come up with anything near this kind of onerous requirement, nor is any corporation in the private sector doing that as well.

So the issue we face is whether we are going to save the U.S. Postal Service, whether we are going to bring about reforms which make the Postal Service strong and relevant to the 21st century and the digital age or whether we—as the Postmaster General has proposed—cut 40 percent of the workforce, shut down 3,700 post offices—most of them rural—end Saturday mail service, lay off or cut back on the workforce of the Postal Service by 40 percent—over 200,000 American workers, many of them, by the way, veterans who are now serving and working in the Postal Service.

Let me start off again with what the Postmaster General has proposed. Let me talk a little bit about legislation which has been led by Senator LIEBERMAN and Senator CARPER, which I think will be coming to the floor, I expect, next week, and then talk about where I think, and a number of us think, we should be going to strengthen that bill.

No. 1, this is what the Postmaster General has suggested that he needs to do in order to solve the financial problems facing the Postal Service. One, close down about 3,700, mostly rural, post offices. I will tell you, coming from a rural State, a post office is not just a post office. In many parts of Vermont, many parts of America, rural post offices serve many functions. If you get rid of those post offices, you are causing severe distress to the identity, the sense of self of small towns in rural America.

No. 2, what the Postmaster General has suggested is the shutting down of about 252 mail processing facilities—about half of the mail processing facilities in this country. If you do that, there is no debate that you are significantly slowing down the delivery of mail in America. If you used to put a letter in a postal box, and it might get there in 1 day, now the talk is it may get there in 3 days. If today it gets there in 3 days, it might in the future, under these cuts, get there in 5 days.

Here is the fear I have and many other Members of the Senate and House have: If the Postal Service is trying to compete against the instantaneous communications of e-mail, what does it mean that you are slowing mail service significantly? Many of us believe this is the beginning of a death spiral for the Postal Service in the sense that many consumers, many businesses will say: Hey, what is the sense of me working with the Postal Service if my mail or packages are going to get there in 3 days or 5 days?

So we think shutting down 252 mail processing facilities, slowing down mail services, is laying the foundation for the destruction of the Postal Service as we know it.

To my mind, the issue is not whether we make changes or maintain the status quo. The status quo is not working. The Postal Service has to change. In my view, and I think the view of many others, the Postal Service must become much more aggressive, much more entrepreneurial, must be going out to the business community, must be going out to consumers and saying: We have these services we can offer you.

I will give you a few examples, and some of them, by the way, are included in the legislation brought forth by Senators LIEBERMAN and CARPER and COLLINS and SCOTT BROWN.

For example, in a rural State, if people would like to walk into a post office and get a letter notarized, they cannot do it today. If people walk into a post office and want to get 10 copies of their letter, they cannot do it today. The United States Congress has said they cannot do that. If somebody walks into a rural post office and wants to get a fishing license or a hunting license or fill out a driver's license, they cannot do that right now.

So I think what we need is a new business model for the post office, much more entrepreneurial. I would suggest—and what is happening around the world is, clearly, the United States Postal Service is not the only postal service having to deal with the digital world. What we are seeing in Europe and throughout the world is countries responding by giving their postal services much more flexibility.

One example: A lot of people are unemployed. A lot of people get unemployment checks. Sometimes in order to cash those checks they have to go to a payday lender. Why can't they walk into a postal service and cash that check at a minimal fee rather than paying 10, 15, or 20 percent to a payday lender?

So I think one of the provisions that has to be included in any serious postal reform legislation is a blue ribbon commission made up of the best entrepreneurs we can find, those people within the Postal Service who have the most experience who will tell us what we can do and how we can raise additional revenue when we have thousands of post offices all over this country. Can they be renting out their space? What other services can they be providing? Right now we have our letter carriers delivering mail to about 150 million doors every single day, 6 days a week, all over the country. What more can they be doing?

So the debate we are having is two visions of the future of the post office. No. 1, the Postmaster General is saying: Let's cut 40 percent of the workforce over a period of time. Let's slow down mail delivery service. That is the business model he is proposing.

Some of us are saying, when we have a rural constituency, when we have senior citizens who live at the end of a dirt road who are dependent upon the post office in order to get their prescription drugs in the mail, when we have rural areas that very much depend on rural post offices, that the goal is to give more flexibility to the post offices so they can be more competitive, so they can raise additional sums of funding in order to deal with their financial problems.

A couple of specific points: Almost everybody agrees now that the $5.5 billion required from the post office is absolutely onerous. I have talked to the Office of Personnel Management. They think $2.5 or $3 billion is quite enough, given the fact we have $45 billion already in the account. Talk to other people and they will say given the fact that $45 billion is already earning interest, that, in fact, we do not have to do anything. We do not have to add anything more into that account, and it will deal with all of the future health care retiree benefits the post office requires.

So I believe we have to be very firm and say, No. 1, if the post office is going to survive in any significant way, we have to maintain 1- to 3-day delivery standards for first class mail. Second, we have to maintain 6-day delivery of mail, not end Saturday service. Third, we have to protect our rural post offices. Fourth, we have to significantly reduce prefunding requirements for future retiree health benefits, not to mention that there is also widespread agreement that the Postal Service has overpaid the FERS account, the Federal Employment Retirement Service, by some $11 billion. Obviously, that has to be dealt with.

Lastly, in my view, as I said previously, we need to develop a new business model for the Postal Service, get them involved in the digital age, not run away from it—get them involved. Expand what they can do both with State and local governments as well as what they can do with the private sector.

So in the coming days, this is an issue that a number of us will be working on. I look forward to the support of my colleagues on both sides of the aisle.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I appreciate the Senator's reference to the post office, and the postal issue is something Senators COLLINS, LIEBERMAN, CARPER, and I have been working on probably about 300 or 400 hours at this point. So I look forward to his involvement as well.

At this point, getting back to the business at hand dealing with the STOCK Act, I ask that Senator PAUL be recognized. I believe he has three amendments that he would like to offer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENTS NOS. 1484, 1485, 1487 TO AMENDMENT NO. 1470 EN BLOC

Mr. PAUL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendments Nos. 1484, 1485, and 1487 en bloc.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes amendments numbered 1484, 1485, and 1487 to amendment No. 1470.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 1484

(Purpose: To require Members of Congress to certify that they are not trading using material, non-public information)

Strike all after the enacting clause and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

SEC. 2. USE OF NONPUBLIC INFORMATION AND INSIDER TRADING BY CONGRESS AND FEDERAL EMPLOYEES.

A Member, officer, or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer are not exempt from and is fully subject to the prohibitions arising under section 10(b) of the Securities Exchange Act of 1934 and Rule 10b–5 thereunder, including the insider trading prohibitions.

AMENDMENT NO. 1485

(Purpose: To apply the reporting requirements to Federal employees and judicial officers)

Strike section 6 and insert the following:

SEC. 6. PROMPT REPORTING OF FINANCIAL TRANSACTIONS.

(a) REPORTING REQUIREMENT.—Section 101 of the Ethics in Government Act of 1978 is amended by adding at the end the following subsection:

''(j) Not later than 30 days after any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer shall file a report of the transaction.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to transactions occurring on or after the date that is 90 days after the date of enactment of this Act.

AMENDMENT NO. 1487

(Purpose: To prohibit executive branch appointees or staff holding positions that give them oversight, rule-making, loan or grant-making abilities over industries or companies in which they or their spouse have a significant financial interest)

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON EXECUTIVE BRANCH OFFICERS AND EMPLOYEES INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST.

The Ethics in Government Act of 1978 (5 U.S.C. App) is amended by adding at the end the following:

''TITLE VI—GOVERNMENT-WIDE LIMITATION ON INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST

''SEC. 601. LIMITATION ON INVOLVEMENT.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Executive agency' has the meaning given that term in section 105 of title 5, United States Code;

''(2) the term 'equity interest' includes stock, a stock option, and any other ownership interest;

''(3) the term 'immediate family member' has the meaning given that term in section 115 of title 18, United States Code;

''(4) the term 'remuneration' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship; and

''(5) the term 'significant financial interest', relating to an individual, means—

''(A) with regard to any publicly traded entity, that the sum of the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period and the fair market value of any equity interest of the individual in the entity is more than $5,000; and

''(B) with regard to any entity that is not publically traded—

''(i) that the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period is more than $5,000; or

''(ii) that the individual has an equity interest in the entity.

''(b) LIMITATION.—An individual may not hold a position as an officer or employee of an Executive agency in which the individual would have oversight, rule-making, loan, or grant-making authority—

''(1) over any entity in which the individual or the spouse or other immediate family member of the individual has a significant financial interest; or

''(2) the exercise of which could affect the intellectual property rights of the individual or the spouse or other immediate family member of the individual.''.

Mr. PAUL. These amendments are recognizing what the authors of this bill have been discussing: that people should not profit off of their involvement in government; they should not profit off of special relationships; they should not profit off of special knowledge they gain in the function of serving the people.

Currently, there are some large donors who have been giving to this administration who have profited enormously and disproportionately. This will allow this bill to apply to the administration, and I do not believe people who are multimillionaires and billionaires should use the apparatus of government, as was used in the loans that were given to Solyndra, by someone who is profiting off of their relationship and ties to the President, profiting off of people who used to work for these companies who are now employed in the administration and using these connections to get taxpayer money to go to private individuals. This is wrong and this should stop.

I think this bill is a great vehicle for discussing how people in government are abusing their roles in government to make more money at the expense of the taxpayer. I think it should end.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, we obviously just received the amendments. We look forward to digesting them and actually working on some of the points. They are well taken. So we look forward to doing that.

Since there is no Democrat here to offer another amendment, I would then, in the spirit of back and forth, yield the floor to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 1488 TO AMENDMENT NO. 1470

(Purpose: To express the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress may serve)

Mr. DEMINT. Mr. President, I ask unanimous consent to set aside the pending amendment. I have amendment No. 1488 at the desk and ask for its immediate consideration.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 1488 to amendment No. 1470: At the appropriate place, insert the following: Section: Sense of the Senate: It is the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress can serve.

Mr. DEMINT. Mr. President, I allowed that to be read because it is so short. I think all of us know that in just about all areas of life power corrupts. And despite the good people in the Congress, the good intentions here, we have found that the longer folks stay in Washington the more likely their associations with interest groups and other temptations often cause bad behavior.

What we are working on here with this STOCK Act is just treating the symptoms again when what we need to do is work on the root causes. If we bring a professional class of politicians to Washington, and we know incumbents always have the advantage in reelections, elections are not the only way to limit terms.

If we want good government, if we want representation of the people, then we need to have folks represented in the House and the Senate who are from the people and not from an elite class of politicians in Washington. That is why for years many of us on both sides of the aisle have worked on this idea of term limits.

My amendment is not a law. It does not set any specific term limits for the House or the Senate. It is a sense of the Senate that says we should pass a constitutional amendment that allows the States to ratify some limit on the terms of office. We know this would likely attract people who want to make representation a calling and not a career. So I would hope that as we look at this total bill, and certainly we do not want insider trading, Congressmen and Senators benefiting from their service in any personal way, if we want to get at the root cause of many of the problems here, many of the problems between parties across the aisle, many of the false differences, we need to limit the terms of people who come to Washington and bring in some fresh voices from all over the country. I think we will get better government, certainly less corruption.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BEGICH. 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. BEGICH. Mr. President, I know there has been some discussion. Today we are talking about the STOCK Act. I know there has been some back and forth on what is the appropriate time when people should notify the public. I just hope at the end of the day our body is not afraid of transparency at every level.

The amendment I brought forward in the committee on which I sit dealt with the STOCK Act and made sure that all issues around any transactions that we make are going to be publicly disclosed in a timely manner—30 days—but electronically. So it does not matter where you are around the country, you can access it.

So I hope we do not forget what our goal is; that is, creating more disclosure, more transparency so people know what we are doing in Congress. The STOCK Act is just one of those steps.

I rise today to support the STOCK Act as a sponsor of this act, legislation prohibiting insider trading by Members of Congress and their staffs. Since day one in the Senate I have made transparency a top priority in my office. Alaskans deserve to know what their Members of Congress are up to. That is why I worked hard to make sure they have access to critical information. I believe we must hold ourselves to a higher standard.

Since being elected I have posted my personal disclosures, my personal financial disclosures, on my Senate Web site so my constituents have full knowledge of how and what I am engaged in, and they can get it electronically. They can access my personal information electronically anytime they want. This is something Senators are not required to do but is just common sense. I will talk more about transparency in just a moment.

Now, when it comes to the STOCK Act, I know my constituents at home in Alaska and other Americans are probably shocked this bill is even necessary. They are asking themselves, and I have heard this: Is it really legal for Members of Congress to participate in insider trading? The fact is, insider trading is illegal for all Americans, including Members of Congress. All along, the SEC, the Securities and Exchange Commission, has had the authority to enforce insider trading laws.

But it is time for a little clarity. Trust and accountability are critical to our roles in Congress. That is why I support and have cosponsored this important bill, the STOCK Act. This stands for Stop Trading on Congressional Knowledge, again, the STOCK Act. This bill reaffirms that it is against the law for Members of Congress to engage in insider trading and confirms that anyone who does not follow the rules will be prosecuted.

Members of Congress are not, and should not be, immune. We have a responsibility to do our jobs in an honest, open, and transparent manner, and to demonstrate that we are here every day fighting for our residents—in my case, the residents of Alaska. All you need do is look at Congress's approval rating to figure out that Americans don't think we have lived up to our end of the deal.

This bill is an important step in the right direction to regaining public trust. However, reminding our colleagues of laws we should have already known about is not enough. Transparency is a key element of moving forward. As I said, it is common sense.

That is why Senator TESTER and I introduced a transparency amendment during the markup process. As he said in committee, listening to the testimony and debate, we thought it was necessary to take an additional step. I am pleased to say it was adopted and incorporated into the bill by the full committee.

The provision is simple. It requires that annual financial disclosure forms—the ones I put on my Web site—filed by Members of Congress and their staffs be posted online and accessible to the American public.

When you think about where we are in this world, in the 21st century, with electronics and telecommunications and how we are not doing that today—I went on the Alaska Public Offices Commission Web site, which is the equivalent of what we are talking about today. If you want to file yours in Alaska, your disclosure form, as a State legislator—or in my case as former mayor—it is now all electronic.

The current system we have here is outdated, not transparent. It is not easily accessible to our folks back home. Under this new provision, Members, candidates, and staffs must file their financial disclosure forms electronically. They will use a new system created and maintained by the Secretary of the Senate, Sergeant at Arms, and the Clerk of the House of Representatives. The American public will be able to search, sort, and download data contained in the financial disclosure form. This information will be maintained online during their time of service and 6 years after the Member leaves office.

I commend Chairman LIEBERMAN, Ranking Member COLLINS, Senators GILLIBRAND, BROWN of Massachusetts, and LEVIN for their work on this legislation. The STOCK Act will make Congress more accountable and, I hope, will inspire confidence in the American people that we are here to represent their interests and not our own.

Again, I encourage passage of this legislation. It is another step to ensure that we have full transparency, and we should never be afraid of making sure our folks back home know exactly who we are, what we are doing, and what our work is here in Washington.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, first, I commend the Senator from Alaska for his efforts during the committee process. He offered some good amendments that we ultimately took up and accepted. We look forward to his continued involvement in the process.

As we have said, we need to make sure that all of the amendments are relevant. We hope he will join with us and get some of his colleagues to focus on the very important issues we are trying to work on and not get sidetracked.

That being said, I congratulate him and look forward to working with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, let me join in what the Senator from Massachusetts said. Senator BEGICH, with Senator TESTER, offered an amendment in committee that has not gotten as much attention as some other parts of the bill—but it will have at least as great a positive effect as the other parts of the bill—which is so simple that it makes you wonder why we have not done it before. I have been quoting Dr. Seuss lately, and I won't do it here, but there is a saying that sometimes the best answers to questions that are complicated are simple answers—something like that; I am losing something in the translation.

But Senator BEGICH and Senator TESTER require that the annual financial reports we file, which are public documents—for the public to see them, they or some representative have to go to the office of the Secretary of the Senate to look at them or make copies. We are in the information age, the digital age. So Senator BEGICH and Senator TESTER took a small step on the bill—which is a large step for the American people—which is that these reports will now be online and electronically filed. Everybody, not just the SEC, will have immediate access to those financial disclosure reports.

Incidentally, the 30-day provision for disclosure will also be covered by that, and will also be available.

The Director of Enforcement, Robert Khuzami, of the SEC, testified before the House committee on the comparable bill that the 30-day requirement and the annual requirement for electronic filing would assist the SEC in carrying out its responsibilities.

Once again, I thank the Senator from Alaska for his contribution to the bill.

Mr. BEGICH. I thank the Senator.

One quick comment. Imagine the folks from Alaska who want to get a copy of a report. They have to find somebody in DC to go to a clerk and get a copy and send it over, and now, if this passes, they can go online from anywhere.

Again, I thank Senators LIEBERMAN, BROWN, and others. We are honored to be able to contribute our piece to it. It will be easier for the public to get this information. I thank the Senator for his kind comments.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. Mr. President, I rise today in strong support of the Stop Trading on Congressional Knowledge, better known as the STOCK Act, legislation that is critical to increasing accountability in Federal office and restoring the public's faith in government.

I am a cosponsor of the STOCK Act and have been working to address concerns about insider trading in Congress. I appreciate the leadership of my colleague from Minnesota, TIM WALZ, in the House who spearheaded the bill, as well as the work of my colleagues, including Senator GILLIBRAND and Senator BROWN, who have shown leadership in moving this issue forward.

No one is above the law in this country, least of all the lawmakers. At a time when Americans are crying out for leaders who are willing to put public interest before political gain, the STOCK Act presents a rare opportunity for both parties to come together and pass a bill that not only makes for good policy but that is, very simply, the right thing to do.

Over the last few years, we have worked to restore accountability and integrity to the major institutions in this country. We have worked to rein in recklessness on Wall Street. We have enforced greater accountability in Federal budgets. And in 2007, we passed historic reforms to strengthen congressional ethics laws.

I am standing here today because we can and must do more. Those of us who have the privilege of writing the rules have a responsibility to play by the rules, to not just talk the talk but walk the walk, and the STOCK Act is about making sure we are doing just that. This commonsense bill will strengthen our democracy by ensuring that no Federal employee or Member of Congress can profit from nonpublic information they have obtained through their position.

First and foremost, the legislation clarifies and strengthens laws for regulating insider trading by Members of Congress and their staff. It redefines the practice to clearly state that it is illegal to purchase assets based on knowledge gained through congressional work or service, ensuring Members of Congress are held to the same standards as the people we represent. That seems only fair.

Some people have argued that there are already laws on the books for this, but the fact is that insider trading by Members of Congress and their staff is currently not prohibited by the Securities Exchange Act or congressional rules. Furthermore, the status of trading on congressional information has never been explicitly outlawed. The resulting ambiguity has made it incredibly difficult to enforce these rules, which is almost certainly part of the reason not a single violation has ever been prosecuted.

The STOCK Act would clear up the ambiguity and make these laws crystal clear. It would give both the SEC and the ethics committee in each Chamber the authority to investigate and prosecute charges of insider trading, and it would make it a violation of the rules of the House and the Senate to engage in such activity, meaning that anyone who uses their role as a Member of Congress to enrich themselves would have to answer to the Department of Justice and the Securities and Exchange Commission.

The bill would also enforce better oversight by significantly strengthening reporting requirements. Members of Congress are already required to disclose the purchase or sale of securities and commodities on an annual basis, and the STOCK Act would take these requirements several steps further. Not only would it mandate that Members and employees disclose any and all transactions of over $1,000 within 30 days of the trade, but it would require that information about the transaction be published online.

Finally, to close the revolving door between Congress and special interest groups, the STOCK Act would introduce much needed transparency into the industry known as political intelligence consulting—the practice of reaching out to people working in the legislative and executive branches to gain market intelligence regarding proposed rules, regulations, and bills. The STOCK Act would require the Government Accountability Office to study this issue and see what we can do to ensure that these consultants are subject to the same reporting requirements and restrictions imposed on lobbyists.

Trust is the tie that binds our democracy, but with faith in government now at an alltime low, it is clear that some

of those ties did break. Why would we not want to strengthen those bonds? Why would we not want to show the people who have sent us to Washington that we have nothing to hide by passing this bill? America was built on the principles of hard work, fair play, and personal responsibility. These are the rules middle-class families in States such as Minnesota and all across America are still playing by today. We in Congress need to be willing to stand up and say we are willing to do the same.

I want to end my remarks today by sharing two letters that were sent to my office on the subject of the STOCK Act. The first is from a Minnesotan named Robert, who wrote:

Elected officials need to get back to the business of representing those who sent them to Washington to serve, not increasing their personal wealth based on information they learn from holding those offices—information that, were it not for their elected office, they would otherwise not be privy to.

The second letter comes from a Minnesotan named David, who makes this issue crystal clear. He says:

Voters elect politicians to do what is best for the country, not to become rich.

I could not have put it better myself, and I could not agree more. I arrived in this town in a Saturn with my college dishes from 1985 and a shower curtain in the back seat, so clearly this is not as relevant to my personal situation. But I truly believe, if we are going to restore trust in government, we need to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I commend the Senator from Minnesota for coming down. I appreciate her comments, her hard work on this issue, and thank her for her efforts.

Once again I reiterate to folks who may be listening, we are gathering amendments. I believe they are stacking up. Some are very relevant. Some have pieces of relevancy. What we have been trying to do is take the best of each one and try to formulate a plan to move forward and try to get some votes, obviously today and tomorrow, and get this done as quickly as possible and get it over to the House.

I once again reiterate my request to have all amendments be relevant to the issue at hand. Like Senator LIEBERMAN—I am not going to quote Dr. Seuss as he did, but I want to be sure we have a bill that has a chance not to get bogged down but to pass expeditiously.

To let folks know in the gallery and also those watching on television, there have been some very good amendments, good ideas. Some, actually, we may end up combining. There are amendments coming up in the days ahead that we have not had a chance even to look at because the amendments are coming in fast and furiously. We have not had a chance to get out and try to comment as to what we are doing with this amendment or that amendment. There are good points in virtually every amendment. We need to be sure we get the best and strongest bill we possibly can. I want to add that.

I do not see Senator MCCASKILL here. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 1472

Mr. TOOMEY. Mr. President, I would like to take a moment to discuss an amendment that I think is relevant to this discussion. I thank my colleague, Senator MCCASKILL, for her work on this topic. It goes to the issue of the integrity by which this body and Congresses in general operates, which certainly is a central issue regarding this particular bill. Our amendment goes to a particular aspect of the integrity of this body.

My concern is that in the absence of our amendment, many of our colleagues will likely resume a very wasteful, nontransparent process which is prone to corruption and abuse, and that is the process of earmarking. I wish to speak a little bit about earmarks and what they are and why I think we ought to have a permanent legislative ban on the process.

Let me be clear about the process. Earmarks exist precisely in order to circumvent any real scrutiny, transparency, or any process by which this body, the other body, or the American people can evaluate the merits of a given project. There is no authorization to earmarks. There is no proper scrutiny. There is no competitive bidding among competing demands for resources. I think the process itself is indefensible.

In part because the process is so badly flawed, we should not be surprised that it leads to extraordinary waste. We have seen it. Some of the earmarks have become famous because they are so wasteful and inappropriate. We all heard about the ''bridge to nowhere.'' Recent earmarks include, above and beyond that, a $1 million alternative salmon products earmark. There was a $1.9 million earmark for the Charles Rangel Center for Public Service requested by none other than Congressman CHARLES RANGEL. There was $550,000 for a glass museum, $2.5 million for Arctic winter games. The list goes on and on. I could go on all day with indefensible projects that got into law, taxpayer dollars that were spent precisely because these earmarks were permitted. I would argue that it has gotten to the point where it really adds up to real dollars and cents.

Those who would like to resume earmarking would like to suggest that it is not a real number, doesn't add up to a whole lot of money. Over the course of the last 15 years, the total value of taxpayer dollars spent this way has tripled. In the last Congress, it reached $36 billion.

One other thing that is particularly pernicious about earmarks is that over time they became a currency used to buy votes. There was this unwritten law that if you ask for an earmark in a spending bill and you get it, you are obligated to vote for that bill regardless of how bloated, inappropriate, wasteful, or otherwise nonsensical that bill might be. That is a really terrible process.

Finally, the fact is, it is an opportunity for corruption. I am not suggesting there is corruption involved in most earmarks. I am sure there is not. But we do know of some examples of some of our colleagues who did in fact use earmarks quite inappropriately to enrich themselves. I know of one in jail right now because of that. While that is certainly the very unusual exception, the fact is a process such as that is badly flawed and should be remedied.

As we all know, there is a current temporary moratorium in place on earmarks that has been adopted by both bodies and both parties. But that temporary moratorium expires this year. What our amendment does is create a permanent legislative ban on earmarks. It does that by creating a point of order. Any Senator can come down to the Senate floor and strike an earmark if one is inserted in a spending bill, and it would take a two-thirds vote of the Senate to override the effort to strike the earmark.

It is important to know that this amendment does not strike the entire bill. It would not invalidate the bill or otherwise disrupt the bill. It would surgically remove the earmark that would be offending this point of order.

As I say, I thank Senator MCCASKILL for her support. I thank Senator COBURN for the many years in which he has battled, as have others, especially Senator MCCAIN and others. But Senator COBURN once described earmarks as the gateway drug to spending addiction, and I think he is really onto something with that characterization.

I think it is time we change the culture in Washington, that we change the culture of Congress, get away from a culture that says, how can we maximize spending, which really has been the culture of Congress for way too long, and move to a culture that says, how do we maximize savings, because when we are running trillion-dollar annual deficits, we have to find savings anywhere we can. I can't think of a better place to start.

If we really want to change Washington, if we really want to reduce wasteful spending, if we really want to eliminate opportunities for corruption, if we really want to change the culture of spending and begin the process of doing these things to hopefully restore some of the confidence of the American people in their government, one of the ways we can do this very constructively is to pass this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I thank Senator TOOMEY for joining me. He has been a great leader on this since he arrived in the Senate, in terms of

the fight against earmarks. I thank him for that.

I also welcome him to our band of warriors in terms of fighting the earmark culture in Washington. It has been a fairly small number of Senators since I arrived here in January of 2007. I will be honest, the Senator spent some time in the House, so he was more familiar with the process of earmarking than I was. When I came to the Senate, I did not really understand how it worked. I did not really get it. I do not think, until you have gotten here and watched it from the inside, you truly appreciate how flawed it is in terms of a way of distributing public money. It really is going in the back room and sprinkling fairy dust. It is really a process that has more to do with who you are and whom you know than merit.

Have there been lots of projects that have been funded that I have supported? Of course. Did I make a decision—a difficult one—to not cherrypick certain earmarks to go after on the floor? Instead, I have tried, when I got here and realized the problems, to reform the process, not just to say, let's find this one earmark in this bill and gin up an amendment on it; rather, let's try to stop the process in its entirety because it makes no sense. And that is what this amendment does. It actually will stop the process in its entirety.

Why do we need it if we have a moratorium? Why now? Frankly, when I first started saying I wanted to do away with all earmarking, I was laughed at by Members of this body, directly and indirectly. Sometimes I felt as if people were patting me on the head and saying: Go away. You have no chance to do this. I am proud of the fact that we have gotten a moratorium now. The truth is, there are a lot of Members of this body who want to go back to the old ways, and I think it is very important that we do a permanent ban. I certainly thank the Senator for helping, and I think the amendment we are working on together will make sure we will not have what happened in the House this year.

Mr. TOOMEY. Will the Senator yield?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I wished to touch on a point the Senator just made that I think is important to underscore. I would agree without hesitation that there are any number of earmarked projects that probably have very good merit. This is not at all to suggest that every earmark that has ever occurred had no merit. That is not what this is about.

What we are criticizing and what we are trying to change is a very badly flawed process that permits a great deal of projects that have no merit to get funded that otherwise would not be funded. Those that have merit—and goodness knows all kinds of projects, especially transportation projects—ought to be funded, but they ought to be funded in a transparent and honest way, subject to evaluation by an authorizing committee and subject to competition, so those projects that have the greatest merit and the greatest need would be funded first. That is what I think we are trying to get at and get away from this process where an individual Member of either this body or the other body, in the dark of night, can drop in some specific provision because he or she wanted it without it being subject to the proper scrutiny and evaluation and competition that the taxpayer deserves.

I just wished to underscore that point. I appreciate the Senator's work and the message she brought.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. I will tell my colleagues that I think for too long too many Senators believed the measure of their worth as a Senator had everything to do with how much money they were bringing home. I have a new idea. Instead of the measure of our worth being how much we can spend, I think the measure of our worth ought to be how much we can save. This place turned on the notion that if one stayed here long enough, if they got to be an appropriator, they got more earmarks. If they became a ranking member on a subcommittee on appropriations, they got even more.

Then I found out about honey pots. I didn't know about honey pots until I got here. I don't know if Senator TOOMEY is familiar with that term, but let me educate him about what that term means. A honey pot is what the ranking minority member and chairman set aside as their special pot of money that they get to spend on earmarks that is greater than everyone else's. Some of the appropriations subcommittees have honey pots and some don't. The very notion that we are deciding how to divide the money based on how long we have been here, what our party affiliation is, what committees we serve on is not the way we should spend public money. We spend public money based on merit or on a formula based on how many people are in our State.

One of the other things that drives me crazy is this talking point against doing away with earmarks: We can't let the bureaucrats decide. We can't let the executive branch decide. It is the power of the purse. We have had the power of the purse in Congress for hundreds of years. Earmarking is a modern invention. We have the right to oversee the executive budget, change the executive budget, cut the executive budget, and add money to the executive budget. We can do that as a Congress and that has nothing to do with earmarking.

Let me also say this about this talking point: This notion that earmarked money just grows on trees somehow—where does the money for earmarking come from? It comes from other programs. Guess what programs it is taken from. It is taken from programs—I will just say from programs such as surface transportation.

Let's talk about that. We have a local process in Missouri. We have stakeholders all across the State who go to meetings and the public is invited and these agencies work very hard at trying to prioritize their transportation projects based on the economic needs of their community, based on safety considerations. These local folks work very hard to prioritize their projects, and what does earmarking do? It cuts in line. One individual's judgment supplants all the local planning.

This is not about Washington bureaucrats. In a lot of these instances it is about saying: I know better than the people back home know. Look at the Byrne grants, another perfect example. Money for the Byrne grants—which is a State-administered program done on a competitive basis at the State level—they have been stealing money out of the Byrne grants for earmarks so one individual Senator can decide this sheriff needs new equipment as opposed to the State authorities deciding that there may be a crime problem in one area of the State, such as a methamphetamine problem that needs special attention.

Mr. TOOMEY. Will the Senator yield?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. This is a very important point. It is a common refrain from those who would like to go back to earmarking: We can't turn this over to the bureaucrats. Who controls the bureaucrats? It is Congress. If we think the bureaucrats are allocating resources in a way that we don't approve of, we can change the rules. We write the law that determines the criteria, the metrics, the methodology, the process by which they compete and evaluate competing projects. That is entirely up to us. So it is not fair for us to suggest that while the bureaucrats will not spend it wisely, then we should set the rules so they must. Frankly, they don't have the kind of incentives that some people who are holding elected office think they have to try to show up back home with a big oversized check. The bureaucrat doesn't have that incentive.

I would argue I can't imagine any bureaucrat who would award several hundred million dollars to build a bridge to nowhere or to build a cowgirl hall of fame or an indoor tropical rain forest. These are things that if a bureaucrat did make those decisions, it would be because they were following ridiculously flawed guidelines given to them by Congress. So this in no way diminishes Congress's control of the purse strings; it insists on a more accountable process by which we allocate the resources from the purse.

Mrs. MCCASKILL. Mr. President, it is easy to see why earmarking is held so dear to so many Members. I remember when I first was elected and people

began showing up in my office that, frankly, had not been big supporters of mine. All of us who are here—and if we are brutally honest for the folks back home—we want to be loved. We put ourselves out there for public acceptance or rejection every 2, 4, 6 years. So people started showing up and being very nice to me who had not particularly been supporters of mine, and they were being nice to me and I thought, What is up here? Then all of a sudden I figured it out. They were all showing up to get their earmarks. The people in Missouri—I don't know about Pennsylvania—but in Missouri they are very worried about not having earmarks because they have been fed this line all these years: If we don't have earmarks, we are not going to get anything. We are not going to get our share. We are not going to get as much as we deserve.

Let's take water. Pennsylvania—this is a good example because Pennsylvania didn't get very much in water projects either. I don't know how many rivers there are in Pennsylvania. I should be more familiar with the geography there. But to say that Missouri is a river State is an understatement. I mean, we have the confluence of the two greatest rivers of our country, the Missouri and Mississippi Rivers, in our State. We have major impact in terms of water projects that need to be done in our State because of how prominent water is in the State of Missouri. But yet we have been way down the line in terms of water projects because we don't have an appropriator on that committee. We have appropriators on other committees but not on that committee.

I keep telling the folks at home, if we compete with other States for water projects, we are going to do just fine, and that is the way it is supposed to work. States are supposed to get what they need and not get the benevolence of Washington because they happen to have somebody who has been here long enough to be on the right committee to have the right chairmanship or the right ranking committee so they can get even more. That is not the way this place should be run. It is not the right way to spend public money.

Mr. TOOMEY. Would the Senator yield?

Mrs. MCCASKILL. I will.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I can tell the Senator how I think a big majority of Pennsylvanians feel about this because I hear from them every day. Sure, there are some folks who would love to resume earmarks because they benefited from them in the past. I think the vast majority of Pennsylvanians—and I would guess Americans—generally understand that, especially at a time when we have reached $15 trillion in debt, when our debt now exceeds the entire size of our economy, when we are running annual deficits of over $1 trillion for the last several consecutive years and, frankly, probably in the years to come. We are in an unsustainable mode right now. What my constituents want is for us to put ourselves on a viable, sustainable fiscal path. That means getting spending under control. So I don't think our constituents want us to see how much money we can spend, as the Senator pointed out. They want to see how much we can save, and I think they would overwhelmingly welcome ending a process that clearly leads to wasteful spending.

Mrs. MCCASKILL. I hope we get a vote on this amendment. I am not optimistic about that because, typically—let's be honest—the vast majority of the leadership in this body has typically been appropriators and many of them want to go back to earmarking, and this is on both sides of the aisle.

As I started to point out before, it was the Republican Armed Services Committee in the House that set aside a slush fund and began doing earmarking on the Defense authorization bill. We were able to expose it and stop it, but clearly people are having a hard time breaking this habit. So I think this amendment is very important. I am happy to go toe-to-toe with anyone over the merits of this amendment. I am happy to stand shoulder-to-shoulder with anyone in this Congress, Republican or Democrat, who is willing to stop this process once and for all.

I think this amendment would do it. I hope we get a vote on it, and if we don't, it will not be the last time I think they will hear from both of us about our bill and how serious we are about getting it passed.

There will come a time that this bill will pass because the American people are on to us. The American people are on to this bad habit. They want it to end and they will have their way. It may not be today, it may not be this week, but I remind the Members of the Senate that it wasn't that long ago people laughed out loud at me when I said there would be an end to earmarking. They thought that was the silliest joke they had ever heard, and we have made a lot of progress thanks to the American people.

By the way, the credit should not go to me or Senator MCCAIN or Senator COBURN—who have been working on this for much longer than I have—it should go to the American people who are figuring this out and rising in record numbers to say: We don't like earmarks. Stop it. We should give credit to them for paying attention. I hope they stay on it, and I hope we will eventually prevail.

Mr. TOOMEY. If the Senator would yield one final time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I appreciate the Senator's kind indulgences. I am newer to this body, and maybe that explains my relative optimism. I am hopeful that we do get a vote, and I am hopeful, if we do get a vote, it will succeed. I point to the voluntary moratorium both Chambers instituted 1 year ago as a sign that this is increasingly becoming the consensus view among Members of both bodies. I don't know if I am right. I am hopeful. If we don't succeed today, that means we need to come back on another day when we can succeed because there is no doubt in my mind that the people of Pennsylvania—and I suspect across America—want us to win this battle and begin to rein in wasteful spending. There is no better place to start than to ban these earmarks.

I thank the Senator from Missouri for her leadership and her work.

I yield the floor.

Mrs. MCCASKILL. I also yield and thank the Senator for his work. This should be the easiest for us to get done. We have some hard work we have to do around here that is going to mean sacrifice and changes that are not going to be easy for anyone. This ought to be simple, so let's try to get it done.

I yield the floor.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BROWN of Massachusetts. Madam President, as you know, people are coming down requesting amendments be brought up. Since I did not see any Democrats offering any, I yield to Senator PAUL. He has an amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 1490 TO AMENDMENT NO. 1470

Mr. PAUL. Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1490.

The PRESIDING OFFICER. Is there objection?

Mr. LIEBERMAN. Madam President, I have no objection to proposing the amendment.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1490 to amendment No. 1470.

Mr. PAUL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require former Members of Congress to forfeit Federal retirement benefits if they work as a lobbyist or engage in lobbying activities)

At the appropriate place, insert the following:

SEC. ___. FORFEITURE OF CREDIT FOR SERVICE AS A MEMBER IF FORMER MEMBERS OF CONGRESS BECOME LOBBYISTS.

(a) DEFINITIONS.—In this section—

(1) the term ''creditable service'' means service that is creditable under chapter 83 or 84 of title 5, United States Code;

(2) the term ''lobbyist'' has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

(3) the term ''Member of Congress'' has the meaning given that term in section 2106 of title 5, United States Code; and

(4) the term ''remuneration'' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship.

(b) FORFEITURE OF CREDIT FOR SERVICE.—Any service as a Member of Congress shall not be creditable service if the Member of Congress, after serving as a Member of Congress—

(1) becomes a registered lobbyist;

(2) accepts any remuneration from a company or other private entity that employs registered lobbyists; or

(3) accepts any remuneration from a company or other private entity that does business with the Federal Government.

Mr. PAUL. This amendment will address some of the situations that are concerning the American people. I think the ability to serve in the Senate is a great honor. The ability to serve in the House of Representatives is a great honor. But I am somewhat sickened and somewhat saddened by people who use their office, who leave office and become lobbyists, who leave office and call themselves historians but basically leave office and peddle the friendships they have found here and the relationships to make money. I think it is hard to prevent people from being lobbyists. But I think if people choose to leave the Senate and leave the House of Representatives and become lobbyists, they should give up something. These people are making millions of dollars lobbying Congress. I think maybe they should give up their pension. Maybe they should give up the health benefits that are subsidized by the taxpayer.

If someone is going to use their position as an ex-Senator or as an ex-Congressman to enrich themselves, maybe they should have to give up some of those perks they accumulated while in office. So this amendment would say that if you go out and become a lobbyist, you have to give up your pension and you have to give up your health benefits and you need to pay for them yourself. I think this is the least we can ask.

I think we have a great deal of coverage now talking about people who are either lobbyists or not or whether they are historians. The bottom line is we have a lot of people peddling their friendship and their influence for monetary gain, and I do not think the taxpayers should be subsidizing that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Madam President, I thought I would bring our colleagues up to date on what is going on this evening, as it is getting late. We are close, I believe, to working out an agreement for a vote on an amendment that was offered by Senator PAUL earlier. It has to do with extending to executive branch officials the same kind of reporting requirement to ban insider trading that would apply to Members of Congress and their staffs. It is an amendment that enjoys the support of both managers and the principal authors of this bill.

We are trying to make sure, however, that we narrow the amendment so that it applies to top-level Federal employees and not to low-level Federal employees, who have no policy responsibilities. So we were looking at limiting it to Senate-confirmed positions. The problem with that is it brings in all of the military appointments that are Senate confirmed, so we want to make sure we exclude those individuals who are clearly not the target of the amendment.

We continue to work—the managers, the sponsors of the bill, and the sponsor of the amendment, Senator PAUL—in order to refine his amendment. It is still our hope that we can reach that compromise and have a rollcall vote tonight. We will keep our colleagues informed about whether it will be possible to complete the drafting that would be needed to modify his amendment.

AMENDMENT NO. 1490

In the meantime, I want to talk very briefly about an amendment Senator PAUL filed, his amendment No. 1490. This is an amendment that would require former Members of Congress to forfeit their Federal retirement benefits if they work as a lobbyist or even engage in any lobbying activity—regardless, I might say, of whether they served 40 years in this body.

I also note that the language in this amendment is extraordinarily broad. For example, the definition of remuneration includes salaries, any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship. Think about that. As I read the language, a former Member of Congress who writes a book would be in danger of forfeiting his or her pension. In other words, this is going to apply to authors. It mentions honoraria, so if a former Member of Congress gives a speech and receives $1,000 for giving that speech, that former Member is going to forfeit his or her pension—earned pension?

I don't even know that this would pass constitutional muster. But there is certainly a fairness issue, it seems to me. I don't know if the intent of the Senator from Kentucky was to draft this as broadly as he did to include and define as remuneration paid authorship. In other words, if you wrote a book—and it would not even have to be a book; what if you wrote a newspaper article or an op-ed for the Washington Post and received $250 for that? Do you forfeit the Federal pension? What if you worked in the private sector for a number of years, worked in State government for a number of years, and then worked for a few years serving the people of this country in Congress? Would you then forfeit your pension if you provided some lobbying activities? If you wrote a book? If you gave a speech for money? This is extraordinarily broad.

I see the Senate majority leader is on the floor, so I will stop discussing this amendment. I did want our colleagues to actually read the text of this amendment before we ever vote on it.

It defines remuneration not just as salary or payment for services not otherwise identified as salary, but consulting fees, honoraria, and paid authorship. In other words, if after being in Congress you wrote a book or you wrote an op-ed for which you were paid, you forfeit your Federal pension because you did some lobbying activities? This strikes me as a very sweeping amendment that does not belong on this bill.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I am happy to hear what that amendment does, and I thank the Senator.

COMMENDING ALAN S. FRUMIN ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to S. Res. 359.

The PRESIDING OFFICER. The clerk will report the resolution by title.

Mr. REID. I ask the clerk to read the entire resolution.

The PRESIDING OFFICER. The clerk will read the resolution.

The assistant legislative clerk read as follows:

Whereas Alan S. Frumin, a native of New Rochelle, New York, and graduate of Colgate University and Georgetown University Law Center, began his long career with the Congress in the House of Representatives precedents writing office in April of 1974;

Whereas Alan S. Frumin began work with the Secretary of the Senate's Office of the Senate Parliamentarian on January 1, 1977, serving under eight Majority Leaders;

Whereas Alan S. Frumin served the Senate as its Parliamentarian from 1987 to 1995 and from 2001 to 2012 and has been Parliamentarian Emeritus since 1997;

Whereas Alan S. Frumin revised the Senate's book on procedure, ''Riddick's Senate Procedure,'' and is the only sitting Parliamentarian to have published a compilation of the body's work;

Whereas Alan S. Frumin has shown tremendous dedication to the Senate during his 35 years of service;

Whereas Alan S. Frumin has earned the respect and affection of the Senators, their staffs, and all of his colleagues for his extensive knowledge of all matters relating to the Senate, his fairness and thoughtfulness;

Whereas Alan S. Frumin now retires from the Senate after 35 years to spend more time with his wife, Jill, and his daughter, Allie; Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Alan S. Frumin and commends him for his lengthy, faithful and outstanding service to the Senate.

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to Alan S. Frumin.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I want to join in saluting Alan for his many years of work. He is someone all of us know to be an honest broker, who calls them as he sees them, who withstands at times tremendous pressures, and who has extraordinary knowledge that all of us have come to rely upon.

On behalf of the Republican side of the aisle, I am sure I am speaking for our Members as well in saluting Alan and wishing him well, and thanking him for his many years of dedicated public service.

We wish you well.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I would be remiss if I didn't say a word of thanks to Alan Frumin for his service to the Senate.

When I first came to the Senate in 1989 and had the privilege to occupy the chair, I had two great mentors. One was the great Senator from West Virginia, Robert C. Byrd, and the other was Alan Frumin. Both were steadfastly reliable.

I was just one of many who sat in the chair. We are often asked questions whose answers do not immediately spring to mind, and there was a voice that I heard—in this case, it was not from above but from slightly below—that clarified exactly what the rules of the Senate required.

Alan has been a true and faithful public servant, has held himself to the highest standards, and helped this inherently unruly body to be ruly. For that, I thank him and wish him well in his next chapter of life.

Mr. COCHRAN. Mr. President, I am pleased to join the leader and other Senators on both sides of the aisle as we congratulate Alan Frumin on his impressive service as our Parliamentarian which was characterized by the dutiful and trustworthy performance of his duties.

We wish for him much continued success in the years ahead.

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

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

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012—Continued

Mr. DURBIN. Pending before the Senate is the STOCK Act, and the purpose is one that I support. It is a bill I cosponsored.

The notion behind it is that Members of Congress should not use their public service or information gained in their public service for private benefit. It basically outlaws the type of insider trading and conflict of interest that should be a standard and will be a standard after this is enacted into law.

Amendments have been proposed to this measure, and there is one in particular I heard about earlier and asked for a copy of. This is an amendment proposed by the Senator from Kentucky, Mr. PAUL. It is an amendment which talks about Members of Congress forfeiting their Federal retirement benefits and the conditions under which they would forfeit their Federal retirement benefits. Understand that these are Members of Congress who have completed enough service in the Congress to qualify for a pension. It is my understanding that is about 6 years. So at a minimum of 6 years of service, Members of Congress receive some pension benefit. Certainly those benefits increase the longer they serve.

This bill would disqualify them from pensions they have been credited and earned as Members of Congress under three conditions:

First, should they decide after they have served in Congress to serve as a registered lobbyist. That in and of itself is breathtaking. To think that if a person should decide after service in Congress to become a registered lobbyist—with or without compensation I might add, for perhaps a nonprofit organization—they would forfeit their Federal pension. That in and of itself is unacceptable and inexplicable, but then it gets worse.

This amendment goes on to say that a Member of Congress, retired, forfeits his Federal pension if he accepts any kind of remuneration, which could be a salary, a consulting fee, even an honorarium for giving a speech, from any company or other private entity that employs a registered lobbyist.

Think about that for a second. If a retired Member of Congress in Illinois should give a speech to a gathering of the management of Caterpillar Tractor Company in Peoria about their experience in Congress and their views on issues in Washington, give a speech and receive any compensation for giving that speech, they would forfeit their Federal pension because Caterpillar has a paid lobbyist in Washington.

Then it gets worse. The third provision says that a retired Member of Congress would forfeit their pension if they accept that remuneration from any company or private entity that does business with the Federal Government. Is using the mail service doing business with the Federal Government? Would most businesses in America, therefore, be doing business with the Federal Government because they use the mail service? If so, if I take compensation from that company, I forfeited my Federal pension?

What is the purpose of this, other than just to basically harass Members of Congress in their retirement?

There are certainly situations where a person could forfeit their pension based on misconduct, for example, or convictions for crime. That is understandable. But this has gone way too far. I hope Members of the Senate will read this amendment—it is very brief, two pages long—and in reading it realize this is something that should not be offered and if offered should be defeated. It does nothing to make this a better place to serve. It raises serious questions about the rights of individuals who have served the Nation in Congress and what they are going to do after they leave the service of the United States.

I urge my colleagues to defeat the amendment offered by the Senator from Kentucky and 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.

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

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

Ms. STABENOW. Mr. President, I rise today to speak about the STOCK Act. I wish to start by thanking the leaders on the floor, Senator LIEBERMAN and Senator COLLINS, for their hard work and leadership in bringing this bill to the floor. There should not be any question that Members of Congress should be held accountable to the same laws to which every other American is held.

That is why in November Senator GILLIBRAND, Senator TESTER, and I introduced the STOCK Act to prohibit Members of Congress from engaging in insider trading. This bill is common sense. The American people deserve to know that their representatives in Congress are doing what is right for the country and not trying to strike it rich by trading on insider information.

My constituents are certainly wondering why this isn't law already, and that is a good question. It certainly is a question I asked myself last year when there were news reports raising this issue, and I was very pleased to join immediately with my colleagues to put forward this legislation to make it absolutely clear that insider trading by Members of Congress is in violation of the law.

I wish to thank, as I indicated before, the Senator from Connecticut and the Senator from Maine for moving this

bill through their committee and bringing it to the Senate floor. I appreciate very much the vote of 93 Senators who voted last night to move the bill forward. I think it is a very important example of bipartisan support. I hope we will be able to move this forward to a simple up-or-down vote this week and that we will not see extraneous issues or obstruction or delay involving this bill. This is very simple and very straightforward. I am hopeful we will be able to move it forward and accomplish this goal.

We need to make sure it is very clear that the same laws to which everyone else adheres are held to be true for Members of Congress. It is also important to note that our bill creates new reporting requirements for Members of Congress and their staffs, with the reports available online, with a searchable database. That is very important for transparency. It asks the Government Accounting Office to investigate the so-called ''political intelligence consultants'' who contact Members and staff to get information on how legislation could affect their business clients or stock prices.

This bill is very simple and very clearcut. We are all engaged in conversations on a daily basis that make information available to us, and we need to make it very clear as to our responsibilities for handling that information and operating in the public interest.

So I am hopeful we will be able to keep this bill focused on the intended goal so we can actually get it passed, get it over to the House, and have the House do the same. It is important that while there may be a number of different issues we all care about that we would like to offer through amendments, we will be able to keep this focused on the issue in front of us and that we will be able to get this done as quickly as possible.

Our constituents are certainly looking to us to be able to do this. It would be an excellent way to start the new year by working together on a bipartisan basis to close a loophole that has created confusion about the responsibilities, the ethics, and the legal responsibilities for Senators as it relates to insider information and potential insider trading.

So I am hopeful we can get this done. I appreciate the work of everyone who has been involved in helping to get us to this point. Hopefully, by the end of the week we will have something passed that we can all feel very good about.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

Mr. REID. Mr. President, how many amendments are pending?

The PRESIDING OFFICER. There are 15 amendments pending.

Mr. REID. We started this morning at about 11 o'clock. We had to invoke cloture on the motion to proceed to this bill, which was supposedly a bill everyone wanted. It is too bad we had to invoke cloture on the motion to proceed, but we did. We have been working all day to set up rollcall votes—all day. We thought we had one a few minutes ago, but a couple Senators came over and said: There will not be a vote on that unless I am guaranteed votes on mine—even though their votes are totally not relevant or germane to the subject matter.

I appreciate Senator LIEBERMAN and Senator SUSAN COLLINS. They are fine legislators. They understand what this body is all about and how important this legislation is and how important they are as managers of this bill. So they are negotiating on several of the amendments.

But at some point, Mr. President, this becomes ridiculous. To have Senators come over here and say they are not going to allow a vote on an amendment unless they are guaranteed votes on nongermane, nonrelevant amendments? Then people criticize me for not having an open amendment process? It becomes a circus. This is not the Senate that we have had or should have. At some point, we need cooperation from Members on both sides of the aisle to set up votes and dispose of these amendments and move on to passage of the bill.

I do not want to have to file cloture on this bill. I just want to alert everyone, if we continue the way we are going, where people are saying: You cannot have a vote on any amendment unless I am guaranteed a vote on my nongermane, nonrelevant amendment—what am I supposed to do to protect this body?

So I would hope the night will bring some common sense to some Senators. It is really—I will not say embarrassing, but it is a little bit, to these two fine Senators who have worked together for years on a bipartisan basis on some of the most sensitive issues this country has, protecting the homeland. We could not have two better people working on a bill to create some bipartisanship. But this is unfortunate and unfair and not right, and I, as the leader, am not going to let this continue forever.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the leader for his statement and thank him for his patience. I know people are critical of the way Senator REID has been forced to operate to try to get anything done, but if you go through a day like we have gone through, you understand why he has had no choice.

Mr. PAUL, the Senator from Kentucky, offered an amendment. We had a very thoughtful negotiation with him about modifying the amendment. We came to a meeting of the minds and were ready to go, and then another Member said: I will not consent to you voting on Senator PAUL's modified amendment unless you promise me a vote.

As Senator REID well knows, in the early years I was here this kind of behavior sometimes happened at just before the final vote on a bill or perhaps before a recess was about to be declared. But to conduct oneself in this way at the very beginning of a debate on a bill about which there is bipartisan support—yesterday, it was clear on the cloture motion, only two Senators voted against it. It is a real good government bill, and to hold it up in this way is frustrating.

I quote the majority leader, who is a straighter talker: It is ridiculous.

So at the end of a long day, we have nothing to show for our labor. I apologize to the Members of the Senate. But it requires some reasonableness from our colleagues to proceed.

VOTE EXPLANATIONS

Mr. MENENDEZ. Mr. President, I was unavoidably detained for the rollcall vote on the motion to invoke cloture on the motion to proceed to S. 2038, the Stop Trading on Congressional Knowledge, STOCK, Act. Had I been present, I would have voted ''yea'' on the motion to invoke cloture. I cosponsored the STOCK Act on December 14, 2011.

Mr. ISAKSON. Mr. President, I was unavoidably detained during rollcall vote No. 3 on the motion to invoke cloture on the motion to proceed to S. 2038.

Had I been present I would have voted ''yea'' for rollcall vote No. 3 and I ask that the RECORD reflect that.

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. UDALL of Colorado. 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. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate 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.

RECOGNIZING KNOX COLLEGE ON 175 YEARS

Mr. DURBIN. Mr. President, I rise today to congratulate Knox College in Galesburg, IL, on the 175th anniversary of its founding.

On February 15, 1837, the Illinois Legislature granted a charter to Knox Manual Labor College. Its founder, the Reverend George Washington Gale, a social reformer from New York, came to the Illinois prairie to found a college emphasizing manual labor that would be open to students regardless of their financial means, gender, or race.

This egalitarianism and the strong anti-slavery beliefs of Reverend Gale and his followers gave Knox and Galesburg a unique place in the history of the abolitionist movement in America. Knox is a nationally recognized part of the Underground Railroad network. Its Old Main was the site of the fifth debate between U.S. Senate candidates Abraham Lincoln and Stephen Douglas. It was during the debate at Knox that Lincoln would argue for the first time against slavery on moral grounds.

It seems fitting that President Lincoln, the Great Emancipator, and President Obama, our nation's first African American president, both hold honorary degrees from this institution. Knox was also the alma mater of Barnabas Root, who in 1870 became one of the first African Americans to earn a college degree in Illinois. In that same year, Hiram Revels, who also attended Knox, became the first African American to serve in the United States Senate.

Today, the Knox campus is a vibrant community of world class scholar-teachers, staff, and more than 1,400 students hailing from 48 States and 51 countries. Manual labor may have been dropped from its name and curriculum—much to the relief of its current students to be sure—but Knox's founding commitment to providing a quality education to all persists. Of Knox's students today, more than a quarter are first generation college students, a quarter are U.S. students of color, and nearly one third are low-income students. Approximately two thirds of students receive some form of financial aid, and Knox has been rated by Princeton Review as a ''Best Bang for Your Buck.''

I congratulate President Teresa Amott and the entire Knox community on this milestone in the proud and storied history of Knox College. Knox is truly one of our nation's great liberal arts institutions—its contributions far surpass its relatively small size. So, as we look back in celebration of Knox's preceding 175 years, we also look to the future in anticipation of the continued contributions this small college on the Illinois prairie will make to our State and our country for years to come.

RECOGNIZING THE BATTLE OF MILL SPRINGS

Mr. MCCONNELL. Mr. President, I rise to submit to my colleagues a resolution that is very important to the history of the Commonwealth of Kentucky and the history of our Nation. This resolution, S. Res. 357, sponsored by myself and my friend Senator PAUL, commemorates the 150th anniversary of the Battle of Mill Springs and recognizes the significance of the great clash of the Civil War that took place there.

On January 19, 1862, the Battle of Mill Springs spilled across Pulaski and Wayne Counties in southeastern Kentucky. It was the second-largest battle to take place in the State, and involved over 10,000 soldiers. More importantly, it was the first significant Union victory to happen in what was then considered the western theater of the Civil War. The Union's victory meant that the main Confederate defense line that had been anchored in eastern Kentucky was broken, freeing Union soldiers to move through Kentucky and into Tennessee.

One hundred fifty years later, this battle is still a vital story in our Nation's history. That is why our resolution also salutes the Mill Springs Battlefield Association, which has worked hard to preserve the historic site and educate the public about what went on there. The Mill Springs Battlefield Association has a visitors' center, provides tours, displays Civil War artifacts and maintains a Civil War library. More than 50,000 visitors have traveled to see the preserved battlefield.

So Mr. President, I am proud to submit this resolution to the United States Senate, and proud of the history we have preserved for posterity in Kentucky.

TRIBUTE TO GARY D. REESE

Mr. INOUYE. Mr. President, every so often, it is my honor as the chairman of the Committee on Appropriations to recognize the outstanding contributions of members of the Senate family. As anyone who has spent a few years in Washington will know, public service may not be the career of choice for those who hope to be appreciated in their own time.

Benjamin Franklin recognized this back in 1772, when he wrote:

> We must not in the course of public life expect immediate approbation and immediate grateful acknowledgement of our services. But let us persevere through abuse and even injury. The internal satisfaction of a good conscience is always present, and time will do us justice in the minds of the people . . .

Mr. President, through his 20 years of service in the U.S. Senate, Gary Reese is an exception to Mr. Franklin's rule. His charm, his expertise, and his professionalism have earned Gary the respect and appreciation of Senators, leaders in the executive branch, and his colleagues.

Gary's service in the Senate began in 1987, when he joined the staff of Senator Bennett Johnston as a legislative assistant for military issues. In 6 years of service, Gary demonstrated a great ability to get results for the State of Louisiana and distinguished himself by developing a thorough understanding of the shipbuilding industry. Gary then moved to the Senate Select Committee on Intelligence in 1993, where he developed expertise in some of the most technical and important aspects of our national security.

The Committee on Appropriations was extremely fortunate to lure Gary away from that prestigious committee in January 1997. As a professional staff member on the Subcommittee on Defense, Gary excelled in oversight of acquisition programs in each of the military services, as well as classified matters. Gary departed the Senate in 2002, at which time his accomplishments were recognized by the Department of the Navy with the Meritorious Public Service Award and by the National Reconnaissance Office with the Gold Medal for Distinguished Service.

After 5 years with General Electric, Gary once again answered the call to public service. He rejoined the Committee on Appropriations in 2007, where he has applied his skills to the most challenging intelligence issues that our country has faced in Iraq, Afghanistan, the Horn of Africa, and the Asia-Pacific. His vision and ingenuity have made substantial contributions to our policies and operations in those regions, for which I hope the full story may someday be told.

Listing Gary Reese's accomplishments during his two decades of service to the U.S. Senate tells only a small part of his story. In an era of partisanship and divisiveness, Gary served both Democrats and Republicans with skill and dedication. I feel just as fortunate to have had Gary's assistance as my friend and former colleague, Ted Stevens, surely did.

In a capital city filled with bluster and ego, Gary's charm, humor, and integrity built trusted relationships in many corners of the Congress, the executive branch, and industry.

In a job where long hours and late nights can overwhelm even the most industrious public servant, Gary has never forgotten his dedication and commitment to his wife Ann, their son Bob, and their daughter Trish.

Mr. President, on behalf of myself and all the staff of the Committee on Appropriations, I wish to offer Gary and his family my appreciation for his 20 years of service to the Senate, and I wish him all the best on his future endeavors.

ANNUAL REPORT OF THE SELECT COMMITTEE ON ETHICS 112TH CONGRESS

Mrs. BOXER. Mr. President, the Honest Leadership and Open Government Act of 2007, the ''Act'', calls for the Select Committee on Ethics of the U.S. Senate to issue an annual report not later than January 31 of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the committee's activities in 2011 in the categories set forth in the act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or

staff of the Committee: 77. (In addition, 3 alleged violations from the previous year were carried into 2011.)

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 58.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 14.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 08. (This figure includes 3 matters from the previous year carried into 2011.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit: 05. (This figure includes 2 matters from the previous year carried into 2011.)

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2011, the Committee continued its preliminary inquiry into the conduct of Senator John Ensign. An outside Special Counsel was appointed to assist the Ethics Committee staff with its fact finding regarding whether Senator John Ensign violated Senate rules and federal law. As noted in the Report of the Preliminary Inquiry into the Matter of Senator John E. Ensign released by the Committee, the Special Counsel determined that there was substantial credible evidence that Senator Ensign engaged in violations of law and Senate rules. The Special Counsel concluded that the evidence that would have been presented in an adjudicatory hearing would have been substantial and sufficient to warrant the consideration of the sanction of expulsion had Senator Ensign not resigned. The Committee lost jurisdiction over Senator Ensign because he resigned his United States Senate seat. The Committee referred the matter to the U.S. Department of Justice and Federal Election Commission for further review.

In 2011, the Committee staff conducted 6 new Member ethics training sessions; 14 employee code of conduct training sessions; 15 Member and committee office campaign briefings; 42 ethics seminars for Member DC offices, state offices and Senate committees; 3 private sector ethics briefings; and 8 international ethics briefings.

In 2011, the Committee staff handled approximately 10,918 telephone inquiries and 1,745 inquiries by email for ethics advice and guidance.

In 2011, the Committee wrote approximately 800 ethics advisory letters and responses including, but not limited to, 594 travel and gifts matters (Senate Rule 35) and 104 conflict of interest matters (Senate Rule 37).

In 2011, the Committee issued 4,130 letters concerning financial disclosure filings by Senators, Senate staff and Senate candidates and reviewed 1,869 reports.

WELCOMING ELIZABETH MACDONOUGH

Ms. SNOWE. Mr. President, I rise today to pay tribute to the retiring Parliamentarian of the Senate, Alan Frumin, who has for the past two decades faithfully and honorably served this institution and who will, beginning tomorrow, embark upon a new chapter in his professional life. For 20 years, Alan has advised the Senate and the hundreds who have had the privilege of serving here with a deft understanding of its rules, some of which can be quite arcane, and an abiding passion for this august body that will reverberate for generations to come. As Alan departs this Chamber, I extend my personal gratitude to him, wish him the very best, and hope he knows that this country is deeply indebted to him for his longstanding service.

At the same time, I want to recognize and applaud a milestone moment in the life of this venerable institution as we welcome Alan's successor, Elizabeth MacDonough, the first woman in the history of the Senate to assume the indispensable responsibilities of the Parliamentarian. Elizabeth, who has served as Senior Assistant Parliamentarian since 2002, has proved herself to be not only well-versed in the labyrinthine procedures of this body but fully prepared for the demanding and often unheralded work of ensuring that my colleagues and I remain within the bounds of proper parliamentary procedure, allowing us to focus less on the operation of the Senate and more on fulfilling the Senate's constitutional role.

Since 1931, the Parliamentarian has diligently sat below the President's rostrum, independently advising the Presiding Officer on the often obscure rules and precedents that guide the process and work of the Senate. Tomorrow Elizabeth becomes the first woman in 80 years to answer what can only be deemed a calling, and a noble one at that. There are very few who have amassed the considerable experience, knowledge, and disposition required to serve with distinction in this capacity. Elizabeth is well-equipped to take on this formidable task, and I wish her the very best.

RECOGNIZING UVM PEACE CORPS ALUMNI

Mr. LEAHY. Mr. President, I would like to take a moment to commend the University of Vermont for its close relationship with the Peace Corps. This year, UVM ranked fifth in the Nation among midsized colleges and universities that are the top producers of Peace Corps volunteers. I am proud of the 42 UVM alumni currently serving in the Peace Corps around the world.

UVM has highlighted Eric Smith as one of its current alumni volunteers. Eric, who is stationed in Costa Rica, is applying his business degree by teaching microfinance and helping young women develop small businesses. He says that such efforts ''would not have been possible without my education at UVM.''

Like Eric, all of the UVM volunteers have devoted 2 years to promoting cultural understanding and improving the lives of people in countries such as Cambodia, El Salvador, Tanzania, and Uganda. Some are employing innovative teaching methods to inspire young people. Some work on small farms, increasing food production in rural villages. Others help provide safe drinking water or combat the HIV/AIDS pandemic. Yet all of the UVM volunteers display an admirable commitment to civic engagement with the dream of building a better world.

This dream is emblematic of the Vermont spirit. For the second year in a row, in 2011 our State produced the most Peace Corps volunteers per capita in the Nation. The Upper Valley region of Vermont ranks eighth in the Nation among metropolitan areas whose citizens are serving in the Peace Corps. In 2010, the Burlington area ranked second in the same category.

As the Peace Corps continues its 50th year of building understanding between Americans and the citizens of other countries, I want to applaud the contributions of Vermonters and the University of Vermont. These volunteers deserve our appreciation and support.

I ask unanimous consent that a January 25, 2012, Burlington Free Press article entitled ''UVM ranks 5th in producing Peace Corps vols.'' be printed in the RECORD.

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

[From the Burlington Free Press, Jan. 25, 2012]

UVM RANKS 5TH IN PRODUCING PEACE CORPS VOLUMES.

(By the Associated Press)

BURLINGTON.—The Peace Corps says the University of Vermont ranks fifth in the country in the number of former students who are serving as volunteers overseas.

The rankings of medium sized universities released Tuesday show that 42 UVM alumni are serving overseas. The figure is up eight over last year and it moved the school from 13th to fifth.

The Vermont alumni work across the globe in programs that include agriculture, education, environment, health and business and youth development.

The top producing medium sized college or university is The George Washington University.

The overall top producing school is the University of Colorado at Boulder.

ADDITIONAL STATEMENTS

HONORING JOSE BUNDA

• Mr. BOOZMAN. Mr. President, our veterans protected our country. They have also helped to spread the ideals for which it stands and have made great sacrifices for our Nation throughout its history. We thank these patriots for the selflessness and courage they have exhibited under the most daunting circumstances.

The heroic tales of survival and commitment to service depicted in the history books are a reality for the men and women who served in our Nation's

uniform while fighting to protect our interests and spread democracy worldwide.

While many of these patriots gave their lives on the battlefield, survivors such as Jose Bunda lived to tell some of the horrific events he endured. His firsthand accounts show the realities of WWII. They are gut-wrenching but show the human will to survive.

Today I wish to recognize the service and sacrifice of one of our veterans from the 'Greatest Generation' who stood in the face of danger: Jose Bunda. He is a true American hero who lived through the worst days of war and told his heroic story of survival.

Mr. Bunda grew up in the Philippines and joined the U.S. Army after graduating from high school when he was 18. When the Japanese attacked Pearl Harbor, Mr. Bunda was stationed on Corregidor Island.

In 1942, Mr. Bunda was defending the island against the Japanese and although his squad was able to hold its ground, he and his comrades were forced to surrender.

The realities of war Mr. Bunda experienced is something he always remembered. Almost 60 years after he was taken prisoner he recalled it as one of the worst times of his life in a story published in the Times Record.

Mr. Bunda detailed how he was piled into a boxcar for a ride that lasted 18 hours. Once the train stopped at Camp Duo he was forced on the infamous Bataan Death March where he walked day and night with no food.

''Once you fall down, they shoot you or chop off your head,'' Mr. Bunda said in a 1999 interview saying it was a miracle that he survived.

He was a prisoner of war for 2 years, working in a Japanese labor camp but escaped and joined a guerrilla unit until the end of the war.

Mr. Bunda's will to survive triumphed over the atrocities he was put through in WWII. Despite all the hardships, violence and massacres he witnessed, he remained committed to the military and continued his service in the Korean War.

Mr. Bunda and his wife Rosario came to the United States in 1957 when he was stationed at Fort Chaffee. Although his career required him to move to other military bases, the couple moved back to Arkansas in 1962 once he retired from the military after 30 years of service.

In 2000, Mr. Bunda received many of the medals, awards and recognitions he deserved for his heroics and service. Of his 16 medals, he said he was proudest of his Silver Star and the Prisoner of War medals.

A veteran, a POW and a member of Disabled American Veterans, Mr. Bunda lived his life as a loving husband, devoted father and an inspirational grandfather. Today we honor the life and legacy Mr. Bunda leaves behind. His heroic tales of survival and commitment to service have ensured he will be remembered with the highest regard as a great American hero. His sacrifices made to secure victory and peace for all freedom loving people of the world will never be forgotten.●

RECOGNIZING THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAMME

● Mr. CRAPO. Mr. President, I rise today to honor the Uni-Capitol Washington Internship Programme, UCWIP. Our Nation has benefited from the service of outstanding Australian college students who participate in internships throughout the U.S. Congress through this program.

The program is providing students with the opportunity to obtain considerable experience through their congressional internships, while also making available other educational experiences throughout their time in the United States. Uni-Capitol Washington Programme interns have helped me serve Idaho constituents, and I am grateful for their efforts and dedication.

Chris Colalillo, a UCWIP participant, has joined my staff as an intern this semester. Chris is studying bachelor's of law and arts at the University of Western Australia, where he is double majoring in political science and international relations and ancient history. When he graduates, Chris plans to work in a law firm and eventually go into Federal or State politics. Chris has been great to work with, and he was very quick to learn his role and responsibilities in the office. He is very intelligent, eager, and always puts forward his best work. He has shared with us some of the political and cultural differences between the United States and Australia, and it has been a great learning experience for both Chris and the staff.

Chris shared his impressions regarding the program and his internship. He said:

> The UCWIP has been a unique opportunity to further my knowledge in the legislative process of the United States, enabling me to develop an appreciation for democratic systems of government as well as providing me with practical experience that will facilitate my theoretical studies in Political Science and International Relations. The welcoming nature of the staff within Senator CRAPO's office has made this internship an enjoyable experience thus far.

Eric Federing, UCWIP's director and founder, has successfully focused his Capitol Hill and Australia experiences to provide this valuable educational exchange opportunity that benefits Australian students and congressional offices. His dedication to advancing this learning experience is remarkable.

I have been honored to have worked with the Uni-Capitol Washington Internship Programme for 5 years. The program is shaping young leaders who are helping to deepen understanding between our two nations while providing outstanding constituent support. I commend Chris Colalillo, Eric Federing, and the other Uni-Capitol Washington Internship Programme participants and interns for their achievements and wish them continued success.●

RECOGNIZING BIG BROTHERS BIG SISTERS OF NEW YORK

● Mr. SCHUMER. Mr. President, I rise today in honor of National Mentoring Month. This month we recognize the millions of Americans who have joined together to better the lives of others, especially our youth, through the gift of mentorship. The generosity and willingness of individuals to work together for the common good has been a hallmark of the American character since our Nation's founding.

Every day volunteer organizations across the country make substantial contributions to our Nation by fostering a place and sense of mentorship. One such extraordinary organization is the Big Brothers Big Sisters of New York City. Founded in 1906, Big Brothers Big Sisters of New York City is the oldest and largest youth mentoring organization in the United States, serving more than 3,000 young people annually. The mission of Big Brothers Big Sisters of New York City is to provide mentors to all children who need caring adult role models. These mentors change the lives of New York City's youth by expanding their horizons and helping them to realize their potential.

Big Brothers Big Sisters of New York City is unique in that it offers a variety of individualized mentoring programs that match dedicated mentors, or Bigs, to special populations of youth, or Littles. These include a New American Mentoring Program for immigrant youth, a Young Mothers Mentoring Program for pregnant teens or teenage mothers, an Incredible Kids Mentoring Program for children with a learning or physical disability or chronic disease, a Building Futures Mentoring Program for youth who are in the foster care system, and a Children of Promise Mentoring Program for children who have an incarcerated parent, sibling, or family member. Two additional special mentoring programs offered at Big Brothers Big Sisters of New York City that have a national significance are their 9/11 Together We Stand and FDNY Partnership Programs. These are unique mentoring programs for children who lost a parent or close relative in the World Trade Center attacks and those who lost a parent in the FDNY in the line of duty, including but not limited to September 11. So as you can see, Big Brothers Big Sisters of New York City is doing their part to ensure that all children have positive role models in their life no matter what their circumstances may be.

National Mentoring Month highlights the need and significance of mentors and mentoring for individuals of all ages. From organizations to individuals, mentoring enriches children's education and overall success in life.

The small investment a mentor makes in the life of a child exponentially increases the success of a child's future and the success of the community. National Mentoring Month is particularly significant for Big Brothers Big Sisters of New York City because it offers a special opportunity for the organization to raise awareness of the power of mentoring and recruit volunteer mentors, which are critical to its mission of providing children with caring adult role models. By upholding the principles of volunteerism and academics, we continue creating positive opportunities for the next generation.

Mr. President, I urge my colleagues to join me in recognizing the month of January as National Mentoring Month so we may continue to honor the important work that organizations such as Big Brothers Big Sisters of New York City play in making our Nation a better and more prosperous place.●

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 Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2041. A bill to approve the Keystone XL pipeline project and provide for environmental protection and government oversight.

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–4786. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Suspending Random Row Diversion Regulations Under the Marketing Order for Tart Cherries'' (Docket No. AMS–FV–11–0047; FV11–930–1 FR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4787. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011–2012 Marketing Year'' (Docket No. AMS–FV–10–0094; FV11–985–1A IR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4788. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Increased Assessment Rate'' (Docket No. AMS–FV–11–0057; FV11–906–1 FR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4789. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''United States Standards for Grades of Frozen Okra'' (Docket No. AMS–FV–07–0100; FV11–327) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4790. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate'' (Docket No. AMS–FV–11–0077; FV11–983–2 IR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4791. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Direct Single Family Housing Loans and Grants'' (RIN0575-AC81) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4792. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)'' (FRL No. 9329–9) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4793. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2011–0002)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–4794. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–4795. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–4796. A communication from the Chief of the Recovery and Delisting 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; Revising the Listing of the Gray Wolf (Canis lupus) in the Western Great Lakes'' (RIN1018-AX57) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Environment and Public Works.

EC–4797. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Disapproval and Promulgation of Implementation Plans; Texas; Infrastructure and Interstate Transport Requirements for the 1997 Ozone and the 1997 and 2006 PM2.5 NAAQS'' (FRL No. 9613–7) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4798. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oklahoma; Interstate Transport of Pollution'' (FRL No. 9613–2) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4799. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions'' (FRL No. 9613–3) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4800. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Florida; Control of Hospital/Medical/Infectious Waste Incinerator (HMIWI) Emissions from Existing Facilities'' (FRL No. 9611–8) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4801. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'' (FRL No. 9611–4) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4802. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Damages on Account of Personal Physical Injuries or Physical Sickness'' (TD 9573) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Finance.

EC–4803. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Restitution Payments under the Trafficking Victims Protection Act of 2000'' (Notice 2012–12) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Finance.

EC–4804. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Performance and Accountability Report for fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–4805. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Annual Catch Limits and Accountability Measures'' (RIN0648–BA23) received in the Office of the President of the Senate on January 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4806. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component of the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XA886) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4807. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Atka Mackerel Total Allowable Catch Amount'' (RIN0648–XA901) received during adjournment of the Senate in the Office of the President of the Senate on January 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4808. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XA884) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4809. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Pacific Cod Total Allowable Catch Amount'' (RIN0648–XA903) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4810. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XA887) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4811. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea Pollock Total Allowable Catch Amount'' (RIN0648–XA906) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4812. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Adjustments to the Atlantic Bluefin Tuna General and Harpoon Category Regulations'' (RIN0648–A85) received during adjournment of the Senate in the Office of the President of the Senate on December 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–4813. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2012 Specifications and Management Measures and Secretarial Amendment 1'' (RIN0648–BB27) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4814. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Reef Fish, Spiny Lobster, Queen Conch and Coral and Reef Associated Plants and Invertebrates Fishery Management Plans of Puerto Rico and the U.S. Virgin Islands'' (RIN0648–BA62) received during adjournment of the Senate in the Office of the President of the Senate on January 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4815. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; Closure of the Hawaii Shallow-Set Pelagic Longline Fishery Due To Reaching the Annual Limit on Sea Turtle Interactions'' (RIN0648–XA370) received during adjournment of the Senate in the Office of the President of the Senate on December 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–4816. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled ''Grants and Cooperative Agreements to State and Local Governments: DOT Amendments on Regulations on Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations'' (RIN2105–AD60) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4817. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mercury, NV'' ((RIN2120–AA66) (Docket No. FAA–2011–0894)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4818. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Stuart, IA'' ((RIN2120–AA66) (Docket No. FAA–2011–0831)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4819. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Carroll, IA'' ((RIN2120–AA66) (Docket No. FAA–2011–0845)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4820. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Sturgis, SD'' ((RIN2120–AA66) (Docket No. FAA–2011–0430)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4821. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Spearfish, SD'' ((RIN2120–AA66) (Docket No. FAA–2011–0431)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4822. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Bryan, OH'' ((RIN2120–AA66) (Docket No. FAA–2011–0606)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4823. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Anaktuvuk Pass, AK'' ((RIN2120–AA66) (Docket No. FAA–2011–0867)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4824. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Huntington, WV'' ((RIN2120–AA66) (Docket No. FAA–2011–1057)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1789, a bill to improve, sustain, and transform the United States Postal Service (Rept. No. 112–143).

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 Ms. COLLINS (for herself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. COBURN, Mr. LEVIN, and Mr. KYL):

S. 2044. A bill to require the Under Secretary for Science and Technology in the Department of Homeland Security to contract with an independent laboratory to study the health effects of backscatter x-ray machines used at airline checkpoints operated by the Transportation Security Administration and provide improved notice to airline passengers; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR:

S. 2045. A bill to amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MIKULSKI (for herself and Mr. KIRK):

S. 2046. A bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 2047. A bill to authorize the Secretary of Education to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 2048. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain life insurance contract transactions, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. MCCAIN, Mr. COBURN, and Mr. ENZI):

S. 2049. A bill to improve the circulation of $1 coins, to remove barrier to the circulation of such coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mr. BROWN of Massachusetts):

S. 2050. A bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. LEAHY, Mr. SANDERS, and Ms. STABENOW):

S. 2051. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 2052. A bill to amend title 5, United States Code, to provide that the legal public holiday for the birthday of George Washington take place on February 22, rather than on the third Monday in February; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 359. A resolution commending Alan S. Frumin on his service to the United States Senate; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mrs. HUTCHISON, Mr. LEAHY, Mr. ISAKSON, Mr. WHITEHOUSE, and Mr. FRANKEN):

S. Res. 360. A resolution raising awareness and encouraging prevention of stalking by designating January 2012 as ''National Stalking Awareness Month''; considered and agreed to.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. Res. 361. A resolution congratulating the University of Alabama Crimson Tide football team for winning the 2011 Bowl Championship Series National Championship; considered and agreed to.

By Mr. CRAPO (for himself and Mr. WHITEHOUSE):

S. Res. 362. A resolution designating the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month''; considered and agreed to.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 363. A resolution congratulating the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship; considered and agreed to.

By Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNS):

S. Res. 364. A resolution recognizing the goals of National Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 165

At the request of Mr. VITTER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 165, a bill to amend the Public Health Services Act to prohibit certain abortion-related discrimination in governmental activities.

S. 376

At the request of Mr. COBURN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 376, a bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment.

S. 595

At the request of Mrs. MURRAY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 680

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 680, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 1023

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1023, a bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1034

At the request of Mr. SCHUMER, the names of the Senator from Virginia (Mr. WEBB) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1034, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1051

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1051, a bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1277

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1277, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1467

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1467, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1622

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1622, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 1629

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1983

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1983, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1990

At the request of Mr. LIEBERMAN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States, and for other purposes.

S. 2010

At the request of Mr. KERRY, the names of the Senator from Maine (Ms. SNOWE) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2043

At the request of Mr. RUBIO, the names of the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 2043, a bill to amend title XXVII of the Public Health Service Act to provide religious conscience protections for individuals and organizations.

AMENDMENT NO. 1470

At the request of Mr. BEGICH, his name was added as a cosponsor of amendment No. 1470 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

At the request of Mr. LIEBERMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1470 proposed to S. 2038, supra.

At the request of Mr. HELLER, his name was added as a cosponsor of amendment No. 1470 proposed to S. 2038, supra.

AMENDMENT NO. 1471

At the request of Mr. MCCAIN, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from South Dakota (Mr. THUNE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of amendment No. 1471 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

AMENDMENT NO. 1472

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 1472 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

AMENDMENT NO. 1476

At the request of Mr. COBURN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of amendment No. 1476 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. COBURN, Mr. LEVIN, and Mr. KYL):

S. 2044. A bill to require the Under Secretary for Science and Technology in the Department of Homeland Security to contract with an independent laboratory to study the health effects of backscatter x-ray machines used at airline checkpoints operated by the Transportation Security Administration and provide improved notice to airline passengers; to the Committee on Commerce, Science, and Transportation.

Ms. COLLINS. Mr. President, I rise today to introduce legislation aimed at ensuring that the health of American travelers is not placed at possible risk as our airport security technology evolves. I am very pleased to be joined by Senators AKAKA, COBURN, SCOTT BROWN, and LEVIN, who are cosponsoring this bill.

Our bill has two major components. First, it would require the Department of Homeland Security's Science and Technology Directorate, in consultation with the National Science Foundation, to commission an independent study on the possible health effects of the x-ray radiation emitted by some of the scanning machines we see and pass through in our airports. Second, it would give airline passengers, especially those passengers in sensitive groups such as pregnant women, clear notice of their ability to choose another screening option in lieu of exposure to ionizing radiation.

Some advanced-imaging technology—or AIT—machines rely on x-ray backscatter technology. Time and time again, I have expressed my concern over their use, particularly since there is an alternative screening technology available. While the TSA has repeatedly told the public that the amount of radiation emitted from these machines is extremely small, passengers and some scientific experts have raised legitimate questions about the impact of repeated exposure to this radiation.

Last November, during a hearing on aviation security before our Homeland Security Committee, the TSA Administrator, John Pistole, agreed to my

call for an independent study to address the lingering health concerns and questions about this additional and repeated exposure to radiation. Shortly thereafter, however, he appeared to back away from this commitment, suggesting that a forthcoming report by the Department of Homeland Security's inspector general might be a sufficient substitute for a new, completely independent, thorough study.

Chairman JOE LIEBERMAN and I wrote to the Administrator to press for more details about TSA's plans for an independent study. Two weeks later, having received no reply, I sent another letter to Administrator Pistole asking why he believed the IG report on TSA's use of backscatter machines was a sufficient substitute for an independent study of the health impacts. TSA's response lacked any detail as to why the agency no longer believes an independent study on the health effects of x-ray backscatter machines is warranted, nor did it explain how the IG's review would be a sufficient substitute for an independent study. That is why I have introduced this bill today.

Late last year, the European Commission announced that ''in order not to risk jeopardizing citizens' health and safety,'' it would only authorize the use of passenger scanners in the European Union that do not use x-ray technology. This prohibition gives even more need and justification for an independent study of the safety of the AIT machines.

Some respected experts have warned Congress and the administration of the potential negative public health risks posed by the x-ray backscatter machines. They note that while the risk that someone might develop cancer because of his or her exposure to radiation during one screening by such an AIT machine is very small, we simply do not truly know the risk of this radiation exposure over multiple screenings for frequent flyers, those in vulnerable groups, or TSA employees themselves who are operating these machines.

When a person is scanned by these machines, they receive a dose of radiation—what experts in the field call a direct dose. During the scan, some of the radiation is not absorbed but is scattered in random directions from the person being scanned. Experts call this the scatter dose. Some experts point to anomalies between the scatter dose reportedly associated with these scanners and the scatter dose associated with comparable medical technology. Specifically, the scatter doses for these AIT machines are higher in relative terms than scatter doses for comparable medical devices. What is troubling is that the experts are not sure why the AIT scatter doses are higher. They point to possible deficiencies with the testing equipment or the poor placement of the testing equipment as possible explanations. Overall, they say this anomaly could point to higher direct dose rates and should be yet another impetus for an independent study.

Additionally, some experts note that the safety mechanisms in these machines that would prevent them from malfunctioning have never been independently tested. This means that if a machine malfunctions and the safety features designed to shut the machine down in such an instance do not work, a traveler could receive a higher dose of radiation. Pregnant women, children, the elderly, and as much as 5 percent of the adult population are more sensitive to radiation exposure. At a minimum, this suggests the need for further independent study.

Mr. President, I wish to share with my colleagues a tragic episode involving the daughter of two of my constituents. She underwent screening at the airport with a backscatter x-ray AIT. She was pregnant and directed by TSA to a line for a backscatter x-ray AIT machine. She was completely unaware that she was entering into an x-ray emitting machine before she stepped into it. She thought it was the more traditional magnetometer. Afterward, she was distressed to know she had exposed her unborn child to x-ray radiation. Had she realized ahead of time, she clearly would have opted for the alternative screening methods. Only 2 weeks later, she suffered a miscarriage which she attributes to the radiation she received from this scan. We will never know for certain the cause of this family's loss, but they believe in their hearts that the backscatter radiation is to blame.

Clearly, at a minimum, this young woman should have been informed by a prominent sign that an alternative means of screening was available. That is why my bill also requires TSA to have larger, understandable signs at the beginning of the screening process, not later when it is only noticed, if at all, after a lengthy wait in line. Signs should alert passengers that pregnant women, children, and the elderly can be more sensitive to radiation exposure. These signs should also make clear that passengers can opt out of this type of scanning.

I have urged TSA to move forward using only radiation screening technology, but in the meantime, an independent study is needed to protect the public and to determine which technology is worthy of taxpayer dollars. Surely passengers should be well informed of their screening options.

We Americans have demonstrated our willingness to endure enhanced security measures at our airports if those measures appear to be reasonable and related to real risks. But travelers become frustrated when security measures inconvenience them without cause, cause privacy or health concerns, or when they appear to be focused on those who pose little or no threat.

On this particular issue, Senators AKAKA, COBURN, SCOTT BROWN, LEVIN, and I agree that we are past the time when an independent review of the scanning technology that emits radiation must be undertaken. I urge my colleagues to join us in quickly passing this legislation.

By Ms. SNOWE (for herself, Ms. LANDRIEU and Mr. BROWN of Massachusetts):

S. 2050. A bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise to introduce along with Senator LANDRIEU the Small Business Tax Extenders Act of 2012, that will provide targeted tax relief legislation to small businesses and extend the essential tax relief provisions that were included in the Small Business Jobs Act of 2010, P.L. 111–240.

When the Small Business Jobs Act of 2010 was crafted, Senator LANDRIEU and I worked closely with Finance Committee Chair BAUCUS, then-Ranking Member GRASSLEY, and now Ranking Member HATCH to ensure the critical small business tax provisions that reflected our shared priorities were included in that legislation. We sincerely appreciate all of their hard work on that legislation.

As the former Chair and now Ranking Member of the Committee on Small Business and Entrepreneurship, and along with current Chair LANDRIEU, we are well aware of the urgent imperative of job creation in our country. According to the Bureau of Labor Statistics, the average annual unemployment rate for 2011 was 9 percent. For the past 3 years, unemployment has been no lower than 8.3 percent, so we are far from where we need to be in a recovery. About 45 percent of the unemployed have been out of work for at least 6 months—a level previously unseen in the 6 decades since World War II.

At a time when 14 million Americans are still unemployed, and have been so for the longest period since record keeping began in 1948, our government should be taking every possible step to ease the burden on job creators. We must help create an environment that is conducive to small businesses' job creation. Our Nation's small businesses are the engine of job creation, being responsible for at least 60 percent and perhaps as many as ⅔ of all new jobs created, and they should be the focus of our support. One critical way to do so is through targeted small business tax incentives.

The bill Senator LANDRIEU and I are introducing today provides those targeted tax incentives that in the past have received bipartisan support both in the Senate and in the House. These tax provisions provide relief to small businesses in their capital investments and to those willing to risk their own savings by investing in the small business. The provisions provide relief to the self-employed as well as to S corporations and partnerships. The success of these provisions over the past

several years is evident in the fact we noted above, about small businesses being the one bright spot of job creation even in these troubled times, and this bill will help them continue to grow and continue to help provide jobs.

The lifeblood of a small business is its cash flow and this bill contains several provisions to improve it. One of these provisions will address a fundamental injustice of the tax code by extending the deduction for health insurance premiums against not only income taxes but also against payroll taxes. At a rate of 15.3 percent, the self-employment, or SECA, tax is imposed on the health benefits of business owners. This is a costly injustice that makes health insurance just that much more expensive at a time when insurance costs are already prohibitively expensive.

In the coming years we will certainly see health premiums rise, making it all the more onerous on small businesses to provide critical benefits to their employees. Allowing the full deduction for health insurance is critical for its affordability. I was thrilled that we were able to address this injustice in the Small Business Jobs Act of 2010, and I sincerely hope that this provision can be extended again until we can find a permanent solution.

This legislation will also extend a provision permitting general business credits to be carried back 5 years and taken against the Alternative Minimum Tax, AMT. Before the enactment of the Small Business Jobs Act, a business's unused general business credit could be carried back to offset taxes paid in the previous year, and the remaining amount could be carried forward for 20 years to offset future tax liabilities.

The 5-year carryback of credits will allow business owners to reach back to prior years when they had taxable income to offset prior tax liability with these credits and get immediate cash infusion. Business owners can use this cash as they choose, but as we have seen with net operating loss relief, they use these funds for anything from meeting payroll to investing in new equipment. The same principle applies with respect to the provision that allows credits to be used against the AMT.

When Congress implements policies through the tax code, it is with intent that businesses will utilize such incentives to do what they do best, and that is to grow their operations, which in turn leads to hiring additional employees. Unfortunately, during a struggling economic cycle that we have been experiencing for more than 3 years, businesses do not have income tax liability that can be offset with a credit. It is rather simple: if you do not have enough revenue to claim a credit, that credit is of little use to you.

An incredible benefit of the carryback and the use of general business credits against the AMT is to make health insurance more affordable for business owners to offer to their employees.

This bill would also extend the availability of the so-called Section 179 expensing to give businesses the option of writing off the cost of qualifying capital expenses in the year of acquisition instead of recovering these costs over time through depreciation, and allow businesses to take advantage of higher limits for the so-called Section 179 expensing. Under this provision, up to $250,000 can be expensed for real property and up to $250,000 for equipment, or up to the full $500,000 for just equipment.

Expanding Section 179 expensing has been a significant Small Business Committee bipartisan priority of mine and Chair LANDRIEU's, as well as of former Small Business Committee Chair KERRY, as reflected in no fewer than three separate bills in the previous Congress.

I want my colleagues to understand that this provision is expected to confer a major economic boost because it certainly speeds up the recovery time on these investments. Extending this provision will help the businesses modernize while aiding construction firms and their employees.

Additionally, the Small Business Jobs Act of 2010 provided for a temporary reduction in the recognition period for S corporation built-in gains tax. When businesses convert from a C corporation to an S corporation, they have been required to hold their appreciated assets for a full decade or face a punitive level of double taxation. In such instances, first the built-in gain corporate tax rate of 35 percent is applied and then all other applicable federal, state and local shareholder tax rates are applied, often totaling near 60 percent in most states, including Maine. In effect, the built-in gain tax locks-up businesses' own capital and forces them to look elsewhere—a particular challenge for S corporations since closely-held businesses have limited access to the public markets and therefore fewer options for raising needed capital.

Recent law changes temporarily shortened this holding period to 7 years, but that is still too long. By infusing capital—that is, releasing their own capital—this provision in the Small Business Jobs Act, reducing the holding period from 7 years to 5 years, enabled companies that have long been S corporations to redeploy this capital to invest in and grow their businesses. Extending this provision also underscores how vital access to capital is for small businesses, while preserving the original policy intent of the holding period and making it more reflective of the shorter business planning cycles of the 21st century.

A final provision would extend a complete exclusion on capital gains attributable to small business stock held for five years. Extending this measure will help further critical investment in our nation's small businesses. This is a longstanding priority of mine and of Senator JOHN KERRY—former Chair of the Small Business Committee and my fellow colleague on the Finance Committee. The Kerry-Snowe Invest in Small Business Act of 2009 included this exclusion, which we fought to incorporate into the Small Business Jobs Act. Chair LANDRIEU and I are very pleased to take-up that mantle together and we are committed to its extension.

But targeted small business tax provisions, for all their importance and critical need, are not enough. That is why as a senior member of the Senate Finance Committee, I have been urging this administration to champion tax reform, and, in fact, I led a panel on the issue as part of the Economic Summit at the White House more than three years ago.

The individual income tax form has more than tripled in length from 52 pages for 1980 to 174 pages for 2009. American taxpayers spend 7.6 billion hours and shell out $140 billion—or one percent of GDP—just struggling to comply with tax filing requirements. This is not surprising as there have been 15,000 changes to the tax code since the last overhaul in 1986.

Alarmingly, the tax code is also needlessly restricting our ability to compete in today's integrated global economy, as we strain under the second highest corporate tax burden in the industrialized world. And while this Administration and the Senate majority are pondering whether we should reform our tax code, small businesses continued to struggle with the current tax regime at the expense of creating more jobs and growing operations.

While I continue to advocate for comprehensive tax reform, there are certain measures that, although not a silver bullet, should be passed right away to help improve the economic environment for small businesses. The Small Business Tax Extenders Act is a critical example: this legislation contains provisions that Senator LANDRIEU and I have championed for years to provide small businesses greater cash flow, incentivizing their investments, and increasing tax fairness.

Mr. President, it is essential that we pass these small business tax extensions. I urge my colleagues to support this legislation so we can ensure that our Nation's small businesses and their employees are provided with much needed tax relief.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2050

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Small Business Tax Extenders Act of 2012''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2013'', and

(2) by striking ''AND 2011'' and inserting '', 2011, AND 2012'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2011.

SEC. 3. EXTENSION OF 5-YEAR CARRYBACK OF GENERAL BUSINESS CREDITS OF ELIGIBLE SMALL BUSINESSES.

(a) IN GENERAL.—Subparagraph (A) of section 39(a)(4) is amended by inserting '', 2011, or 2012'' after ''2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to credits determined in taxable years beginning after December 31, 2010.

SEC. 4. EXTENSION OF ALTERNATIVE MINIMUM TAX RULES FOR GENERAL BUSINESS CREDITS OF ELIGIBLE SMALL BUSINESSES.

(a) IN GENERAL.—Subparagraph (A) of section 38(c)(5) is amended by inserting '', 2011, or 2012'' after ''2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to credits determined in taxable years beginning after December 31, 2010, and to carrybacks of such credits.

SEC. 5. EXTENSION OF REDUCTION IN RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

(a) IN GENERAL.—Clause (ii) of section 1374(d)(7)(B) of the Internal Revenue Code of 1986 is amended by inserting ''2012, or 2013,'' after ''2011,''.

(b) CONFORMING AMENDMENT.—The heading for section 1374(d)(7)(B) is amended by striking ''AND 2011'' and inserting ''2011, AND 2012''.

(c) TECHNICAL AMENDMENT.—Subparagraph (B) of section 1374(d)(7) of such Code is amended by striking ''The preceding sentence'' and inserting the following: ''For purposes of applying this subparagraph to an installment sale, each portion of such installment sale shall be treated as a sale occurring in the taxable year in which the first portion of such installment sale occurred. This subparagraph''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 6. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—Section 179(b) is amended—

(1) by striking ''2010 or 2011'' each place it appears in paragraph (1)(B) and (2)(B) and inserting ''2010, 2011, or 2012'',

(2) by striking ''2012'' each place it appears in paragraph (1)(C) and (2)(C) and inserting ''2013'', and

(3) by striking ''2012'' each place it appears in paragraph (1)(D) and (2)(D) and inserting ''2013''.

(b) INFLATION ADJUSTMENT.—Subparagraph (A) of section 179(b)(6) is amended by striking ''2012'' and inserting ''2013''.

(c) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(d) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(e) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—Section 179(f)(1) is amended by striking ''2010 or 2011'' and inserting ''2010, 2011, or 2012''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 7. EXTENSION OF SPECIAL RULE FOR LONG-TERM CONTRACT ACCOUNTING.

(a) IN GENERAL.—Clause (ii) of section 460(c)(6)(B) is amended by striking ''January 1, 2011 (January 1, 2012'' and inserting ''January 1, 2013 (January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2010.

SEC. 8. EXTENSION OF INCREASED AMOUNT ALLOWED AS A DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Paragraph (3) of section 195(b) is amended—

(1) by inserting '', 2001, or 2012'' after ''2010'', and

(2) by inserting ''2011, AND 2012'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2010.

SEC. 9. EXTENSION OF ALLOWANCE OF DEDUCTION FOR HEALTH INSURANCE IN COMPUTING SELF-EMPLOYMENT TAXES.

(a) IN GENERAL.—Paragraph (4) of section 162(l) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2010.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. LEAHY, Mr. SANDERS, and Ms. STABENOW):

S. 2051. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleagues Senators WHITEHOUSE, SANDERS, STABENOW, and FRANKEN legislation to stop the student loan interest rate from doubling on July 1 of this year.

This is an issue that weighs heavily on many of Rhode Island's students and families who rely on student loans to finance college. Rhode Island's college graduates have the ninth highest student debt total in the Nation, according to a recent study by the Project on Student Debt. In Rhode Island, 67 percent of students graduating from four-year colleges and universities in the 2010 school year had debt averaging over $26,300.

Nationwide, the Department of Education estimates that more than 10 million students will borrow subsidized Stafford Loans in fiscal year 2012. Unless we act soon, they will see their interest rates double for the upcoming academic year.

In 2007, Congress made a historic investment in higher education by passing the College Cost Reduction and Access Act. Included in this law was a provision that reduced the fixed interest rate on Stafford Loans for undergraduate students from 6.8 percent to 3.4 percent over a 4 year period, easing the financial burden on millions of students and their families.

This was the right investment to make for our future. Today, education, particularly higher education, is even more essential than ever. In 1980, the gap between the lifetime earnings of a college graduate and a high school graduate was 40 percent. In 2010, it was 74 percent. By 2025, it is projected to be 96 percent. Since at least the 1980s, we have not been producing a sufficient number of college-educated workers to meet the demand of a more sophisticated and challenging economy driven by global competition. Indeed, our country lags behind in college education, ranking 14 in international comparisons of college graduates. For young adults, ages 25 to 34, we rank 16.

This is no time to make financing a college education more expensive for middle class families. Yet, absent enacting this legislation, that is what will happen. According to an analysis by U.S. PIRG, allowing the interest rate to double could cost borrowers who take out the maximum $23,000 in subsidized student loans approximately $5,000 more over a 10-year repayment period.

The subsidized student loan program for undergraduates is highly targeted to low- and middle-income families. Approximately 37 percent of the dependent borrowers in this program come from families with annual incomes of less than $40,000. An additional 21.6 percent of students receiving subsidized students loans come from families with incomes between $40,000 and 60,000 per year. These students receive very little, if any, benefit from the Pell grant program but still have significant financial need. The subsidized student loan program is our main vehicle for addressing that need.

Tax loopholes and giveaways that let the biggest companies ship jobs overseas cost roughly $37 billion over ten years. Loopholes like this one should be ended, with those savings used to prevent an increase in college costs, which are already a crushing burden on families. Indeed, those savings are more than enough to extend the student loan interest rate at least through the next reauthorization of the Higher Education Act, expected in 2014. I would that my colleagues on both sides of the aisle will support helping millions of middle class families finance a college education over continuing to provide incentives for companies to take jobs and their investments overseas. In his State of the Union Address, President Obama called on Congress to prevent this doubling of student loan rates. As families continue to struggle with the rising cost of college and newly minted graduates face the toughest job market since the Great Depression, it is vital that we protect middle class families and their children from higher student loan rates.

I urge my colleagues to join me in cosponsoring and pressing for passage of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2051

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

SECTION 1. INTEREST RATE EXTENSION.

Section 455(b)(7)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking ''and before July 1, 2012,''; and

(2) in clause (v), by striking ''and before July 1, 2012,''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 359—COMMENDING ALAN S. FRUMIN ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 359

Whereas Alan S. Frumin, a native of New Rochelle, New York and graduate of Colgate University and Georgetown University Law Center, began his long career with the Congress in the House of Representatives precedents writing office in April of 1974;

Whereas Alan S. Frumin began work with the Secretary of the Senate's Office of the Senate Parliamentarian on January 1, 1977, serving under eight Majority Leaders;

Whereas Alan S. Frumin served the Senate as its Parliamentarian from 1987 to 1995 and from 2001 to 2012 and has been Parliamentarian Emeritus since 1997;

Whereas Alan S. Frumin revised the Senate's book on procedure, ''Riddick's Senate Procedure'' and is the only sitting Parliamentarian to have published a compilation of the body's work;

Whereas Alan S. Frumin has shown tremendous dedication to the Senate during his 35 years of service;

Whereas Alan S. Frumin has earned the respect and affection of the Senators, their staffs and all of his colleagues for his extensive knowledge of all matters relating to the Senate, his fairness and thoughtfulness;

Whereas Alan S. Frumin now retires from the Senate after 35 years to spend more time with his wife, Jill, and his daughter, Allie; Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Alan S. Frumin and commends him for his lengthy, faithful and outstanding service to the Senate.

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to Alan S. Frumin.

SENATE RESOLUTION 360—RAISING AWARENESS AND ENCOURAGING PREVENTION OF STALKING BY DESIGNATING JANUARY 2012 AS ''NATIONAL STALKING AWARENESS MONTH''

Ms. KLOBUCHAR (for herself, Mrs. HUTCHISON, Mr. LEAHY, Mr. ISAKSON, Mr. WHITEHOUSE, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 360

Whereas 1 in 6, or 19,200,000, women in the United States have at some point during their lifetime experienced stalking victimization, during which they felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 3,400,000 persons in the United States reported that they had been victims of stalking, and 75 percent of those victims reported that they had been stalked by someone they knew;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that stalkers had used email, instant messaging, blogs, bulletin boards, Internet sites, chat rooms, or other forms of electronic monitoring against them, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims reported having relocated in an effort to escape a stalker;

Whereas approximately 1 in 8 employed victims of stalking missed work because they feared for their safety or were taking steps to protect themselves, such as by seeking a restraining order;

Whereas less than 50 percent of victims reported stalking to police, and only 7 percent of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the United States, and such services must include programs tailored to meet the needs of stalking victims;

Whereas persons aged 18 to 24 experience the highest rates of stalking victimization, and rates of stalking among college students exceed the prevalence rates found in the general population;

Whereas as many as 75 percent of women in college who experience stalking-related behavior experience other forms of victimization, including sexual or physical victimization, or both;

Whereas there is a need for effective responses to stalking on campuses; and

Whereas the Senate finds that ''National Stalking Awareness Month'' provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2012 as ''National Stalking Awareness Month'';

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, and nonprofit organizations to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through ''National Stalking Awareness Month''.

SENATE RESOLUTION 361—CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE FOOTBALL TEAM FOR WINNING THE 2011 BOWL CHAMPIONSHIP SERIES NATIONAL CHAMPIONSHIP

Mr. SHELBY (for himself and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 361

Whereas the University of Alabama Crimson Tide football team won the 2012 Allstate Bowl Championship Series (referred to in this preamble as ''BCS'') National Championship Game, defeating Louisiana State University by a score of 21–0 in the Mercedes-Benz Superdome in New Orleans on January 9, 2012;

Whereas this victory marks the second BCS title in the last 3 years and the 14th national championship in college football for the University of Alabama;

Whereas the victory by the University of Alabama was the first shutout in any BCS bowl game since the system was created in 1998 and the first shutout in the championship game since the 1992 Orange Bowl;

Whereas the 2012 BCS National Championship Game was the 59th postseason bowl appearance and the 33rd bowl victory for the University of Alabama, both of which extend existing NCAA records for the University of Alabama;

Whereas the victory by the University of Alabama marks the sixth consecutive BCS national championship for the Southeastern Conference and the third consecutive BCS national championship for the State of Alabama;

Whereas the University of Alabama gained 384 yards of total offense in the BCS National Championship Game, while holding the offense of Louisiana State University to 5 first downs and 92 total yards, the second lowest yards of total offense in BCS history;

Whereas A.J. McCarron completed 23 of 34 passes for a total of 234 yards without a turnover and was named offensive player of the game;

Whereas senior linebacker Courtney Upshaw recorded 7 tackles, including 1 sack, and was named defensive player of the game;

Whereas Trent Richardson, winner of the Doak Walker Award, finished with 20 carries for 96 yards and 107 all-purpose yards and scored the only touchdown of the game;

Whereas Jeremy Shelley successfully completed 5 field goal attempts, setting a BCS National Championship Game record and tying an NCAA bowl record;

Whereas in 2011, the defense of the University of Alabama led the nation in rushing defense, passing defense, scoring defense, and total defense;

Whereas 4 members of the Crimson Tide football team were recognized as first-team All Americans by the Associated Press;

Whereas the 2011 Crimson Tide senior class compiled a 48–6 record, tying a Southeastern Conference record for class victories;

Whereas the leadership of head coach Nick Saban, whose dedication and commitment to excellence instilled in his players a sense of

integrity, pride, sportsmanship, and perseverance, inspired both his team throughout the season and the Tuscaloosa community following the devastating losses in the April tornadoes;

Whereas President Robert Witt and Athletic Director Mal Moore have brought tremendous academic success and national recognition to the University of Alabama athletic department and the entire university; and

Whereas the players, coaches, and support staff of the University of Alabama football team showed tremendous determination throughout the season and brought great honor to the University of Alabama and the State of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Alabama for winning the 2011 Bowl Championship Series National Championship;

(2) recognizes the achievements of all the players, coaches, and staff whose hard work, dedication, and persistence helped the Crimson Tide win a national championship; and

(3) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Robert Witt;

(B) the Athletic Director of the University of Alabama, Mal Moore; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

SENATE RESOLUTION 362—DESIGNATING THE MONTH OF FEBRUARY 2012 AS ''NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH''

Mr. CRAPO (for himself and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 362

Whereas, although dating violence, domestic violence, sexual violence, and stalking affect women regardless of age, teenage girls and young women are especially vulnerable;

Whereas, according to the National Intimate Partner and Sexual Violence survey recently conducted by the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC''), the majority of victimization starts early in life, as most victims of rape and intimate partner violence first experience such violence before age 24;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a rate that far exceeds victimization rates for other types of violence affecting young people;

Whereas, according to the Youth Risk Behavior Surveillance System (referred to in this preamble as the ''YRBSS'') of the CDC, nearly 10 percent of high school students have been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend during the past year;

Whereas, according to the American Journal of Public Health, more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas, according to a survey conducted by the YRBSS, almost 20 percent of teenage girls who were exposed to physical dating violence did not attend school on 1 or more occasions during the 30 days preceding the survey because the girls felt unsafe at school or on the way to or from school;

Whereas a violent relationship in adolescence can have serious ramifications for the victim, putting the victim at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas being physically or sexually abused makes teenage girls—

(1) up to 6 times more likely to become pregnant; and

(2) more than twice as likely to contract a sexually transmitted disease;

Whereas, according to a recent study published in the Archives of Pediatrics and Adolescent Medicine, more than half of teenagers and young adults treated at an inner-city emergency room reported having been a victim or perpetrator of dating violence;

Whereas nearly 3 in 4 ''tweens'', individuals who are between the ages of 11 and 14, report that dating relationships usually begin at age 14 or younger, and approximately 72 percent of students in eighth or ninth grade report dating;

Whereas 1 in 5 tweens report having a friend who is a victim of dating violence, and nearly half of tweens who are in relationships know a friend who is verbally abused;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the dating relationships of tweens;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, although 82 percent of parents are confident that they could recognize the signs that their child was experiencing dating abuse, a majority of parents, or 58 percent, could not correctly identify all the warning signs of dating abuse;

Whereas 74 percent of teenage boys and 66 percent of teenage girls say they have not had a conversation with a parent about dating abuse in the past year;

Whereas, according to a National Crime Prevention Council survey, 43 percent of middle and high school students reported experiencing cyberbullying during the past year;

Whereas 1 in 4 teens in a relationship report having been called names, harassed, or put down by a partner through the use of a cell phone, including through texting;

Whereas 3 in 10 young people have sexted, and 61 percent of young people who have sexted report being pressured to do so at least once;

Whereas, according to the Liz Claiborne Inc. 2010 College Dating Violence and Abuse Poll, 43 percent of college women who date report experiencing violent and abusive dating behavior;

Whereas 70 percent of college students who experienced relationship abuse failed to realize that they were in an abusive relationship at the time, and 60 percent of college students who were in an abusive relationship said that no one stepped in to help them;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where a pattern of violence was established during adolescence;

Whereas primary prevention programs are a key part of addressing teen dating violence, and successful examples of such programs include education, community outreach, and social marketing campaigns that are culturally appropriate;

Whereas educating middle school students and the parents of those students about the importance of building healthy relationships and preventing teen dating violence is key to deterring dating abuse before it begins;

Whereas skilled assessment and intervention programs are also necessary for young victims and abusers; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Month will benefit schools, communities, and families regardless of socioeconomic status, race, or sex: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month'';

(2) supports communities that are empowering teenagers to develop healthier relationships throughout their lives; and

(3) calls upon the people of the United States, including young people, parents, schools, law enforcement officials, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Month with appropriate programs and activities that promote awareness and prevention of teen dating violence in their communities.

SENATE RESOLUTION 363—CONGRATULATING THE PITTSBURG STATE UNIVERSITY GORILLAS FOOTBALL TEAM FOR WINNING THE 2011 NCAA DIVISION II FOOTBALL CHAMPIONSHIP

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 363

Whereas the Pittsburg State University Gorillas football team defeated the Wayne State University Warriors by a score of 35 to 21 to win the 2011 NCAA Division II Football Championship in Florence, Alabama on December 17, 2011;

Whereas Pittsburg State University has more all-time wins than any other NCAA Division II football program and this championship victory, the 4th in the history of the university, continues a long tradition of success;

Whereas the Pittsburg State University coaching staff, led by second-year Head Coach Tim Beck, the 2011 Liberty Mutual Coach of the Year Award winner for Division II, guided the Gorillas to a final regular season record of 13 wins and 1 loss;

Whereas the Gorillas benefitted from strong leadership in the championship game, including senior quarterback and Pittsburg, Kansas native Zac Dickey, who passed for 190 yards and rushed for 68 yards; and

Whereas the students, staff, alumni, and friends of Pittsburg State University, along with the city of Pittsburg, Kansas, deserve much credit for supporting the Gorillas football team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship; and

(2) recognizes the achievements of all the players, coaches, and support staff of the Pittsburg State University Gorillas football team.

SENATE RESOLUTION 364—RECOGNIZING THE GOALS OF NATIONAL CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNS) submitted the following resolution; which was considered and agreed to:

S. RES. 364

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate more than 2,000,000 students and maintain a student-to-teacher ratio of 14 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 97 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas, in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of National Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1477. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

SA 1478. Mr. BROWN, of Ohio submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1479. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1480. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1481. Mr. BROWN, of Ohio (for himself and Mr. MERKLEY) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1482. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1483. Mr. LEAHY (for himself and Mr. CORNYN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1484. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1485. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1486. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1487. Mr. PAUL proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1488. Mr. DEMINT (for himself and Mr. VITTER) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1489. Mrs. BOXER (for herself and Mr. ISAKSON) submitted an amendment intended to be proposed by her to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1490. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1491. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1492. Mr. TESTER (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1493. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1494. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1495. Mr. UDALL, of Colorado (for Mr. INOUYE) proposed an amendment to the resolution S. Res. 286, recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for Hereditary Angioedema.

TEXT OF AMENDMENTS

SA 1477. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _. MODIFICATION OF EXEMPTION.

(a) REMOVAL OF RESTRICTION.—Section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2)) is amended by inserting before the period at the end the following: '', whether or not such transactions involve general solicitation or general advertising''.

(b) MODIFICATION OF RULES.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall revise its rules issued in section 230.506 of title 17, Code of Federal Regulations, to provide that the prohibition against general solicitation or general advertising contained in section 230.502(c) of such title shall not apply to offers and sales of securities made pursuant to section 230.506, provided that all purchasers of the securities are accredited investors. Such rules shall require the issuer to take reasonable steps to verify that purchasers of the securities are accredited investors, using such methods as determined by the Commission.

SA 1478. Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

On page 6, strike lines 12 through 15, and insert the following:

''(j) After any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress shall file a report of the transaction not later than 10 days following the day on which the subject transaction has been executed.''.

On page 9, line 17, strike ''30'' and insert ''10''.

SA 1479. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF PAY FREEZE FOR FEDERAL EMPLOYEES.

(a) IN GENERAL.—Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242; 5 U.S.C. 5303 note) is amended—

(1) in subsection (b)(1), by striking ''December 31, 2012'' and inserting ''December 31, 2013''; and

(2) in subsection (c), by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(b) CLARIFICATION THAT FREEZE APPLIES TO LEGISLATIVE BRANCH.—

(1) MEMBERS OF CONGRESS.—Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during the period beginning on the first day of the first pay period beginning on or after February 1, 2013 and ending on December 31, 2013.

(2) LEGISLATIVE BRANCH EMPLOYEES.—

(A) DEFINITION.—In this paragraph, the term ''legislative branch employee'' means—

(i) an employee whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(ii) an employee of any agency established in the legislative branch.

(B) FREEZE.—Notwithstanding any other provision of law, no cost of living adjustment required by statute with respect to a legislative branch employee which (but for this subparagraph) would otherwise take effect during the period beginning on the date of enactment of this Act and ending on December 31, 2013 shall be made.

SA 1480. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—NO BUDGET, NO PAY

SECTION 201. SHORT TITLE.

This title may be cited as the ''No Budget, No Pay Act''.

SEC. 202. DEFINITION.

In this title, the term ''Member of Congress''—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

SEC. 203. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

SEC. 204. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section 205.

(b) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section 205, at any time after the end of that period.

SEC. 205. DETERMINATIONS.

(a) SENATE.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section 203 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section 203; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

(b) HOUSE OF REPRESENTATIVES.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section 203 and whether Member of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Member of the House of Representatives may not be paid under section 203; and

(C) provide timely certification of the determinations under subparagraph (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

SEC. 206. EFFECTIVE DATE.

This title shall take effect on February 1, 2013.

SA 1481. Mr. BROWN of Ohio (for himself and Mr. MERKLEY) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. PUTTING THE PEOPLE'S INTERESTS FIRST ACT OF 2012.

(a) SHORT TITLE.—This section may be cited as the ''Putting the People's Interests First Act of 2012''.

(b) ELIMINATING FINANCIAL CONFLICTS OF INTEREST FOR MEMBERS OF THE SENATE.—A covered person shall be prohibited from holding and shall divest themselves of any covered transaction that is directly and reasonably foreseeably affected by the official actions of such covered person, to avoid any conflict of interest, or the appearance thereof. Any divestiture shall occur within a reasonable period of time.

(c) DEFINITIONS.—In this section:

(1) SECURITIES.—The term ''securities'' has the same meaning as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) COVERED PERSON.—The term ''covered person'' means a Member, officer, or employee of the Senate, their spouse, and their dependents.

(3) COVERED TRANSACTION.—The term ''covered transaction'' means investment in securities in any company, any comparable economic interest acquired through synthetic means such as the use of derivatives, or short selling any publicly traded securities.

(4) SHORT SELLING.—The term ''short selling'' means entering into a transaction that has the effect of creating a net short position in a publicly traded company.

(d) EXCEPTION.—Nothing in this section shall preclude a covered person from investing in broad-based investments, such as diversified mutual funds and unit investment trusts, sector mutual funds, or employee benefit plans, even if a portion of the funds are invested in a security, so long as the covered person has no control over or knowledge of the management of the investment, other than information made available to the public by the mutual fund.

(e) TRUSTS.—

(1) IN GENERAL.—On a case-by-case basis, the Select Committee on Ethics may authorize a covered person to place their securities holdings in a qualified blind trust approved by the committee under section 102(f) of the Ethics in Government Act of 1978.

(2) BLIND TRUST.—A blind trust permitted under this subsection shall meet the criteria in section 102(f)(4)(B) of the Ethics in Government Act of 1978, unless an alternative arrangement is approved by the Select Committee on Ethics.

(f) APPLICATION.—This section does not apply to an individual employed by the Secretary of the Senate, Sergeant at Arms, the Architect of the Capitol, or the Capital Police.

SA 1482. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

On page 7, line 22, after ''Reform'' insert ''and the Committee on the Judiciary''.

SA 1483. Mr. LEAHY (for himself and Mr. CORNYN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the end, add the following:

TITLE II—PUBLIC CORRUPTION PROSECUTION IMPROVEMENTS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Public Corruption Prosecution Improvements Act of 2012''.

SEC. 202. VENUE FOR FEDERAL OFFENSES.

(a) IN GENERAL.—The second undesignated paragraph of section 3237(a) of title 18, United States Code, is amended by adding before the period at the end the following: ''or in any district in which an act in furtherance of the offense is committed''.

(b) SECTION HEADING.—The heading for section 3237 of title 18, United States Code, is amended to read as follows:

''SEC. 3237. OFFENSE TAKING PLACE IN MORE THAN ONE DISTRICT.''.

(c) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 211 of title 18, United States Code, is amended so that the item relating to section 3237 reads as follows:

''Sec. 3237. Offense taking place in more than one district.''.

SEC. 203. THEFT OR BRIBERY CONCERNING PROGRAMS RECEIVING FEDERAL FINANCIAL ASSISTANCE.

Section 666(a) of title 18, United States Code, is amended—

(1) by striking ''10 years'' and inserting ''20 years'';

(2) by striking ''$5,000'' the second place and the third place it appears and inserting ''$1,000'';

(3) by striking ''anything of value'' each place it appears and inserting ''any thing or things of value''; and

(4) in paragraph (1)(B), by inserting after ''anything'' the following: ''or things''.

SEC. 204. PENALTY FOR SECTION 641 VIOLATIONS.

Section 641 of title 18, United States Code, is amended by striking ''ten years'' and inserting ''15 years''.

SEC. 205. BRIBERY AND GRAFT; CLARIFICATION OF DEFINITION OF "OFFICIAL ACT"; CLARIFICATION OF THE CRIME OF ILLEGAL GRATUITIES.

(a) DEFINITION.—Section 201(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by amending paragraph (3) to read as follows:

''(3) the term 'official act'—

''(A) means any act within the range of official duty, and any decision or action on any question, matter, cause, suit, proceeding, or controversy, which may at any time be pending, or which may by law be brought before any public official, in such public official's official capacity or in such official's place of trust or profit; and

''(B) may be a single act, more than 1 act, or a course of conduct; and''; and

(3) by adding at the end the following:

''(4) the term 'rule or regulation' means a Federal regulation or a rule of the House of Representatives or the Senate, including those rules and regulations governing the acceptance of gifts and campaign contributions.''.

(b) CLARIFICATION.—Section 201(c)(1) of title 18, United States Code, is amended to read as follows:

''(1) otherwise than as provided by law for the proper discharge of official duty, or by rule or regulation—

''(A) directly or indirectly gives, offers, or promises any thing or things of value to any public official, former public official, or person selected to be a public official for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official;

''(B) directly or indirectly, knowingly gives, offers, or promises any thing or things of value with an aggregate value of not less than $1000 to any public official, former public official, or person selected to be a public official for or because of the official's or person's official position;

''(C) being a public official, former public official, or person selected to be a public official, directly or indirectly, knowingly demands, seeks, receives, accepts, or agrees to receive or accept any thing or things of value with an aggregate value of not less than $1000 for or because of the official's or person's official position; or

''(D) being a public official, former public official, or person selected to be a public official, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept any thing or things of value for or because of any official act performed or to be performed by such official or person;''.

SEC. 206. AMENDMENT OF THE SENTENCING GUIDELINES RELATING TO CERTAIN CRIMES.

(a) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission forthwith shall review and, if appropriate, amend its guidelines and its policy statements applicable to persons convicted of an offense under section 201, 641, 1346A, or 666 of title 18, United States Code, in order to reflect the intent of Congress that such penalties meet the requirements in subsection (b) of this section.

(b) REQUIREMENTS.—In carrying out this subsection, the Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect Congress's intent that the guidelines and policy statements reflect the serious nature of the offenses described in paragraph (1), the incidence of such offenses, and the need for an effective deterrent and appropriate punishment to prevent such offenses;

(2) consider the extent to which the guidelines may or may not appropriately account for—

(A) the potential and actual harm to the public and the amount of any loss resulting from the offense;

(B) the level of sophistication and planning involved in the offense;

(C) whether the offense was committed for purposes of commercial advantage or private financial benefit;

(D) whether the defendant acted with intent to cause either physical or property harm in committing the offense;

(E) the extent to which the offense represented an abuse of trust by the offender and was committed in a manner that undermined public confidence in the Federal, State, or local government; and

(F) whether the violation was intended to or had the effect of creating a threat to public health or safety, injury to any person or even death;

(3) assure reasonable consistency with other relevant directives and with other sentencing guidelines;

(4) account for any additional aggravating or mitigating circumstances that might justify exceptions to the generally applicable sentencing ranges;

(5) make any necessary conforming changes to the sentencing guidelines; and

(6) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 207. EXTENSION OF STATUTE OF LIMITATIONS FOR SERIOUS PUBLIC CORRUPTION OFFENSES.

(a) IN GENERAL.—Chapter 213 of title 18, United States Code, is amended by adding at the end the following:

''§ 3302. Corruption offenses

''Unless an indictment is returned or the information is filed against a person within 6 years after the commission of the offense, a person may not be prosecuted, tried, or punished for a violation of, or a conspiracy or an attempt to violate the offense in—

''(1) section 201 or 666;

''(2) section 1341 or 1343, when charged in conjunction with section 1346 and where the offense involves a scheme or artifice to deprive another of the intangible right of honest services of a public official;

''(3) section 1951, if the offense involves extortion under color of official right;

''(4) section 1952, to the extent that the unlawful activity involves bribery; or

''(5) section 1962, to the extent that the racketeering activity involves bribery chargeable under State law, involves a violation of section 201 or 666, section 1341 or 1343, when charged in conjunction with section 1346 and where the offense involves a scheme or artifice to deprive another of the intangible right of honest services of a public official, or section 1951, if the offense involves extortion under color of official right.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 213 of title 18, United States Code, is amended by adding at the end the following new item:

''3302. Corruption offenses.''.

(c) APPLICATION OF AMENDMENT.—The amendments made by this section shall not apply to any offense committed before the date of enactment of this Act.

SEC. 208. INCREASE OF MAXIMUM PENALTIES FOR CERTAIN PUBLIC CORRUPTION RELATED OFFENSES.

(a) SOLICITATION OF POLITICAL CONTRIBUTIONS.—Section 602(a)(4) of title 18, United States Code, is amended by striking ''3 years'' and inserting ''5 years''.

(b) PROMISE OF EMPLOYMENT FOR POLITICAL ACTIVITY.—Section 600 of title 18, United States Code, is amended by striking ''one year'' and inserting ''3 years''.

(c) DEPRIVATION OF EMPLOYMENT FOR POLITICAL ACTIVITY.—Section 601(a) of title 18, United States Code, is amended by striking ''one year'' and inserting ''3 years''.

(d) INTIMIDATION TO SECURE POLITICAL CONTRIBUTIONS.—Section 606 of title 18, United States Code, is amended by striking ''three years'' and inserting ''5 years''.

(e) SOLICITATION AND ACCEPTANCE OF CONTRIBUTIONS IN FEDERAL OFFICES.—Section 607(a)(2) of title 18, United States Code, is amended by striking ''3 years'' and inserting ''5 years''.

(f) COERCION OF POLITICAL ACTIVITY BY FEDERAL EMPLOYEES.—Section 610 of title 18, United States Code, is amended by striking ''three years'' and inserting ''5 years''.

SEC. 209. ADDITIONAL WIRETAP PREDICATES.

Section 2516(1)(c) of title 18, United States Code, is amended—

(1) by inserting ''section 641 (relating to embezzlement or theft of public money, property, or records), section 666 (relating to theft or bribery concerning programs receiving Federal funds),'' after ''section 224 (bribery in sporting contests),''; and

(2) by inserting ''section 1031 (relating to major fraud against the United States)'' after ''section 1014 (relating to loans and credit applications generally; renewals and discounts),''.

SEC. 210. EXPANDING VENUE FOR PERJURY AND OBSTRUCTION OF JUSTICE PROCEEDINGS.

(a) IN GENERAL.—Section 1512(i) of title 18, United States Code, is amended to read as follows:

''(i) A prosecution under section 1503, 1504, 1505, 1508, 1509, 1510, or this section may be brought in the district in which the conduct constituting the alleged offense occurred or in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected.''.

(b) PERJURY.—

(1) IN GENERAL.—Chapter 79 of title 18, United States Code, is amended by adding at the end the following:

''§ 1624. Venue

''A prosecution under section 1621(1), 1622 (in regard to subornation of perjury under 1621(1)), or 1623 of this title may be brought in the district in which the oath, declaration, certificate, verification, or statement under penalty of perjury is made or in which a proceeding takes place in connection with the oath, declaration, certificate, verification, or statement.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 79 of title 18, United States Code, is amended by adding at the end the following:

''1624. Venue.''.

SEC. 211. PROHIBITION ON UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by inserting after section 1346 the following new section:

''§ 1346A. Undisclosed self-dealing by public officials

''(a) UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.—For purposes of this chapter, the term 'scheme or artifice to defraud' also includes a scheme or artifice by a public official to engage in undisclosed self-dealing.

''(b) DEFINITIONS.—As used in this section:

''(1) OFFICIAL ACT.—The term official act—

''(A) means any act within the range of official duty, and any decision or action on any question, matter, cause, suit, proceeding, or controversy, which may at any time be pending, or which may by law be brought before any public official, in such public official's official capacity or in such official's place of trust or profit; and

''(B) may be a single act, more than one act, or a course of conduct.

''(2) PUBLIC OFFICIAL.—The term 'public official' means an officer, employee, or elected or appointed representative, or person acting for or on behalf of the United States, a State, or a subdivision of a State, or any department, agency or branch of government thereof, in any official function, under or by authority of any such department, agency, or branch of government.

''(3) STATE.—The term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(4) UNDISCLOSED SELF-DEALING.—The term 'undisclosed self-dealing' means that—

''(A) a public official performs an official act for the purpose, in whole or in material part, of furthering or benefitting a financial interest, of which the public official has knowledge, of—

''(i) the public official;

''(ii) the spouse or minor child of a public official;

''(iii) a general business partner of the public official;

''(iv) a business or organization in which the public official is serving as an employee, officer, director, trustee, or general partner;

''(v) an individual, business, or organization with whom the public official is negotiating for, or has any arrangement concerning, prospective employment or financial compensation; or

''(vi) an individual, business, or organization from whom the public official has received any thing or things of value, otherwise than as provided by law for the proper discharge of official duty, or by rule or regulation; and

''(B) the public official knowingly falsifies, conceals, or covers up material information that is required to be disclosed by any Federal, State, or local statute, rule, regulation, or charter applicable to the public official, or the knowing failure of the public official to disclose material information in a manner that is required by any Federal, State, or local statute, rule, regulation, or charter applicable to the public official.

''(5) MATERIAL INFORMATION.—The term 'material information' means information—

''(A) regarding a financial interest of a person described in clauses (i) through (iv) paragraph (4)(A); and

''(B) regarding the association, connection, or dealings by a public official with an individual, business, or organization as described in clauses (iii) through (vi) of paragraph (4)(A).''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by inserting after the item relating to section 1346 the following new item:

''1346A. Undisclosed self-dealing by public officials.''.

(c) APPLICABILITY.—The amendments made by this section apply to acts engaged in on or after the date of the enactment of this Act.

SEC. 212. DISCLOSURE OF INFORMATION IN COMPLAINTS AGAINST JUDGES.

Section 360(a) of title 28, United States Code, is amended—

(1) in paragraph (2) by striking ''or'';

(2) in paragraph (3), by striking the period at the end, and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) such disclosure of information regarding a potential criminal offense is made to the Attorney General, a Federal, State, or local grand jury, or a Federal, State, or local law enforcement agency.''.

SEC. 213. CLARIFICATION OF EXEMPTION IN CERTAIN BRIBERY OFFENSES.

Section 666(c) of title 18, United States Code, is amended—

(1) by striking ''This section does not apply to''; and

(2) by inserting ''The term 'anything of value' that is corruptly solicited, demanded, accepted or agreed to be accepted in subsection (a)(1)(B) or corruptly given, offered, or agreed to be given in subsection (a)(2) shall not include,'' before ''bona fide salary''.

SEC. 214. CERTIFICATIONS REGARDING APPEALS BY UNITED STATES.

Section 3731 of title 18, United States Code, is amended by inserting after ''United States attorney'' the following: '', Deputy Attorney General, Assistant Attorney General, or the Attorney General''.

SA 1484. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

SEC. 2. USE OF NONPUBLIC INFORMATION AND INSIDER TRADING BY CONGRESS AND FEDERAL EMPLOYEES.

A Member, officer, or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer are not exempt from and is fully subject to the prohibitions arising under section 10(b) of the Securities Exchange Act of 1934 and Rule 10b–5 thereunder, including the insider trading prohibitions.

SA 1485. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

Strike section 6 and insert the following:

SEC. 6. PROMPT REPORTING OF FINANCIAL TRANSACTIONS.

(a) REPORTING REQUIREMENT.—Section 101 of the Ethics in Government Act of 1978 is amended by adding at the end the following subsection:

''(j) Not later than 30 days after any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer shall file a report of the transaction.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to transactions occurring on or after the date that is 90 days after the date of enactment of this Act.

SA 1486. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. _____. PROHIBITION AGAINST A FEDERAL PROGRAM OF MORTGAGE PRINCIPAL REDUCTION.

Part 3 of subtitle A of the Federal Housing Enterprise Financial Safety and Soundness Act of 1992 (12 U.S.C. 4601 et seq.) is amended by adding at the end the following:

''SEC. 1357. NO FEDERAL BAILOUTS OF RECKLESS BORROWERS.

''It shall be unlawful for the Federal Government to reduce the principal of mortgage

loans that are held in mortgage-backed securities of the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

''SEC. 1358. STATES BEAR THEIR OWN COSTS.

''On or before the date that is 6 months after the date of enactment of this section, the Director shall develop a program that—

''(1) conforms to all existing pooling and servicing agreements of the enterprises on all outstanding mortgage-backed securities held by the enterprises;

''(2) allows for individual States to purchase whole loans out of mortgage-backed securities held by the enterprises for the purposes of reducing principal or performing other loan modifications, as determined appropriate by each individual State;

''(3) ensures that the Federal Government is paid at least par, or 100 cents on the dollar, for all whole loans sold out of mortgage-backed securities held by the enterprises to individual States for the purpose of performing loan modifications; and

''(4) ensures that the Federal Government is reimbursed by individual States for the entire cost of such program, including administrative costs, so that no cost is borne whatsoever by the Federal Government.''.

SA 1487. Mr. PAUL proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON EXECUTIVE BRANCH OFFICERS AND EMPLOYEES INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST.

The Ethics in Government Act of 1978 (5 U.S.C. App) is amended by adding at the end the following:

''TITLE VI—GOVERNMENT-WIDE LIMITATION ON INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST

''SEC. 601. LIMITATION ON INVOLVEMENT.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Executive agency' has the meaning given that term in section 105 of title 5, United States Code;

''(2) the term 'equity interest' includes stock, a stock option, and any other ownership interest;

''(3) the term 'immediate family member' has the meaning given that term in section 115 of title 18, United States Code;

''(4) the term 'remuneration' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship; and

''(5) the term 'significant financial interest', relating to an individual, means—

''(A) with regard to any publicly traded entity, that the sum of the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period and the fair market value of any equity interest of the individual in the entity is more than $5,000; and

''(B) with regard to any entity that is not publically traded—

''(i) that the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period is more than $5,000; or

''(ii) that the individual has an equity interest in the entity.

''(b) LIMITATION.—An individual may not hold a position as an officer or employee of an Executive agency in which the individual would have oversight, rule-making, loan, or grant-making authority—

''(1) over any entity in which the individual or the spouse or other immediate family member of the individual has a significant financial interest; or

''(2) the exercise of which could affect the intellectual property rights of the individual or the spouse or other immediate family member of the individual.''.

SA 1488. Mr. DEMINT (for himself, and Mr. VITTER) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE.

It is the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress may serve.

SA 1489. Mrs. BOXER (for herself, and Mr. ISAKSON) submitted an amendment intended to be proposed by her to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 9. REQUIRING MORTGAGE DISCLOSURE.

Section 102(a)(4)(A) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by inserting after ''spouse'' the following: '', except that this exception shall not apply to a reporting individual described in section 101(f)(9)''.

SA 1490. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. FORFEITURE OF CREDIT FOR SERVICE AS A MEMBER IF FORMER MEMBERS OF CONGRESS BECOME LOBBYISTS.

(a) DEFINITIONS.—In this section—

(1) the term ''creditable service'' means service that is creditable under chapter 83 or 84 of title 5, United States Code;

(2) the term ''lobbyist'' has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

(3) the term ''Member of Congress'' has the meaning given that term in section 2106 of title 5, United States Code; and

(4) the term ''remuneration'' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship.

(b) FORFEITURE OF CREDIT FOR SERVICE.—Any service as a Member of Congress shall not be creditable service if the Member of Congress, after serving as a Member of Congress—

(1) becomes a registered lobbyist;

(2) accepts any remuneration from a company or other private entity that employs registered lobbyists; or

(3) accepts any remuneration from a company or other private entity that does business with the Federal Government.

SA 1491. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, line 7, strike ''a'' and insert ''each officer or employee as referred to in subsection (f), including each''.

On page 7, line 8 insert a comma after ''employee of Congress''.

At the end, insert the following:

''SEC. 11. PROMPT REPORTING AND PUBLIC FILING OF FINANCIAL TRANSACTIONS FOR EXECUTIVE BRANCH.

''Each agency or department of the Executive branch and each independent agency shall comply with the provisions of section 8 with respect to any of such agency, department or independent agency's officers and employees that are subject to the disclosure provisions under the Ethics in Government Act of 1978.''.

SA 1492. Mr. TESTER (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. _____. SMALL COMPANY CAPITAL FORMATION ACT OF 2012.

(a) SHORT TITLE.—This section may be cited as the ''Small Company Capital Formation Act of 2012''.

(b) AUTHORITY TO EXEMPT CERTAIN SECURITIES.—

(1) IN GENERAL.—Section 3(b) of the Securities Act of 1933 (15 U.S.C. 77c(b)) is amended—

(A) by striking ''(b) The Commission'' and inserting the following:

''(2) ADDITIONAL EXEMPTIONS.—

''(A) SMALL ISSUES EXEMPTIVE AUTHORITY.—The Commission''; and

(B) by adding at the end the following:

''(B) ADDITIONAL ISSUES.—The Commission shall by rule or regulation add a class of securities to the securities exempted pursuant to this section in accordance with the following terms and conditions:

''(i) The aggregate offering amount of all securities offered and sold within the prior 12-month period in reliance on the exemption added in accordance with this paragraph shall not exceed $50,000,000.

''(ii) The securities may be offered and sold publicly.

''(iii) The securities shall not be restricted securities within the meaning of the Federal securities laws and the regulations promulgated thereunder.

''(iv) The civil liability provision in section 12(a)(2) shall apply to any person offering or selling such securities.

''(v) The issuer may solicit interest in the offering prior to filing any offering statement, on such terms and conditions as the Commission may prescribe in the public interest or for the protection of investors.

''(vi) The Commission shall require the issuer to file audited financial statements with the Commission annually.

''(vii) Such other terms, conditions, or requirements as the Commission may determine necessary in the public interest and for the protection of investors, which may include—

''(I) a requirement that the issuer prepare and electronically file with the Commission and distribute to prospective investors an offering statement, and any related documents, in such form and with such content as prescribed by the Commission, including audited financial statements and a description of the issuer's business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters; and

''(II) disqualification provisions under which the exemption shall not be available to the issuer or its predecessors, affiliates, officers, directors, underwriters, or other related persons, which shall be substantially similar to the disqualification provisions contained in the regulations adopted in accordance with section 926 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 77d note).

''(C) LIMITATION.—Only the following types of securities may be exempted under a rule or regulation adopted pursuant to paragraph (2): equity securities, debt securities, and debt securities convertible or exchangeable to equity interests, including any guarantees of such securities.

''(D) PERIODIC DISCLOSURES.—Upon such terms and conditions as the Commission determines necessary in the public interest and for the protection of investors, the Commission by rule or regulation may require an issuer of a class of securities exempted under paragraph (2) to make available to investors and file with the Commission periodic disclosures regarding the issuer, its business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters, and also may provide for the suspension and termination of such a requirement with respect to that issuer.

''(E) ADJUSTMENT.—Not later than 2 years after the date of enactment of the Small Company Capital Formation Act of 2011 and every 2 years thereafter, the Commission shall review the offering amount limitation described in paragraph (2)(A) and shall increase such amount as the Commission determines appropriate. If the Commission determines not to increase such amount, it shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on its reasons for not increasing the amount.''.

(2) TREATMENT AS COVERED SECURITIES FOR PURPOSES OF NSMIA.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(A) in subparagraph (C), by striking ''; or'' at the end and inserting a semicolon; and

(B) by redesignating subparagraph (D) as subparagraph (E), and inserting after subparagraph (C) the following:

''(d) a rule or regulation adopted pursuant to section 3(b)(2) and such security is—

''(I) offered or sold on a national securities exchange; or

''(II) offered or sold to a qualified purchaser as defined by the Commission pursuant to paragraph (3) with respect to that purchase or sale.''.

(3) CONFORMING AMENDMENT.—Section 4(5) of the Securities Act of 1933 is amended by striking ''section 3(b)'' and inserting ''section 3(b)(1)''.

(c) STUDY ON THE IMPACT OF STATE BLUE SKY LAWS ON REGULATION A OFFERINGS.—Not later than 3 months after the date of enactment of this Act, the Comptroller General shall—

(1) conduct a study on the impact of State laws regulating securities offerings (commonly referred to as ''Blue Sky laws'') on offerings made under Regulation A (17 C.F.R. 230.251 et seq.); and

(A) transmit a report on the findings of the study to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SA 1493. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. ___. DISCLOSURE OF POLITICAL INTELLIGENCE ACTIVITIES UNDER LOBBYING DISCLOSURE ACT.

(a) DEFINITIONS.—Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended—

(1) in paragraph (2)—

(A) by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(B) by inserting after ''lobbyists'' the following: ''or political intelligence consultants''; and

(2) by adding at the end the following new paragraphs:

''(17) POLITICAL INTELLIGENCE ACTIVITIES.—The term 'political intelligence activities' means political intelligence contacts and efforts in support of such contacts, including preparation and planning activities, research, and other background work that is intended, at the time it is performed, for use in contacts, and coordination with such contacts and efforts of others.

''(18) POLITICAL INTELLIGENCE CONTACT.—

''(A) DEFINITION.—The term 'political intelligence contact' means any oral or written communication (including an electronic communication) to or from a covered executive branch official or a covered legislative branch official, the information derived from which is intended for use in analyzing securities or commodities markets, or in informing investment decisions, and which is made on behalf of a client with regard to—

''(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

''(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government; or

''(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license).

''(B) EXCEPTION.—The term 'political intelligence contact' does not include a communication that is made by or to a representative of the media if the purpose of the communication is gathering and disseminating news and information to the public.

''(19) POLITICAL INTELLIGENCE FIRM.—The term 'political intelligence firm' means a person or entity that has 1 or more employees who are political intelligence consultants to a client other than that person or entity.

''(20) POLITICAL INTELLIGENCE CONSULTANT.—The term 'political intelligence consultant' means any individual who is employed or retained by a client for financial or other compensation for services that include one or more political intelligence contacts.''.

(b) REGISTRATION REQUIREMENT.—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''whichever is earlier,'' the following: ''or a political intelligence consultant first makes a political intelligence contact,''; and

(ii) by inserting after ''such lobbyist'' each place that term appears the following: ''or consultant'';

(B) in paragraph (2), by inserting after ''lobbyists'' each place that term appears the following: ''or political intelligence consultants''; and

(C) in paragraph (3)(A)—

(i) by inserting after ''lobbying activities'' each place that term appears the following: ''and political intelligence activities''; and

(ii) in clause (i), by inserting after ''lobbying firm'' the following: ''or political intelligence firm'';

(2) in subsection (b)—

(A) in paragraph (3), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities'';

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting after ''lobbying activities'' the following: ''or political intelligence activities''; and

(ii) in subparagraph (C), by inserting after ''lobbying activity'' the following: ''or political intelligence activity'';

(C) in paragraph (5), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities'';

(D) in paragraph (6), by inserting after ''lobbyist'' each place that term appears the following: ''or political intelligence consultant''; and

(E) in the matter following paragraph (6), by inserting ''or political intelligence activities'' after ''such lobbying activities'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting after ''lobbying contacts'' the following: ''or political intelligence contacts''; and

(B) in paragraph (2)—

(i) by inserting after ''lobbying contact'' the following: ''or political intelligence contact''; and

(ii) by inserting after ''lobbying contacts'' the following: ''and political intelligence contacts''; and

(4) in subsection (d), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''.

(c) REPORTS BY REGISTERED POLITICAL INTELLIGENCE CONSULTANTS.—Section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amended—

(1) in subsection (a), by inserting after ''lobbying activities'' the following: ''and political intelligence activities'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting after ''lobbying activities'' the following: ''or political intelligence activities'';

(ii) in subparagraph (A)—

(I) by inserting after ''lobbyist'' the following: ''or political intelligence consultant''; and

(II) by inserting after ''lobbying activities'' the following: ''or political intelligence activities'';

(iii) in subparagraph (B), by inserting after ''lobbyists'' the following: ''and political intelligence consultants''; and

(iv) in subparagraph (C), by inserting after ''lobbyists'' the following: ''or political intelligence consultants'';

(B) in paragraph (3)—

(i) by inserting after ''lobbying firm'' the following: ''or political intelligence firm''; and

(ii) by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(C) in paragraph (4), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(3) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or a political intelligence consultant'' after ''a lobbyist''.

(d) DISCLOSURE AND ENFORCEMENT.—Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended—

(1) in paragraph (3)(A), by inserting after ''lobbying firms'' the following: '', political intelligence consultants, political intelligence firms,'';

(2) in paragraph (7), by striking ''or lobbying firm'' and inserting ''lobbying firm, political intelligence consultant, or political intelligence firm''; and

(3) in paragraph (8), by striking ''or lobbying firm'' and inserting ''lobbying firm, political intelligence consultant, or political intelligence firm''.

(e) RULES OF CONSTRUCTION.—Section 8(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607(b)) is amended by striking ''or lobbying contacts'' and inserting ''lobbying contacts, political intelligence activities, or political intelligence contacts''.

(f) IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.—Section 14 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1609) is amended—

(1) in subsection (a)—

(A) in the heading, by inserting ''OR POLITICAL INTELLIGENCE'' after ''LOBBYING'';

(B) by inserting ''or political intelligence contact'' after ''lobbying contact'' each place that term appears; and

(C) in paragraph (2), by inserting ''or political intelligence activity, as the case may be'' after ''lobbying activity'';

(2) in subsection (b)—

(A) in the heading, by inserting ''OR POLITICAL INTELLIGENCE'' after ''LOBBYING'';

(B) by inserting ''or political intelligence contact'' after ''lobbying contact'' each place that term appears; and

(C) in paragraph (2), by inserting ''or political intelligence activity, as the case may be'' after ''lobbying activity''; and

(3) in subsection (c), by inserting ''or political intelligence contact'' after ''lobbying contact''.

(g) ANNUAL AUDITS AND REPORTS BY COMPTROLLER GENERAL.—Section 26 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1614) is amended—

(1) in subsection (a)—

(A) by inserting ''political intelligence firms, political intelligence consultants,'' after ''lobbying firms''; and

(B) by striking ''lobbying registrations'' and inserting ''registrations'';

(2) in subsection (b)(1)(A), by inserting ''political intelligence firms, political intelligence consultants,'' after ''lobbying firms''; and

(3) in subsection (c), by inserting ''or political intelligence consultant'' after ''a lobbyist''.

SA 1494. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, strike lines 6 through 9 and insert the following:

''(j) Not later than 30 days after any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress, executive branch employee, and any non-military individual appointed by the President shall file a report of the transaction.''.

At the end of the amendment, insert the following:

SEC. 10. EXECUTIVE BRANCH REPORTING.

Not later than 2 years after the date of enactment of this Act, the Office of Personnel Management shall establish a central reporting database that complies with the requirements of section 8 for all agencies and departments of the Executive branch and each independent agency.

SA 1495. Mr. UDALL of Colorado (for Mr. INOUYE) proposed an amendment to the resolution S. Res. 286, recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for Hereditary Angioedema; as follows:

Beginning on page 3, strike line 8 and all that follows through line 18 on page 4 and insert the following: ''the public.''.

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 open session on Tuesday, February 7, 2012, at 2:30 p.m. in SDG–50 to conduct a hearing entitled ''The Promise of Accessible Technology: Challenges and Opportunities.''

For further information regarding this meeting, please contact the committee on (202) 228–3453.

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 Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 9, 2012, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on H.R. 1904, the Southeast Arizona Land Exchange and Conservation Act of 2011. The Committee will also receive testimony on the text of S. 409, the Southeast Arizona Land Exchange and Conservation Act of 2009, as reported by the Committee during the 111th Congress.

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, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Jake_McCook@energy.senate.gov.

For further information, please contact David Brooks (202) 224–9863 or Jake McCook (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., to conduct a committee hearing entitled ''Holding the CFPB Accountable: Review of First Semi-Annual Report.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Extenders and Tax Reform: Seeking Long-Term Solutions.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m.

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

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY, AND THE LAW

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology, and the Law, be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., in room SD–266 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Video Privacy

Protection Act: Protecting Viewer Privacy in the 21st Century.''

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

HEREDITARY ANGIOEDEMA AWARENESS DAY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 286 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 286) recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for hereditary angioedema.

There being no objection, the Senate proceeded to consider the resolution.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Inouye amendment which is at the desk be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and any related statements be printed in the RECORD.

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

The amendment (No. 1495) was agreed to, as follows:

(Purpose: To strike provisions relating to increased research)

Beginning on page 3, strike line 8 and all that follows through line 18 on page 4 and insert the following: ''the public.''.

The resolution (S. Res. 286), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 286

Whereas Hereditary Angioedema (HAE) is a rare and potentially life-threatening genetic disease, affecting between 1 in 10,000 and 1 in 50,000 people, leading to patients being undiagnosed or misdiagnosed for many years;

Whereas HAE is characterized by symptoms including episodes of edema or swelling in various body parts including the hands, feet, gastrointestinal tract, face, and airway;

Whereas patients often experience swelling in the intestinal wall, causing bouts of excruciating abdominal pain, nausea, and vomiting, and swelling of the airway, which can lead to death by asphyxiation;

Whereas a defect in the gene that controls the C1-inhibitor blood protein causes production of either inadequate or non-functioning C1-inhibitor protein, leading to an inability to regulate complex biochemical interactions of blood-based systems involved in disease fighting, inflammatory response, and coagulation;

Whereas HAE is an autosomal dominant disease, and 50 percent of patients with the disease inherited the defective gene from a parent, while the other 50 percent developed a spontaneous mutation of the C1-inhibitor gene at conception;

Whereas HAE patients often experience their first HAE attack during childhood or adolescence, and continue to suffer from subsequent attacks for the duration of their lives;

Whereas HAE attacks can be triggered by infections, minor injuries or dental procedures, emotional or mental stress, and certain hormonal or blood medications;

Whereas the onset or duration of an HAE attack can negatively affect a person's physical, emotional, economic, educational, and social well-being due to activity limitations;

Whereas the annual cost for treatment per patient can exceed $500,000, causing a substantial economic burden;

Whereas there is a significant need for increased and normalized medical professional education regarding HAE; and

Whereas there is also a significant need for further research on HAE to improve diagnosis and treatment options for patients; Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes and celebrates May 16, 2012, as Hereditary Angioedema Awareness Day; and

(B) supports increased awareness of Hereditary Angioedema (HAE) by physicians and the public.

RESOLUTIONS SUBMITTED TODAY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 360, S. Res. 361, S. Res. 362, S. Res. 363, and S. Res. 364.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to consider the resolutions en bloc.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 360

(Raising awareness and encouraging prevention of stalking by designating January 2012 as ''National Stalking Awareness Month'')

Whereas 1 in 6, or 19,200,000, women in the United States have at some point during their lifetime experienced stalking victimization, during which they felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 3,400,000 persons in the United States reported that they had been victims of stalking, and 75 percent of those victims reported that they had been stalked by someone they knew;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that stalkers had used email, instant messaging, blogs, bulletin boards, Internet sites, chat rooms, or other forms of electronic monitoring against them, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims reported having relocated in an effort to escape a stalker;

Whereas approximately 1 in 8 employed victims of stalking missed work because they feared for their safety or were taking steps to protect themselves, such as by seeking a restraining order;

Whereas less than 50 percent of victims reported stalking to police, and only 7 percent of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the United States, and such services must include programs tailored to meet the needs of stalking victims;

Whereas persons aged 18 to 24 experience the highest rates of stalking victimization, and rates of stalking among college students exceed the prevalence rates found in the general population;

Whereas as many as 75 percent of women in college who experience stalking-related behavior experience other forms of victimization, including sexual or physical victimization, or both;

Whereas there is a need for effective responses to stalking on campuses; and

Whereas the Senate finds that ''National Stalking Awareness Month'' provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2012 as ''National Stalking Awareness Month'';

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, and nonprofit organizations to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through ''National Stalking Awareness Month''.

S. RES. 361

(Congratulating the University of Alabama Crimson Tide football team for winning the 2011 Bowl Championship Series National Championship)

Whereas the University of Alabama Crimson Tide football team won the 2012 Allstate Bowl Championship Series (referred to in this preamble as ''BCS'') National Championship Game, defeating Louisiana State

University by a score of 21–0 in the Mercedes-Benz Superdome in New Orleans on January 9, 2012;

Whereas this victory marks the second BCS title in the last 3 years and the 14th national championship in college football for the University of Alabama;

Whereas the victory by the University of Alabama was the first shutout in any BCS bowl game since the system was created in 1998 and the first shutout in the championship game since the 1992 Orange Bowl;

Whereas the 2012 BCS National Championship Game was the 59th postseason bowl appearance and the 33rd bowl victory for the University of Alabama, both of which extend existing NCAA records for the University of Alabama;

Whereas the victory by the University of Alabama marks the sixth consecutive BCS national championship for the Southeastern Conference and the third consecutive BCS national championship for the State of Alabama;

Whereas the University of Alabama gained 384 yards of total offense in the BCS National Championship Game, while holding the offense of Louisiana State University to 5 first downs and 92 total yards, the second lowest yards of total offense in BCS history;

Whereas A.J. McCarron completed 23 of 34 passes for a total of 234 yards without a turnover and was named offensive player of the game;

Whereas senior linebacker Courtney Upshaw recorded 7 tackles, including 1 sack, and was named defensive player of the game;

Whereas Trent Richardson, winner of the Doak Walker Award, finished with 20 carries for 96 yards and 107 all-purpose yards and scored the only touchdown of the game;

Whereas Jeremy Shelley successfully completed 5 field goal attempts, setting a BCS National Championship Game record and tying an NCAA bowl record;

Whereas in 2011, the defense of the University of Alabama led the nation in rushing defense, passing defense, scoring defense, and total defense;

Whereas 4 members of the Crimson Tide football team were recognized as first-team All Americans by the Associated Press;

Whereas the 2011 Crimson Tide senior class compiled a 48–6 record, tying a Southeastern Conference record for class victories;

Whereas the leadership of head coach Nick Saban, whose dedication and commitment to excellence instilled in his players a sense of integrity, pride, sportsmanship, and perseverance, inspired both his team throughout the season and the Tuscaloosa community following the devastating losses in the April tornadoes;

Whereas President Robert Witt and Athletic Director Mal Moore have brought tremendous academic success and national recognition to the University of Alabama athletic department and the entire university; and

Whereas the players, coaches, and support staff of the University of Alabama football team showed tremendous determination throughout the season and brought great honor to the University of Alabama and the State of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Alabama for winning the 2011 Bowl Championship Series National Championship;

(2) recognizes the achievements of all the players, coaches, and staff whose hard work, dedication, and persistence helped the Crimson Tide win a national championship; and

(3) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Robert Witt;

(B) the Athletic Director of the University of Alabama, Mal Moore; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

S. RES. 362

(Designating the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month'')

Whereas, although dating violence, domestic violence, sexual violence, and stalking affect women regardless of age, teenage girls and young women are especially vulnerable;

Whereas, according to the National Intimate Partner and Sexual Violence survey recently conducted by the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC''), the majority of victimization starts early in life, as most victims of rape and intimate partner violence first experience such violence before age 24;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a rate that far exceeds victimization rates for other types of violence affecting young people;

Whereas, according to the Youth Risk Behavior Surveillance System (referred to in this preamble as the ''YRBSS'') of the CDC, nearly 10 percent of high school students have been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend during the past year;

Whereas, according to the American Journal of Public Health, more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas, according to a survey conducted by the YRBSS, almost 20 percent of teenage girls who were exposed to physical dating violence did not attend school on 1 or more occasions during the 30 days preceding the survey because the girls felt unsafe at school or on the way to or from school;

Whereas a violent relationship in adolescence can have serious ramifications for the victim, putting the victim at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas being physically or sexually abused makes teenage girls—

(1) up to 6 times more likely to become pregnant; and

(2) more than twice as likely to contract a sexually transmitted disease;

Whereas, according to a recent study published in the Archives of Pediatrics and Adolescent Medicine, more than half of teenagers and young adults treated at an inner-city emergency room reported having been a victim or perpetrator of dating violence;

Whereas nearly 3 in 4 ''tweens'', individuals who are between the ages of 11 and 14, report that dating relationships usually begin at age 14 or younger, and approximately 72 percent of students in eighth or ninth grade report dating;

Whereas 1 in 5 tweens report having a friend who is a victim of dating violence, and nearly half of tweens who are in relationships know a friend who is verbally abused;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the dating relationships of tweens;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, although 82 percent of parents are confident that they could recognize the signs that their child was experiencing dating abuse, a majority of parents, or 58 percent, could not correctly identify all the warning signs of dating abuse;

Whereas 74 percent of teenage boys and 66 percent of teenage girls say they have not had a conversation with a parent about dating abuse in the past year;

Whereas, according to a National Crime Prevention Council survey, 43 percent of middle and high school students reported experiencing cyberbullying during the past year;

Whereas 1 in 4 teens in a relationship report having been called names, harassed, or put down by a partner through the use of a cell phone, including through texting;

Whereas 3 in 10 young people have sexted, and 61 percent of young people who have sexted report being pressured to do so at least once;

Whereas, according to the Liz Claiborne Inc. 2010 College Dating Violence and Abuse Poll, 43 percent of college women who date report experiencing violent and abusive dating behavior;

Whereas 70 percent of college students who experienced relationship abuse failed to realize that they were in an abusive relationship at the time, and 60 percent of college students who were in an abusive relationship said that no one stepped in to help them;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where a pattern of violence was established during adolescence;

Whereas primary prevention programs are a key part of addressing teen dating violence, and successful examples of such programs include education, community outreach, and social marketing campaigns that are culturally appropriate;

Whereas educating middle school students and the parents of those students about the importance of building healthy relationships and preventing teen dating violence is key to deterring dating abuse before it begins;

Whereas skilled assessment and intervention programs are also necessary for young victims and abusers; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Month will benefit schools, communities, and families regardless of socioeconomic status, race, or sex: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month'';

(2) supports communities that are empowering teenagers to develop healthier relationships throughout their lives; and

(3) calls upon the people of the United States, including young people, parents, schools, law enforcement officials, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Month with appropriate programs and activities that promote awareness and prevention of teen dating violence in their communities.

S. RES. 363

(Congratulating the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship)

Whereas the Pittsburg State University Gorillas football team defeated the Wayne State University Warriors by a score of 35 to 21 to win the 2011 NCAA Division II Football Championship in Florence, Alabama on December 17, 2011;

Whereas Pittsburg State University has more all-time wins than any other NCAA Division II football program and this championship victory, the 4th in the history of the university, continues a long tradition of success;

Whereas the Pittsburg State University coaching staff, led by second-year Head Coach Tim Beck, the 2011 Liberty Mutual Coach of the Year Award winner for Division II, guided the Gorillas to a final regular season record of 13 wins and 1 loss;

Whereas the Gorillas benefitted from strong leadership in the championship game, including senior quarterback and Pittsburg, Kansas native Zac Dickey, who passed for 190 yards and rushed for 68 yards; and

Whereas the students, staff, alumni, and friends of Pittsburg State University, along with the city of Pittsburg, Kansas, deserve much credit for supporting the Gorillas football team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship; and

(2) recognizes the achievements of all the players, coaches, and support staff of the Pittsburg State University Gorillas football team.

S. RES. 364

(Recognizing the goals of National Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States)

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate more than 2,000,000 students and maintain a student-to-teacher ratio of 14 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 97 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas, in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of National Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

ORDERS FOR WEDNESDAY, FEBRUARY 1, 2012

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate adjourn until 9:30 a.m., on Wednesday, February 1, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business 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 Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 2038, the Stop Trading on Congressional Knowledge Act.

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

PROGRAM

Mr. UDALL of Colorado. Mr. President, we hope to have votes in relation to amendments to the STOCK Act during Wednesday's session.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. UDALL of Colorado. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Wednesday, February 1, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DENNIS L. VIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. TODD A. PLIMPTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CURTIS M. SCAPARROTTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PATRICIA E. MCQUISTION

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN F. KELLY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL EDWARD D. BANTA
COLONEL MATTHEW G. GLAVY
COLONEL WILLIAM F. MULLEN III
COLONEL GREGG P. OLSON
COLONEL JAMES S. O'MEARA
COLONEL ERIC M. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL STEVEN W. BUSBY
BRIGADIER GENERAL MICHAEL G. DANA
BRIGADIER GENERAL WILLIAM M. FAULKNER
BRIGADIER GENERAL WALTER L. MILLER, JR.
BRIGADIER GENERAL JOSEPH L. OSTERMAN
BRIGADIER GENERAL CHRISTOPHER S. OWENS
BRIGADIER GENERAL GREGG A. STURDEVANT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. BRUCE W. CLINGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN W. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PHILIP H. CULLOM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. CHARLES W. MARTOGLIO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. WILLIAM R. BURKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DEBORAH P. HAVEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JANET R. DONOVAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ALLENA H. E. BURGE SMILEY
ROBIN L. CHOLOPISA
JEROME M. TECLAW

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LEON S. BARRINGER
DAVID EARL BOWLES
BETSAIDA H. GUZMAN
PAUL E. SMITH

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

MARK W. DUFF

To be major

RAMIL MANSOUROV
SHANDA R. MARSHALL
KEITH C. TANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KENNETH D. CARR
STEVEN L. OBRIEN
MARK P. ROWAN
SCOTT A. RUTHVEN
GREGORY S. STRINGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PATRICK MICHAEL CARPENTER
RICHARD M. CORNELL
KAY M. GEHRKE
LOUISE P. HARNISH
DAVID A. LESKO
ANTHONY J. PENA
ROBIN D. RICHARDSON
KEVIN N. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOSEPH J. ALBANO
STEVEN CHARLES CAMPMAN
BLAKE V. CHAMBERLAIN
WILLIAM HARRY DRIBBEN
LOUIE M. FEHL III
SHERI L. GLADISH
STEPHEN B. IRVIN
STEVEN M. KLEIN
OLIVER H. LOYD
FRANCES M. MCCABE
KEITH E. SCHLECHTE
RICHARD J. TIPTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL A. BATTLE
BENJAMIN M. BOWDEN
ROBERT KNOX COIT
JOHN PAUL DAVIS
MARK R. FITZGERALD
STEVEN F. GOODWILL
SUSAN DEANN LEHIGH
KIMBERLY A. LUDWIG
JOHN F. MCCARTHY
MICHAEL J. MCCORMICK
TERI J. MCGRATH
RACHEL L. MERCER
SIGURD R. PETERSON, JR.
RUSSELL K. PIPPIN
CARL L. REED II
DAVID W. TOOKER

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

ANN E. ALEXANDER
CLIFTON W. BAILEY
JOHN M. BEENE
JEFFREY S. BROWN
JENNIFER R. BURKE
CASEY M. CAMPBELL
JODY S. HARRISON
CLAYTON G. HICKS
DWIGHT L. JOHNSON
GRETCHEN B. JUNGERMANN
CARL A. LABELLA III
JOANNA SAENZ MCPHERSON
MASOUD MILANI
LEE E. ROUNDY
STEPHEN H. SPECK
JANICE TIMOTHEE
DAVID L. WELLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRENDA K. AMES
PATRICIA ANN BENEDICT
BRIDGET ILEEN BROZYNA
SHARON W. COLAIZZI
JOLI G. GARCIA
EDWARD G. GRUBER
SHERRY F. HEMBY
DEBORAH A. HODGE
PATRICK H. JOHNSON
VANESSA L. MATTOX
ANN G. MCCUNE
NANCY MIKULIN
MARY J. NACHREINER
VALARIE JEAN OLYNIEC
BARBARA A. PERSONS
DEBORAH L. SALTMARSH
VINCETTA L. TSOURIS
JOSEPH A. WENSZELL

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 colonel

JAVIER A. ABREU
LENA M. ARVIDSON
HONG V. BAKER
ROBERT K. BOGART
ERIC L. CATHEY
SARA A. DIXON
ROBIN E. FONTENOT
MARTIN F. GIACOBBI
TAMMY KNAPP HEISEY
ANDRE A. HENRIQUES
JOHN W. HULTQUIST
PHILIP S. JUNGHANS
LARRY K. LONG
DAVID L. MAPES
JOSEPH A. MUHLBAUER
BASEEMAH S. NAJEEULLAH
ALBERT L. OUELLETTE
THADDEUS H. PHILLIPS III
LAWRENCE E. ROTH
RUBEN S. SAGUN, JR.
DANIEL A. SAVETT
KIRK B. STETSON
DONALD TYLER, JR.
DAWN M. WAGNER
MARK A. WEISKIRCHER

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

CARL P. BHEND
ERIC D. BROWN
NATHANIEL B. CALDON
HYE Y. CHOE
ARCHIE COOK, JR.
SARRA E. CUSHEN
MICHAEL L. EINHORN
ANGELA R. FITZPATRICK
SUZANA M. GJEKAJ
BENJAMIN D. HALL
AARON BENJAMIN HARDING
MICHAEL S. HOGE
EIRLEEN Y. HYUN
CHRISTOPHER R. JORDAN
ROBERT B. KIM
JEREMY B. LAKE
STEPHEN P. LAMBERT
GARY S. MAYNE
ROBERT K. MENSAH
JAMES P. MURPHY
DIOSDADO S. PANGILINAN
STEPHEN S. POTTER
RUTH S. ROJAS
CHRISTOPHER S. SCHMIDT
SCOTT T. SEAGO
JOSHUA T. SMITH
HEATHER M. TELLEZ
ADAM J. VERRETT
DEMITRI VILLARREAL
THOMAS K. WEBER
CHRISTOPHER M. WOLBERT
ALLYSON M. YAMAKI

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 colonel

BROADUS Z. ATKINS
THOMAS J. CANTILINA
THATCHER R. CARDON
DAVID S. COCKRUM
PHILLIP J. COVER, SR.
DANA K. CRESSLER
DAVID V. EASTHAM
RAYMOND FANG
MICHAEL A. FORGIONE
MELETIOS J. FOTINOS
JEFFREY J. FREELAND
CARL A. FREEMAN
JUAN GARZA
BARRY J. GREER
JOHN D. HALLGREN
SCOTT A. HARTWICH
MICHAEL J. HIGGINS
FRANCIS T. HOLLAND
JANE L. HOLTZCLAW
WILLIAM C. HOOK
LIDIA S. ILCUS
MICHAEL D. JACOBSON
BENJAMIN C. KAM, JR.
JAY D. KERECMAN
THOMAS J. KNOLMAYER
MARK W. KOLASA
BRADLEY A. LLOYD
CHERYL L. LOWRY
KAIWOOD MA
MICHAEL L. MARTIN
WALTER M. MATTHEWS
KURT D. MENTZER
PATRICK B. MONAHAN
RICHARD L. MOONEY
SUSAN O. MORAN
PAIGE L. NEIFERT
JOHN Y. OH
MARK D. PACKER
DAWN E. PEREDO
JAMES A. PHALEN
KIMBERLY D. PIETSZAK
LAURA L. PLACE
PAUL W. PLOCEK
MICHAEL F. RICHARDS
SCOTT A. RIISE
JESSICA T. SERVEY
JON R. SHERECK
DARLENE P. SMALLMAN
DANIEL T. SMITH
JOHN J. STEELE III
MICHAEL D. STEVENS
ERIC A. SUESCUN
JOHN M. TOKISH
GEOFFREY D. TOWERS
CHARLES A. TUJO
ROSCOE O. VAN CAMP
BRIAN A. VROON
CHARLES N. WEBB
KYLE J. WELD
LINDY W. WINTER
MATTHEW P. WONNACOTT
KENNETH C. Y. YU

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

STEVEN J. ACEVEDO
TRACY M. ALDERSON
ANTOIN M. ALEXANDER
CARL D. ALLRED
FLORIN D. ANDRECA
JONATHAN L. ARNHOLT
LEE S. ASTLE
NICOLE M. BALLINGER
SHANE B. BANKS
ERIC W. BARNES
RICHARD J. BARNETT
JOHN P. BARON
BRIAN S. BERKE
DOMINGO R. BICALDO
BRADLEY J. BOETIG
JONATHAN N. BOWMAN
KAREN E. BOWMAN
MICHELLE R. BROWN
GLENN D. BURNS
ROBERTO D. CALDERON
CHRISTINE L. CAMPBELL
KEN J. CARPENTER
ELIZABETH A. CASSTEVENS
NATHAN D. CECAVA
RAYMOND J. CLYDESDALE
BRETT D. COONS
AMY A. COSTELLO
ROBERT M. CROMER
JOHN M. CROWE
RICHARD L. DAGROSA
PAUL L. DANDREA
STEVEN W. DAVIS
PAUL T. DEFLORIO
IAN CROMWELL B. DIAZ
TIMOTHY J. DUNCAN
AN T. DUONG
SPRING R. ELLEMBERGER
STEPHANIE L. ERICKSON
JASON H. EVES
GEOFFREY L. EWING
SHANNON D. FABER
DELANO S. FABRO, JR.
ERIC M. FLAKE
HEIDI L. GADDEY
NORA E. GERSON
SANJAY A. GOGATE
STEVEN M. GORE
DAVID D. GOVER
TODD R. GREBNER
RICHARD T. GRECO
KELLIE A. GRIFFITH
STUART R. GROSS
ALAN D. GUHLKE
MARK A. GUNST
CHARLES J. HAGGERTY
AUDREY M. HALL
TAYLOR S. HAN
MARTIN J. HARSSEMA
MARSHALL T. HAYES
KEVIN D. HETTINGER
AQUILLA L. HIGHSMITH TYLER
JOSHUA A. HODGE
STEFANIE K. HORNE
STEVEN J. HOSPODAR
DAVID T. HSIEH
JULIA C. JACKSON
THEODORE J. JERDEE
MICHAEL P. KENNEY
TINA R. KINSLEY
ROBYN T. KRAMER
KIMBERLY D. KUMER
LEE M. KUXHAUS
ROSELIA I. LABBE
DANIEL L. LAMAR
JASON W. LANE
WAYNE A. LATACK
PETER A. LEARN
CHRISTOPHER T. LEBRUN
JEFFREY D. LEWIS
ROBERT J. LOVE
BRANT J. LUTSI
SHELLY D. MARTIN
STEPHEN C. MATURO
PATRICK E. MCCLESKEY
MARIEFRANCE M. MCINTEE
MARSHA D. MITCHUM
JEFFREY W. MOLLOY
JOSHUA C. MORGANSTEIN
WILLIAM B. NEWMAN
SHAWNN D. NICHOLS
JON J. OPRY
LUIS B. OTERO
VASUDHA ARUNA PANDAY
PATRICIA A. PANKEY
ANGELA M. PANSERA
JACQUELINE J. PERCY
TRENT VAN PHAN
ERIC V. PLOTT

PAVEENA POSANG
JENNIFER R. RATCLIFF
BEN C. ROBINSON
CRAIG A. ROHAN
BENJAMIN G. ROMICK
PAOLO G. RONCALLO
TIMOTHY M. ROWLAND
GREENE D. ROYSTER IV
CYNTHIA A. RUTHERFORD
TANJA R. SCHERM
ERICH W. SCHROEDER
ERIK R. SCHWALIER
CATHERINE T. D. SHOFF
MEGAN M. SHUTTS KARJOLA
KAMAL D. SINGH
KSHAMATA SKEETE
KRISTEN A. SOLTISTYLER
BARTON C. STAAT
ADAM M. STARR
EVELYN L. STENDER
DUSTIN E. STEVENSON
LOYAL R. STIERLEN
JAMES E. STORMO
TEDDY J. SU
DANIEL L. TARBOX
STEPHEN J. TITUS
LUAN C. TRAN
KARA M. VANDEKIEFT
JEFFREY D. WATSON
NGOZI U. WEXLER
DOUGLAS W. WHITE
KEVIN M. WHITE
CHRISTOPHER D. WILLIAMS
WENDI E. WOHLTMANN
TORY W. WOODARD
HEATHER L. YUN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CARA A. AGHAJANIAN
JASON W. ARNOLD
DAVID MICHAEL ASHLEY
JEFFERY S. BARNETT
MICHELLE N. BARRETT
PHILIP ANTHONY BASSO, JR.
DOUGLAS L. BATSON
ELIZABETH ANN BEECHER
MICHAEL ALAN BOUTET
ROLANDRIAS BRADFORD
JEFFREY E. BRETT
PATRICIA A. BREWER
ANTHONY P. BRUSCA
RICHARD L. BURCHFIELD
BRENT A. CALDWELL
HEATHER F. CAPELLA
MICHELLE L. CARPENTER
AUGUSTO CASADO
RICHARD M. CASTO
STEPHEN G. CHAFE
STEPHEN W. CHAPPEL
ROBERT W. CLAUDE
JODI ANN CLAYTON
KENNETH C. COON
KENNETH R. COUNCIL, JR.
DEBORAH K. CRICKLIN
SCOTT DAVID CROGG
CHRISTOPHER E. CRONCE
STEPHEN R. DAVIDSON
WENDY R. DEEMER
LAWRENCE R. DEIST
STEPHEN G. DERANIAN
MARK M. DERESKY
JAMES D. DIGNAN
MARC C. DIPAOLO
RONALD A. DOLLESIN
ANDREA P. DUNBAR
DERIN S. DURHAM
JAMES W. EDWARDS
THOMAS K. ELMORE
MICHEL C. ESCUDIE
TIMOTHY J. EVELEIGH
PAUL R. FAST
DAMON S. FELTMAN
ROGELIO B. FIGUEROA
CARLOS A. FLORES
JANICE E. FLOWERS
PATTI L. FRISBIE
KENT B. FURMAN
ERIC R. GERDES
MICHAEL J. GIGER
KARL E. GOERKE
BRUCE G. GOOTEE
JAMES R. GRAY III
RICHARD O. GRAYSON
PATRICIA ANNE GRIFFIN
AUDRA R. GRINER
BRIAN C. GUTHRIE
MARK ALLEN HALE
KENNETH E. HALL
JEFFREY FRANCIS HANCOCK
CHRISTINA M. HANDLEY
JOHN M. HANLON
WILLIAM F. HARDIE
PAUL C. HARPER
JOHN G. HAYES, JR.
PATRICK WILLIAM HAYES
ROBIN LYNN HEIKKINEN
JON P. HEILEMAN
REID M. HENLEY
MICHAEL F. HERNANDEZ
KENNETH M. HERSTINE
DEAN A. HICKS
STEPHEN M. HIGGINS
DAMION HILL
DOUGLAS R. HILL
STEPHEN K. HORNISH
BERT L. HUBERT
HAROLD R. HUGHES II
WILLIAM E. HUTCHISON, JR.
WALTER L. JABLOW
CONSTANCE L. JENKINS
RICHARD A. JENKINS
AMY E. JOHNSON
DAVID E. JOHNSON
JENNIE R. JOHNSON
MARY D. JOHNSON
ROBERT M. KALTEIS
HAROLD T. KAPLAN
MICHAEL A. KENNEDY
MARTY Z. KHAN
THOMAS P. KLINGENSMITH
PAUL E. KNAPP
JAMES D. KOVAC
JEFFREY S. KOZAK
DWAIN F. KUEHL
KIMBERLY D. LAMMERTIN
CHRISTINE E. LANE
LORI ANN LARGEN
MARK S. LARSON
JAMES A. LAWSON, JR.
BARBARA Y. Y. LEE
DAVID L. LEEDOM
BRENDAN N. LUDDEN
KENNETH M. LUTE
MARY ANN LUTZ
KELLY R. MAIORANA
MICHAEL W. MANION
ROBERT A. MANTZ
JOHN L. MARTINO, JR.
JOSEPH S. MATCHETTE
MICHAEL TODD MATHEIS
JAMES MCANDREW
KELVIN D. MCELROY
SCOTT L. MCLAUGHLIN
CHARLES A. MENZA
PAUL S. MEYER
EDWARD JOHN MILLER
MICHAEL G. MILLER
LOUIS M. MONTGOMERY
JEFFREY J. MOORE
PHILIP E. MORGAN
ROBERT B. MOYLE
THEODORE W. MUNCHMEYER
ANDREW M. NISBET
ERICH C. NOVAK
DANIEL E. OCONNELL III
WILLIAM DONALD OHARA III
GINA M. OLIVER
JOHN M. OLSON
TYLER D. OTTEN
ROBERT P. PALMER
PERRY V. PANOS
ADRIENNE PEDERSON
WALLACE A. PENNINGTON
STEFANIE C. PERKOWSKI
ROBERT J. PETERSON
DEBORAH A. PHARRIS
JONATHAN M. PHILEBAUM
WILLIAM D. PHILLIPS, JR.
JEFFREY JAMES PICKARD
CHARLES D. PLANER
JACQUELINE M. POWELL
PAMELA J. POWERS
CASSANDRA PURYEAR
MARC K. RATHMANN
KEVIN C. RILEY
DONALD CALVIN ROBISON
DARRYL E. ROGERS
MARK J. RUCKH
EDWARD J. RYAN
PATRICK S. RYAN
ROBERT J. RYSAVY II
JUDITH ANN SAULEY
STACEY L. SCARISBRICK
CAROL A. SCHIMMOLLER
BARRY G. SCHRIMSHER
DENNIS L. SEYMOUR
LARY C. SHORT
RUSTY E. SHUGHART
GERRY A. SIGNORELLI
BRIAN D. SILKEY
CHRISTOPHER R. SIMPSON
DAVID H. SMITH
DAVID W. SMITH
MICHAEL DAVID SMITH
THOMAS K. SMITH, JR.
BRYAN D. SPALLA
ANN M. STEFANEK
RONALD P. STEFANIK
LORI J. STENDER
FRANK W. STEPONGZI
MAX J. STITZER
DOUGLAS N. STRAWBRIDGE
ROGER P. SURO
ERIK D. SUTCLIFFE
JAMES S. TAGG
JAMES A. TRAVIS
WESLEY D. TRUE, JR.
DENNIS J. TUTHILL
DENSON H. TUTWILER
BENJAMIN T. VORHEES
CHRISTINA DESIREE VOYLES
EDWIN P. WAGNON III
GREGORY J. WEBSTER
ROBERT S. WEICHERT
WILLIAM W. WHITTENBERGER, JR.
LAUREL A. A. WIEGAND
PAUL R. WIETBROCK
PATRICK T. WILLIAMS
GEORGE M. WILSON
MARK FLOYD WILSON
DANIEL T. WOLF
DONALD F. WREN
PATRICIA L. YORK
CURTIS J. ZABLOCKI
MICHAEL A. ZACCARDO

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

MUDASIR A. ABRO
SCOTT H. ADKISSON
DIANA ALAME
BROOKE E. ALBRIGHT
KEVIN D. ALFORD
KENTON L. ANDERSON
NATHAN S. ANDERSON
APRIL M. ARSENEAU
PETER A. BALDWIN
SCOTT D. BARNES
JEFFREY G. BELISLE
STEPHANIE A. BERNZOTT
HALTON W. BEUMER
CHAD R. BIGONY
KEVIN A. BLACKNEY
CHAD RICHARD BOWSER
LINDA U. BRADSHAW
LEAH G. BRAR
JUSTIN M. BREMER
JASON A. BROCKER
SHANNON M. BRODERSEN
SCOTT L. BROTHERTON
KIMBERLY K. BROUGHTON
KAREN E. BRUNER
ALLISON R. BUEL
MARK T. BURBRIDGE
OMAR L. CABAN
LYNSEY M. CALDWELL
JOHN A. CALIFANO
CHRISTOPHER R. CALVERT
DAVID R. CARLSEN
JUSTIN E. CARRICABURU
SHAWN S. CARTER
ANYA J. CHANDLER
J. FOSTER CHAPMAN
MATTHEW V. CHAUVIERE
SHIHSHIANG CHENG
JOONE H. CHOI
REBECCA A. CHRISTI
HANNAH K. CHUNG
PETER CHUNG
CHERYLL A. CLARK
RICHARD A. CLARK
MARIA K. COGANOW
JEAN M. COVIELLO MALLE
BRADLEY C. COWLEY
JASON W. CROMAR
JUSTIN A. CROP
ARISTIDES I. CRUZ, JR.
RAETASHA S. DABNEY
KRISTIN JOY DANIEL
CHRISTOPHER K. DAVID
BRETT W. DAVIES
BRIAN M. DAVIS
RYAN E. DAVIS
PHILIP M. DEMOLA
EMANUEL DIAZALONSO
PHILIP TAYLOR DOOLEY
BENJAMIN C. DUDLEY
DELL P. DUNN
ELIZABETH A. DWYER
STEPHEN B. EDSTROM
OLIVER L. EDWARDS
DEREK J. ELLINGSON
MELISSA R. ELLIS YARIAN
ANTHONY C. ESCHLIMAN
JULIA B. ESKUCHEN
PATRICIA L. EVANS
ERIN E. EZZELL
NATHAN P. FALK
ABIGAIL T. FEATHERS
ANNA FELDMAN
BRENT A. FELDT
MARY F. FINN
BRENDAN M. FITZPATRICK
BRIGITTE ANNE FLANAGAN
AVEN W. FORD
JOSHUA S. FOWLER
THERESA M. FREEMAN
ELIZABETH M. GAIDA
AMY D. GARCIA
JOSEPH A. GARCIA
KATHRYN K. GARNER
TODD M. GARRETT
KATHRYN T. GATTONE
STARRINA A. GIANELLONI
KACEY C. GIBSON
SARAH R. GLICK
KEVIN J. GOIST
EDUARDO L. GONZALEZ
STEVEN P. GRADNEY
DAVID B. GRAHAM
MATTHEW D. GRAHAM
THOMAS C. GRANA, JR.
AARON D. GRANT
KEVIN D. GROVES
JODIE K. HAMER
JOSHUA A. HAMILTON
JARRETT HAMMER
HEATHER M. HANCOCK
ANGELA K. HANSEN
ABBY L. HARRIS
WILLIAM B. HARRIS
JEREMY S. HARWOOD
MICHAEL A. HEALEY
SCOTT A. HELLER

BRANDON C. HEMPHILL
TARA I. HERRINGTON
ANDREA L. HICKMAN
ERICA M. HILL
PAIGE M. HIXSON
CLINT HOANGQUOCGIA
JOSEPH K. HOBBS
CHRISTEEN L. HODGE
JONI K. HODGSON
JUSTIN R. HOLLON
JASON D. HOSKINS
CHARLES T. HOWARD
JENNIFER L. HUDSON
GREGORY L. HUNDEMER
ANDREA W. JOHNSON
LESLEE B. KANE
MUHANNAD KASSAWAT
REBECCA K. KEMMET
JASON W. KEMPENICH
NATHAN M. KIM
JOHN M. KITSTEINER
CHRISTY T. KLEINKE
KEITH W. KRAMER
GEOFFREY N. KREDICH
STEPHEN A. KUJANSUU
JULIE E. KUNKEL
PAMELA B. LANDSTEINER
DAVID B. LEARY
WILLIAM B. LEASURE
TOBY F. LEES
MEGAN K. LEHR
TYLER T. LEIGH
SHERRY L. LEVIO
JOHN LICHTENBERGER III
ALAN J. LICUP
FREDILYN M. LIPATA
CARRIE ANN RENEE LITKE
KEVIN C. LOH
PAMELA M. LOVELAND
KRISTIN LUCY
NICHOLAS SCOTT LUDWIG
RICHARD K. LUGER
BRANDY ERIN RANSOM LYBECK
MARK E. LYTLE
MICHAEL D. MACK
JOSEPH K. MADDRY
MICHAEL HOWARD MADSEN
SEAN C. MALIN
CHRISTOPHER T. MANETTA
KATHERINE A. MANSALIS
SEAN N. MARTIN
CHRISTOPHER T. MARTINEZ
JASON C. MCCARTHY
CURTIS R. MCDONALD
CATHERINE H. MCHUGH
ROGER J. MCMURRAY
BRYANT R. MCNEILL
ADAM W. MEIER
ALEXANDER J. MENZE
MICHAEL J. MEQUIO
JASON D. MERRELL
GREGORY L. MESA
DANIEL S. MICSUNESCU
KIMBERLY A. MILFORD
ROBERT J. MILLER
BRENT R. MITTELSTAEDT
MEISAM H. MOGHBELLI
MICHELLE A. MONRO
TIMOTHY J. MOONEY, JR.
ELIZABETH A. MORGAN
CHRISTINA N. MORRIS
JAMES E. MOSES
CHARLES E. MOUNT III
BRYCE A. NATTIER
DAVID M. NAVEL
ANJELI K. NAYAR
HOLLY A. NELSON
THIENNGA P. NGUYEN
LISA M. NICHOLSON
SAMUEL S. NOKURI
UZOAMAKA O. NWOYE
THAD F. OCAMPO
ROBERT J. OCHSNER
CRYSTAL M. PALMATIER
SONJA I. PARISEK
JEREMY D. PARKER
MICHAEL F. PARSONS
DANIEL I. PASCUCCI
KRISTINA A. PAULANTONIO
CHELSEA B. PAYNE
MELISSA L. PENNY
GABRIEL C. PEPPER
CHRISTOPHER A. PERRO
AARON H. PETERSEN
NELSON A. PICHARDO
MATTHEW A. PIEPER
ELIZABETH S. PIETRALCZYK
ERIC R. PITTMAN
SHEA M. PRIBYL
MITCHELL J. PROU
EUNICE I. PYUN
FLORENCE V. QUINATA
MATTHEW H. RAMAGE
CRAIG M. RANDALL
CYNTHIA D. REED
ERIK M. REITE
JOSEPH L. RENO
JOSEPH S. A. RESTIVO
JACOB F. RIIS
ELIZABETH A. RINI
SIMON A. RITCHIE
ANDREW Y. ROBINSON
JOCELYN A. ROBINSON
OSCAR L. SANDERS
IN KYUNG KIM SANTIAGO
ELIZABETH G. SARNOSKI
VINCENT SAVATH
JONATHON W. SCHWAKE
WILLIAM HOGUE SCOTT, JR.
WILLIAM A. SCROGGS III
MUHAMMAD A. SHEIKH
LAUREEN H. SHEYPUK
ROGER Y. SHIH
MONICA M. SICKLER
CHRISTY R. SINE
RAMAN P. SINGH
JAMES F. SMALL
CLIFF R. SMITH
SHANNA R. SNOW
DAWN B. SPELMAN OJEDA
MATTHEW E. SPIGEL
ARIC D. STEINMANN
BENJAMIN M. STERMOLE
MICHELLE M. STODDARD
RYAN C. STONER
ASHLEY ANN S. STORMS
RORY P. STUART
SARAH M. SUNG
TEDMOND C. W. SZETO
CHARLENE E. TALLEY
JULIE K. TERRY
ANDREW J. THOMPSON
ADAM D. TIBBLE
RUSSELL C. TONTZ III
JOHN WILLIAM TUEPKER
CHARLA C. TULLY
JOSHUA A. TYLER
ERIC R. VAILLANT
AARON N. VANZANTEN
STEPHEN E. VARGA
VICTOR M. VARGAS
SARAH D. VAUGHN
AUDEY L. VEACH
UYEN P. VIETJE
KRISTOPHER M. WAGNERPORTER
CHRISTOPHER J. WAGUESPACK
ADAM R. WALKER
JOANNA L. I. WALKER
JASON A. WAUGH
ROBERT S. WEATHERWAX
LELAND H. WEBB
MATTHEW D. WEIRATH
BREA E. WHITEHAIR
MATTHEW E. WICK
JESSE M. WICKHAM
MEGAN R. WILLIAMS KHMELEV
RYAN J. WILLIAMS
WINNIFRED M. WONG
CHARLES T. WOODHAM
LINDA M. YINKEY
CHRISTINA M. ZIMMERMAN
THOMAS C. ZIOLKOWSKI
SHAUNA C. ZORICH

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

JUDITH M. DICKERT

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

HAZEL P. HAYNES

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LARISSA G. COON

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

STEFANIE D. LAST
TIMOTHY R. TOLBERT

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSEPH T. NORA
WILLIAM D. O'CONNELL

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARK J. CAPPONE
STEVEN S. HANSON
THOMAS H. WOMBLE
CHARLES D. ZIMMERMAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

LANCE D. CLAWSON

To be major

THOMAS C. JOHNSON
STEVEN A. KHALIL
CHRISTOPHER L. ROZELLE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARK N. BROWN
JAMES R. MATHEWS
KEVIN P. SHEEHY
JOHN M. STEWART
BRIAN C. TRAPANI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

SCOTT T. AYERS
JAMES A. BARKEI
ROBERT M. BLACKMON
JENNIFER A. BREWER
WILLIAM E. BROWN
CHRISTOPHER B. BURGESS
MATTHEW A. CALARCO
LAURA J. CALESE
REBECCA K. CONNALLY
JOSE A. CORA
RYAN B. DOWDY
DAVID H. DRAKE
JOSEPH M. FAIRFIELD
WADE N. FAULKNER
TOSHENE C. FLETCHER
GRACE M. W. GALLAGHER
SHAWN W. GORDON
JOSEPH J. JANKUNIS
TONYA L. JANKUNIS
DEMARIS J. JOHANEK
FANSU KU
KELLY L. MCGOVERN
SEAN C. MCMAHON
WALTER E. NARRAMORE
TERRANCE J. ONEILL, JR.
JOSEPH N. ORENSTEIN
PATRICK D. PFLAUM
STEVEN M. RANIERI
RUNO C. RICHARDSON
MARK A. RIES
JAVIER E. RIVERAROSARIO
JEREMY W. ROBINSON
LESLIE A. ROWLEY
WILLIAM J. SCHAEFER
DANIEL J. SENNOTT
TYESHA L. SMITH
ERIC K. STAFFORD
WILLIAM M. STEPHENS
ANGELA D. TUCKER
LANCE B. TURLINGTON
KAY K. WAKATAKE
RANA D. WIGGINS
AMBER J. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

RAYMOND R. ADAMS III
DAVID A. AMAMOO
SCOTT A. BACALJA
TREVOR I. BARNA
JESSICA L. BOSSI
PAUL R. BOUCHARD
DEJESUS S. BRENNAN
SHAWN C. BUTLER
CARLOS A. CALDERON
CHRISTOPHER A. CALLICOTT
JOHN K. CHOIKE
STEPHANIE R. COOPER
BRADLEY M. COWAN
DANIEL W. DALRYMPLE
JACQUELINE J. DEGAINE
JASON M. DELOSSANTOS
REBECCA N. DIMURO
CAMERON R. EDLEFSEN
EMILEE O. ELBERT
TRAVIS W. ELMS
BRETT A. FARMER
JESSICA M. FARRELL
ASHDEN FEIN
JONATHAN E. FIELDS
CHRISTOPHER S. GLASCOTT
JULIE A. GLASCOTT
LAURA A. GRACE
MATTHEW T. GRADY
JESSE T. GREENE
JONATHAN M. GROSS
CARAANN M. HAMAGUCHI
FRANCES M. HAMEL
DESIREE K. HELMICK
HEATHER A. HERBERT
STEPHEN M. HERNANDEZ
CHAD E. HIGHFILL
HECTOR J. HIGUERA
JOON K. HONG
RYAN A. HOWARD
KEVIN M. HYNES
THOMAS P. HYNES
BUNDHIT INTACHAI
JACLYN C. JAHNKE
ELLIOTT G. JOHNSON
PETER G. JUETTEN
NATALIE J. KARELIS
GERARD M. KENNA

ADAM W. KERSEY
RYAN K. KERWIN
CHRISTOPHER M. KESSINGER
WILLIAM C. KNOTT, JR.
KEVIN D. KORNEGAY
FRANK E. KOSTIK, JR.
STEPHEN E. LATINO
RYAN W. LEARY
KEVIN M. LEY
PAUL J. LLOYD
AARON L. LYKLING
JOSEPH T. MARCEE
DANIEL L. MAZZONE
EDWARD B. MCDONALD
CHAD M. MCFARLAND
DALE C. MCFEATTERS
WILLIAM M. NICHOLSON
DAVID M. ODEA
JENNIFER A. PARKER
MEGHAN M. POIRIER
AARON S. RALPH
JOSHUA T. RANDOLPH
JOHN D. RIESENBERG
MICHAEL A. RIZZOTTI
JESS B. ROBERTS
JILL B. RODRIGUEZ
JEFFREY H. ROHRBACH
MICHAEL E. SCHAUSS
YOLANDA A. SCHILLINGER
JEREMY S. SCHOLTES
JOSEPH W. SHAHA
TODD W. SIMPSON
TRAVIS P. SOMMER
LAWRENCE H. STEELE
WILLIAM J. STEPHENS
NEIL K. STEPHENSON
WILLIAM N. SUDDETH
JOHN K. SUEHIRO
SARAH C. SYKES
ANDRES VAZQUEZ, JR.
WENER VIEUX
AMY E. WALTERS
STEPHEN P. WATKINS
GLEN E. WOODSTUFF
MADELINE F. YANFORD

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 colonel

STEPHEN K. AITON
LAWRENCE A. ANYANWU
GREGORY S. APPLEGATE
DARRELL W. AUBREY
DAVID W. BANIAN
ROBERT L. BARRIE, JR.
GREGORY G. BOYD
PAUL K. BROOKS
JOHNNY R. BROUGHTON
MICHAEL L. BROWN
EDWARD J. BURKE IV
DOUGLAS R. CAMPBELL
JOHN R. CAVEDO, JR.
STEPHEN T. CHENG
TOM L. CLADY
WILLIE D. COLEMAN
MARK D. COLLINS
ANDREW C. COOPER
ANTHONY M. COSTON
SHANNON C. COX
HARRY R. CULCLASURE
JOY L. CURRIERA
JOSEPH G. DALESSIO
ANDREW M. DANWIN
BILLY J. DAVIS
JAMES E. DAVIS
CHRISTOPHER L. DAY
STEVEN S. DEBUSK
JAMES T. DELLOLIO
ROBERT J. DIXON, JR.
ERNEST L. DUNLAP, JR.
THOMAS J. EDWARDS, JR.
JOHN M. EGGERT
MARIA P. E. P. EOFF
MICHAEL D. EVANS
STEVEN W. FLETCHER, JR.
JOHN W. FRANCIS
WILLIAM S. GALBRAITH
OMUSO D. GEORGE
IRAJ GHARAGOUZLOO
DAVID V. GILLUM
MOISES M. GUTIERREZ
DARYL P. HARGER
MICHAEL J. HARLAN
MORRIS J. HATCHER
KEVIN G. HEBL
GREGORY R. HOLMES
RICHARD J. HORNSTEIN
PAUL D. HOWARD
NATHAN B. HUNSINGER, JR.
LIECHESTER D. JONES
CRAIG W. JORGENSON
STEPHEN E. KENT
IAN B. KLINKHAMMER
PETER J. LANE
ROBERT A. LAW III
STEPHEN B. LOCKRIDGE
JEFFREY A. MADISON
WILLIAM L. MARKS II
ERIC D. MARTIN
JOHNNEY K. MATTHEWS
DONALD M. MAYER
DARIEL D. MAYFIELD
JOHN V. MCCOY
ALONZO B. MCGHEE
FRITZGERALD F. MCNAIR
JAMES F. MCNULTY, JR.
MICHELLE D. MITCHELL
SANDRA S. MUCHOW
JOSE L. MUNIZ
RANDY MURRAY
RANDAL W. NELSON
COREY A. NEW
GREGORY D. PETERSON
SAMUEL L. PETERSON
KEVIN M. POWERS
MATTHEW F. RASMUSSEN
JOHN T. REIM, JR.
JENNIFER A. REINKOBER
DANIEL K. RICKLEFF
WILLIE RIOS III
RICHARD A. RIVERA
WILLIAM M. ROBARE
DAVID G. ROGERS
PAUL G. SCHLIMM
LOREN P. SCHRINER
TIMOTHY A. STAROSTANKO
MARY B. TAYLOR
MARC D. THORESON
JACK L. USREY
MARVIN G. VANNATTER, JR.
JOHN M. VANNOY
ALFREDO M. VERSOZA
ROBERT L. WHITE
RALPH E. WILLIAMS
TERRY M. WILSON, JR.
DAVID L. WOOD
SIDNEY C. ZEMP IV
D006326
D004409
D005059

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 colonel

JAMES H. ADAMS III
KEITH W. ANTHONY
MARIO A. ARZENO
ANTONIO E. BANCHS
EDMUND J. BARRETT
JAMES B. BOTTERS
ROBERT D. BRADFORD III
JOHN R. BRAY
MICHELE H. BREDENKAMP
DAVID D. BRENNER
NICHOEL E. BROOKS
ENRIQUE N. CAMACHO-CERVANTES
CARLA J. CAMPBELL
CASIMIR C. CAREY III
TONY K. CHO
FRANK S. CLARK III
PATRICIA S. COLLINS
GREGORY J. CONTI
STEVEN L. CREIGHTON
CHRISTOPHER G. CROSS, JR.
TONY B. CURTIS
KENNETH L. CYPHER
PHILLIP J. DEPPERT
MARK J. DERBER
GLENN K. DICKENSON
KENNETH W. DOBBERTIN
PETER J. DON
TROY L. DOUGLAS
SCOTT C. DULLEA
RODNEY DUNCAN
JENNIE M. EASTERLY
ROBERT L. EDMONSON II
WILLIAM L. EDWARDS
CHRISTOPHER L. EUBANK
SONYA L. FINLEY
PAUL A. FISCHER
BRIAN P. FOLEY
BRIAN R. FOSTER
FRANCIS V. FRAZIER IV
JONATHAN E. FREEMAN
MARK C. GAGNON
DANIEL R. GREEN
TINA R. HARTLEY
MARK A. HASEMAN
BRENT H. HASHIMOTO
THOMAS A. HAYS
TIMOTHY J. HIGGINS
DAVID J. HORAN
KELSO W. HORST, JR.
MARK J. HOVATTER
DAVID P. JEWELL
SEAN A. KEENAN
PATRICK L. KERR
CHRISTOPHER W. KIRKMAN
JEFFREY A. KLEIN
ROBERT M. KLEIN
KELLY T. KNITTER
BERNARD F. KOELSCH
LINDA A. KOTULAN
SEUNG J. LEE
STEPHEN A. LETCHER
RODNEY L. LIGHTFOOT
BRANDEE S. LOCKARD
NICOLAS J. LOVELACE
IAN B. B. LYLES
PATRICK B. MACKIN
NORA R. MARCOS
MICHAEL A. MARTI
MELINDA M. MATE
DOUGLAS M. MATTY
DAVID W. MAY
SAM R. MCADOO
SHANNON J. MCCOY
JEFFREY A. MCDOUGALL
WILLIAM M. MCLAGAN
GREGORY C. MEYER, JR.
THOMAS H. MEYER
DAVID B. MILLNER
JAMES M. MINNICH
VICTORIA L. MIRALDA
DWIGHT R. MORGAN
MICHAEL C. MORTON
TERRENCE L. MURRILL
MICHAEL S. MUSSO
SCOTT T. NESTLER
ANDREW A. OLSON
ROBERT E. PADDOCK, JR.
TIMOTHY J. PARKER
JAMES C. PARKS III
JAMES D. PATTERSON
DAVID W. PENDALL
LAROY PEYTON
JOHN J. PUGLIESE
DANIEL P. RAY
PAUL B. RILEY
ANTHONY T. ROPER
JAMES C. ROYSE
SAM W. RUSS III
MICHELLE A. SCHMIDT
PAUL J. SCHMITT
MARK R. SCHONBERG
KURT A. SCHOSEK
ANTHONY SEBO
ALLEN D. SHREFFLER
JAMES D. SISEMORE
SCOTT A. SMITH
DANIEL E. SOLLER
CHRISTOPHER C. STENMAN
CLEOPHUS THOMAS, JR.
PETER J. TRAGAKIS
SEENA C. TUCKER
ROBERT W. TURK
WILLIAM TURMEL, JR.
JUAN K. ULLOA
CRAIG S. UNRATH
MARK T. VANDEHEI
ROBERT A. WAGNER
VINCENT M. WALLACE
JOHN A. WASKO
MICHAEL D. WEISZ
MICHAEL E. WERTZ
PATRICK M. WHITE
KEVIN R. WILKINSON
SAMUEL E. WILLIAMS
D002233
D010532
D001104
D006581
D010124
G001305
G001034

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 colonel

JOSSLYN L. ABERLE
JAYSON A. ALTIERI
PETER B. ANDRYSIAK, JR.
RICHARD E. ANGLE
ROBERT P. ASHE
DAVID G. ATHEY
ROBERT T. AULT
DAVID C. BEACHMAN
MILFORD H. BEAGLE, JR.
PETER N. BENCHOFF
CHRISTOPHER M. BENSON
MICHAEL K. BENTLEY
KEVIN L. BERRY
WILLIAM R. BLACK
WILLIAM W. BLACKWELL
THOMAS D. BOCCARDI
DAVID R. BOLDUC
MARK E. BOROWSKI
CHRISTOPHER BOYLE
JIMMY M. BRADFORD
GREGORY J. BRADY
TREVOR J. BREDENKAMP
JOHN W. BRENNAN, JR.
JAMES D. BROWN
ROBERT B. BROWN
DEAN A. BURBRIDGE
WILLIAM J. BUTLER
ROBERT C. CAMPBELL
KEITH A. CASEY
KENNETH D. CHASE
MARK W. CHILDS
WILLIAM CHLEBOWSKI
JON J. CHYTKA
JOHN G. CLEMENT
RICHARD R. COFFMAN
ANDREW COLE, JR.
KIMBERLY M. COLLOTON
ALEXANDER CONYERS
BRIAN C. COOK
DANIEL J. CORMIER
MIGUEL A. CORREA
CHARLES D. COSTANZA
DANIEL D. DEADRICH
FRANCISCO B. DECARVALHO
BRYAN E. DENNY
LEE R. DESJARDINS
KIRK C. DORR
BRAD C. DOSTAL
MARTIN DOWNIE
CARTER N. DUCKETT
FREDRICK C. DUMMAR
JANELL E. EICKHOFF
MICHAEL J. FARRELL
PAUL W. FELLINGER
TIMOTHY P. FISCHER
COLLIN J. FORTIER

DONALD R. FRANKLIN
JAMES J. GALLIVAN
VICTOR G. GARCIA, JR.
BRIAN W. GIBSON
JOSEPH P. GLEICHENHAUS
RAUL E. GONZALEZ
WENDY F. GRAHAM
BRYAN S. GREEN
JOEL D. HAMILTON
AMY E. HANNAH
RICHARD L. HANSEN
KENNETH J. HARVEY
DAVID E. HEATH
KEVIN T. HENDERSON
ANDREW M. HERBST
BRYAN P. HERNANDEZ
MICHAEL J. HERTZENDORF
JOHNNY L. HESTER
MICHAEL J. HESTER
RICHARD D. HEYWARD
DONN H. HILL
DAVID M. HODNE
JONATHAN E. HOWERTON
CURTIS B. HUDSON, JR.
MICHAIL S. HUERTER
WILLIAM M. HUFF
JAMES P. ISENHOWER III
SCOTT A. JACKSON
KEVIN L. JACOBI
BARRY G. JONES
ZANE H. JONES
TIMOTHY M. KARCHER
TODD A. KEMPTON
CHRISTOPHER K. KENNEDY
SHAWN E. KLAWUNDER
DANIEL C. KOPROWSKI
PAUL K. KREIS
TIMOTHY C. LADOUCEUR
CHRISTOPHER C. LANEVE
RYAN J. LAPORTE
MICHAEL J. LAWSON
JOHN W. LEFFERS
CAMERON A. LEIKER
MATTHEW R. LEWIS
WILLIAM C. LINDNER
DAVID P. MAUSER
MATTHEW W. MCFARLANE
BRIAN J. MCHUGH
ROBERT G. MCNEIL, JR.
PAUL A. MELE
ROBERT L. MENIST, JR.
JEFFREY M. METZGER
BRIAN M. MICHELSON
PETER G. MINALGA
THOMAS G. MOORE
MICHAEL J. MUSIOL
JODY L. NELSON
THOMAS NGUYEN
RUMI NIELSONGREEN
DAVID M. OBERLANDER
JOHN A. OGRADY
JEFFREY T. ONEAL
EDWARD J. ONEILL IV
BRENT M. PARKER
GUY B. PARMETER
BRYAN E. PATRIDGE
RICHARD T. PATTERSON
JAMES P. PAYNE
BRIAN L. PEARL
BRIAN S. PETIT
RICHARD A. PRATT
ANDREW D. PRESTON
SHAWN T. PRICKETT
CHRISTOPHER R. RAMSEY
MARK D. RASCHKE
FRED L. REEVES, JR.
ROBERT A. REYNOLDS
GORDON A. RICHARDSON
CHRISTOPHER N. RIGA
JULIUS A. RIGOLE
ADAM L. ROCKE
HEATH C. ROSCOE
STEPHEN C. SEARS
ANDREW D. SEXTON
THOMAS A. SHOFFNER
ALAN J. SHUMATE
GREGORY F. SIERRA
HOLLY C. SILKMAN
DOUGLAS A. SIMS II
STEPHEN G. SMITH
MARK E. SOLOMONS
KARA L. SOULES
EVERETT S. P. SPAIN
GEORGE W. STERLING, JR.
DAVID F. STEWART
SCOT N. STOREY
SHAWN A. STROUD
PATRICK T. SULLIVAN
TIMOTHY P. SULLIVAN
GEORGE K. THIEBES
GARRY L. THOMPSON
JOSE M. THOMPSON
THOMAS J. TICKNER
RICHARD F. TIMMONS II
SHAUN E. TOOKE
VINCENT H. TORZA
JOHN A. VERMEESCH
JOEL B. VOWELL
PATRICK M. WALSH
TODD E. WALSH
MICHAEL E. WAWRZYNIAK
ANDREW J. WEATHERSTONE
STEPHEN A. WERTZ
RANDALL D. WICKMAN
CHRISTOPHER W. WILBECK
TODD P. WILSON
DOUGLAS W. WINTON
DONALD C. WOLFE, JR.
ERIC W. ZEEMAN
WILLIAM H. ZEMP
TODD M. ZOLLINGER
D002143

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JORGE M. RUANO-ROSSIL

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CRAIG J. SHELL

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WILLIAM J. WRIGHTINGTON

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY S. LACORTE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RUSSELL B. CROMLEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER P. DOUGLAS
SHAWN A. HARRIS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICHARD CANEDO
MATTHEW C. FRAZIER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN T. THOMPSON

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK A. MITCHELL

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JUAN M. ORTIZ, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN J. CORRIS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEVIN R. WILLIAMS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER J. COX

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LEONARD R. DOMITROVITS
ROBERT A. PETERSEN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JERRY R. COPLEY
JAMES R. TOWNEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROBERT F. EMMINGER
MICHAEL G. MARCHAND

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER J. ALBRIGHT
DANIEL W. ANNUNZIATA
JAMES R. INGLIS
CHRISTOPHER M. OSMUN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WINSTON D. BOYD II
RAYMOND J. MITCHELL
PERRY L. SMITH, JR.
MOSES A. THOMAS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STUART M. BARKER
M. S. MURPHY
CURTIS J. SMITH
BRYAN E. STOTTS
GREGORY E. WRUBLUSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS ACTIVE RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LADANIEL DAYZIE
JAMES E. FOX, JR.
CHRISTOPHER W. SCHARF
CHRISTOPHER D. THOMPSON
MICHAEL J. ULSES
AGILEO J. YLANAN, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

EDUARDO A. ABISELLAN
JAMES H. ADAMS III
MARCUS B. ANNIBALE
MICHAEL P. ANTONIO
JOHN ARMELLINO, JR.
ERIC E. AUSTIN
BRAD S. BARTELT
JASON A. BEAUDOIN
GRADY A. BELYEU, JR.
WILLIAM C. BENTLEY III
MARLIN C. BENTON, JR.
BRENT W. BIEN
RUSSELL A. BLAUW
JOHN A. BOLT
MICHAEL J. BORGSCHULTE
BRETT A. BOURNE
MATTHEW C. BOYKIN
ROBERT C. BOYLES
BRIAN E. BUFTON
WAYNE M. BUNKER
DAVID W. BUSSEL
MAX W. CAIN II
DONALD C. CHIPMAN
JOHN P. CHRISTOPHER
PHILIP A. COLBORN
MATTHEW S. COOK
KIRK F. CORDOVA
ANDREW L. CRABB
SCOTT S. CREED
VANCE L. CRYER
OSSEN J. DHAITI
PETER J. DILLON
CHRISTOPHER G. DIXON
DOUGLAS G. DOUDS
CHARLES DOWLING
JON D. DUKE
ERIC J. ELDRED
JOHN W. EVANS, JR.
TODD R. FINLEY
DAVID C. FORREST
PHILLIP N. FRIETZE
RICHARD F. FUERST
CHRISTOPHER D. GIDEONS
STEVEN R. GIRARD
THOMAS J. GORDON IV
REGINALD L. HAIRSTON
SCOTT V. HALLSTROM

DOUGLAS A. HAWKINS
ANTHONY M. HENDERSON
JAMES R. HENSIEN
THOMAS K. HOBBS
JEFFREY P. HOGAN
KELLY P. HOULGATE
MARC C. HOWELL
KEVIN M. HUDSON
JAMES T. IULO
PRESTON W. JONES
STEVEN P. KAEGEBEIN
DANIEL R. KAISER
KENNETH R. KASSNER
MICHAEL J. KENNEDY
BRIAN J. KING
LAWRENCE M. LANDON
PETER N. LEE
SCOTT D. LEONARD
JAMES C. LEWIS
MICHAEL J. LINDEMANN, JR.
DANIEL E. LONGWELL
DOUGLAS J. MACINTYRE
MICHAEL A. MANNING
DAMIEN M. MARSH
SEAN M. MCBRIDE
WILLIAM F. MCCOLLOUGH
KATHERINE M. MCDONALD
CHARLES A. MCLEAN II
MELANIE A. MERCAN
JOSEPH F. MONROE
SAMUEL P. MOWERY
ANDREW J. MOYER
JOHN J. MURPHY III
CHRISTOPHER B. NASH
DAVID NATHANSON
WILLIAM J. NEMETH
SETH L. OCLOO, JR.
DAVID L. ODOM
MICHAEL H. OPPENHEIM
MARK T. PALMER
PHILIP M. PASTINO
PAUL T. PATRICK
FRITZ W. PFEIFFER
JAMES E. QUINN
JOSEPH N. RAFTERY
JOHN A. RAHE, JR.
MINTER B. RALSTON IV
MATTHEW G. RAU
ANDREW M. REGAN
DESMOND A. REID, JR.
WILLIAM H. REINHART
PAUL M. RIEGERT
DANIEL B. ROBINSON
PAUL A. ROSENBLOOM
PETER S. RUBIN
ROBERT P. SALASKO
SEAN M. SALENE
THOMAS B. SAVAGE
ERIC W. SCHAEFER
ROBERTA L. SHEA
MATTHEW M. SIEBER
JEFFREY C. SMITHERMAN
ROBERT J. SMULLEN
KEVIN J. STEWART
BENJAMIN P. STINSON
CRAIG H. STREETER
DAVID A. SUGGS
CHRISTOPHER A. TAVUCHIS
WILLIAM J. TRUAX, JR.
MICHELLE L. TRUSSO
DANNY J. VERDA
JOHN E. WALKER
TYE R. WALLACE
HUGH R. WARE
BENJAMIN T. WATSON
AARON S. WELLS
CHRISTOPHER J. WILLIAMS
BRIAN N. WOLFORD
CALVERT L. WORTH, JR.
CHRISTIAN F. WORTMAN
TYLER J. ZAGURSKI
WILLIAM E. ZAMAGNI, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

OMAR A. ADAME
AGUR S. ADAMS
BRIAN A. ADAMS
ROBERT M. ADAMS
MICHAEL M. AHLSTROM
CLINT W. ALANIS
SARAH M. ALCAIDE
ANDREW J. ALISSANDRATOS
JUSTIN D. AMTHOR
MARY C. ANDERLONIS
BELINDA L. ANDERSON
JASON L. ANDERSON
LARS D. ANDERSON
NATHAN W. ANDERSON
ANTONY J. ANDRIOUS
CHARLES E. ANKLAM III
WELLINGTON C. AQUINO
ROBERT C. ARBEGAST
PHILLIP T. ASH
JONATHAN C. ASHMORE
MICHELLE B. AVILA
BRADLEE J. AVOTS
AARON M. AWTRY
DAVID J. BACHTA
DAVID T. BAILEY
STEPHEN C. BAIR
GLENN P. BAKER
RYAN M. BAKER
MARK V. BALFANTZ
MICHAEL J. BALICH
JOHN R. BALLENGER
ANTHONY P. BARILETTI
CHRISTINE D. BARILETTI
JOSEPH N. BARKER
JOSEPHUS E. BARNES
JONATHAN F. BARR
PAUL R. BARRON
MATTHEW D. BARTELS
ROBERT I. BASKINS
BENJAMIN K. BAYLESS
SCOTT E. BEATTY
ELDON W. BECK
MATTHEW J. BECK
DAVID BEERE
RICHARD A. BEHRMANN
BEAU B. BELL
KEVIN L. BELL
THOMAS E. BELLAMY
JUSTIN M. BELLMAN
ERIN K. BERARD
JAMES R. BERARD
MICHAEL D. BERRY
MATTHEW P. BEUCHERT
JOHN T. BIDWELL
JOHN L. BINSTOCK
BENJAMIN L. BLANTON
MICHAEL A. BLEJSKI
STEPHEN J. BOADA
CHRISTOPHER F. BOKSANSKE
JEB BOLEN
THOMAS E. BOLEN, JR.
JOHN R. BOUTIN
TIMOTHY J. BOVE
ERIK A. BOYCE
ANNE M. BRADEN
BARRET F. BRADSTREET
RICHARD J. BRIDGETT
JOSHUA A. BRINDEL
JOSHUA H. BRINGHURST
MARC W. BRINNEMAN
CHAD C. BROOKS
LAWRENCE G. BROOKS
ANDREW P. BROUGHTON
BRANDON D. BROWN
CHRISTOPHER J. BROWN
DAVID L. BROWN
ERIC A. BROWN
IAN T. BROWN
NEIL H. BRUBECK
WILLIAM L. BRYSON, JR.
SCOTT S. BUCHANAN
CHRISTOPHER L. BUCK
JOHN E. BUIS
MARC L. BULLOCK
ADAM W. BURCH
THOMAS J. BURKE
BRADLEY A. BYERS
CORY T. CALLISON
JOHN F. CAMPBELL
KATHLEEN E. CAMPBELL
JARRAD S. CAOLA
SEAN S. CARANO
ANDREW L. CARCICH
THOMAS W. CAREY
CLARK D. CARPENTER
WAYNE A. CARR, JR.
BRYCE W. CARTER
SHAWN R. CASH
CHRISTOPHER J. CELUSTA
GREGORY R. CHAPMAN
ROCKY L. CHECCA
COLIN M. CHISHOLM
ALLAN S. CHIU
ROBERT M. CHRISTAFORE, JR.
LONNIE S. CHRISTIAN, JR.
ERIC S. CHRISTOPHE
MICHAEL P. CICCHI
JOHN P. CIMINA
JASON M. CLARK
KEVIN L. CLARK
MICHAEL E. CLARK
VANESSA M. CLARK
RICHARD M. CLONINGER
THOMAS E. COGAN IV
RYAN B. COHEN
JASON M. CONDON
JUSTIN J. CONDON
MICHAEL T. CONTE
JONATHAN R. COOK
AUDIE T. COOPER
DIONISIO G. COOPER
DAVID N. CORKILL
CARRIE E. CORNELIUS
MARCUS P. CORNELIUS
CHRISTOPHER M. COWEN
MICHAEL C. CRAGHOLM
KEVIN S. CROCKETT
ADAM P. CROMWELL
PAUL L. CROOM II
CHARLES E. CROWNOVER
RYAN K. CURRY
NELS C. DAHLGARD
DAVID M. DALBY
JOHN A. DALBY
CASEY R. DALTON
ROBERT G. DANIELS
DANA M. DARNELL
CHRISTOPHER B. DAVIDSON
CHRISTOPHER M. DAVIS
CLAY E. DAVIS
JEREMIAH J. DAVIS
GREGORY R. DAY
JEFFREY G. DEAN
PHILLIP A. DEEBLE
MICHAEL A. DEJESSO
WILLIAM E. DELEAL II
JAMES J. DELIA II
CASEY G. DEMUNCK
RYAN B. DENNIS
STEPHEN E. DETRINIS
CHRISTOPHER J. DETTLE
SETH E. DEWEY
PHILLIP D. DIBELLA
PAUL J. DIMAGGIO
ALAN C. DINSDALE
JOHN D. DIRK
DAVID R. DIXON, JR.
TRONG M. DO
RYAN P. DONAHUE
MICHAEL J. DONALDSON
BRIAN J. DONLON
THOMAS L. DONOHOO IV
ALEXANDER G. DOUVAS
MATTHEW A. DOWDEN
THADDEUS V. DRAKE, JR.
JOHN D. DRAPER
DAVID J. DREIER
JOHN S. DUNN
SIMON J. DURSO
ROBERT E. ECKERT, JR.
ANTONIO M. EDWARDS
MATTHEW J. EGAN
JEFFREY P. EGGERS
ALEXANDER J. ELLIS
JOSEPH C. ELSEROAD
TODD F. ESLINGER
HAROLD J. EVERHART
NATASHA M. EVERLY
CHRISTOPHER M. EYRE
ROBERT A. FAIRLEY
JOHN D. FAIRMAN
ZIAD N. FAKHOURY
TIMOTHY J. FARAG
SCOTT C. FARRAR
THOMAS C. FARRINGTON II
ALEXANDER FARSAAD
AARON M. FAUST
TREVOR J. FELTER
BENJAMIN J. FIALA
PAUL D. FISCHER
NATHAN A. FLEISCHAKER
GEORGE E. FLEMING
GREGORY K. FLETCHER
RAYMOND P. FOERSTER
CHRISTOPHER A. FORMAN
PATRICK J. FORREST
CHRISTOPHER J. FORSYTHE
SCOTT T. FORTNER
LUCAS S. FRANK
GEOFFREY J. FRANKS
TYLER A. FREEBURG
DUNCAN A. FRENCH
JONATHON T. FRERICHS
BENJAMIN M. FRIEDRICK
JOEL D. FRITTS
JOHN H. FRUSHOUR III
DAVID I. FULLER, JR.
ADAM V. GABLE
KENDRICK L. GAINES
TIMOTHY K. GALLAGHER, JR.
ROBERT L. GAMBRELL III
TIMMOTHY B. GARRISON
ROSENDO GARZA, JR.
ADAM C. GEITNER
ALEXANDRA V. GERBRACHT
ROBERT P. GERBRACHT
BRIAN D. GERSCHUTZ
ROBERT A. GIBSON
AARON J. GLOVER
ANDREA L. GOEMAN
CARLOS M. GOETZ
MATTHEW M. GOLDENSTEIN
JULIO C. GONZALEZ, JR.
JASON R. GOODALE
ALEXANDER E. GOODNO
RYAN R. GORDINIER
GEORGE R. GORDY IV
BRIAN P. GRAY
GERGORY A. GRAYSON
JEROME C. GRECO
ROGER M. GREENWOOD
MITCHELL B. GREY
AMELIA J. GRIFFITH
JUSTIN C. GRISSOM
ROBERT M. GROCEMAN
CLARKE P. GROEFSEMA
CHRISTOPHER R. GROMADSKI
ROBERT R. GRUBER
BENJAMIN F. GUARDENIER
ARTURO GUZMAN, JR.
CASEY M. HAGER
PATRICK M. HAINES, JR.
KYLE D. HAIRE
MATTHEW L. HALEY
MATHISON G. HALL
PATRICK R. HALL
ANDREW J. HAMILTON
BRIAN R. HANRAHAN
JONATHAN T. HANSEN
JAY D. HANSON
TERRY D. HARPER III
JERRY M. HARRE
JASON T. HARRIS
KRISTOFER S. HARRIS
RYAN N. HARSHMAN
CHARLES N. HART
MARYKITT B. HAUGEN
BENJAMIN J. HAWTHORNE
ADAM A. HECHT
ALEX D. HEDMAN
KATHERINE A. HEGG
JEREMY A. HELFRICH
SEAN M. HENNESSY

CHRISTINA R. HENRY
BRIAN J. HENSARLING
CARLTON L. HENSLEY
ERIC J. HENZLER
BENJAMIN R. HEREDIA
KEVIN R. HERRMANN
BRIAN L. HILL
DAVID A. HILL
DAVID R. HILL
MATTHEW H. HILTON
BENJAMIN J. HINZ
DANIEL J. HIPOL
JOHN J. HOFFNER
EDWARD V. HOLTON
EDWARD A. HOLTZ
JEFFREY L. HORNE
HARRY H. HORNING II
HENRY J. HORTENSTINE
BROCK A. HOUGHTON
JUSTIN A. HOWE
JUSTIN W. HUBER
MICHAEL J. HUCK
TIMOTHY G. HUDSON
JAMES R. HUEFNER
ERIC T. HUGG
JIMMIE D. HUGHES, JR.
KEVIN M. HUGHES
STEVEN R. HULS
RYAN M. HUNT
NICHOLAS A. HURNDON
ROBERT P. HURST
JAMES HUTCHINS
JONATHAN A. HUTCHISON
BRIAN P. HUYSMAN
STEVEN L. INGLE
JOSEPH F. IRWIN
DANIEL P. JAKAB
RICHARD A. JENNINGS
SVEN JENSEN
CLARENCE E. JERNIGAN III
RUSSELL V. JOHNSON IV
RYAN A. JOHNSON
TROY A. JOHNSON
BRENTON L. JONES
JOSHUA J. JONES
ROBERT L. JONES
ROBERT M. JONES, JR.
TITO M. JONES
JOHNNY J. JOURNEY
DANIEL W. KAISER
CHRISTOPHER L. KANNADY
ANDREW R. KANO
DENNIS W. KATOLIN
THOMAS M. KEECH
ERIN C. KELLOGG
MICHAEL R. KEMPF
CHRISTOPHER J. KENNEDY
MEGHAN A. KENNERLY
JAMES G. KING
ZAFFRENARD L. KING
CALLEEN T. KINNEY
ERIC D. KITT
KURTIS C. KJOBECH
SCOT G. KLEINMAN
JASON M. KLERK
THOMAS D. KLINE
DAVID L. KLINGENSMITH
BRADFORD L. KLUSMANN
CORY B. KNOX
CHRISTINA A. KNUTSON
JOEL P. KNUTSON
JONATHAN P. KOCHERSBERGER
TIMOTHY J. KOCHMAN
DOUGLAS J. KOHLSTEDT
WALKER C. KOURY
MARK A. KOVAL
MATTHEW T. KRALOVEC
FREDERICK C. KRAMER
KEVIN D. KRATZER
AARON R. KRUKOW
GERALD A. KRUSE III
CHRISTOPHER C. KUEHNE
SASHA J. KUHLOW
TIMOTHY J. KUHN
CHRISTOPHER J. KUPKA
JOHN D. LABIT
ARLEIGH B. LACEFIELD
KEVIN J. LAFRENIER
ANDREW T. LAKE
CHRISTOPHER P. LANUM
BRIAN D. LAPOINTE
BLANCA E. LARA
ERIC H. LARSEN
CHRISTOPHER E. LARSON
CHRISTOPHER L. LATIMER
NATHANIEL T. LAUTERBACH
BRIAN E. LAWSON
CHRISTOPHER B. LAWSON
JOHN D. LAWTON
DEVAUNT Z. LECLAIRE
HO K. LEE
JEFFERY T. LEE
RICHARD H. LEE
BRETT W. LEFFLER
ZACHARY J. LEHMAN
ROE S. LEMONS
MATHEW K. LESNOWICZ
MARSHALL J. LEWIS
MICHAEL A. LIGUORI
JAMES R. LINDLER
MICHAEL S. LINHARES
HAROLD E. LLOYD III
PAUL D. LOBALBO
THOMAS F. LOCKWOOD
CLARENCE E. LOOMIS, JR.
JEFFERY D. LOOP
WILLIAM A. LORD, JR.
ALEXANDER LUGOVELAZQUEZ
TRACY A. MAESE
LEE S. MAHLSTEDE, JR.
THOMAS J. MANNINO
MICHAEL W. MANOCCHIO
BROCK A. MANTZ
RYAN A. MAPLE
DOUGLAS H. MARCH
DUSTIN J. MAREMA
PAMELA K. MARSHALL
ALBERT M. MARTEL
ARMANDO J. MARTINEZ
DANNY MARTINEZ
ALEXANDER A. MARTINI
ALEKSANDR D. MARTINNIMS
WILLIAM J. MATKINS
ROBERT F. MAY
TIMOTHY W. MAYER
BRIAN F. MAZZOLA
ALLEN R. MCBROOM
NATHANIEL A. MCCLUNG
JAMESON B. MCGEE
MATTHEW J. MCGIRR
JESSE A. MCKEEMAN
JUSTIN D. MCKINNEY
MICHAEL W. MCNEIL
DAVID P. MEADOWS
JORDAN A. MEADS
CHRISTOPHER J. MELLON
ANDREW R. MERKEL
DAVID A. MERLES
CHRISTOPHER C. MEYER
BENJAMIN M. MIDDENDORF
WILLIAM F. MILES
JUSTIN T. MILLER
JANINE M. MILLS
AARON E. MILROY
KRISTY N. MILTON
RODNEY K. MIMS
RAYMOND J. MIRENDA
MARK D. MIRRA
MICHAEL K. MISHOE, JR.
ERIC D. MITCHELL
LEON M. MITCHELL
NICHOLAS J. MOLDER
ROBERT B. MONDAY
JOSE L. MONTALVAN
JOSEPH R. MONTEDORO
WILSON M. MOORE
MARK D. MORGAN
TODD E. MOULDER
AMANDA F. MOWRY
MICHAEL C. MROSZCZAK
THEODORE J. MUGNIER
STEVE L. MUHA
ERIC M. MUICH
JESSICA J. MULDER
NICHOLAS A. MURCHISON
FELICIA S. MURPHY
GILBERT E. MURRAY
PATRICK H. MURRAY
CORBIN M. MURTAUGH
DANIEL R. MYERS
DAVID B. MYERS
RICKY A. NAIL
CHARLES C. NASH
CHRISTOPHER C. NEAL
ROBERT E. NEEDHAM
DAVID L. NEELY
RICHARD P. NEIKIRK
JEREMY S. NELSON
FREDERIC R. NEUBERT
BERNADETTE M. NEWMAN
SAMSON C. NEWSOME II
PAUL J. NICHOLAS
LE E. NOLAN
CHRISTOPHER L. NOLF
JASON J. NOLLETTE
ERIC R. NORTHAM, SR.
DANIEL F. OBRIEN
MICHAEL J. OBRIEN
EDWARD J. OCONNELL IV
BRIAN J. ODAY
MICHAEL J. OGINSKY
MARCUS T. OHLENFORST
BRIAN M. OLMSTEAD
RUDYARD S. OLMSTEAD
JAKE A. OLSON
ERIC J. OLSSON
JASON M. ONEIL
KELLI A. ONEIL
CHRISTIAN A. ORTIZ
MICHELLE L. OVER
LUKE G. PARKER
ALEXIS L. PASCHEDAG
MATTHEW R. PASQUALI
MICHAEL P. PAVIS
MATTHEW R. PEARSON
STEVEN R. PEDERSON
BRIAN A. PELL
JASON P. PELLERIN
CLAYTON R. PENTON
JONI W. PEPIN
MICHAEL A. PERKINS
MICHAEL T. PERROTTET
BETHANY S. PETERSON
CHRISTOPHER L. PHILLIPS
LYNWOOD K. PHILLIPS, JR.
EDUARDO J. PINALES
DENNIS D. PINCUMBE
JESSE R. PITZRICK
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SCOTT F. RAPIN
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ROBERT G. REINOEHL
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ANDREW D. RICE
BRENT W. RICHARDSON
MATTHEW E. RICHARDSON
JOSEPH W. RIVERA
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CURTIS N. ROSE
MICHAEL W. ROSEN
MARK J. ROSENTHAL
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JAMES F. ROUCHON
JASON RUBIN
NATHAN P. RUGE
HEATH E. RUPPERT
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SEAN H. RYBURN
DARYL T. SABOURIN
ADAM R. SACCHETTI
MICHAEL R. SANDSTROM
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BENJAMIN A. SCHELLMAN
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KEVIN H. SCHULTZ
BRIAN W. SCHWEERS
ADAM J. SCOTT
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DAVID B. SELMO
ARUN SHANKAR
GRADY O. SHARP
JAMES J. SHEASLEY
KEVIN D. SHEPHERD
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CHRISTOPHER D. SHORE
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MATTHEW D. SMITH
WILLIAM H. SMITH
WILLIE J. SMITH, JR.
MICHAEL SMYCZYNSKI
EDWARD M. SOLIS
ISMAEL SOTO
WILLIAM R. SOUCIE
JAMES W. SPARKS, JR.
TIMOTHY R. SPARKS
JOSHUA A. SPERLING
JOHN M. SPOHRER
JOHN K. STANDEN
CHRISTOPHER J. STARK
CHRISTOPHER B. STEBBINGS
JEFFREY D. STEELE
JOSEPH P. STEINFELS
WILLIAM STEINKE
LISA D. STEINMETZ
PAUL W. STEKETEE
KEVIN J. STEPP
BRANDON M. STIBB
MATTHEW A. STIGER
NATHAN J. STORM
ADRIENNE M. STRZELCZYK
RAFE L. STUCKEY
JEFFREY I. STUDEBAKER
ROBERTO SUAREZ
CLIFFORD C. SUTCLIFFE
JOSEPH A. SWEAT
DEREK L. SWENNINGSEN
SCOTT W. SYMONS
DARREN S. SZERDY
MARK A. TACQUARD, JR.
DURAND S. TANNER
ERIC C. TAUSCH
MATTHEW G. TAVERNIER
ERIC J. TAYLOR
TODD J. TEDESCHI

ERIC P. TEE
ANDREW E. TERRELL
JEFFREY M. TEW
BJORN E. THOREEN
ALAN B. THORNHILL
RYAN J. THRESHER
CLARENCE W. TINNEY
JACOB J. TOMLIN
BERT S. TOMPKINS, JR.
JAVIER TORRES
GREGORY J. TRAVERS II
PAUL D. TREMBLAY
ANTHONY C. TRIVISO
JAMES A. TROTTER
CHAD E. TROYER
DAVID P. TUMANJAN
BRANDON H. TURNER
THOMAS B. TURNER
CHARLES C. TYLER
ANIEMA G. UTUK
VINCENT S. VALDES
MICHAEL L. VALENTI
SIMON P. VANBOENING
JOHN E. VAQUERANO
JAIR VARGAS
BRIAN J. VOGEL
BRUCE W. VOGELGESANG
ROCKY VROMAN
KATHRYN E. WAGNER
BRENDAN M. WALSH
WILLIAM J. WARKENTIN
CHRISTOPHER J. WARNAGIRIS
MICHAEL S. WASHAM
MICHAEL C. WAUGH
DANIEL A. WEBER
JOSEPH H. WELCH
JAYSON M. WELIHAN
BRYAN C. WELLES
BRIAN K. WELSH
KARL C. WETHE
JOHN P. WHEATCROFT
CHARLES G. WHEELER III
ELISHAMA M. WHEELER
RANDALL D. WHITE
RYAN D. WHITTY
DAVID S. WILLIAMS
ROBERT E. WILLIAMSON
ALEXANDER R. WILSCHKE
RODNEY G. WILSON
TRAVIS J. WISNIEWSKI
STEWART L. WITTEL, JR.
MICHAEL R. WOODARD
JAMES M. WOULFE
PAUL M. WRIGHT
SHANA R. WRIGHT
JOSEPH O. WYDEVEN
MARCUS K. YASUMATSU
CHARLES W. YEAGER IV
JOLEEN M. YOUNG
WYNNDEE M. YOUNG
BRYAN W. YOUNGERS
DAVID Z. ZARTMAN
CHRISTINA F. ZIMMERMAN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ARLINGTON A. FINCH, JR.
BENNY B. JONES
ALAN T. KRAUS
KEVIN M. TSCHERCH

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TIMOTHY T. RYBINSKI

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN D. WILSHUSEN

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

WILLIS E. EVERETT

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

JAMES T. GILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be commander

CHRISTOPHER A. MARTINO