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No. 64

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 8, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

LINCOLN HIGH SCHOOL AND TRUCK EXCISE TAX

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

Mr. BLUMENAUER. Mr. Speaker, last week an outstanding group of young men and women from Portland, Oregon's Lincoln High School placed first in the "We the People Competition," a contest sponsored by the Classroom Law Project. It is an extraordinary program that allows young men and women to dive deeply into the constitutional process, the legislative

process, and understand what it all means for contemporary America in an all-too-often dysfunctional political arena.

Over the years, it's been my privilege to work with instructors and students on these programs, to have watched them prepare, particularly in Portland High Schools Lincoln and Grant that have vied for the State title for more than 2 dozen years, and of course the national contest as well.

This is testimony to a dedicated core of teachers and citizen volunteers, often prominent judges and lawyers, and alumni of the program who continue their involvement long after they cease to be students. A special shout-out this year to Lincoln instructor Tim Swinehart, local attorney Steve Griffith and his volunteer team, and the extraordinarily supportive principal, Peyton Chapman.

As I met with the Lincoln team earlier this spring in preparation for the national championships, it was clear to me that this was a stellar team even by the standards of this terrific program. That they won this year with a team largely composed of sophomores makes it all the more an extraordinary accomplishment. I would willingly grant them voting privileges here in Congress. They actually would fit right in and I think do an excellent job.

I urge my colleagues to become acquainted with their local high school constitution competition. I hope the day will come when Congress again gives the financial support to the Classroom Law Project for the civic education that today is so important and so critical to preparing students to participate as citizens. You, like me, will feel better about the future of the Republic because of the result.

One way Congress could honor the hard work of the young people who are the future of our country would be for us to get down to business in enacting legislation that improves the country

they will inherit. One piece of legislation all teed up and ready to go is H.R. 4321, the Heavy Truck Fairness Act of 2012, that I've been working on for a number of years. I have been pleased to introduce it in this Congress with my friend and colleague, JIM GERLACH, from Pennsylvania.

This legislation would be deficit neutral, according to the CBO. It would convert the current 12 percent excise tax on heavy trucks and trailers in a revenue-neutral way with an equivalent increase in the truck fuel tax. One of the immediate benefits would be to provide stability to a highly volatile revenue source for the highway trust fund. This large, upfront 12 percent tax on new trucks and equipment is highly sensitive to changes in technology requirements and the economy. Replacing it instead with a slight increase in the fuel tax for the industry would smooth out the revenues for the Federal Government, while it would remove a huge disincentive for upgrading equipment for America's trucking fleets.

It would represent a significant increase in business for the people who manufacture this equipment because it would remove a 12% financial disincentive. It would provide extra American manufacturing and sales, like at a local freightliner truck manufacturing facility in my district. It would allow people who operate a fleet of any size, whether a one-truck operation or a large national trucking company, to reduce their costs with newer, more fuel-efficient engines that would reduce day-to-day maintenance, and reduce fuel costs. They would break down less often, and they would also produce less air pollution and fewer carbon emissions. It's hard to think of something that would be a better expression of our responsibility to boost the American economy, save energy, reduce emissions, and benefit so many people—from those who manufacture,

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

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



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to those who sell and service, to the people who operate, and, yes, the customers of America's fleet of trucks. Everybody benefits, and we end up with a highway trust fund that is more stable and predictable over time.

I sincerely hope that this is a provision that can find its way into law this year, maybe as early as the transportation conference committee, or in the elaborate dance that will surround the treatment of the expiring tax provisions later this year. Whatever the legislative vehicle, we ought to make the vehicles in America's fleet less expensive and more efficient.

NATIONAL TEACHER DAY

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

Mr. MEEHAN. Mr. Speaker, I rise today in celebration of National Teacher Day and to say thank you to the many who dedicate themselves to the education of our children. I suspect there's not a person in this body that can't think back to a teacher who made a significant difference in their lives.

I call attention, as well, to two particularly well-performing schools in my district. Just the other day, I had an opportunity to visit one of them, the Rose Tree Elementary School in Media. The other is the Coebourn Elementary School in Brookhaven. Both of those schools have been recognized because they have been named National Blue Ribbon Schools for 2011.

Yesterday, while visiting the Rose Tree Elementary School and talking with the children and the bright faces, the attention from the kids really riveted me because they were really listening. I spoke with the amazing educators, staff, and students at this Blue Ribbon ceremony.

Now, the Blue Ribbon is one of the most prestigious awards our Nation gives for educational excellence, and Rose Tree Elementary is certainly most deserving. The Rose Tree students have attained 100 percent proficiency in science for 3 consecutive years. I got a chance to visit some of the classrooms and to watch and to see how they engage the children, not just in the science but, once again, develop the creativity so that the kids were using the lessons that they learned in practical ways.

In 2010, the school was also ranked number one in Pennsylvania in writing. I want to focus on that as much too because I was impressed not just by the reading level, but the fact that the students were listening, comprehending, and then re-expressing themselves. The skills developed at that level are going to last a lifetime.

The school is led by Karen Daugherty, one of seven principals in the entire country to receive national recognition for her commitment to educating children by overcoming chal-

lenging circumstances. I commend Ms. Daugherty and all of the 2011 Terrel H. Bell Award recipients.

I encourage the communities of Brookhaven and Media to join me in recognition of their Blue Ribbon schools. And further, Mr. Speaker, I call on all Americans to take some time today to thank a teacher for making a difference in their lives.

□ 1010

REPUBLICAN RECONCILIATION RUSE

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

Mr. CONNOLLY of Virginia. Mr. Speaker, America has always been a nation of diverse cultures, but when faced with disasters, we come together in recognition of our shared values. From World War II to 9/11 to Hurricane Katrina, Americans came together when needed.

That's why it's so sad to see House Republicans draft a budget reconciliation bill that carries dangerous implications for millions of Americans and will fundamentally erode our shared values.

Of course, this is nothing more than political theater because authorization for budget reconciliation has to pass both the House and Senate, which it hasn't. But that hasn't stopped the House Republican majority from trying to deem it to be so. Therefore, the Republican majority has directed six House committees to use this reconciliation ruse to find drastic and damaging investment cuts, not to reduce the deficit, mind you, but to prevent any cut in military spending which they originally agreed to and to give the richest 1 percent yet another big tax cut.

Last year, Congress agreed, in a bipartisan fashion, after the majority brought us to the brink of default, to cut \$2.1 trillion from Federal deficits, establishing automatic cuts designed to be universally painful to encourage us to reach an agreement on a long-term deficit reduction proposal that more equitably spreads the burden.

A bipartisan majority of the supercommittee, including every Senate Republican, did come up with just such a plan to put everything on the table—spending cuts, revenue increases, entitlement reform—but it needed a supermajority; and, sadly, every Republican House Member on that committee voted “no,” which leaves us where we are today: facing damaging automatic cuts to defense and nondefense spending.

But Republican reconciliation ruses won't stop the automatic cuts to the Nation's seniors and disadvantaged. It doubles down on the pain.

The Republican reconciliation ruse literally takes food out of the mouths of needy children and senior citizens. It eliminates social services block grants

providing assistance to States and localities across the Nation to serve millions of disadvantaged Americans. It ends the Meals on Wheels program for 1.7 million seniors. It guts the Supplemental Nutrition Assistance Program, formerly known as food stamps, that serves 46 million of our fellow Americans every month. Under their plan, 1.8 million people would lose the most basic of assistance. In addition, 300,000 low-income children lose their free and reduced lunches at school.

This reconciliation ruse once again singles out Federal employees for ever more sacrifices. Federal workers already have contributed \$60 billion to deficit reduction through a 2-year pay freeze. They've contributed another \$15 billion through recent changes to their retirement system. The Ryan budget demands an additional 3-year pay freeze. The new proposal goes further and cuts paychecks by 5 percent to shift more of the burden to employees. This draconian measure would add another \$79.8 billion in the sacrifice put on the backs of Federal workers, more than double the \$75 billion they've already made.

The reconciliation ruse actually will increase health care costs for millions of American families. It eliminates tax credits that help lower-income families maintain affordable health insurance premiums. In fact, 350,000 people will actually lose their health insurance with their plan.

Of course, Mr. Speaker, the one glaring omission in the Republican reconciliation ruse is, not surprisingly, revenue. While millions of lower- and middle-income families are being forced to sacrifice, what do Republicans ask of the wealthiest 1 percent? Nothing.

Over the last 4 years, oil and gas companies made a profit of \$290 billion. Private companies should make profits, and it's a good thing. But in that same time frame, they lobbied to keep their \$16 billion in tax breaks, representing less than 6 percent of their profits, but it sure would make sure a lot of hungry kids go to bed with full bellies at night.

The Ryan budget actually seeks to cut the top income tax bracket from 35 percent to 25 percent. Who pays the current top tax bracket? Those making more than \$388,000 each year. Not only are they not asked to join in any of the shared sacrifice, but they're actually offered a new Christmas present early, just for them.

Mr. Speaker, it's time to call the Republican budget plan what it is: an outright attack on American values. How else do you explain shifting the burden from partisan priorities entirely to the middle class and those who are less fortunate? That's never been an American value.

I urge my colleagues to reject this ruse, to reject the reconciliation process, and to work toward a comprehensive and responsible and bipartisan deficit agreement reflective of our Nation's values.

YUCCA MOUNTAIN NUCLEAR
WASTE DISPOSAL SITE

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

Mr. SHIMKUS. Mr. Speaker, before I talk about Yucca Mountain, let me just respond to my colleague from Virginia.

Since 2002, food stamps have increased 267 percent, and this reconciliation bill will cut, I think, about 3 percent. Again, since 2002, food stamps have increased 267 percent.

The Senate has not passed a budget in 3 years, so it's very difficult to admonish the House on the budget process when the Senate still has yet to pass a budget.

And what we're really concerned about is the hollowing out of our military force. If the sequestration goes on as planned, we'll have the smallest Air Force in the history of this country that we've ever seen before the Air Force was enacted, the smallest Navy since, I believe, 1915, and a huge decrease in our standing force. That's what the debate is about, and I look forward to having that chance on the floor.

As the chairman of the Environment and the Economy Subcommittee, one of my jurisdictional responsibilities is high-level nuclear waste. I've come to the floor numerous times to explain to you, Mr. Speaker, the various locations that we store high-level nuclear waste and compare it to where, by law, we should.

By law, we should, based upon the 1982 Nuclear Waste Policy Act and an amendment in 1987, we should be storing it underneath a mountain in a desert. So let's compare that location to a place in Perry, Ohio.

Perry, Ohio, has 452 metric tons of uranium of spent fuel on-site versus zero at Yucca Mountain. The waste is stored aboveground in pools and casks. The waste would be stored in Yucca Mountain 1,000 feet underground.

The waste at Perry would be 12 feet above the groundwater. At Yucca Mountain, it would be 1,000 feet above the water table. And at Perry, it is located on Lake Erie, 35 miles from Cleveland, where Yucca Mountain, the waste is 100 miles from the Colorado River and probably 100-or-so-odd miles from Las Vegas, Nevada.

Clearly, in a comparison and contrast, if you want a safe and secure location—of course we also own the land around Yucca Mountain—clearly, it's easy to determine that Yucca Mountain is a much safer place than on one of our Great Lakes.

So then I talk about, well, have the Senators addressed this in their past? Because the reason why we're not moving forward on Yucca Mountain is Majority Leader REID has stopped it, along with President Obama.

Well, Senator BROWN, when he was a House Member, voted for Yucca Mountain in 2002. So did Senator PORTMAN. Both are Senators from the State of Ohio right now.

Senator MITCH MCCONNELL has stated, and so he supports Yucca Mountain:

When it comes to nuclear energy, we have seen this administration abandon plans and millions in taxpayer dollars before without much consideration of the consequences. Take, for example, its unwillingness to follow through on the nuclear storage site, Yucca.

We've already spent about \$15 billion at Yucca Mountain, and Leader MCCONNELL is addressing that issue.

Senator PAUL, so far, has been silent. We hope that he comes out with a stated position.

So what does that do to our tally of where Senators are? And we've reached over the 50-vote mark, based upon our analysis of past statements and past votes. With 51 Senators who would vote "yes," that would be a simple majority if the Senate moved by majority standards. Nineteen are undecided—Senator PAUL is our recent add—and 20 who identify, based on their past statements, having voted "no" or have made statements in opposition to Yucca Mountain.

Why is this important? It's important because we've spent over almost three decades now trying to find a safe, secure location to store high-level nuclear waste. With the Japanese event of last year, Fukushima Daiichi, and the debate on containment vessels and high-level nuclear waste, it is time now to move public policy, or the other body needs to impress upon Leader REID that it is imperative for this country to have a centralized location.

□ 1020

With these 51 and, hopefully, more that we will identify in the next couple of weeks, we will have close to a 60-seat identification to say it can stop a filibuster, it can stop the majority leader, and it can move to do what we all know is in our best interest: to finally gather up in one centralized location our high-level nuclear waste.

RESOLUTION SUPPORTING THE
GOALS AND IDEALS OF NA-
TIONAL NURSES WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Allow me to say happy Teachers' Day to every teacher and also to say that it is an honor and privilege to offer a resolution recognizing National Nurses Week, which is May 6 through 12. This year's theme is "Nurses: Caring, Leading, Advocating." Since 1994, National Nurses Week has served as an opportunity to recognize nurses for their hard work, patience, and service, as well as for their contributions to improving our Nation's health care system.

Throughout my career as a registered nurse, I've had no greater privilege than to provide health care to those who have courageously served our

country. As a former chief psychiatric nurse at the Veterans Administration Medical Center in Dallas, I know firsthand the importance of providing quality care to those coming home from war. Through Joining Forces, which is a health care and treatment program for military personnel that was recently launched by the Obama administration, more than 500 nursing schools and 150 nursing organizations will work together to "meet the unique health care needs of servicemen and -women, veterans, and their families."

Nurses provide an invaluable service on a daily basis in settings such as hospitals, clinics, schools, workplaces, correctional facilities, and through their service in the military and during natural disasters. With over 3 million strong, nurses comprise the largest sector of the health care workforce, and year after year, nurses are voted the most trusted of all professionals. For the 12th time in 13 years, in a Gallup survey, nursing ranked first for honesty and ethical standards in 2011.

While our country shifts toward a nationwide focus on prevention and promotion, I believe it is the nurses who should stand at the forefront of this reformation. Mr. Speaker, nurses save lives, provide critical care, and advocate on behalf of their patients 52 weeks a year. They deserve more than 1 week of recognition for their tireless work within health care.

I want to thank my many congressional colleagues who cosponsor this bill in honoring nurses. My colleagues Congresswoman LOIS CAPPs and Congresswoman CAROLYN MCCARTHY are also nurses. They have worked with me to promote this resolution, and they are champions of the nursing profession.

This week, remember to thank nurses for the admirable and selfless contributions they make to our community.

HOW ABOUT WE STOP BEING
STUPID?

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the President of the United States traveled to Afghanistan last week to sign the Strategic Partnership Agreement with President Karzai, and while this agreement is intended to signal the beginning of the end of the Afghanistan war, instead it actually looks like it could lock the United States into a military commitment for years to come.

The agreement calls for our Armed Forces to be involved beyond 2014 in the "training, equipping, advising, and sustaining" of Afghan security forces so that Afghanistan can combat terrorism and "secure and defend itself against internal and external threats."

The irony in that statement, Mr. Speaker, is rich. When are we going to realize that the internal threats facing

Afghanistan gather more strength with every day that American boots are on the ground? Insurgents are energized and animated. They bolster their recruitment and increase their numbers because of their resentment over a U.S. military occupation that is now in its 11th year—11th year. We will not bring stability to Afghanistan until we fundamentally alter our bilateral relationship to emphasize peaceful, civil engagement over military engagement. The good thing about this Strategic Partnership Agreement, however, is that it does include provisions relating to democracy promotion, economic development, and assisting in the reforming of the Afghans' governing institutions. These programs need to be the centerpiece of our Afghan strategy, along with major investments in development aid across the board.

The war won't truly wind down until the White House commits—I mean commits—to spending more on diplomacy and more on development and reconstruction than they're spending on the military occupation. We need a dramatic shift in resources—more to rebuild Afghan infrastructure, more to fight poverty, more to reduce infant and maternal mortality, more to send children, especially girls, to school. As long as we maintain a military presence in Afghanistan, as long as fighting is the focal point of our relationship, we will be preventing and undermining the important humanitarian work that needs to be done.

Mr. Speaker, investing in the Afghan people is not just the right thing to do because of our common humanity, it is the smart thing to do from the standpoint of our national security objectives. That's why I call my plan SMART Security. It needs to be implemented not just in Afghanistan, but in other unstable parts of the world where terrorism poses a grave threat.

Thomas Friedman of The New York Times is on board with the principles behind SMART Security. In a column last week, he talked about how a \$13 million scholarship program for Lebanese students is doing a lot more to advance our values in that country than \$1.3 billion in military aid to Egypt. He quotes a schoolteacher in Jordan who talks about how the former is for "making people" and how the latter is for "killing people."

What is the point of our engagement, Mr. Speaker, with the rest of the world—to make people or to kill people? That's a very important question for us to answer. As Friedman puts it:

So how about we stop being stupid? How about we stop sending planes and tanks to a country where half the women and a quarter of the men can't read, and start sending scholarships instead?

How about we stop being stupid, Mr. Speaker? How about we make the shift to a SMART Security approach? How about we make that shift now and begin that shift with bringing our troops home?

PRIVATE SECTOR GROWTH SUFFOCATED BY HIGH TAXES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. I rise today to highlight an example of how private sector businesses grow and contribute to our society when they're not suffocated by unnecessarily high taxes, and I rise to dispel a myth that our colleagues continue to perpetuate about energy taxes.

On April 24, The Wall Street Journal ran an article calling Apple Incorporated "the most valuable company" in the world. Am I happy about that? Am I happy about Apple's success? You bet I am, and so are most people in the United States. Later that week, on April 28, The New York Times wrote a similar article that reported on Apple's creative but legal tax strategy that saves them billions in tax payments each year. The Times article reported "the company paid cash taxes of \$3.3 billion around the world on its reported profits of \$34.2 billion last year, a tax rate of 9.8 percent." Comparatively, Wal-Mart paid a tax rate of 24 percent.

□ 1030

When Apple was asked for comments on their exceptionally low tax rate, they responded:

By focusing on innovation, we've created entirely new products and industries, and more than 500,000 jobs for U.S. workers—from the people who create components for our products to the people who deliver them to our customers.

They also mentioned:

In the first half of fiscal year 2012, our U.S. operations have generated almost \$5 billion in Federal and State income taxes.

Mr. Speaker, Apple's experiences are instructive to us. First, the Federal Tax Code is too complicated. It allows only the largest companies who can afford to hire Tax Code interpreters to benefit from lower taxes. We should simplify the Tax Code by closing the loopholes and lower rates across the board to boost American competitiveness for all companies large and small.

Both history and Apple's experience underscore how increasing taxes without accompanying comprehensive reform has never and will never represent a sustainable, long-term strategy to any budgetary problems. On the contrary, cutting taxes does create economic growth, which fuels Federal revenue windfalls for reducing the deficit. These lessons should be applied to the entire Tax Code. Instead of increasing taxes on American energy producers, we should focus on simplifying the Federal code to encourage the development of domestic energy resources which, in turn, bolsters employment opportunities here at home.

Again, am I pleased about Apple's success? Absolutely. But we never hear from our Democrat friends about the low tax rates paid by companies like Apple. However, they attack domestic energy producers and ignore the simple

truth that it is the American people who actually own these companies and benefit from the respective profits that they make. According to the American Petroleum Institute, mutual funds and other firms hold almost 30 percent of oil stocks; pension funds hold 27 percent; individual investors hold 23 percent; 14 percent is held in individual retirement accounts; other institutional investments hold 5 percent; and corporate management holds just 1.5 percent.

Despite what liberal Democrats would have you believe, increasing domestic energy production not only helps lower prices and produce jobs; it also helps boost stocks, mutual funds, IRAs, and pension funds owned by millions of Americans.

Democrats constantly talk about subsidies to oil and energy companies. Our energy companies don't receive any subsidies. That is a myth that they perpetuate. Solyndra got a subsidy—lots of these new energy types get subsidies—but not the traditional energy companies. It's time that we as government officials get out of the way. Instead of increasing the bureaucracy and red tape, we need to focus on creating an environment for American private sector businesses to better compete in the global marketplace and give back to local communities in the form of jobs rather than sending more money to the Federal Government.

RECESS

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

Accordingly (at 10 o'clock and 35 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

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

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of this assembly.

Send Your spirit of wisdom as they enter into a difficult week and consider the appropriations needed for so many agencies charged with administering the various functions of government serving the citizens of the United States.

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

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

THE JOURNAL

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

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

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

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

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. PITTS led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

BABY PILLS

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

Mr. PITTS. Mr. Speaker, on the back of today's Wall Street Journal, which I have in my hands, is featured a shocking story about pills coming from China containing human flesh. South Korean authorities intercepted tens of thousands of capsules and confirmed that they were composed of ground up pieces of aborted fetuses and were marketed as "stamina boosters."

This horror again reiterates why we should be concerned with pharmaceuticals coming from mainland China. These human flesh capsules are both abhorrent and a threat to health, possibly containing superbacteria. It is revolting to discover that there are individuals in China who will attempt to pass off such an abomination as medicine.

The Journal goes on to note that it was just last month that regulators cracked down on pills from China con-

taining high amounts of chromium, a known carcinogen. Today's grim news reminds us to be vigilant in protecting the safety of our drug supply chain and to carefully monitor health products coming from China. These pills are a terrible affront to human dignity and a serious danger to health.

STUDENT LOAN INTEREST RATES

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

Mr. CICILLINE. Mr. Speaker, unless Congress acts, millions of students will see their student loan interest rates double from 3.4 percent to 6.8 percent on July 1 of this year. This issue is important to students, parents, teachers, and businesses all across my home State of Rhode Island. It will result in more than 43,000 students paying more than \$34 million in additional interest costs. We must act on this issue.

But some in this Chamber have put partisanship ahead of good public policy and propose extending these rates by cutting funding for preventative health care. Today the Senate will be voting on cloture for a bill that would extend low-interest student loans by closing a tax loophole. I would like to especially thank my State's senior Senator, JACK REED, for his leadership in highlighting this issue on the Senate side and making sure that Congress acts in the best interests of working families.

I urge my colleagues in the House to reconsider their course of action and to not propose a false choice between the welfare of our young people and public health. We owe it to our young people to ensure that we prevent these rates from doubling.

SALUTE TO THE 150TH HERITAGE CELEBRATION OF THE GREAT FREDERICK FAIR

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

Mr. BARTLETT. Mr. Speaker, I rise today and urge my colleagues to join me in saluting the 150th Heritage Celebration of what is now known as the Great Frederick Fair of Frederick County, Maryland. I have been attending it now for a third of its life, for 50 years. It will take place May 19 and 20 at the E-ventplex at the Frederick Fairgrounds.

Our Civil War and influenza outbreaks were among the events which precluded consecutive exhibitions since the inception of the first fair with competitions and exhibitions of livestock and other entries organized by the Frederick County Agricultural Society in 1821.

The first such event was entitled the Cattle Show and Fair and was held on May 23 and 24, 1822, at George Creager's Tavern at the Monocacy Bridge. Today the Frederick County Agriculture Society still exists, with 250 life members.

The next venture was the Farmers Club, organized on November 22, 1849, which then held an exhibition where the Maryland School for the Deaf now stands on October 12-14, 1853.

The present site of the Great Frederick Fair was purchased at 797 East Patrick Street in the early 1900s. Construction began in 1911 with the grandstand, which is still used today. The Great Frederick Fair is a testament to the ongoing contributions of farmers to the economy and civic life of Frederick County, Maryland. You need to come. It's the best fair in Maryland.

REPUBLICAN RECONCILIATION BUDGET BILL

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I've been a Member of Congress for almost a year now, and in that time, I don't think anyone would accuse me of not trying to be bipartisan. I enjoy my Republican friends. I like working together to get things done.

But bipartisanship does not equal silence. Budgets are a reflection of our values, and the Republican reconciliation budget bill coming to the floor this week runs contrary to everything I believe in. The Republican budget makes drastic cuts to schools, to health care, to investment in our children's future, and it also guts valuable programs like Meals on Wheels for our seniors. Yet it does not ask for a single contribution from the wealthiest among us, nor the most profitable corporations in the world.

Being a friend means being able to tell them when they're wrong, and to my Republican friends, this budget doesn't reflect who we are as a Nation. It's wrong.

□ 1210

PRESCRIPTION DRUG ABUSE

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

Mr. HIGGINS. Mr. Speaker, in a devastating trend the Centers for Disease Control is calling a public health epidemic, prescription drug death rates in the United States have more than tripled since 1990. In a strange twist of fate, addictive prescription painkillers are killing our children, causing a lifetime of pain for grief-stricken parents.

This week, the parents of Michael David Israel join other parents on Capitol Hill to call for changes to prevent these tragedies. The Centers for Disease Control is recommending the implementation of prescription drug monitoring programs, State-run electronic databases used to track the dispensing of controlled drugs to patients. States must move quickly to implement this technology, and the Federal Government should support this commonsense transition to electronic medical records.

Avi and Julie Israel and other parents in Washington this week have shown amazing strength despite unthinkable sorrow. Their pain will never be relieved, but we have an obligation to move quickly to "Save the Michaels of the World."

STUDENT LOANS

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

Mr. COURTNEY. Mr. Speaker, on July 2, we will celebrate the 150th anniversary of President Abraham Lincoln's signing of the Morrill Act, a Federal mandate for every State to establish a land grant college.

What an inspiring example. In the darkest days of the Civil War, we have leaders who understood that making college a national priority was too important to be ignored. Sadly, the day before that anniversary, July 1—53 days from today—we risk breaking faith with that vision when Stafford student loan interest rates double from 3.4 percent to 6.8 percent.

For 3 months, I have put forth a bipartisan bill, with over 150 cosponsors, to permanently fix this problem. Yet all we have gotten from the Republican leadership is a Band-Aid bill that is a dead letter—cynically wiping out a fund to prevent cancer, heart disease, and diabetes to pay for only 1 year of student loan relief.

Sorry, Mr. Speaker. The American people are smarter than that. They want a real bill, paid for fairly, that helps students, not fearful politicians.

STUDENT LOAN INTEREST RATE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, right now, student loan debt is higher than credit card debt for the first time in history. College costs are growing each year, forcing students to take out more loans to get the same education—an education that gives them the keys to the American middle class. And the Republican's response? Play political games that could result in interest rate hikes from 3.4 percent to 6.8 percent on July 1 for student loans, affecting over 7 million students, making the average graduate pay an additional \$1,000 in interest payments each year if rates are allowed to double. Ohio students alone will end up paying nearly \$300 million in extra interest payments over the next year.

Recent graduates have high unemployment rates and are the least prepared to deal with these increased payments. But House Republicans are content to plunge them deeper into debt while instead fighting for more tax breaks for millionaires, many of whom pay lower rates than the middle class.

It's time for Republicans to come to the table and compromise. It seems logical that Congress would not stand

in the way of making college more affordable by doubling the interest rates of college loans, but the Republican Party in this House is not acting logically. What a crying shame.

KEEPING STUDENT LOAN INTEREST RATE LOW

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

Ms. NORTON. Mr. Speaker, when the President alerted the country that student loan interest rates would double July 1, our Republican friends called it a fake controversy, that they always intended to take care of it. Why, then, was it nowhere to be found in the Republican Ryan budget? Why do they want to pay for it with the health care funds of the parents and grandparents of the Class of 2012?

This year's class will graduate with an unemployment rate for their age group that is twice the national average. Keeping their loan rates low should be this session's no-brainer. If student loan rates go to 6.8 percent, they will be paying above the mortgage interest rates of many Americans. Treasury is borrowing at virtually zero.

Congress has not given the Class of 2012 a jobs bill. One graduation gift we can give them is the current 3.4 percent interest rate.

TEACHER APPRECIATION DAY

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise in recognition of National Teacher Appreciation Day. Let us honor all of our teachers for their passion and dedication to educating America's future.

Today, I would like to recognize Mrs. Pam Krey, a resident of the district that I represent, who has dedicated her life to education. Before launching her Anaheim Union High School District career as an administrator for 25 years, she taught at all levels in the Anaheim City School District. Mrs. Krey has said:

The single most important thing we can do for our students is to create a place for high levels of learning that is safe, caring, and focused on developing the academic and social skills that can take them to whatever their goals and dreams may be.

In addition to serving as principal, Mrs. Krey also served the community of Anaheim in Orange County. She's an active member of the Anaheim Police Chief's Advisory Board, the Cops 4 Kids Board, and Youth Leadership of America. She has received numerous awards throughout the years, including Teacher of the Year, Special Education Friend of Education, the Outstanding Contribution to Education Award from the Orange County Department of Edu-

cation, and Disney's Community Services Award.

Mrs. Krey will be retiring at the end of this academic year as principal from the very school she attended as a teenager.

I encourage everyone to thank their teachers today.

REPUBLICAN BUDGET

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

Mr. LANGEVIN. Mr. Speaker, Democrats are committed to reducing the deficit in a balanced way. In contrast, Republicans will bring up a bill this week that breaks our bipartisan agreement, erasing the hard work on both sides to reach compromise. This was the agreement that resulted in us allowing to raise the debt ceiling and put in place the supercommittee that could have reached a more balanced approach to budgeting, with both revenues and budget cuts. But my Republican colleagues rejected increased revenues that were needed.

This wasn't simply a gentleman's agreement that was arrived at that will put in place sequester. This compromise was signed into law as our pledge to each other and to the Nation to work together to solve our most challenging issues.

Republicans are renegeing on that agreement. They've decided that cutting the programs which would help heat my constituents' homes, put food on their tables, and send their children to college is the right approach to rebuilding a strong economy. They've decided that denying health coverage to thousands of Americans is better than repealing tax cuts to millionaires. They've decided that going it alone is more important than working with Democrats.

Democrats have a plan to put our fiscal house back in order. It's been 500 days since the GOP took over and we're still waiting for theirs. We can do better, and I urge them to work with us.

HOUSE REPUBLICAN BUDGET RECONCILIATION PACKAGE

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

Ms. EDWARDS. Mr. Speaker, once again, Republicans are going to pass a budget reconciliation that gives tax breaks to the wealthiest Americans, Big Oil, and companies that ship American jobs overseas.

The Center on Budget and Policy Priorities says that this Tea Party budget that gives away \$3 trillion would provide those making over a million dollars a year with an average tax cut of \$394,000 a year.

And how do the Republicans pay for this little bonus? Well, Mr. Speaker, they do it by ending the Medicare guarantee and balancing their budget on

the backs of the middle class and America's most vulnerable: our seniors, women, and children. That means that 326,000 women will lose breast cancer screenings, 300,000 fewer children will be with health insurance, and 1.7 million seniors are going to go without Meals on Wheels.

This Tea Party budget is an embarrassment. We can all do better, and Democrats know that because we support a balanced approach that creates jobs and expands opportunities. Republicans ought to know better. Actually, Mr. Speaker, they ought to do better by honoring the American people.

□ 1220

STAFFORD LOANS IN HAWAII

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, the Senate is now debating the Stafford loan or the student loan bill—their version. And their version is better because their version pays for it by closing big tax loopholes. It requires us to now look at what the House passed. We paid for a 1-year extension by repealing the preventative health care provisions. What does that mean? It means that women and children will suffer.

For my State, Mr. Speaker, it meant that the State preventative grants will be gone, and that's what we need to prevent heart attacks, to address the concerns of, in particular, women and children and those who are in need.

But what does it mean when we let this interest rate go up? For me, it is 16,681 students, average loans of \$4,000-plus, total amount of loans in the State of \$67-plus million. This is going to be an additional \$16 million to them. Mr. Speaker, we can do better.

NATIONAL TEACHER DAY

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

Mr. YARMUTH. Mr. Speaker, most of us remember a teacher who made us look at the world a little differently, introduced us to a new idea or changed the way we thought.

For me, that teacher was Betty Miles. For 2 years at Atherton High School in Louisville, my English teacher introduced me to an entire universe of thought and language, and I am forever grateful.

Across the country, millions of people like Betty Miles are introducing young Americans to new concepts that will stick with them for a lifetime. Their work is critical for our most fundamental national interest: to build and maintain a strong and vibrant economy and to remain at the forefront of global innovation and ideas. And their daily sacrifices on behalf of growing generations are nothing short of heroic.

Much in the way teachers change the lives of their students, their voices also

shape debate in Washington. As we consider the future of public education in this country, we must also continue to hear from those on the ground to better address the challenges facing our school systems.

Mr. Speaker, today on National Teacher Day, I encourage everyone to not only thank their teachers, but to ask them this essential question: How can we do better?

OBSTACLES TO HIGHER EDUCATION

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

Mr. PALLONE. Mr. Speaker, if we don't act within the next 53 days, what we are going to see is the student loan interest rate double from 3.4 percent to 6.8 percent for more than 7.5 million students. I understand that basically that means a student would rack up an additional \$1,000 in debt each year that the student interest rate stayed at 7 percent instead of 3 percent. The fact of the matter is, we have to do something about this.

Last week during our district office week, I went to Rutgers University, Mr. Speaker, and I met with students. They were in the middle of their final exams. They reject outright this Republican idea that we should take money from women's or children's health care, from the prevention fund, to pay for this. There has got to be a better way of doing it that we must approach on a bipartisan basis. But I heard the stories at Rutgers about the students and how much debt, crushing debt, they had. Not only those who had debt from their undergraduate days, but also many students who have to go on to graduate school or law school or medical school and accumulate even more debt.

We need to address this problem immediately with regard to the student interest rate. We have got to keep it low. But we also have to address the larger issue of college affordability over the long term. There has to be more money for student loans and for grants. College affordability is something that we need to address in a major way, Mr. Speaker.

PROVIDING FOR CONSIDERATION OF H.R. 5326, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND FOR OTHER PURPOSES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 643 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 643

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to commit with or without instructions.

SEC. 2. House Resolution 614 is amended in section 2(a) by inserting "and the allocations of spending authority printed in Tables 11 and 12 of House Report 112-421 shall be considered for all purposes in the House to be the allocations under section 302(a) of the Congressional Budget Act of 1974" before the period.

SEC. 3. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on May 10, 2012, providing for consideration or disposition of any measure reported by the Committee on the Budget relating to section 201 of House Concurrent Resolution 112.

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I always look around when I hear the Reading Clerk reading the rule because I can't tell if folks are glossing over or if they are excited about it, like I am. If you paid close attention to the Reading Clerk this morning, Mr. Speaker, you're excited about it. You're excited about it because we're here to do the first appropriations bill of the FY 2013 cycle. Now, Mr. Speaker, as you know, there is about two-thirds of the budget that is the mandatory spending—that budget that gets spent whether Congress shows up to work or not. It's just money that gets borrowed from our children and goes right out the door.

This one-third of the budget, the discretionary spending side, is the part that doesn't go out the door unless the House comes together and passes a bill, sends it to the Senate, and gets the Senate to pass a bill, and it goes to the President's desk for signature. This is the first of those bills that we're going to have a chance to do in this Congress. And as we began the year last year, we are going to begin the year this year—with an open rule.

Mr. Speaker, as you know, an open rule allows any Member of this body to bring any idea that they have and offer it as an amendment to the underlying bill. You don't have to be a high-ranking Republican to get an amendment to this bill. You don't have to be a senior Democrat to get an amendment to this bill. You just have to be a representative of constituents back home, and you can show up on this floor and have a say. This is going to be Congress at its best, Mr. Speaker. When you hear it read, it sounds like a lot of legalistic mumbo jumbo, but when you see it in action, it is this House as our Founding Fathers intended this House to be.

This is House Resolution 643, Mr. Speaker, and it is an open rule for consideration of H.R. 5326, the fiscal year 2013 Commerce-Justice-Science appropriations bill.

You know, last year, Mr. Speaker, we only got through 6½ of the appropriations bills in this House before it became apparent the process was going to break down, and we went to a minibus to finish the deal. But we considered 350 amendments—350 different ideas, Mr. Speaker—350 lines that came from the body right here that said we have a better way than what the committee has reported to us.

□ 1230

Now, this is a special day, as my colleague from Florida knows, because this appropriations bill passed out of subcommittee by a voice vote—a voice vote. Democrats and Republicans came together in subcommittee, passed this bill, and sent it on to the full committee where, again, Mr. Speaker, Democrats and Republicans came together to pass out of full committee this bill on a voice vote, and now we bring it to the House floor today. Goodness knows, we may be able to pass this rule on a voice vote, I say to my colleague from Florida, and perhaps the underlying legislation as well. This is the House working as the folks back home intended the House to work.

Now, this is funding for the Commerce Department, Mr. Speaker. All of those programs intended to grow jobs in this country, to promote trade in this country, Commerce Department, funded under this bill. This is the bill that funds the Justice Department, funds our U.S. Marshals, funds our FBI, funds those parts of our society that we know need special attention, Mr. Speaker, in these difficult times.

This is the bill that funds NASA, Mr. Speaker. This is the bill that funds the

National Science Foundation. This is the bill that funds the U.S. Trade Representative and the International Trade Commission. Mr. Speaker, I will quote the subcommittee chairman, FRANK WOLF, who said:

This legislation builds on significant spending reductions achieved in last year's bill while continuing to preserve core priorities. Those priorities continue to be job creation, fighting crime and terrorism—with a focus on cybersecurity—and boosting U.S. competitiveness through smart investments in science. This bill makes job creation a priority by maintaining and expanding manufacturing and job repatriation initiatives.

Mr. Speaker, these are tough times. I don't know if you've seen all the young people outside this Chamber today, Mr. Speaker, folks in town with their schools, folks in town visiting Washington, D.C. You know, 40 cents out of every dollar that this Chamber spends, Mr. Speaker, we borrow from those children. We heard lots of 1-minutes this morning about the student loan program. Of course, every penny that goes out the door is a penny that we borrowed from the next generation of Americans.

This bill, passed out of subcommittee and full committee on a voice vote, represents a 1-percent reduction from the President's request in this title. A lot of folks in this body would like it to be more than 1 percent. I suspect we'll have some amendments on this floor during this wonderful open amendment process that will in fact try to change that number to be greater than 1 percent. But what folks came together to say is these are priorities for this country. These all are important funding priorities that only the national and the Federal Government can do. So we want to fund those in a responsible way that both focuses on not borrowing from the next generation, but still maintaining important core priorities that I think we would all agree are important to this Federal Government.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume. And, again, I thank my friend and colleague, Mr. WOODALL, for yielding me the customary 30 minutes.

I also appreciated his comments about the fact that we are borrowing from the next generation. I gather that the previous generation borrowed from us. I don't know when the borrowing stops, but at least that seems to be the way of the world until we get to a point where we can be self-sustaining, as rightly we should be.

This rule provides for consideration of Commerce-Justice-Science appropriations for fiscal year 2013.

Many of my Republican colleagues have been patting themselves on the back for the open rule associated with this bill. They claim that this effort demonstrates transparency and their commitment to regular order. Putting aside for the moment whether a single open rule in 304 days makes for an open legislation process, the fact is that now

the Republicans are using this rule to correct a mistake they made in their previous effort to deem and pass the Ryan budget.

It seems, Mr. Speaker, that the deem and pass didn't work the first time around. It was supposed to break the spending agreement made by my friends in the Republican Party in the Budget Control Act, but they bungled that effort a couple weeks ago and now have to try to go back on their word. It seems to me that if you're going to break an agreement that you made in good faith, you ought to get it right the first time. Doing this twice just calls attention to what little regard there is for bipartisan cooperation and agreement.

I heard my colleague, Mr. WOODALL, comment about this coming out of the subcommittee and the committee by voice vote, and there is no disagreement in that regard. I guess to some that is to be a commendable effort. But he also suggested that we may very well, if we were to choose, carry this on voice vote. I would disabuse him of that notion. That is not going to happen. The deem and pass was wrong the first time around, and it's still wrong the second time around—and shouldn't have been placed in here—and it will be wrong the third, fourth, and however many more times around there are, in spite of open rules, if you put it in it, until the Republicans have repudiated every last promise they made.

If breaking the Budget Control Act agreement wasn't enough, the Republican majority is also using this rule to silence Members on the upcoming reconciliation legislation being considered by this body later this week. Rather than using regular order—and I stick a tack in that to compliment my colleague on the Rules Committee, who does believe and has made it manifestly clear that he believes in regular order—but rather than using regular order to debate the merits of breaking their promises, Republicans are imposing martial law to prevent Members from properly considering the legislation and having their say.

Forcing same-day consideration—that's what we mean when we say "martial law"—of the legislation simply reinforces the majority's intent to use this legislation for partisan gain. Instead of working with Democrats on a bipartisan process, Republicans want to jeopardize funding for essential government programs so they can both go back on their agreements and force the House to consider the legislation sight unseen.

This is an unfortunate situation because Democrats would have been pleased to support this open rule. Had the Republicans followed regular order, Democrats would support this rule; and I, for one, would argue that we should do so by voice if it had been that way. If the Budget Committee Democrats end up taking the entire 3 days that they are entitled to under the rules of the House before they finish their

views, we could consider the reconciliation bill on Monday instead of Thursday.

This is no way to run a budget process and no way to conduct the business of the House. I'd be amused at the Republicans' failed efforts here, Mr. Speaker, except that I'm dismayed to point out that millions of Americans depend on the programs considered under the appropriations process.

An agreement was made with the Budget Control Act, and under the agreement the Republicans promised certain levels of funding for essential programs. That funding is now in jeopardy because the majority wants to spend time trying to go back on what they promised. Let me remind this body that the House and Senate both passed the Budget Control Act. The Senate has not passed the Ryan budget.

□ 1240

And deeming and passing does nothing but force this body, as I say all the time, to pretend that the budget, as offered, is in effect.

As I said in the Rules Committee when the Republicans tried to do this the first time around, if we're going to pass legislation that pretends things exist, then I guess we don't need either the Senate or the President of the United States since we can just pretend that the laws have passed when, in fact, they have not.

I don't have my copy of "I'm Just a Bill," and my colleague wasn't here when I read it in committee at one point in time, but I'm pretty sure it doesn't mention that the way to pass legislation is to first pass one agreement and then try twice to pretend it never happened.

I don't know what that looks like in a cartoon version, but probably less like "Schoolhouse Rock" and more like Wile E. Coyote falling straight off a cliff, because if we're going to get out of the business of reality and into the business of pretending, let's just pretend that every American has a job, that every student can go to college, and that no child goes to bed hungry. Let's pretend that the billions we wasted on unnecessary wars were, instead, actually invested right here in the United States of America. Let's pretend that Thanksgiving is in June and Christmas is in July and the election season is over and the deficit is gone.

And since we've now pretended that everything is fine in our great country, let's go tell all of the unemployed, the middle class, the hungry and the poor that their problems aren't real. Or better yet, let's just pretend those people don't exist, because that's exactly what I believe the majority's budget does.

Rather than using the power of the Federal budget to lead this country into a new era of economic growth, Republicans want to cut taxes for those that are wealthy among us, including those of us that serve in the House of Representatives, cut services for every-

one else, and then feel like they've set the country on the right track.

Instead of spending our time debating the merits of the appropriations legislation before us, we're, again, trying to convince the majority to stick with the promises they made in the first place.

Rather than uniting in bipartisan fashion to support an open and transparent legislative process, Republicans are using partisan gimmickry to silence debate.

Rather than debating this legislation under the Budget Control Act, we have to debate whether the Republican majority should even have to keep their promises.

And rather than considering whether the inadequate levels of funding in this legislation, particularly in certain arenas—let me use one: the COPS program that I thought it was wrong when Democrats cut that program, and I think it's wrong now that Republicans are talking about less money for a program that all of us know is desperately needed in our various communities.

We have to consider doing more for struggling Americans, and we have to consider whether we ought to be cutting even more, as my colleagues would have it.

I reserve the balance of my time.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I'll tell you, I don't actually prepare remarks when I come down here to sit opposite my friend from Florida, because I always know his opening statement is going to be that line by line by line that reminds me of absolutely everything that I want to say. And generally speaking, it reminds me of absolutely everything I'm proud of, and sometimes things that my friend from Florida wishes had not happened.

You know, folks ask me back home, Mr. Speaker—I'm a freshman here. They say, ROB, what have you learned in your first term in Congress? And I say, What I have learned is that when you watch the House floor on C-SPAN, it looks like theater. And what I've learned is that the comments from my friends on the other side of aisle, it's not theater at all, it is heartfelt belief in absolutely every word that comes out of their mouth. And that's instructive, because if it were theater, we could go into a dark back room somewhere and try to sort it out around the edges. But when it's heartfelt belief about what direction we ought to take this country, it requires the full and open hearing that we give it here on the House floor.

Mr. Speaker, I don't know if you were here for the deem and pass of the budget several Congresses ago before I

was elected, but the gentleman's absolutely right. Deeming a budget as being passed by both Houses of Congress is a terrible way to run this institution. He is absolutely right.

Now, I'm proud that he and I did not shirk our responsibilities. We passed a budget here in this House under yet another open process. We asked any Member of this House that had an idea about what the budget ought to look like in this country to bring that budget to the floor of this House and we'd have a vote and a debate on it. And we did, and we passed a budget here in the House of Representatives.

Now, sadly, our friends on the Senate side have chosen for the 3rd year in a row not to pass a budget. And I would say again, those areas on which we agree, Mr. Speaker, the gentleman's absolutely right. In the absence of actually having a budget that has passed the Senate—and not just because they haven't passed one, Mr. Speaker, but because they have said affirmatively and apparently with some pride they do not plan on passing a budget. So what's the responsible body here on the other side of the Capitol supposed to do? Well, what we said is we need to move forward with our appropriations process, and so we are going to move forward under the budget that has passed this entire U.S. House of Representatives.

Now, the truth is we did that in a rule a couple of weeks back and we got it wrong. This is not the first time we've had to make up for the Senate's mistake. You would think, as often as we've had to take up for those folks, we'd have figured out how to do it right. But sadly, we didn't get it quite right, and I hope we don't get into the habit of getting it right. I hope we get into the habit of actually passing a budget over there, bringing a budget to conference, and having a budget that controls all of Capitol Hill.

But in an effort to make up for what's not happening there, we did absolutely, in this rule that's before us today, Mr. Speaker, specify that the caps that we created, the 435 of us created in the budget that we passed, will be the caps that regulate the activity that the 435 of us engage in for the rest of the year. And I welcome the Senate to join in that debate.

You know, to be fair to my colleague from Florida, we just see the Budget Control Act differently. I think we both voted for the Budget Control Act last fall. I viewed it as budget caps. In fact, if you open up the legislation, it says budgetary caps. And when I read the word "caps," Mr. Speaker, what I see is you can't spend any more than that. I was never under any illusion that I was obligated to spend absolutely all of it.

And, candidly, I think that's one of the issues we have here in this body, Mr. Speaker. You may hear other speakers come down here today on the other side of the aisle who believe exactly that, that because we signed an

agreement with the President that we would not spend a penny more than \$1.047 trillion this year that we are, in fact, now obligated to spend every single penny of that \$1.047 trillion.

As we talked about, 40 cents out of every dollar that we spend in this town, Mr. Speaker, is borrowed, borrowed from our children, from our grandchildren. Forty cents out of every dollar is money that we do not have but we are borrowing against the next generation's prosperity to spend on our priorities today.

My friend from Florida brings up the COPS program. The COPS program is a neat program, provides dollars to local law enforcement agencies to help them succeed in their local law enforcement mission. But the clever little secret that sometimes we don't talk about, Mr. Speaker, is that my community back home takes all the tax money out of their pocket and they send it to Washington, D.C. We don't have access to any money in my part of the world, my little Seventh District there in northeast Georgia. There's no money that we get back that we didn't send in to begin with.

We can prioritize those local priorities locally. We can control those outcomes locally. Forty cents out of every dollar we're borrowing. Not one budget.

I mentioned earlier, Mr. Speaker, that in this open process we allowed every Member of Congress to bring any budget they wanted to the House floor for debate and consideration. Not one of those budgets, not one, balanced next year. Not one. Not one budget. And some of the brightest leaders I hope that our Nation has to offer, Mr. Speaker, sit here in these chairs in this body, and not one of them had a proposal for how to right this ship next year. Not one.

So the question is: What, do we just quit trying? Do we just quit trying, Mr. Speaker? Do we just concede that the economic security of this Nation is just going to drip, drip, drip away with deficit spending year after year after year? Are we going to concede that the 50 percent increase in the public debt that's occurred over the last 4 years is just the way it's going to be; that's a pattern that is going to continue, instead of a pattern that needs to be stopped?

□ 1250

But here is the good news. I have heartfelt feelings on that issue, and my friend from Florida has heartfelt feelings on that issue. The rule that we from the Rules Committee, Mr. Speaker—my colleague from Florida and I—have brought to the floor today is going to open up that debate so that absolutely all Members can have their passions and feelings heard on this issue.

One more point of pride, Mr. Speaker, because I really do like coming down here on open rule days.

What we don't talk about sometimes from that Budget Control Act is that

those caps—that \$1.047 trillion I mentioned earlier, which is the most that we could possibly spend—that's only good from October 1 to the first week of January because that very same agreement said that in the failure of the Joint Select Committee last fall to act—and I will tell you it was quite the failure—it was going to lead to 8 percent across-the-board reductions in every single account that we're talking about here on the floor today—8 percent across-the-board reductions.

What our budget does and what our caps do is recognize that failure, Mr. Speaker, that the House Representatives on that Joint Select Committee and that the Senator representatives on that Joint Select Committee did not come to an agreement on deficit reduction. Thus those caps, those 8 percent across-the-board reductions, are barreling down the road towards this institution, Mr. Speaker, and picking up speed every day.

Now, we can either tell the American people that all is well and let's go ahead and spend the maximum amount possible—but, oh, watch out; here come those across-the-board cuts that nobody planned for—or we can do the responsible thing, and the responsible thing is to plan for that contingency. I say "contingency." I dare say, Mr. Speaker, it's almost a certainty that we're not going to find a way around those across-the-board cuts but that we can find a way around them with the budget that this institution passed. With the numbers that this institution passed, we can replace those revenues—replace that spending that was going to be saved with across-the-board cuts—with targeted cuts, with targeted cuts to programs that we in this body agree on.

Mr. Speaker, I didn't come to this body to do across-the-board cuts. There is good spending and there is bad spending. I didn't come to this body to use the meat ax to go after everything. I came to this body to set the priorities that my constituents sent me here to set. Far from being an abomination of the process, this House-passed budget, this House reconciliation bill that's coming at the end of this week—and yes, this first appropriations bill, the FY 2013-cycle—is the way this process is supposed to be done.

I rise in strong support of this rule, Mr. Speaker, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I am going to offer an amendment to the rule to make sure that we bring up the bill by Mr. TIERNEY of Massachusetts in order to prevent a doubling of student loan interest rates, which would be fully paid for by repealing tax giveaways for big oil companies.

To discuss our amendment to the rule, I am very pleased at this time to yield 2 minutes to the distinguished gentleman from California, the rank-

ing member of the Education and the Workforce Committee, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman from Florida for yielding.

Mr. Speaker, I rise today in opposition to this rule. This rule provides for the consideration of the Commerce-Justice appropriations, but it adds some extraneous matters, things like martial law for reconciliation. If we are going to consider other matters in this rule, we ought to be allowed, as the gentleman from Florida said, to be able to consider the question of the doubling of the interest rates of student loans.

The House Democrats, months ago, asked for this action to be taken so that interest rates would not double on students this July 1, doubling from 3.4 percent to 6.8 percent. Calls for bipartisanship were met with silence, silence, silence, and silence for months. All of a sudden, the Republicans in Congress started to understand this issue when President Obama took it to the parents and to the students of this country and explained to them what was at stake. Then, 2 weeks ago, the Republicans surprised us with a bill on the floor when they said they all now agree with it. Even though they had voted against it 2 weeks earlier, they agreed that there shouldn't be a doubling of the student loan rates.

But what did they decide to do?

In deciding on not doubling the student loan rates, they gave the House a choice in which they would take it out on women's health, denying women early screenings for breast cancer, for cervical cancer, denying newborn infants early screenings for birth defects. That's how they decided they would pay for it.

We tried to offer a Democratic alternative, the legislation of Mr. TIERNEY of Massachusetts, which would have taken away the unjustified, unfair tax breaks to the largest oil companies in the country at a time of record profits and use some of that money to pay for making sure that the interest rates don't double, but the Republicans wouldn't allow us to offer that.

Today, what we're trying to do is to defeat the previous question so that we will be able to offer the Democratic substitute, which would keep the interest rates from doubling. We would pay for it by taking away the unfair tax cuts to the largest oil companies and not do what the Republicans did, which is to say you can have your student loan subsidy, but you're going to have to take it out of the hides of newborn infants, of children's immunizations, and of the preventative care and early screenings for women with cervical and breast cancer.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional minute.

Mr. GEORGE MILLER of California. We know that that decision, that early screening, is a matter of life and death

for those women, but that was of no matter to the Republicans. Now we see today a recent poll out that suggested over half of the country supports the student loans not doubling, paying for it in the manner in which the Democrats did, as opposed to 30 percent of the country that think the Republicans are on the right track in going after women's health, children's health and children's immunizations.

So I would hope that we will defeat the previous question, that Mr. HASTINGS will be allowed to move to consider the legislation by Mr. TIERNEY, and that we can put this issue to rest so that families and students now sitting around trying to figure out how they're going to pay for the college educations of their children who have just been accepted to college or who are continuing in college can do that with the peace of mind of knowing that the interest rates won't double on July 1.

Mr. WOODALL. I yield myself such time as I may consume to say I've just gotten the sad news that our friends on the Senate side hadn't just stuck it to us by not passing a budget last year and didn't just stick it to us by not passing a budget this year, but have just stuck it to us one more time by failing to move forward on the student loan legislation there.

I don't know what to do down here, Mr. Speaker. I mean, on the one hand, my colleagues say—rightfully so—that they don't want us just running on our own down here, doing our own thing all the time, pretending as if the Senate doesn't exist. On the other hand, we've dealt with the student loan issue—we've preserved rates at their current low levels—and the Senate can't get its work done. I don't know what more we can do.

Folks are prepared to go over for a vigil outside the Senate Chamber. I want you to put me on your invitation list. I'll go by there with you, and we'll see what we can do to shake things up over there, but those 6-year term limits are not quite as effective at motivating action as are 2-year term limits here on the House side.

Mr. Speaker, this bill before us today isn't actually about student loans. You might not have believed that in listening to the last speaker. It's about the Commerce Department; it's about the Justice Department; and it's about science funding in this body. Now, the good news is we're going to be able to deal with all of these issues one by one by one.

I came to this Chamber, Mr. Speaker, in wanting to move away from the 2,000-page bills that I'd seen in past Congresses. I came to this Chamber in wanting to deal with one issue at a time, in wanting to deal with things so you didn't have to vote for all or nothing but so that you could vote for the individual items that you actually believe in and vote against those items that you don't believe in. That's the process we have today.

This is the first of a dozen different bills that are going to come down through this Chamber, and folks will be able to offer amendments line item by line item. If I didn't say it before, Mr. Speaker, I want to say it now: that that's actually what can happen here. This isn't a "take it or leave it" proposition today. This rule, again, I can't take all the credit for. I was actually tied up in the reconciliation markup yesterday. My friend from Florida was actually as responsible as anyone for bringing a rule to the floor that would allow every single line of the underlying bill to be considered by the 435 folks in this Chamber.

As you know, Mr. Speaker, you have a subcommittee, and that's a small group of folks who knows a lot about the issue on which it works. This is the Commerce, Justice, Science Subcommittee over there. Then you have a full committee, and the full committee has a lot of really smart people who know a lot about their topic here. In this case, that's the Appropriations Committee, the full Appropriations Committee, and, of course, they both passed that out by a voice vote.

If you're like me, Mr. Speaker, if you serve on the Budget Committee and on the Rules Committee, you don't ever get a say in appropriations spending. There are a lot of really smart guys on that subcommittee and a lot of really smart men and women on that full committee. But what about my say? What about the 920,000 people I represent, Mr. Speaker? And that's the solution that the Rules Committee brought out last night.

They said you have not gotten your say yet for the Seventh District of Georgia, Mr. WOODALL, but you will get it during this process—and not just you, but you and you and you and you. Every single Member of this House, by virtue of the fact that they were elected by American citizens back home, will have the opportunity to come to this floor and have their voices heard.

□ 1300

Mr. Speaker, this isn't a tough decision today. This is one of the proudest decisions we get to make in this House, and that is to have its membership work its will and report out the very best bill that we can, send that over to the Senate, and see what happens next.

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

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 2 minutes to the distinguished gentleman from Connecticut, my good friend, Mr. COURTNEY.

Mr. COURTNEY. Mr. Speaker, I rise in opposition to the rule and to allow the Tierney amendment to move forward, which would allow a real solution to the 53-day ticking time bomb for college students and middle class families all across this country.

Today, literally, as we're standing here, high school seniors are getting notices in the mail about whether

they've been admitted to college; students are now packing up and leaving for the end of the spring term already thinking about next year; financial aid offices are trying to plan with families about how to pay for next year's tuition; and yet what they have before them is a situation where on July 1, the rates will double from 3.4 percent to 6.8 percent.

On July 23, the President of the United States stood on that podium and challenged Congress to avoid that rate increase from going through. And for 3 months, we had a Republican majority which stonewalled this issue with no bill, no markup, no hearing. I filed legislation the day after that speech. We have over 150 cosponsors to permanently lock in the lower rate. Yet, as Mr. MILLER indicated, what we heard from the House Republicans was a bill 10 days ago which bypassed committees, nothing from the Education and the Workforce Committee, rammed it through the Rules Committee, and paid for in the most disgraceful, grotesque fashion.

It wipes out a fund to pay for prevention of heart disease, diabetes, cancer, and early-childhood diseases. That is not a solution. The President made it clear when that scam was presented that it would be vetoed immediately. It is a dead letter. It is time for us to, yes, debate a CJS appropriations bill, which is very important. But those kids, those families need a horizon before them as they deal with one of the most exciting opportunities and challenges before them, which is how to pay for higher education.

We should defeat this rule. We should allow a motion to go forward which will defuse this ticking time bomb for middle class families all across America, push aside that joke of a bill that passed 10 days ago, and get down to the business of addressing middle class families' needs and young people's needs to help solve the problems of this country and give them the opportunity to succeed.

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

I actually had this conversation with some schoolchildren in my district over the break, as I'm sure everybody in this body did. They call it a break, Mr. Speaker. The truth is, it's a district work period. You're working every bit as hard down in your home State as you are here and probably harder back home.

I was talking to young people and I said, Does anybody here have a parent that just let's them eat anything they want to, drink all the soda they want, eat all the candy they want? There wasn't a single hand that went up. Apparently, parents had some discipline incorporated in the lives of each one of these children. I asked, Who thinks their parents love them? The answer was every child in that room felt loved by their parents. They didn't get everything they wanted all the time, there were limits to it, but they felt loved.

Mr. Speaker, we're in the business of spending other people's money. It's not my money; it's not my colleague from Florida's money. It is other people's money in this body. Not only are we spending every penny of the money that they send us, Mr. Speaker. We are borrowing even more. If you think about it, we talk about how we borrow 40 cents out of every dollar that we spend. What that means, Mr. Speaker, is we collect every penny that America is willing to give us, and we borrow 66 percent more. Communities back home aren't operating under that kind of funny mathematics. They understand they can only spend the money that they have. Families back home aren't operating under those kinds of funny mathematics. It's only here.

So in the case of these programs—again, student loans are in absolutely no way at issue in the underlying bill, and they are absolutely in no way at issue in this rule. But just to touch on that topic for a moment—and we had the Speaker of this House come down and give a passionate plea for votes in support of the very provision that is being discussed here today. Not only did he speak on behalf of those provisions; this Chamber passed it.

We talk about the ticking time bomb. That's the ticking time bomb in action in the Senate. This body has acted. Now, what did we do? I happen to be one of those folks who took out student loans, Mr. Speaker. So I know a little bit about the student loan process. I happened to take mine out from a private institution. We were using competition to keep the marketplace regulated in those days. Now the Federal Government is the only place you can go for a student loan. That was courtesy of my friends on the other side of the aisle. Again, it was heart-felt. They believed in their heart that it was going to be a better program if only the Federal Government ran it instead of letting private financial institutions who lend money for a living manage it.

But 6.8 percent is the below-market rate that's available for folks who borrow Stafford loan money. You may have had a Stafford loan, Mr. Speaker. Other folks out here might have had a Stafford loan. But there are two kinds of Stafford loans. There is the Stafford loan that you pay interest on after you've borrowed the money. Imagine that, you borrow the money, you pay interest on it. Then there is the Stafford loan that's called the subsidized Stafford loan. That's a much smaller piece of the pie, Mr. Speaker.

We have the loans that families have to go out and get on their own to help pay for their children's education. We have savings that folks are going out and spending on their children's education. We have grant programs that are scholarship programs all that are out there to help with education. We have the PLUS program out there, which is a loan that parents and students can take out together. Then, in

addition to all those programs, we have the Stafford loans, which, again, some of them are loans you pay interest on immediately and some of them—a very small fraction of them—are loans that are subsidized while you're in school.

This conversation we're having here today is about whether or not this subsidized Stafford loan, that was over 7 percent when I borrowed it—it's 6.8 percent in normal times; but the rate was reduced to 3.4 percent by my colleagues. This conversation is about whether or not that rate should be allowed to return to normal levels.

Again I say to folks, there is no money that's coming out of anybody's pocket in this room. This is America's money, America's money that we're borrowing, that we're spending. If we want to borrow that money to cut artificially low rates in half, make them artificially lower, we absolutely can. Not only can, we did. We talk about this as if it is something that might happen one day. We did it. It was 2 weeks ago. I was down here on the House floor. In fact, I sat right over there. I remember the vote happening. It's done here.

Did we pay for it, Mr. Speaker? We did. We paid for it with a program that I would characterize as a slush fund. It is \$15 billion that exists over there in the Health and Human Services Department. It came out of the Affordable Care Act. The President looked at it and said, You know what, that really was too much of a slush fund. He cut it by almost a third. Now we said, You know what, perhaps we should go after the rest of it because accountability is an issue here, Mr. Speaker.

We hear folks talk about prevention and cancer and women and children. I wish that's where the money went. I went and got the list of where those projects are, Mr. Speaker. In my part of the world, it was a \$2.5 million grant to the county I grew up in to help with obesity training in schools. I'm in favor of that. I think we ought to absolutely work on obesity. I hope my home school district is already working on those issues. In other parts of the country, New York, for example, this is money that went to lobby in favor of soda taxes. That's right. This money that is being described by my friends on the other side of the aisle as critical to protecting the health of women so that they can get breast cancer screenings was spent in New York City to lobby in favor of job-killing taxes for my home State of Georgia.

This is not about women and children, Mr. Speaker. This is about unaccountability when you start handing out slush funds to bureaucrats. In Philadelphia, it was to lobby against cigarettes. Is that something we ought to do? Well, golly, we can go out and do that on our own every day. Does the Federal Government need to borrow from our children and our grandchildren to help Philadelphia lobby against cigarette taxes? In California, it's going to put up signs so folks can

find the local parks in the name of obesity training, Mr. Speaker. Do we need signs to help us find the local parks? We have them in our community. I thought they had them in other communities. Do I need to borrow from my children and my grandchildren to put up more signs for parks? Mr. Speaker, we don't.

□ 1310

This is not a priority that the American people stood up and voted for. This is a slush fund that is used by bureaucrats to focus on whatever their priority of the day is. And what's so disappointing is that this responsible government endorsed by a vote of this full House, is being described by my colleagues as an assault on women's health. It is offensive to me.

There are so many things that we legitimately disagree about. Go back where we began, Mr. Speaker. We disagree from the heart about so many directions in this country. There is not one person in this body—not one—that wants to put women's health at risk. Not one.

This is about responsible government and cutting out the waste, cutting out the low-priority spending, cutting out the dollars that come from taxpayers' pockets in my district to spend for job-killing legislation in New York.

Mr. Speaker, we're going to have a full debate on this, a full debate. Every Member of this body will be able to bring their voice to the floor. I look forward to that full debate. I believe in this country. I believe in this institution. I believe that full debate is going to take us exactly where we need to be.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend, Mr. TIERNEY from Massachusetts.

Mr. TIERNEY. I thank the gentleman for acknowledging this.

Americans need to know that their family member is going to be able to afford a college degree, whether it is a 2-year degree or a 4-year degree. Too many people are afraid that their child is not going to be able to get through college. Too many students don't think they can meet the cost of it. And that's what we need to deal with.

Public dollars for schools, Pell Grants, lower interest rates, work-study, those are things that we've done together to allow people to have the opportunity of college so that everybody can try to achieve their goal, to have an equal opportunity to achieve those goals with things we have done together in the past.

We have been helping businesses find very educated and skilled people to drive our economy. It doesn't matter if you earn \$20,000, \$30,000, \$60,000 or if you are suddenly unemployed because you lost a job. It feels the same if your kids are pushed out of school if they can't afford to pay for it. Getting a degree really makes a difference for

many people, whether or not they're going to be able to get a good job. And helping them do that is something we've all decided to invest in.

Carrying a huge loan debt, it may mean that you have to delay starting a family, delay buying a house, taking a job that you otherwise wouldn't take. Pell Grants, work-study, lower interest rates, all of those things for higher education, one of the opportunities that we all helped to create so that people that have long been benefiting from special favors, from tax loopholes, corporations and people that are extremely wealthy, they need to do their part. That's simply what we're asking them to do.

We can keep this country moving forward if we can invest in our future. What we want to do is find a way and make a time that those who have benefited so extraordinarily realize that they too have to step up to the plate and join the rest of us to help pay for those opportunities to make sure that we can move forward.

This is a good time to invest in America and Americans. We have 250 tax expenditures in the Tax Code. Those are special tax rates, special favors, credits, deductions. Our friends on the other side of the aisle apparently think that's what America should borrow for, that that is what they should borrow for and pay corporations that made \$130 billion last year, to give them more money instead of helping people get through college and get a degree that they need to get a good job.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman 1 additional minute.

Mr. TIERNEY. I filed a bill last week that would have lowered the interest rates, back at a time when the Republican budget would have let it double, back when the Speaker and the chairman of the Education Committee and the second-ranking Member of the Republican Party all voted to keep it at 6.8 percent. I filed a bill, and I found a way to pay for it. It was paid for by taking one tax credit from Big Oil that made \$130 billion last year, one tax credit that they weren't originally intended to have even benefited from but had managed to sort of squeak their way into eventually.

So there's a way to pay for it. Now, if you didn't agree with it, the Republicans didn't agree with it, then they could have found one that wasn't noxious, one that everybody could agree on. But instead, they finally came around to deciding that they wanted to lower the interest rates because they couldn't take the political heat when the President was out there talking to American families. And American parents and American students said, What are you doing? Why are you borrowing and giving oil companies \$130 billion of profits plus tax credits when we could be having a way to make sure that our family members get the education they

need to get a job and move forward in their lives?

So the Republicans finally came along and said, Okay, we will lower the interest rates. We can't take the heat. But we are going to find a poison pill. We are going to look at what the President has planned to do with preventive funds, which are screenings for breast cancer, screenings for cervical cancer, immunizations for children; and we'll use that.

I will suggest to my friends on the other side, stop waiting for the Senate. Use some leadership. Come across the aisle and look at those 250 tax expenditures. Let's find one we can agree on, not wait for the Senate and not blame it on them. Let's move forward on that. Stop being so partisan and stop being so ideological. And let's move forward.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to say to my friend from Massachusetts that there is only one bill in this institution that abolishes not just the oil company tax credits that he wants to go after, not just all the corporate welfare that he wants to go after, not just all the benefits and exclusions and exemptions that the wealthy in this country utilize to lower their tax bills. There is one bill in this Congress that abolishes every single special exemption, deduction, carve-out, and giveaway in the entire United States Tax Code. It's H.R. 25. I'm the sponsor of that legislation. I join you in your desire to eliminate all those special interest tax breaks and deductions. I welcome your cosponsorship of that legislation.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I would inform my colleague that I am the last speaker. I don't know whether he is, but I am prepared to close.

Mr. WOODALL. As am I.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time, and I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, the majority tried once 2 weeks ago to go back on what they agreed to. It did not work. So now here we are again, trying to "re-deem" ourselves. But this is no way to run an economy, no way to run a budget process, and no way to stick up for the millions of struggling Americans who need us to focus on improving the economy.

We can "pretend" that the Ryan budget has passed when, in fact, it has not. We can deem it or come here to re-deem it. But while we are living in legislative fantasyland, millions of other Americans will still be struggling to

find jobs, to pay off their student loans, to access affordable health care and decent housing, and, really, in the final analysis, just to survive in an economy that—not just this year or last, not just in the last decade or the decade before—but in an economy that favors those who have the most, rather than look out for those who have the least.

In the celebrated cartoon that carries Wile E. Coyote, he used to pretend that there was going to be some kind of rubberized floor mat when he landed off a cliff, only to find that soon after that, he was in a very long and painful fall to the bottom.

I've said before and I will repeat: we are better people than what's happening here. I agree with my friend from Georgia (Mr. WOODALL) that we see things differently. And in our heart of hearts, both of us and many of the Members of this body are in agreement and want things to be better.

□ 1320

As long as Republicans insist on replacing substantive debate with partisan gimmicks, broken promises, and misplaced priorities, the fall to the bottom is going to seem very long and is likely to be very painful for millions of Americans.

I would urge my colleagues to oppose this rule for the reason that it is deeming something that is being pretended to be passed. I'd ask them to oppose this rule for the reason that it includes in it martial law that disallows the open discussion that my colleague rightly points to in an open rule. But this particular provision disallows that as it pertains to the reconciliation. And that is just no way for us to go about trying to come to terms with the enormous consequences and circumstances that we face by not having faced them many, many, many years ago.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I thank my colleague from Florida for joining me here for this debate today. And there really are some things that we disagree about here in this body at large. But one thing we don't disagree about is the importance of bringing open rules to this floor to debate appropriations bills.

This appropriations bill that we're bringing under this rule, Mr. Speaker, is a 1 percent reduction from the levels the President has proposed. As we hear folks talk about the doom and the gloom and the kicking of children and the punishing of women—1 percent. There's a long, hard fall to the bottom coming all right, and it's coming in the American economy. And I'll tell you who gets hurt the most in a bad economy: it's the poorest and the weakest among us. We all know it.

We're asking for 1 percent less than what the President proposed in the name of taking a small step in the right direction. You could have gotten me for 20 or 25 percent less, just to be

clear. You could've gotten me on board if we'd gone 20 or 25 percent less. But this body is trying to move in a responsible fashion.

There's only one budget that's passed in this town, Mr. Speaker. The President's budget didn't pass. It got zero votes last year in the Senate. It got zero votes this year in the House. It didn't even get introduced last year in the House. There's only one budget in this town that has passed. That's the one that came out of the open process that we had right here.

We can take our toys and go home or we can try to do our appropriations bills under the one proposal that has garnered a majority vote in this entire Nation. I vote for the latter. And a vote for this rule is a vote for the latter.

Let's go ahead and start that process. Let's go ahead and do for the American people what we promised them we would do; and that is, operate this institution so that everybody has a voice, and at the end of the day we move our very best legislation forward.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 643 OFFERED BY
MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new section:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4816) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Education and the Workforce and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4816.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. With that, Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 643, if ordered; and approval of the Journal, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 235, nays 174, not voting 22, as follows:

[Roll No. 199]

YEAS—235

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

Walden Whitfield
Walsh (IL) Wilson (SC)
Webster Wittman
West Wolf
Westmoreland Womack

Mr. FILNER. Mr. Speaker, on rollcall 199, I
was away from the Capitol due to prior com-
mitments to my constituents. Had I been
present, I would have voted “nay.”

Westmoreland Wolf
Whitfield Womack
Wilson (SC) Woodall
Wittman Yoder

NAYS—174

Ackerman Garamendi
Altmire Gonzalez
Andrews Green, Al
Baca Green, Gene
Baldwin Grijalva
Barrow Gutierrez
Bass (CA) Hahn
Becerra Hanabusa
Berkley Hastings (FL)
Berman Heinrich
Bishop (GA) Higgins
Bishop (NY) Himes
Blumenauer Hinchey
Bonamici Hirono
Boswell Hochul
Brady (PA) Holden
Braley (IA) Holt
Brown (FL) Honda
Capps Hoyer
Capuano Israel
Cardoza Jackson (IL)
Carnahan Jackson Lee
Carney (TX)
Castor (FL) Johnson (GA)
Chandler Johnson, E. B.
Chu Kaptur
Cicilline Keating
Clarke (MI) Kildee
Clarke (NY) Kind
Clay Kissell
Cleaver Langevin
Clyburn Larsen (WA)
Cohen Larson (CT)
Connolly (VA) Lee (CA)
Conyers Levin
Cooper Lewis (GA)
Costello Lipinski
Courtney Loeb sack
Critz Lofgren, Zoe
Crowley Lowey
Cummings Lujan
Davis (CA) Lynch
Davis (IL) Maloney
DeFazio Markey
DeGette Matsui
DeLauro McCarthy (NY)
Deutch McCollum
Dicks McDermott
Dingell McGovern
Doggett McIntyre
Doyle McNerney
Edwards Meeks
Ellison Michaud
Engel Miller (NC)
Eshoo Miller, George
Farr Moran
Fattah Murphy (CT)
Frank (MA) Nadler
Fudge Napolitano

The SPEAKER pro tempore. The
question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr.
Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a
5-minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 228, noes 181,
not voting 22, as follows:

[Roll No. 200]

AYES—228

Adams Miller (MI)
Aderholt Gibbs
Akin Gingrey (GA)
Alexander Gohmert
Amash Goodlatte
Amodei Gosar
Austria Gowdy
Bachmann Granger
Bachus Graves (GA)
Barletta Graves (MO)
Bartlett Griffin (AR)
Barton (TX) Griffith (VA)
Bass (NH) Grimm
Benishek Guinta
Berg Guthrie
Biggart Hall
Bilbray Hanna
Bilirakis Harper
Bishop (UT) Harris
Black Hartzler
Blackburn Hastings (WA)
Bono Mack Hayworth
Boustany Heck
Brady (TX) Hensarling
Brooks Herrera
Brown (GA) Berger Beutler
Buchanan Huelskamp
Bucshon Huizenga (MI)
Buerkle Hultgren
Burgess Hunter
Burton (IN) Hurt
Calvert Issa
Camp Jenkins
Campbell Johnson (IL)
Canseco Johnson (OH)
Capito Johnson, Sam
Carter Jordan
Cassidy Kelly
Chabot King (IA)
Coble King (NY)
Coffman (CO) Kingston
Cole Kinzinger (IL)
Conaway Kline
Cravaack Labrador
Crawford Lamborn
Crenshaw Lance
Culberson Landry
Davis (KY) Lankford
Denham Latham
Dent LaTourrette
DesJarlais Latta
Diaz-Balart Lewis (CA)
Dold LoBiondo
Dreier Long
Duffy Lucas
Duncan (SC) Luetkemeyer
Duncan (TN) Lummis
Emerson Lungren, Daniel
Farenthold E.
Fincher Mack
Fitzpatrick Manullo
Flake Marchant
Fleischmann Marino
Fleming McCarthy (CA)
Flores McCaul
Forbes McClintock
Fortenberry McCotter
Foxy McKeon
Franks (AZ) McKinley
Frelinghuysen McMorris
Gallegly Rodgers
Gardner Mica
Garrett Miller (FL)

NOES—181

Ackerman Garamendi
Altmire Gonzalez
Andrews Green, Al
Baca Green, Gene
Baldwin Grijalva
Barrow Gutierrez
Bass (CA) Hahn
Becerra Hanabusa
Berkley Hastings (FL)
Berman Heinrich
Bishop (GA) Higgins
Bishop (NY) Himes
Blumenauer Hinchey
Bonamici Hirono
Boren Hochul
Boswell Holden
Brady (PA) Holt
Braley (IA) Honda
Brown (FL) Hoyer
Capps Israel
Capuano Jackson (IL)
Cardoza Jackson Lee
Carnahan (TX)
Carney Johnson (GA)
Castor (FL) Johnson, E. B.
Chandler Kaptur
Chu Keating
Cicilline Kildee
Clarke (MI) Kind
Clarke (NY) Kissell
Clay Langevin
Cleaver Larsen (WA)
Clyburn Larson (CT)
Cohen Lee (CA)
Connolly (VA) Levin
Conyers Lewis (GA)
Cooper Lipinski
Costa Loeb sack
Costello Lofgren, Zoe
Courtney Lowey
Critz Lujan
Crowley Lynch
Cuellar Maloney
Cummings Markey
Davis (CA) Matheson
Davis (IL) Matsui
DeFazio McCarthy (NY)
DeGette McCollum
DeLauro McDermott
Deutch McGovern
Dicks McIntyre
Dingell McNerney
Doggett Meeks
Doyle Michaud
Edwards Miller (NC)
Ellison Miller, George
Engel Moran
Eshoo Murphy (CT)
Farr Nadler
Fattah Napolitano
Frank (MA) Neal
Fudge Olver

NOT VOTING—22

Bonner Gibson
Butterfield Hinojosa
Cantor Jones
Carson (IN) Kucinich
Costa McHenry
Donnelly (IN) Moore
Ellmers Palazzo
Filner Pence

□ 1348

Messrs. ENGEL, CROWLEY, PETER-
SON, CLEAVER, RICHMOND, PAS-
CRELL and RANGEL and Ms. TSON-
GAS changed their vote from “yea” to
“nay.”

Mr. PAUL changed his vote from
“nay” to “yea.”

So the previous question was ordered.
The result of the vote was announced
as above recorded.

Stated against:

Mr. RUPPERSBERGER. Mr. Speaker, on
rollcall No. 199, had I been present, I would
have voted “nay.”

Ms. SCHAKOWSKY. Mr. Speaker, on roll-
call No. 199, had I been present, I would have
voted “nay.”

Bonner Gibson
Butterfield Hinojosa
Cantor Jones
Carson (IN) Kucinich
Chaffetz McHenry
Donnelly (IN) Meehan
Ellmers Moore
Filner Myrick

□ 1357

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

A motion to reconsider was laid on
the table.

Stated for:

Mr. MEEHAN. Mr. Speaker, on rollcall No.
200, I was unavoidably detained. Had I been
present, I would have voted “aye.”

Mrs. MYRICK. Mr. Speaker, I was unable to
participate in the following vote. If I had been
present, I would have voted as follows: Roll-
call vote 200, H. Res. 643—Providing for con-
sideration of the bill (H.R. 5326) making ap-
propriations for the Departments of Commerce

and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and for other purposes—I would have voted “aye.”

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 200, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker’s approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 296, nays 108, answered “present” 3, not voting 24, as follows:

[Roll No. 201]

YEAS—296

Ackerman	Cooper	Himes
Aderholt	Crenshaw	Hirono
Akin	Critz	Hochul
Alexander	Crowley	Honda
Altmire	Cuellar	Huelskamp
Amodi	Culberson	Huizenga (MI)
Austria	Cummings	Hultgren
Baca	Davis (CA)	Hurt
Bachmann	Davis (KY)	Issa
Bachus	DeGette	Jackson Lee
Barletta	DesJarlais	(TX)
Barrow	Deutch	Jenkins
Bartlett	Diaz-Balart	Johnson (GA)
Barton (TX)	Dicks	Johnson (IL)
Bass (NH)	Dingell	Johnson, E. B.
Becerra	Doggett	Johnson, Sam
Berg	Doyle	Kaptur
Berkley	Dreier	Keating
Berman	Duncan (SC)	Keating
Biggert	Duncan (TN)	Kelly
Billbray	Edwards	Kildee
Bilirakis	Ellison	King (IA)
Bishop (GA)	Emerson	King (NY)
Bishop (UT)	Engel	Kingston
Black	Eshoo	Kinzinger (IL)
Blackburn	Farenthold	Kissell
Blumenauer	Farr	Kline
Bonamici	Flake	Labrador
Bono Mack	Fleischmann	Lamborn
Boren	Fleming	Lance
Boustany	Flores	Landry
Brady (TX)	Fortenberry	Langevin
Braley (IA)	Frank (MA)	Larsen (WA)
Brooks	Franks (AZ)	Larson (CT)
Broun (GA)	Frelinghuysen	LaTourette
Buchanan	Galleghy	Latta
Bucshon	Garamendi	Levin
Buerkle	Gibbs	Lewis (CA)
Burton (IN)	Gingrey (GA)	Lipinski
Calvert	Gonzalez	Loebsack
Camp	Goodlatte	Lofgren, Zoe
Campbell	Gosar	Long
Canseco	Gowdy	Lowe
Capito	Granger	Lucas
Capps	Graves (GA)	Luetkemeyer
Carnahan	Green, Al	Lummis
Carney	Grijalva	Lungren, Daniel
Carter	Grimm	E.
Cassidy	Guthrie	Mack
Chabot	Gutierrez	Marchant
Chu	Hahn	Marino
Cicilline	Hall	Markey
Clarke (MI)	Hanabusa	Matsui
Clarke (NY)	Harper	McCarthy (CA)
Clay	Hartzler	McCarthy (NY)
Cleaver	Hastings (WA)	McCaul
Clyburn	Hayworth	McClintock
Coble	Heinrich	McCollum
Cohen	Hensarling	McIntyre
Cole	Hergert	McKeon
Connolly (VA)	Higgins	McKinley

McMorris	Reyes
Rodgers	Richardson
McNerney	Richmond
Meehan	Rigell
Meeks	Rivera
Mica	Roby
Michaud	Roe (TN)
Miller (MI)	Rogers (AL)
Miller (NC)	Rogers (KY)
Miller, Gary	Rogers (MI)
Moran	Rohrabacher
Murphy (CT)	Rokita
Murphy (PA)	Ros-Lehtinen
Myrick	Roskam
Nadler	Ross (AR)
Napolitano	Ross (FL)
Neugebauer	Rothman (NJ)
Noem	Roybal-Allard
Nunes	Royce
Nunnelee	Runyan
Olson	Ruppersberger
Pascarell	Ryan (WI)
Paul	Scalise
Pearce	Schiff
Pelosi	Schmidt
Perlmutter	Schock
Petri	Schrader
Pingree (ME)	Schwartz
Pitts	Schweikert
Platts	Scott (SC)
Polis	Scott (VA)
Pompeo	Scott, Austin
Posey	Scott, David
Price (GA)	Sensenbrenner
Price (NC)	Serrano
Quigley	Sessions
Rangel	Sewell
Reed	Sherman
Rehberg	Shimkus

NAYS—108

Adams	Graves (MO)
Andrews	Green, Gene
Baldwin	Griffin (AR)
Bass (CA)	Griffith (VA)
Benishek	Guinta
Bishop (NY)	Hanna
Boswell	Harris
Brady (PA)	Hastings (FL)
Brown (FL)	Heck
Burgess	Herrera Beutler
Capuano	Hinchee
Cardoza	Holden
Castor (FL)	Holt
Chandler	Hoyer
Chaffman (CO)	Hunter
Conaway	Jackson (IL)
Conyers	Johnson (OH)
Costa	Jordan
Costello	Kind
Courtney	Latham
Cravaack	Lee (CA)
Crawford	Lewis (GA)
Davis (IL)	LoBiondo
DeFazio	Lynch
Denham	Maloney
Dent	Manzullo
Dold	Matheson
Duffy	McCotter
Fattah	McDermott
Fincher	McGovern
Fitzpatrick	Miller (FL)
Forbes	Miller, George
Foxx	Mulvaney
Fudge	Neal
Gardner	Nugent
Garrett	Olver
Gerlach	Pallone

ANSWERED “PRESENT”—3

Amash Gohmert Owens

NOT VOTING—24

Bonner	Filner	Moore
Butterfield	Gibson	Palazzo
Cantor	Hinojosa	Pence
Carson (IN)	Jones	Reichert
Chaffetz	Kucinich	Slaughter
DeLauro	Lankford	Stark
Donnelly (IN)	Lujan	Tonko
Ellmers	McHenry	Yarmuth

□ 1404

So the Journal was approved.
The result of the vote was announced as above recorded.
Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 201, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, on May 8, 2012, I missed rollcall votes Nos. 199–201 because of my primary election in Indiana. Had I been present, I would have voted “no” on rollcall No. 199, “no” on rollcall No. 200, and “yes” on rollcall No. 201.

PERSONAL EXPLANATION

Mr. TONKO. Mr. Speaker, on rollcall Nos. 199, 200, and 201, I was absent. I had travelled to the 21st Cong. Dist. in New York with the President for his visit. Had I been present, I would have voted “nay” on No. 199, “nay” on No. 200, and “yes” on No. 201.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5326, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 643 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5326.

The Chair appoints the gentleman from Utah (Mr. BISHOP) to preside over the Committee of the Whole.

□ 1406

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. WOLF) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to begin the consideration of H.R. 5326, making appropriations for fiscal year 2013 for Commerce, Justice, Science, and Related Agencies. The bill provides funding for programs whose impacts range from the safety of people in their homes and communities to the farthest reaches of space.

The bill before the House today reflects a delicate balancing of needs and

requirements. We have drafted what I consider to be a responsible bill for FY 2013 spending levels for the departments and agencies under the subcommittee's jurisdiction. We've had to carefully prioritize the funding in this bill and have had to make hard choices about how to spend scarce revenue.

I want to thank Chairman ROGERS for supporting us with a fair allocation and in helping us to move the bill forward. I also want to thank the ranking member, Mr. FATTAH, who has been an effective and valued partner and colleague, and I am grateful. I appreciate his principled commitment and his understanding of the programs in the bill.

I also would like to thank the members of the subcommittee for their help and assistance, as well as to thank Congressman NORMAN DICKS, the ranking member of the full committee.

I want to recognize the subcommittee staff, including our clerk, Mike Ringler; Leslie Albright; Stephanie Myers; Diana Simpson; Colin Samples and Scott Sammis; as well as Darek Newby and Bob Bonner from the minority staff, for their work in preparing the bill before us today.

I also want to recognize a number of the majority and minority associate staff members—all of their names and the offices that they are connected with.

Dan Scandling and Thomas Culligan in my office; Michelle Anderson-Lee in Mr. Fattah's office; Robert LaBranche and Ryan Stalnaker in Mr. Culberson's office; Mark Dawson and Megan Medley in Mr. Aderholt's office; Mike Sharp in Mr. Bonner's office; Tyler Grassmeyer, Steven Gilleland and Jessica Talbert in Mr. Austria's office; Jason Lawrence in Mr. Grave's office; Patrick Carroll in Mr. Yoder's office; Megan O'Donnell in Chairman Rogers' office; Jeff Lowenstein and Tim Bergreen in Mr. Schiff's office; Ken Takeda, A.J. Bhadelia and Eric Werwa in Mr. Honda's office; Jheanelle Brown and Matt Alpert in Mr. Serrano's office; and Pete Modaff and Colin Sheldon in Ranking Member Dicks' office.

The bill totals \$51.1 billion in discretionary spending, which is a reduction of 3.1 percent below the current fiscal year and 1.4 percent below the President's request.

□ 1410

Since the beginning of the 112th Congress, the committee has cut \$13.2 billion, reducing the total amount of the CJS bill by over 20 percent over the 3 fiscal years. We have focused limited resources on the most critical areas: fighting crime and terrorism—including a new focus of preventing and investigating cyberattacks—and boosting U.S. competitiveness and job creation by investing in science, exports, and manufacturing.

For the Department of Commerce, the bill includes \$7.7 billion, an increase of \$96 million above FY12. The bill makes critical investments in manufacturing, export promotion, and job creation, including a task force and an EDA grant program to incentivize U.S. companies to bring their manufacturing and services activities back to

the United States, particularly back to the U.S. from China.

For NIST, the bill includes \$830 million, including \$128 million for the Manufacturing Extension Partnership, MEP, program and \$21 million for an advanced manufacturing competitive research program to make the American manufacturing sector a source of job growth.

The bill also makes critical investments in weather forecasting and disaster preparedness to save lives and protect property, including funding above the President's request for the National Weather Service operations and for tsunami preparedness. Also included is an increase of \$126 million for the weather satellite acquisitions, including the full amount requested for the new JPSS satellite. This funding is necessary to better protect Americans from natural disasters such as tornados, hurricanes, and tsunamis, just like we've seen in the Midwest this year, Kansas, Alabama, and places like that this year. It is also with regard to snowstorms and drought.

Science. A primary area of focus in the bill this year is scientific research, innovation, and competitiveness.

Investments in scientific research are key to long-term economic growth and job creation. The bill includes \$7.3 billion for the National Science Foundation, an increase of \$299 million, or 4.3 percent above FY12, for basic research and science education. This funding will go toward the types of research that will keep America's economy strong by setting the groundwork for the development of new technologies.

Developing a well-educated STEM workforce is also critical to America's competitiveness. More than \$1 billion is provided throughout the bill for science education, including \$876 million for NSF to improve the quality of science education.

NASA. The bill includes \$17.6 billion, including funding above the aggregate request, to keep the development schedule for the Orion crew vehicle and heavy-lift rocket. Commercial crew development is funded at \$500 million, consistent with the current authorization and the report accompanying the House budget resolution.

To find the fastest, safest, and most cost-effective means of achieving a U.S. capability for access to the international space station, the bill directs NASA to winnow the commercial partners and advance the schedule for moving to traditional government procurement methods. Continuing on the current path runs a high risk of failure by one or more companies receiving government subsidies, similar to what we last saw last year with Solyndra, and leaving the taxpayer with no tangible benefits in exchange for a substantial investment. We do not need a space Solyndra. I say this to Members on both sides of the aisle. We have heard Solyndra thrown around. We do not need a space Solyndra.

We have received letters from Neil Armstrong, Gene Cernan, and James Lovell endorsing the committee's approach to commercial crew as "reasonable and appropriate."

According to the GAO, we have invested \$100 billion in the station, so we need to develop our own capability to get our astronauts up there to use it quickly rather than relying on the Russians and paying the Russians.

The bill also includes \$570 million—which is \$18.4 million above the request—for aeronautics research. Aerospace is a pillar of the American manufacturing sector and one of the leading exports. This is an industry that creates thousands of jobs in America. This investment will boost our aviation competitiveness so America continues to be number one.

The bill includes \$5.1 billion for NASA science programs, including \$1.4 billion for planetary science. This amount restores cuts in the President's request that would have inhibited progress on all planetary science goals, including flagship missions to Mars and Europa.

For the Department of Justice, the bill includes \$27.1 billion, \$11 million above the current level.

The top mission priority of the Justice Department is defending national security from both internal and external threats. The bill includes \$8.3 billion, an increase of \$148 million, for the FBI, including an increase of \$23 million to prevent and combat cyberintrusions. Director Mueller has predicted that cyber will soon overtake terrorism as the Bureau's number one threat. The increase will be the first step in building a nationwide capability for cyberinvestigations that complements the other cyberinitiatives under consideration in the House.

The bill restores funding for the National Gang Intelligence Center, which the President wanted to terminate. Every district in this country has violent gangs running throughout your districts, such as MS-13 and many other groups. If you've been down along the border, you will see many of the gangs in Mexico have operations up here. To shut that down and terminate it, this is a major threat to the country. It also provides an additional funding for FBI's Safe Streets Task Forces. Now is not the time to retreat in an effort to combat the growing gang problem, not only on the border but throughout the country.

Bureau of Prison operations are funded at the requested level of \$6.8 billion, an increase of \$269 million above FY12, to activate newly constructed prisons and ensure safe and secure Federal prison facilities in light of, unfortunately, continued population growth.

This bill includes \$1.85 billion for justice programs that provide grants for States, localities, and nonprofits. Despite the reduction, the bill prioritizes proven high-priority programs, including justice assistance grants, SCAAP.

The administration was at \$70 million on SCAAP. We're at \$165 million.

It also includes funding for missing and exploited children programs and DNA grants.

The bill includes funding for prescription drug monitoring grants. And I want to give a lot of credit to Chairman ROGERS for his effort here.

It also includes a significant increase in DEA's Tactical Diversion Squads to address our Nation's fastest growing drug problem: prescription drug abuse.

The funding for violence against women and for victims of trafficking is increased above the current level and above the President's request. There's more money in here for violence against women than this administration put.

We recently marked the fifth anniversary of the shootings at Virginia

Tech. Following this terrible tragedy, Congress passed a bill to improve the National Instant Background Check System, NICS, a critical tool for keeping firearms out of the hands of prohibited persons. But the NICS is only as effective as the State databases on which it relies. This bill includes \$12 million to improve NICS records, \$7 million more than the 2012 request.

Finally, we're asking the Office of Inspector General to do a follow-up review of the justice task force that looked at cases affected by flawed FBI lab practices in 1990. A new OIG review is a necessary next step to ensure that prosecutors follow through on task force findings and that defendants' rights are upheld. No one should get sentenced to jail for life when we know there is information that has not been

shared. So we've had the OIG review and take a look at this.

In closing, that is a summary of the bill before us today. It provides increases where needed to maintain and strengthen operations of critical law enforcement. It carries on the fight against terrorism, crime, and drugs and provides important increases to boost scientific research, innovation, and competitiveness. It provides strong support for all the various NASA missions. It represents our best take on matching needs with scarce resources.

We have tried hard to produce the best bill we possibly could within the resources we had, And I would hope that all Members would support the bill.

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

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	465,000	526,439	467,737	+2,737	-58,702
Offsetting fee collections.....	-9,439	-9,439	-9,439	---	---
Direct appropriation.....	455,561	517,000	458,298	+2,737	-58,702
Bureau of Industry and Security					
Operations and administration.....	69,721	68,049	67,333	-2,388	-716
Defense function.....	31,279	34,279	33,667	+2,388	-612
Total, Bureau of Industry and Security.....	101,000	102,328	101,000	---	-1,328
Economic Development Administration					
Economic Development Assistance Programs.....	220,000	182,000	182,000	-38,000	---
Disaster relief category.....	200,000	---	---	-200,000	---
Subtotal.....	420,000	182,000	182,000	-238,000	---
Salaries and expenses.....	37,500	37,719	37,500	---	-219
Total, Economic Development Administration.....	457,500	219,719	219,500	-238,000	-219
Minority Business Development Agency					
Minority Business Development.....	30,339	28,689	28,689	-1,650	---
Economic and Statistical Analysis					
Salaries and expenses.....	96,000	100,269	96,000	---	-4,269
Bureau of the Census					
Salaries and expenses.....	253,336	259,175	253,336	---	-5,839
Periodic censuses and programs.....	635,000	711,250	625,357	-9,643	-85,893
Total, Bureau of the Census.....	888,336	970,425	878,693	-9,643	-91,732
National Telecommunications and Information Administration					
Salaries and expenses.....	45,568	46,925	45,568	---	-1,357
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	2,678,000	2,933,241	2,933,241	+255,241	---
Offsetting fee collections.....	-2,678,000	-2,933,241	-2,933,241	-255,241	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services.....	567,000	648,000	621,173	+54,173	-26,827
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	128,443	149,000	149,000	+20,557	---
Manufacturing extension partnerships.....	(128,443)	(128,000)	(128,000)	(-443)	---
Advanced manufacturing technology consortia.....	---	(21,000)	(21,000)	(+21,000)	---
Construction of research facilities.....	55,381	60,000	60,000	+4,619	---
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology.....	750,824	857,000	830,173	+79,349	-26,827

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities.....	3,022,231	3,042,460	2,968,371	-53,860	-74,089
(by transfer).....	(109,098)	(119,064)	(119,064)	(+9,966)	---
Promote and Develop Fund (transfer out).....	(-109,098)	(-119,064)	(-119,064)	(-9,966)	---
Subtotal.....	3,022,231	3,042,460	2,968,371	-53,860	-74,089
Procurement, Acquisition and Construction.....	1,817,094	1,965,736	1,931,948	+114,854	-33,788
Pacific Coastal Salmon Recovery.....	65,000	50,000	65,000	---	+15,000
Fishermen's Contingency Fund.....	350	350	350	---	---
Fisheries Finance Program Account.....	-11,000	-4,000	-4,000	+7,000	---
Fisheries Enforcement Asset Forfeiture Fund.....	8,000	---	---	-8,000	---
Offsetting receipts.....	-8,000	---	---	+8,000	---
Sanctuaries Enforcement Asset Forfeiture Fund.....	1,000	---	---	-1,000	---
Offsetting receipts.....	-1,000	---	---	+1,000	---
Total, National Oceanic and Atmospheric Administration.....	4,893,675	5,054,546	4,961,669	+67,994	-92,877
Departmental Management					
Salaries and expenses.....	57,000	56,000	55,000	-2,000	-1,000
Renovation and Modernization.....	5,000	2,040	---	-5,000	-2,040
Office of Inspector General.....	26,946	28,753	28,753	+1,807	---
Total, Departmental Management.....	88,946	86,793	83,753	-5,193	-3,040
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Total, title I, Department of Commerce.....	7,807,749	7,983,694	7,703,343	-104,406	-280,351
Appropriations.....	(7,607,749)	(7,983,694)	(7,703,343)	(+95,594)	(-280,351)
Disaster relief category.....	(200,000)	---	---	(-200,000)	---
(by transfer).....	118,098	128,064	128,064	+9,966	---
(transfer out).....	-118,098	-128,064	-128,064	-9,966	---
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TITLE II - DEPARTMENT OF JUSTICE

General Administration

Salaries and expenses.....	110,822	127,667	110,322	-500	-17,345
National Drug Intelligence Center.....	20,000	---	---	-20,000	---
Justice Information Sharing Technology.....	44,307	33,426	33,426	-10,881	---
Tactical Law Enforcement Wireless Communications.....	87,000	---	---	-87,000	---
Total, General Administration.....	262,129	161,093	143,748	-118,381	-17,345

Administrative review and appeals.....	305,000	313,438	313,438	+8,438	---
Transfer from immigration examinations fee account.....	-4,000	-4,000	-4,000	---	---
Direct appropriation.....	301,000	309,438	309,438	+8,438	---

Detention Trustee.....	1,580,595	---	---	-1,580,595	---
Office of Inspector General.....	84,199	85,985	84,199	---	-1,786

United States Parole Commission

Salaries and expenses.....	12,833	12,772	12,772	-61	---
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Legal Activities

Salaries and expenses, general legal activities.....	863,367	903,603	863,367	---	-40,236
Vaccine Injury Compensation Trust Fund.....	7,833	7,833	7,833	---	---
Salaries and expenses, Antitrust Division.....	159,587	164,753	159,587	---	-5,166
Offsetting fee collections - current year.....	-108,000	-115,000	-115,000	-7,000	---
Direct appropriation.....	51,587	49,753	44,587	-7,000	-5,166

Salaries and expenses, United States Attorneys.....	1,960,000	1,974,378	1,965,000	+5,000	-9,378
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COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Trustee System Fund.....	223,258	227,407	223,258	---	-4,149
Offsetting fee collections.....	-223,258	-227,407	-223,258	---	+4,149
Direct appropriation.....	---	---	---	---	---
Salaries and expenses, Foreign Claims Settlement Commission.....	2,000	2,139	2,000	---	-139
Fees and expenses of witnesses.....	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service....	11,456	12,036	11,456	---	-580
Assets Forfeiture Fund.....	20,948	20,948	20,948	---	---
Total, Legal Activities.....	3,187,191	3,240,690	3,185,191	-2,000	-55,499
United States Marshals Service					
Salaries and expenses.....	1,174,000	1,203,488	1,188,488	+14,488	-15,000
Construction.....	15,000	10,000	10,000	-5,000	---
Federal Prisoner Detention.....	---	1,668,235	1,647,383	+1,647,383	-20,852
Total, United States Marshals Service.....	1,189,000	2,881,723	2,845,871	+1,656,871	-35,852
National Security Division					
Salaries and expenses.....	87,000	90,039	90,039	+3,039	---
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	527,512	524,793	521,793	-5,719	-3,000
Federal Bureau of Investigation					
Salaries and expenses.....	3,376,000	3,403,030	3,320,657	-55,343	-82,373
Counterintelligence and national security.....	4,660,991	4,747,991	4,864,350	+203,359	+116,359
Subtotal.....	8,036,991	8,151,021	8,185,007	+148,016	+33,986
Construction.....	80,982	80,982	80,982	---	---
Total, Federal Bureau of Investigation.....	8,117,973	8,232,003	8,265,989	+148,016	+33,986
Drug Enforcement Administration					
Salaries and expenses.....	2,347,000	2,403,504	2,396,504	+49,504	-7,000
Diversion control fund.....	-322,000	-352,600	-352,600	-30,600	---
Subtotal.....	2,025,000	2,050,904	2,043,904	+18,904	-7,000
Construction.....	10,000	---	---	-10,000	---
Total, Drug Enforcement Administration.....	2,035,000	2,050,904	2,043,904	+8,904	-7,000
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,152,000	1,153,345	1,153,345	+1,345	---
Federal Prison System					
Salaries and expenses.....	6,551,281	6,820,217	6,820,217	+268,936	---
Buildings and facilities.....	90,000	99,189	90,000	---	-9,189
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,700	2,700	---	---
Total, Federal Prison System.....	6,643,981	6,922,106	6,912,917	+268,936	-9,189
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	412,500	268,000	415,000	+2,500	+147,000
(by transfer).....	---	(145,000)	---	---	(-145,000)

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Justice Programs:					
Research, evaluation and statistics.....	113,000	136,000	112,000	-1,000	-24,000
State and local law enforcement assistance.....	1,162,500	781,500	962,500	-200,000	+181,000
(by transfer).....	---	(221,000)	---	---	(-221,000)
Juvenile justice programs.....	262,500	245,000	209,500	-53,000	-35,500
Public safety officer benefits:					
Death benefits.....	62,000	62,000	62,000	---	---
Disability and education benefits.....	16,300	16,300	16,300	---	---
Subtotal.....	78,300	78,300	78,300	---	---
Total, Office of Justice Programs.....	1,616,300	1,240,800	1,362,300	-254,000	+121,500
Community Oriented Policing Services:					
COPS programs.....	198,500	289,587	72,500	-126,000	-217,087
Total, State and Local Law Enforcement Activities.....	2,227,300	1,798,387	1,849,800	-377,500	+51,413
Total, title II, Department of Justice.....	27,407,713	27,463,278	27,419,006	+11,293	-44,272
TITLE III - SCIENCE					
Office of Science and Technology Policy.....	4,500	5,850	5,850	+1,350	---
National Aeronautics and Space Administration					
Science.....	5,090,000	4,911,200	5,095,000	+5,000	+183,800
Aeronautics.....	569,900	551,500	569,900	---	+18,400
Space Technology.....	575,000	699,000	632,500	+57,500	-66,500
Exploration.....	3,770,800	3,932,800	3,711,900	-58,900	-220,900
Space Operations.....	4,233,600	4,013,200	3,985,000	-248,600	-28,200
Education.....	138,400	100,000	100,000	-38,400	---
Cross-agency Support.....	2,995,000	2,847,500	2,843,500	-151,500	-4,000
Construction and environmental compliance and restoration.....	390,000	619,200	598,000	+208,000	-21,200
Office of Inspector General.....	37,300	37,000	38,000	+700	+1,000
Total, National Aeronautics and Space Administration.....	17,800,000	17,711,400	17,573,800	-226,200	-137,600
National Science Foundation					
Research and related activities.....	5,651,000	5,915,280	5,874,693	+223,693	-40,587
Defense function.....	68,000	68,000	68,000	---	---
Subtotal.....	5,719,000	5,983,280	5,942,693	+223,693	-40,587
Major Research Equipment and Facilities Construction..	167,055	196,170	196,170	+29,115	---
Education and Human Resources.....	829,000	875,610	875,610	+46,610	---
Agency Operations and Award Management.....	299,400	299,400	299,400	---	---
Office of the National Science Board.....	4,440	4,440	4,440	---	---
Office of Inspector General.....	14,200	14,200	14,200	---	---
Total, National Science Foundation.....	7,033,095	7,373,100	7,332,513	+299,418	-40,587
Total, title III, Science.....	24,837,595	25,090,350	24,912,163	+74,568	-178,187

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS BILL, 2013 (H.R. 5326)
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	9,193	9,400	9,193	---	-207
Equal Employment Opportunity Commission					
Salaries and expenses.....	360,000	373,711	366,568	+6,568	-7,143
International Trade Commission					
Salaries and expenses.....	80,000	82,800	83,000	+3,000	+200
Payment to the Legal Services Corporation					
Salaries and expenses.....	348,000	402,000	328,000	-20,000	-74,000
Marine Mammal Commission					
Salaries and expenses.....	3,025	3,081	3,025	---	-56
Office of the U.S. Trade Representative					
Salaries and expenses.....	51,251	53,041	51,251	---	-1,790
State Justice Institute					
Salaries and expenses.....	5,121	5,121	5,121	---	---
=====					
Total, title IV, Related Agencies.....	856,590	929,154	846,158	-10,432	-82,996
=====					
TITLE V - RESCISSIONS					
Emergency steel, oil gas guarantees prgm (rescission).....	-700	---	---	+700	---
NTIA, Information Infrastructure grants (rescission).....	-2,000	---	---	+2,000	---
NTIA, Public Telecommunications Facilities, Planning and Construction.....	-2,750	---	---	+2,750	---
Foreign Fishing Observer Fund (rescission).....	-350	---	---	+350	---
Digital TV Transition Public Safety Fund (rescission).....	-4,300	---	---	+4,300	---
DOJ, Working Capital Fund (rescission).....	-40,000	-26,000	-26,000	+14,000	---
DOJ, Assets Forfeiture Fund (rescission).....	-675,000	-675,000	-675,000	---	---
FBI, Salaries and expenses (rescission).....	---	-162,226	---	---	+162,226
US Marshals Service, salaries and expenses (rescission).....	-2,200	-14,400	---	+2,200	+14,400
ATF (rescission).....	---	-12,400	---	---	+12,400
ATF Violent Crime Reduction Program (rescission).....	---	-1,028	-1,028	-1,028	---
DEA, Salaries and expenses (rescission).....	-10,000	-15,600	---	+10,000	+15,600
FPS, Buildings and facilities (rescission).....	-45,000	-75,000	-64,700	-19,700	+10,300
Violence against women prevention and prosecution programs (rescission).....	-15,000	-6,000	-12,000	+3,000	-6,000
Office of Justice programs (rescission).....	-55,000	-43,000	-43,000	+12,000	---
Community oriented policing services (rescission).....	-23,605	-12,200	-12,200	+11,405	---
NASA (rescission).....	-30,000	---	---	+30,000	---
=====					
Total, title V, Rescissions.....	-905,905	-1,042,854	-833,928	+71,977	+208,926
=====					
Grand total.....	60,003,742	60,423,622	60,046,742	+43,000	-376,880
Appropriations.....	(60,709,647)	(61,466,476)	(60,880,670)	(+171,023)	(-585,806)
Rescissions.....	(-905,905)	(-1,042,854)	(-833,928)	(+71,977)	(+208,926)
Disaster relief category.....	(200,000)	---	---	(-200,000)	---
(by transfer).....	118,098	494,064	128,064	+9,966	-366,000
(transfer out).....	-118,098	-128,064	-128,064	-9,966	---
=====					

Mr. FATTAH. Mr. Chair, I yield myself such time as I may consume.

I want to start out first and foremost by thanking my colleague and the chairman of the subcommittee, FRANK WOLF, for continuing to be a model chairman for the Appropriations Subcommittee. He is a professional; he's principled, and he has involved us, the minority, in every level of the distributions as we've developed this bill.

I would also like to thank my staff and the committee staff on both the majority and minority side for their work on this bill, along with all those who have had input in it.

□ 1420

Now I start out in this process with a number of priorities. First and foremost in the science arena, neuroscience. And I want to thank the chairman—I will speak about it in some detail in a minute—but for his collaboration and this effort around brain research.

Manufacturing. We will talk about the support in this bill, the hundreds of millions of dollars to continue to position our country in terms of manufacturing. We now lead the world in manufacturing, and we want to continue that, but we have real competition that we have to contend with.

And then also in the area of steering our young people away from antisocial activity, youth mentoring. And the chairman, in the chairman's mark, as passed in the subcommittee and the full committee, and as we bring this bill to the floor, again makes significant improvements in our investment around youth mentoring.

So let me start with the Department of Commerce. There are healthy funding levels for research at NIST, the National Institute of Standards and Technology, and for the NOAA satellite programs, which are so important to our weather forecasting challenges as a Nation.

In the chairman's mark, he very wisely rejected the proposed cuts that were going to be made in both the technical capabilities and the personnel at the National Weather Service, including air quality and the tsunami warning system and wind profile measurements, in which we've already invested tens of millions of dollars as a Nation.

The bill provides funding at or near the requested level for the Department of Justice law enforcement agencies, including an increase above the request for the FBI and to augment its capabilities in terms of cyberinvestigation and surveillance. I know that all of the members of the committee and all of the Members of the House understand the very significant challenges that the country faces in terms of cybersecurity. And the chairman has appropriately focused resources in that regard.

The bill provides an increase for the Office on Violence Against Women grant programs. Of course these are programs that we are dealing with the

authorization of in a different part of our processes, but they are very important in terms of support for women who face abuse. And also, there's a small increase for Crime Victims Fund programs.

The chairman's mark in the bill, as passed from the full committee, provides a healthy increase for the National Science Foundation, the world's premiere national entity focused on basic scientific research.

The bill makes a strong commitment, as the chairman has noted, to NASA science and also fully funds the James Webb Space Telescope and makes a significant investment in commercial crew and in space technology. And even though I don't go as far as the chairman, I do support the idea that we need to move as rapidly as possible to this new focus on having American enterprise compete for opportunities to participate fully and at a much more cost-effective level in terms of our space exploration. The bill makes a significant increase in terms of future robotic missions to Mars, and we make a requirement in the language that this be part of a sample return mission, as the National Academy of Sciences' report indicates.

Due in some part to the limits on the allocation, there are a number of areas in the bill which we should try to improve as we move through this process. And we'll hear some of that in the amendment process, and we will do as much as we can in the conference process that will follow. But because this bill is based on the Ryan budget, it is less than the Senate counterpart, which was moved out of committee \$731 million higher in its allocation. This will have to be reconciled in this process.

I hope that as we go about that, we can look at the EDA, the Economic Development Administration, and look at the Census Bureau. And most importantly, to me, the Legal Services Corporation and the COPS program are areas where I hope that we are able to raise to additional levels of funding. The State and local grant programs also take a significant decrease off of what we would hope that they could be.

But I want to focus a little bit of my comments on the fact that in full committee, there were a number of non-financial items added to the bill. One related to firearms, another related to swimming pool regulations for the disabled. There are always going to be disagreements around regulatory issues, but I'm not sure that this bill is the appropriate place. In fact, I would suggest that this bill is not the appropriate place to try to reconcile those issues. And I'm sure that as we move through, there will be additional input as to how we might deal with this question.

But let me talk in some detail for a minute about some of the great initiatives that I think we were able to come to agreement on. And again, I want to thank the chairman and the staff. For

our country and for my caucus, there's nothing more important than manufacturing. And we see that the Manufacturing Extension Partnership receives \$128 million, with a special carve-out for the National Innovative Marketplace, a Web-like portal that will help our manufacturers compete for manufacturing initiatives at the Federal level. I think it's very important. The \$21 million requested by the President was met in this bill for a new Advanced Manufacturing Technology Consortia program at NIST. And also, we provide \$149 million to the National Science Foundation for their advanced manufacturing initiative.

We continue a program authorized under the America COMPETES Act that we funded last year to help small manufacturers bring technology onto the plant floor. And I would note that the chairman held, as his last hearing, a hearing on manufacturing. And I think it really brought light to the subject of what the country can and needs to do in terms of helping our manufacturers compete with competitors abroad and much larger countries that are trying to overtake us in terms of manufacturing.

I would like to personally thank the chairman for fully funding the Office of Science and Technology Policy in the White House, which has taken the lead in this neuroscience initiative that has been a bipartisan agreement to really try to build a collaboration of Federal agencies focused on some of the challenges that we have in terms of brain research, Alzheimer's, Parkinson's, autism, and addiction, which is a big issue for the chairman of our full committee, Chairman ROGERS, and for many of the people that we represent. There are issues related to traumatic brain injury affecting our veterans. So this collaboration is critically important, and I want to thank the chairman for fully funding that office, which is leading this effort, and the other important work that it does.

There is a lot more that I could say. Let me conclude, however, because we're going to spend a long time on the floor, and I will have plenty of chances to speak about the Youth Mentoring Initiative, which funds a variety of national groups that do work. But I think the shining light at the very top of the pyramid is the Boys & Girls Clubs, with some 4,000 clubs all across our country, on all of our military bases, and also in sovereign Native American reservations and lands, working with over 4 million young people, along with Big Brothers and Big Sisters and a number of other organizations which work to help American youth move in positive directions in their lives.

So I think that the bill that we bring to the House, even though it is not the bill in every respect that I would bring—and obviously there is room for improvement, and that's the part of the process that we'll go through on the floor and in conference—this is a bill that had complete unanimous, bipartisan support out of subcommittee

and was voice-voted out of the full committee. And I am happy to join my colleague, the chairman, as we present it now for House action.

I reserve the balance of my time.

Mr. WOLF. I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full committee.

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time.

I rise in strong support of this bill. This bill, the first for fiscal '13, marks one of the earliest starts to the appropriations process in recent memory, which is a good sign for moving all 12 bills before the September 30 end of the fiscal year.

□ 1430

I look forward to an open and transparent process as we consider each of the bills, staying faithful to our commitment to smart, reduced levels of spending to help do our part in controlling the Federal deficit.

I want to especially commend Chairman WOLF, Ranking Member FATTAH, members of the subcommittee, and my colleague and ranking member, NORM DICKS, and all of the staff who have hard work invested in this bill.

The Appropriations Committee has held more than 100 hearings and briefings since January, which helps us determine the best use of limited tax dollars that we must spread out over a great number of vital Federal programs, services, and Agencies. The Commerce, Justice, and Science Appropriations bill is in line with the House-passed budget resolution. It totals \$51.1 billion, which is \$1.6 billion below current level and below the pre-stimulus, pre-bailout level of 2008.

Within this total, the committee prioritized programs and services that:

One, protect our people from threats at home, abroad, and in cyberspace;

Two, that maintain the competitiveness of American industry and businesses; and,

Three, that encourage the scientific research that has kept America at the forefront of the world in innovation.

Some of these critical investments include \$8.3 billion for the FBI; \$468 million for the International Trade Administration; \$830 million for the National Institute of Standards and Technology; and \$2.4 billion for the Drug Enforcement Agency. In addition, this bill includes various provisions to promote freedom and liberty, while also fulfilling our moral obligation to the most vulnerable among us. The bill helps to uphold our Second Amendment rights; prevent violence against women; help victims of trafficking, and missing and exploited children; and bring under control our country's fastest-growing drug threat—the abuse of prescription drugs—which the CDC has now labeled a national epidemic.

We were able to fund these programs at adequate, responsible levels while cutting spending—including terminating 37 duplicative, unnecessary, or lower-priority programs.

Not all of these decisions were easy to make, and I know many of my colleagues will have amendments to offer as we debate the bill. But I am proud of the work that this committee and this subcommittee has done to ensure responsibility and sustainability in these Federal budgets. While making important reductions that curtail unnecessary overhead and wasteful inefficiencies, this bill makes judicious and sensible investments in programs that make America the great Nation that it is, an America that's safe and secure, an America that leads the way in scientific development and innovation, and an America that helps get its people back to work.

I urge my colleagues to support the bill, and I thank the chairman for yielding.

Mr. FATTAH. I yield such time as he may consume to the ranking member of the full committee, the gentleman from Washington State (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I thank Ranking Member FATTAH for yielding to me and for his hard work on this important bill.

As we begin the floor consideration of the first of the 2013 appropriations bills, I would like to state as a preface that I regret the majority's decision to not abide by the bipartisan Budget Control Act. Reducing the overall allocation for fiscal year 2013 by an additional \$19 billion I think is both unnecessary and economically unwise. I believe the reduced discretionary allocation in the Ryan budget threatens to stall economic growth and job creation, and in the near term it introduces uncertainty in our appropriations process that might imperil our ability to produce these bills in a timely manner.

That said, I remain committed to working collaboratively with the majority as we continue through the appropriations process this year because I remain cautiously optimistic that this reduced allocation is merely temporary. At the end of the process, I believe the House and Senate will come to an agreement that reflects the Budget Control Act level of \$1.047 trillion rather than the level of \$1.028 trillion that is based on the Ryan budget.

With regard to the bill before us, I want to thank Chairman WOLF, Ranking Member FATTAH, Chairman ROGERS, and their staffs for their hard work on this bill. The majority worked closely with our side to put this bill together, and there were many issues on which we were able to reach agreement.

While the level of funding in this bill may not be as low as a strict proportional reduction based on the Ryan budget, it is nevertheless not adequate to meet the needs in some areas. In comparison, the CJS bill in the other body has passed through committee with only one dissenting vote, and it is \$731 million higher than the House allocation. Clearly, there is significant bipartisan support for this higher allocation.

The House bill contains several funding levels that will be difficult for Democrats to support. The COPS hiring program is cut by 76 percent, even as State and local budgets continue to recover from historic losses in revenue. The Legal Services Corporation is also cut when it should be getting an increase, as has been proposed by the President and supported in the other body.

I'm also concerned that some important NOAA programs have been cut, in part to pay for necessary new satellites. While I support the development and deployment of new satellites, it is important that we find a way to pay for them without making such drastic reductions in other important NOAA programs.

Let me state that there were some very positive aspects of this bill. In particular, I want to thank the chairman and ranking member for funding the Pacific Coast Salmon Recovery Fund at this year's enacted level and for once again funding an increase to the Mitchell Act program. These are vitally important programs in the Pacific Northwest.

I'm also pleased that the subcommittee mark contains \$6.4 million for research in ocean acidification. The measurable increase in acidity in the world's oceans is already having an economic effect on the shellfish industry in the Pacific Northwest, interfering with the formation of the shells of oysters, mussels, clams, and other organisms, such as phytoplankton.

I also appreciate that this bill provides significant increases for our Federal law enforcement agencies, especially an additional \$23 million for the FBI to investigate cyberintrusions. The bill also includes an important increase in funding for youth mentoring programs, which provide crucial support to at-risk youth in underserved communities and also to military kids, many of whom are struggling to adapt to the multiple deployments of one or both parents.

I want to echo the words of Ranking Member FATTAH about the Boys and Girls Club of America. I find that the Boys and Girls Club have been one of the outstanding organizations and have done so much to help youth with their after-school programs.

I thank the gentleman, again, for yielding to me.

Mr. WOLF. I yield such time as he may consume to the chairman of the full Committee on Science, the gentleman from Texas (Mr. HALL).

Mr. HALL. I, of course, rise in support of H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013. This bill includes over \$30 billion for four key agencies under the Science, Space, and Technology Committee's jurisdiction: the National Aeronautics and Space Administration, the National Science Foundation, the National Institute of Standards and Technology, and the National Oceanic and Atmospheric Administration.

It's a very strong bill, and I want to commend the gentleman from Virginia, Chairman WOLF, for his continued passionate support for science and space issues in a challenging fiscal environment. Mr. WOLF is a true champion of science, and this bill is reflective of that. I also appreciate Chairman WOLF's work to address my concerns and priorities as chairman of the Science, Space, and Technology Committee, and want to highlight a few specific areas of importance to us in this bill.

□ 1440

With regards to NASA, this legislation recognizes the budget realities that we must confront by responsibly imposing measured reductions across the Agency's portfolio. Importantly, this bill maintains development of a new heavy-lift launch system and crew capsule. It maintains a healthy space science enterprise, continues to support innovative aeronautics research, and funds the administration's commercial crew program at the authorized level of \$500 million. Our committee will continue to provide oversight on the commercial crew program and work with the appropriators to support a program that has the best chance to succeed on schedule, with appropriate safeguards for the crew, and with the best use of taxpayer dollars.

With regards to the National Science Foundation, the modest increase for the Foundation is appropriate, as basic research and development play a critical role in our economic success. I strongly encourage NSF to broadly use this funding for fundamental research which keeps the United States at the very leading edge of discovery and not to blur this essential role with other initiatives that are best left to the private sector.

Chairman WOLF has also worked to sustain the programs of the National Institute of Standards and Technology, NIST, that directly benefit our Nation's competitiveness. The critical link between fundamental measurement science and our economic success allows NIST to innovate new ways to help U.S. companies excel within a global marketplace and create high-paying jobs.

With respect to NOAA, I thank Chairman WOLF for his continued strong support and oversight of NOAA's satellite programs and for his efforts to restore balance to NOAA's research portfolio. The bill does this, in part, by redirecting the administration's proposed significant increases for climate science to higher priority weather research that will help to protect lives and property through improved severe-weather forecasting. This topic is important to all regions of our Nation and, most recently, to northeast Texas, where an outbreak of tornadoes and severe weather in April caused significant damage to homes and property, including in my home county in Royse City. Regarding these

weather research priorities, I hope to work with you as the bill moves to conference to preserve and enhance this particular NOAA priority.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, April 17, 2012.

Hon. FRANK WOLF,

Chairman, Commerce, Justice, Science and Related Agencies Appropriations Subcommittee, House Appropriations Committee, U.S. Capitol, Washington, DC.

DEAR CHAIRMAN WOLF: On April 2, President Obama delivered a speech highly critical of the recently passed House Republican budget. The speech included the direct and serious charge that approval of the Republican budget will result in degraded storm warnings. Specifically, the President stated: "Over time, our weather forecasts would become less accurate because we wouldn't be able to afford to launch new satellites. And that means governors and mayors would have to wait longer to order evacuations in the event of a hurricane."

I object to the President's characterization of this issue, and believe it is important that we set the record straight with respect to the origin, outlook, and mitigating options associated with the potential weather satellite data gap referenced by the President. More importantly, I would like to work with you in our respective leadership roles on the relevant authorizing and appropriating Committees to redirect questionable priorities in the President's budget and place a greater emphasis on saving lives and property through improved weather forecasting. Recent tornado outbreaks across the country—including in and around my Congressional district and Northeast Texas—serve as a reminder of the importance of accurate and timely severe storm forecasts.

As you know, the Science, Space, and Technology Committee's fiscal year 2013 (FY13) Views and Estimates (V&E) communicated general concerns with and recommendations regarding the President's budget request for the National Oceanic and Atmospheric Administration (NOAA). These views were delivered to the Budget Committee on March 9, 2012. However, in light of the President's remarks, as well as NOAA's failure to send Congress its budget until March 19—ten days after the Budget Committee V&E deadline—I believe it is important to reiterate and expand upon key concerns with the President's budget.

Regarding the President's suggestion that the Republican budget will result in a satellite data gap, the Committee views explicitly addressed this issue, noting:

[T]he Committee remains extremely concerned about the potential for a data gap between the time that NPP expires and the first JPSS satellite is launched in 2018. Furthermore, the Committee does not agree with NOAA's characterization of the gap as a result of insufficient funding in prior fiscal years. For years, this program and its predecessor have been plagued with cost overruns, poor management, agency infighting, technical problems and contractor mistakes. The program restructuring in 2010 increased costs and delayed the program schedule. Furthermore, in the two years since the Administration announced the separation of the original program, NOAA has not re-baselined the JPSS budget as required under P.L. 110-161 and P.L. 109-155. This inaction and delay is troubling, and significantly hinders the Committee's ability to conduct proper oversight and undertake a complete assessment of the program's future. Additionally, the Committee is extremely concerned that NOAA has not developed a viable plan for ac-

quiring necessary data if the gap materializes as expected. The Committee recommends an immediate focus on such an effort and believes that any such plan should be developed in a scientific manner, utilizing the resources and expertise of other NOAA line offices.

These concerns remain and provide important context to the President's misleading charges. Additionally, it is important to note that while the Joint Polar Satellite System the President refers to is a key component of two- to five-day forecasts, significant increases in warning times for tornadoes must come from better models, advanced radar technology, and more measurements from ground-based and aerial sensors that directly measure wind speed, direction, temperature and moisture. These relatively inexpensive Earth-bound observing and computing systems provide the most vital information for severe storm forecasting, and are unfortunately the types of systems President Obama is actually proposing to cut.

Finally, I believe the President's request misses critical opportunities to advance much higher priority weather-related research and technology development that will increase the accuracy and timeliness of severe storm forecasting, ultimately improving protection of American lives and property. Instead, the Administration has chosen to direct virtually all of its \$29 million (7.6 percent) increase for Oceanic and Atmospheric Research to climate research. In fact, proposed FY 2013 climate spending of \$213 million is over \$60 million more than the level approved by your Subcommittee in last year's House-passed appropriations bill.

Simply diverting some of this increase for climate research to research on Earth-based observing systems and development of weather forecasting innovations would greatly improve allocation of taxpayer resources and pay important dividends to the country. In particular, I recommend a shift of funding of \$13 million to the President's anemic weather research request of less than \$70 million for the following four areas:

1. Unmanned Aircraft Systems (\$6 million), which will allow for testing and use of instruments to significantly enhance atmospheric observations, particularly in severe weather such as hurricanes and tornadoes.

2. Graphic Processing Unit (GPU) supercomputing R&D (\$5 million) to enable weather forecast models to run much faster and more accurately with significantly greater detail.

3. Weather radar advanced algorithm and software development (\$2 million) to maximize the utility and use of new dual-polarization radar hardware capabilities.

4. Observing System Simulation Experiments (OSSEs \$3 million) to objectively and quantitatively assess the potential benefit of alternative weather data systems to improve global weather prediction, hurricane track intensity and forecasting, tornado warning times, and the prediction of local severe storm outbreaks. At a recent SST Committee hearing, a broad cross-section of stakeholders recommended NOAA fund OSSEs to better guide weather data system decision-making and also inform options associated with minimizing the loss of forecast accuracy in the event of continued satellite launch delays and resulting gaps.

Although I support maintaining resources for important climate research activities such as the National Integrated Drought Information System, I would also recommend an additional shifting of funding of \$10 million from climate research to the National Weather Service to fund observing systems such as the NOAA Profiler Network and the National Mesonet. These on-the-ground systems have already proven vital for providing

data increasing the accuracy of short-term weather forecasts and severe storm warnings.

Taken together, these initiatives, with a small relative cost paid for by simply diverting a portion of the President's requested increase for climate research, could provide tremendous returns in terms of lives saved, out-year budget savings and the avoidance of billions of dollars in property loss and damage.

Thank you for considering this important request. I look forward to working closely with you as you develop and advance the FY13 Commerce, Justice, Science, and Related Agencies appropriations legislation.

Sincerely,

REP. RALPH M. HALL,
Chairman.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlelady from the great State of Ohio (Ms. KAPTUR) who is a senior member of the House Appropriations Committee.

Ms. KAPTUR. I thank Ranking Member FATTAH for yielding me this time.

Mr. Chairman, I reluctantly rise today to oppose the fiscal year 2013 Commerce, Justice, Science and Related Agencies appropriations bill, but I want to commend Chairman WOLF and Ranking Member FATTAH for their truly diligent work on this bill.

The bipartisanship shown during the markup of the bill was remarkable in today's political climate and a tribute to both Members' willingness to compromise in order to move legislation forward, doing the work we were sent here to do.

I would also like to thank the Appropriations staff for their hard work on the first fiscal year 2013 bill the House will consider. From my perspective, the Appropriations staff is the hardest working committee staff in Congress and deserves recognition for all their efforts.

Mr. Chairman, the legislation we are considering today fails to make the necessary investments to promote economic growth in jobs across this country. It also fails to provide significant resources for law enforcement officials, particularly local law enforcement, as they face difficulties from austerity cutbacks by State and local governments.

The total funding for this bill is the result of the Republican leadership breaking the agreement made in the Budget Control Act. The agreed-upon funding levels were an attempt to get our fiscal house in order in a fair and balanced way. It is unfortunate that the Republicans are going back on their word and slashing funding for programs that create jobs and support law enforcement.

Importantly, funding cutbacks for the Economic Development Administration fail to meet President Obama's request for that important initiative to strengthen America's manufacturing base.

In addition, the underlying bill fails to provide State and local law enforcement with the Federal support they deserve. Cutting nearly \$400 million from State and local programs at the De-

partment of Justice is not only unacceptable but dangerous, in my view.

A particular concern for me is the lack of resources provided to meet the President's request for additional funding to combat financial and mortgage fraud. The President requested additional resources for the FBI, the Criminal Division, Civil Division, Civil Rights Division, and U.S. Attorneys. Less than half of the funding requested for the FBI is provided in this bill. No other funding is provided to investigate and prosecute financial and mortgage fraud.

The CHAIR. The time of the gentlewoman has expired.

Mr. FATTAH. I yield the gentlelady an additional 30 seconds.

Ms. KAPTUR. I thank the gentleman.

Let me just state for the record that the average return on investment for one corporate fraud agent was approximately \$54 million over the last 3 years in fines and restitution that they get back for our taxpayers because of their work. What a tremendous return on investment that is for every taxpayer dollar, recovering those funds from combating financial and mortgage fraud makes total common sense.

Finally, I oppose the provision in the bill that repeals existing prohibitions on reductions in force at NASA. There was an agreement we reached as a Congress on how to do that. This bill does not conform to that restructuring proposal.

For these reasons, I oppose the bill in its current form and, again, commend Chairman WOLF and Ranking Member FATTAH for bringing us to this point.

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, I rise today for the purpose of a colloquy with the chairman to discuss the importance of assessing our global competitiveness in manufacturing through an online tool that will calculate the costs of manufacturing in the United States versus overseas. I would like to recognize and thank the chairman for including the online manufacturing tool in last year's Commerce, Justice, and Science Appropriations Act.

On the Energy and Commerce Committee, we've been working to find ways to highlight the shift in U.S. manufacturing competitiveness. According to a recent analysis by the Boston Consulting Group, China's overwhelming manufacturing cost advantage is shrinking, and by 2015, the cost gap between the United States and China will virtually close.

Companies need to reassess their manufacturing strategy with a rigorous analysis of the costs for manufacturing overseas compared to the cost in the United States. I'm excited by the online tool that will be developed by the Department of Commerce to assist U.S. companies in determining the costs of manufacturing

overseas, and I commend the chairman for his work in promoting U.S. competitiveness.

Mr. WOLF. Will the gentleman yield?

Mr. KINZINGER of Illinois. I yield to the gentleman.

Mr. WOLF. I want to thank you, Mr. KINZINGER, for your work and for bringing up this important topic.

The Department of Commerce can play a pivotal role in educating companies on the benefits of manufacturing in the U.S. We need to ensure that the Department is using innovative tools such as online calculators to assist companies. This online tool has the potential to not only educate companies but also provide clarity in advantages and disadvantages of manufacturing in the U.S.

Also, I think people ought to know this is not only a tool; this is almost a moral issue. We just went through and had hearings with Congressman CHRIS SMITH when Congress was away. The country of China had Chen and beat up his wife and did a lot of other things. So not only is it this issue, it is a moral issue. And Apple, if you have an iPad, it is made in China; iPhone, made in China; iPod, made in China, and those jobs ought to be coming home. So we also have language in there to provide for grants to repatriate, to bring these jobs back.

China is a trouble. They have a one-child policy. Fifty million men cannot find wives. They have corruption in the military, and they are unraveling. And this is a great opportunity, using this tool, but just for the American manufacturers to come home, to come back to the United States. So I thank the gentleman for raising the issue.

Mr. KINZINGER of Illinois. Reclaiming my time, I thank you and I look forward to it, and I appreciate your leadership on this issue.

Mr. FATTAH. Mr. Chairman, I am glad there is a recognition of the importance of manufacturing, and the chairman has done a yeoman's job in making sure we, in a number of ways, attack this.

I would like to yield 3 minutes to my colleague on the committee, the gentleman from New York (Mr. SERRANO).

□ 1450

Mr. SERRANO. I thank the gentleman for the time.

First of all, I'd like to congratulate Chairman WOLF and Ranking Member FATTAH for their work, but especially for their continued desire to work together, to work in a bipartisan fashion to bring about this bill that's on the floor today.

Now, for those of us on our side, we know that there are folks on the other side that speak only about budget cuts, but when it comes to Chairman WOLF, there is a desire to balance the desire of having those budget cuts along with making sure that these bills in fact accomplish servicing the American people.

So I stand ready with the ranking member to be supportive of this bill,

with the understanding that there are two things that have to happen that are very serious to that final vote. One of them is a continued commitment that as this process goes along we will work to make the bill better than it is now, and that we will work to remedy those situations that exist within the bill now that need to be taken care of.

Secondly, that in the large and, perhaps, vast amendment process that we will have—which is a good sign of being able to have this kind of an open rule—the bill doesn't get brought back to a situation where some of us cannot be supportive of it. I single out, for instance, just two agencies that need betterment, and not necessarily to be destroyed. That's the Census Bureau and the Legal Services Corporation. Both of those agencies serve a vital purpose in our society. They come under heavy attack on so many occasions. I think it's important to know that many of us will be looking to make sure that we don't step back even further than the bill speaks to now on these two agencies, and as I said before, that we work jointly to make the bill even better than it is today, but understanding fully the work that Chairman WOLF and Ranking Member FATTAH have done during this period of time is important to me and important to many members of this committee, and of the whole House.

Mr. WOLF. I yield to the gentleman from Kansas (Mr. YODER) for such time as he may consume.

Mr. YODER. Mr. Chairman, I rise today in support of the Commerce-Justice-Science 2013 appropriations bill, our first appropriations bill of the upcoming fiscal year. I'd like to commend the chairman and Members of both parties in their efforts to put together some bipartisan reforms in this legislation, and also to find ways to reduce spending to get our national debt back in line.

Like many Americans, I am concerned about the national debt crisis facing this country—almost \$16 trillion now in national debt that we've racked up; that is a factor now—and the economic decisions we have to make every day in this country. It will be a burden that we'll pass on to our kids and grandkids for generations to come. So any opportunities that we have to reduce spending and find ways to get our budget back in line should be supported by this Congress as we attempt to become fiscally responsible.

We've had a spending epidemic in this city for far too long, many times not finding any cure on this House floor and no support for reducing spending. So I want to commend the committee for actually reducing spending in this legislation below the 2008 levels, below the pre-stimulus levels, to try to put us back on a track towards fiscal responsibility.

It used to be in Washington the idea that a spending cut was not getting the amount of increase that you requested. You requested a 3 percent increase, you

only got a 2 percent increase, and an agency felt they were cut. So we're turning that on its head. We're changing the course of business in this town and actually reducing spending from one year to the next, and it's a good first start. Certainly, there are many miles to go and additional reductions to make in all areas, but this legislation heads us in the right direction, and it does so in a responsible way. Not only does the legislation reduce spending, but it re-prioritizes spending to those things that have the greatest value to the American people and make the greatest impact on the economic challenges our country is facing.

Not only does it increase support for the FBI and different law enforcement agencies, but it also supports the National Science Foundation with an increase in spending, the Commerce Department, and our Trade and Patent Offices, those types of bottleneck agencies that make a difference on whether small business owners, entrepreneurs can create jobs and grow and expand the economy.

So we need to get Washington out of the way and create these efficiencies, and this legislation goes in the right direction towards cleaning up some of those problems and supporting the programs that have the greatest impact by re-prioritizing spending.

So if you're focused like I am on reducing spending, like many Americans are on this national debt crisis, but you also want to see Washington spend less resources on endless bureaucracy in Washington, D.C., and more on the types of programs that help Americans back home, this is the right type of legislation; it strikes the right balance.

My hope is that the two political parties can work together to support this legislation. Let's get it moving. And let's start producing the types of priorities and the types of bills that the American people want to see us continue to work on, continue to see us be productive on, working together to reduce the national debt, reduce spending, but finding ways to re-prioritize spending on those things that matter most.

I'd like to commend the chairman and the committee for working together.

Mr. FATTAH. I would note that the chairman and I are both in a significant minority on this floor in voting for the Bowles-Simpson proposal, so we're for a balanced fiscal approach, but we also know that we have to make important investments.

I yield such time as he may consume to the gentleman from the Commonwealth of Massachusetts (Mr. KEATING) to enter into a colloquy on an important matter related to marine science.

Mr. KEATING. I thank the gentleman from Virginia for his leadership and his willingness to preserve resources for marine mammal stranding response in the fiscal year 2013 Commerce-Justice-Science appropriations bill.

I understand that the House Report 112-463 includes language encouraging NOAA to maintain funding for essential marine mammal stranding grants. The competitive Prescott Marine Mammal Rescue Assistance grant program is a cost-effective, community-oriented program that works with stranded mammals, enables the collection of data to prevent future strandings, and deals with the practical dilemma communities face with beached dolphins weighing 200 to 500 pounds, as well as with right whales.

Based on conversations with the chairman and ranking member, I will not be offering my amendment specifying this grant at this time. I look forward, rather, to working with the gentleman from Virginia towards inserting this language in conference.

Mr. WOLF. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. WOLF. I thank the gentleman from Massachusetts for raising the issue, and I promise we will work with him and our colleagues in the Senate during the conference to ensure an adequate level of funding for this program.

Mr. WOLF. I reserve the balance of my time.

Mr. FATTAH. I yield 2 minutes to my fraternity brother, the gentleman representing the great State of Michigan (Mr. CLARKE) to talk about the importance of science and STEM-related education.

Mr. CLARKE of Michigan. Thank you, Chairman WOLF and Ranking Member FATTAH, members of the greatest fraternity there is.

As a member of the Science, Space, and Technology Committee that authorizes the National Science Foundation, I wanted to thank the leaders of this budget for fully funding the National Science Foundation's education budget according to the President's recommendation. This is going to help us provide more education to our young people, especially youth from the inner city, who very rarely get a chance to be educated in the areas of science, technology, engineering, and mathematics, because this is the only way—one of the most powerful ways—that our young people can get the education and training that they need to get good-paying jobs.

This funding in this budget will help centers such as the Detroit Science Center better reach out to these young people. And we're looking forward to the soon reopening of the Detroit Science Center. Again, we thank this budget for the support of the National Science Foundation, which will be able to help provide resources on a competitive basis to centers around the country such as the Detroit Science Center.

Mr. WOLF. Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. On behalf of the Democrats, I yield back the balance of our time. We have no further speakers.

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

Mr. FALCOMA. Mr. Chair, I am in strong support for funding the National Sea Grant College Program in H.R. 5326, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

First, I want to commend the Administration and my colleagues in the Congress for not making any significant budgetary changes for our National Sea Grant College Program, or Sea Grant, given our budget limitations and push for fiscal responsibility.

The National Sea Grant College Program, through the National Oceanic and Atmospheric Administration, continues to play a significant role in the stewardship of our lakes and oceans. Our coastal communities have continued to work closely with Sea Grant's national network of more than 30 universities in all parts of the U.S., including our Territories. Like our land-grant universities, Sea Grant conducts research, training, and extended science-based projects that are beneficial for the conservation and use of our aquatic and coastal resources. I strongly believe that we as a nation are not investing enough in Sea Grant as we have done so with land-grant universities.

In the last decade, the U.S. has imported an astonishing almost 20 million tons of seafood from around the world. I feel that this is an opportunity, through the many training and research programs by Sea Grant, we can continue to diversify and support a more sustainable seafood supply. Sea Grant also prepares and supports our local communities by providing the necessary data and scientific information so that they may be able to make sound decisions that would provide for better water quality, more sustainable and healthy ecosystems, or adaptation to climate change.

I want to recognize the positive strides Sea Grant has made not only in our Territories but also our coastal and Great Lake states. I urge my colleagues to support funding for our National College Sea Grant Program.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, funding for research, innovation, and STEM education is an investment in our future, perhaps one of the most important investments we make as a nation. China, the European Union, and many other countries understand this and are poised to surpass the United States in innovation capacity and in the creation of a highly skilled 21st century workforce, if they have not already. According to an analysis carried out by the Information Technology and Innovation Foundation, the United States ranks second to last of the 44 countries and regions analyzed in terms of progress in innovation-based competitiveness over the last decade. It used to be that the world's best and brightest flocked to our shores. Now many of our own best and brightest are finding better opportunities in other countries, and we are losing our edge in the competition for top talent from around the world.

In 2007, and again in 2010, the U.S. Congress enacted legislation—the America COMPETES Act—that recognized the importance of increased investment in research, innovation, and STEM education. The funding trajectories we put forth in those bills were developed while our budget situation was healthier than it is today. While falling short of the authorized levels, we nevertheless have still

managed to come together on a bipartisan basis with the Administration to ensure that funding for scientific research remains relatively unscathed as many other important programs and initiatives suffer deep cuts. This is particularly the case with the CJS bill before us today. I want to thank Chairman WOLF, Ranking Member FATTAH, Chairman ROGERS, and Ranking Member DICKS and for their support for funding science and STEM education even as they made very difficult cuts in other worthy programs.

In particular, I want to commend the Appropriators for their enduring support for the National Science Foundation. The NSF is the only agency to fund basic research across all of science and engineering, and its support for education research has transformed the way we think about teaching and learning. The returns on our 65-year investment in the National Science Foundation include such critical discoveries as the hole in the ozone layer and the warming of the Arctic and such inspiring discoveries as new planets in the cosmos above and breathtaking creatures in the deep seas below. Our relatively modest investments have also led to such economically important technologies as fiber optics, the bar code, computer-aided design, cloud computing, and to a large extent the internet. But perhaps NSF's most important investment is the investment it makes in human capital—both in the great scientists and innovators of tomorrow and in the workforce at all levels that will fill the jobs that would not be possible without those scientists and innovators.

While I am very pleased with the overall funding levels proposed for NSF, I do want to make a couple of specific comments. First, in their report on NSF, the Appropriators raise a few important oversight issues, especially with respect to management of research facilities. The Science, Space, and Technology Committee is undertaking a series of oversight hearings in preparation for a reauthorization of NSF next year. We've already held two hearings this year focused solely on facilities. I look forward to working with the Appropriators as we refine our own guidance to the agency through a careful and deliberative process. Second, I remain concerned that the agency continues to flat-fund its broadening participation programs and is now proposing a significant cut to its informal STEM education program even though the National Academies found that out-of-school learning provides a special opportunity to provide science learning experiences for millions of students who don't have access to such experiences in their under-resourced schools. We can't afford to continue leaving behind such a large and growing percentage of our brainpower. Given the overall growth in the Education Directorate proposed in this bill, I hope we can work together to ensure that NSF does not let up in its commitment to broadening participation in STEM.

Turning to NASA, it is clear that NASA is a critical part of the nation's research and development enterprise, as well as being a source of inspiration for our young people and a worldwide symbol of American technological prowess and good will. We need NASA to succeed. While fiscal challenges require difficult decisions, those decisions should not come at the expense of losing critical capabilities.

I'm pleased to see that the House bill restores a portion of the 21% cut to our plan-

etary exploration program—a program that has been a highly successful scientific undertaking that has captured the imaginations of people around the world. Planetary science has also been an increasingly international effort, especially in plans for future Mars exploration. The rationale to back out of our plans for Mars collaborations with Europe was never clear, and this restoration of planetary funding provides the opportunity to resume our engagement in that effort and sustain critical U.S. capabilities.

Regarding the Commercial Crew development program, I have witnessed the enthusiasm from aspiring commercial crew companies testifying before the House Science, Space and Technology Committee and I wish them well. But as a steward of the taxpayers' dollars, I cannot let enthusiasm override the need for hardheaded oversight. NASA has yet to provide Congress with a convincing explanation of why it reversed course and scrapped its plan to use FAR-based contracts—contracts that allow NASA to ensure that its safety and performance requirements are met for whatever systems it funds—in favor of agreements that cannot mandate that safety requirements be met. We don't have the luxury of paying for a “hope for the best” strategy that risks having us pay more down the road the problems that inevitably arise when that hope-based approach collides with reality. That is why I support a commercial crew development approach that returns to FAR-based contracts as soon as actionable.

I am pleased that the House bill provides increases for the Space Launch System and Multi-Purpose Crew Vehicle—also known as Orion—over the amounts in the budget request, although even these levels are significantly below authorized amounts. It is essential that both the SLS and Orion remain on track for planned flight tests in 2014 and 2017. With respect to Orion, I hope that by the time the House and Senate have completed their negotiations on this appropriations bill, funding for that important capability will be at least at the level in the Senate's Committee-passed. We need to ensure that the development of Orion includes sufficient funding to enable preparations for its use as a back-up or alternative to commercially provided crew and cargo transportation in a timely manner in the event those commercial vehicle programs are delayed.

With respect to NOAA, I am pleased to see the CJS appropriations includes the full requested level of funding for the Joint Polar Satellite System, JPSS. It is vitally important that during a time where every region of this country is experiencing various extreme weather phenomena, we ensure that we make the needed investments in our premier weather and climate observational and forecasting tools. This year alone, this country has witnessed in every region and on every coastline some of the most extreme, record-breaking weather events. We must ensure that Americans are provided accurate short—and long—term weather forecasts—forecasts that are critical to saving lives and properties and to making informed plans.

Finally, I am very pleased that the bill before us today recognizes the important role that the National Institute of Standards and Technology plays in fostering innovation and industrial competitiveness. In this bill, NIST's research budget receives a level of funding that

will allow it to continue its important work with industry to advance the nation's technology infrastructure. I am also pleased that the research budget, along with a decision to continue robust funding for the Manufacturing Extension Partnership program and to initiate funding for the promising Advanced Manufacturing Technology Consortia program, will help U.S. manufacturers compete and flourish in the global marketplace.

One of the keys to our ability to grow the economy for the future lies in our ability to spur innovation-based economic development in regions throughout this country. The America COMPETES Reauthorization Act of 2010 recognized how critical regional innovation is to our competitiveness and authorized a regional innovation program at the Economic Development Administration. This program built on initiatives already underway at EDA, but provided the agency with the tools and flexibility that it needed to ensure the biggest bang for its buck by funding the projects with the greatest innovative potential. I am disappointed that this bill does not follow the Senate's lead by providing a separate line item of funding for this regional innovation program. If our shared goal is to promote innovation and economic growth, we should fund these activities under the program that was developed specifically with this goal in mind and not continue to require these activities to be funded through programs that were developed for other economic development purposes.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment who has caused it to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2013, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10

years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$467,737,000, to remain available until September 30, 2014, of which \$9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than \$11,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

□ 1500

AMENDMENT OFFERED BY MR. PETERS

Mr. PETERS. I rise to offer an amendment on this paragraph.

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert "(increased by \$9,000,000)".

Page 65, line 1, after the dollar amount, insert "(reduced by \$17,000,000)".

Page 76, line 16, after the first dollar amount, insert "(increased by \$1,790,000)".

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

Mr. PETERS. Mr. Chairman, there's a lot of talk here in Washington about the need to cut our budget deficits; and while that is certainly true, we also need to be talking about another deficit, and that's our country's trade deficit.

Last year, the United States ran a trade deficit of \$558 billion. If you look just at the trade in goods, this number jumps to an astounding \$737 billion.

According to a recent report by the Economic Policy Institute, the growth in the U.S. trade deficit with China alone has led to the loss of almost 3 million American jobs in the last 10 years.

Too often, the U.S. opens its markets to foreign competition without reciprocal access. And while we play by the rules here in the United States, other countries impose unfair tariffs, duties, and technical barriers, and even use techniques like currency manipulation to game international trade rules.

China aggressively uses trade policies, including currency manipulation, to protect and subsidize their domestic industries, while undermining American companies. In response to the World Trade Organization case that the United States brought against China, the Chinese Government recently im-

posed new retaliatory duties on American-made vehicles which are clearly in violation of WTO requirements.

Additionally, China consistently advances policies to force technology transfers from non-Chinese companies and obtain the intellectual property that drives these advanced technologies. China has also used these policies to help gain an advantage in a number of different industries, including wind turbines and water purification.

Given the aggressive actions taken by China and other countries, we simply cannot afford not to use every tool at our disposal to combat unfair trade practices. This is why Representative MICHAUD and I have joined with our colleagues from across the aisle, Representatives MCCOTTER and LATOURRETTE, to put forward a bipartisan amendment to fully fund the new Interagency Trade Enforcement Center, or ITEC.

President Obama created ITEC to enhance the administration's capabilities to proactively challenge unfair trade practices around the world, including in China. ITEC represents a new, aggressive "whole-of-government" approach to addressing unfair trade practices and will serve as the primary forum within the Federal Government for executive Departments and Agencies to coordinate enforcement of international and domestic trade rules.

It is now up to us here in Congress to fund ITEC and give it the teeth it needs to aggressively attack unfair and illegal foreign practices. It is certainly a step in the right direction that the Appropriations Committee provided \$15 million of the requested \$26 million in funding for ITEC to get it off the ground. But with our Nation running a half-a-trillion-dollar trade deficit, now is not the time for half measures.

We must do everything possible to level the playing field for American workers and American companies. Our budget-neutral, bipartisan amendment will fully fund ITEC by making a small reduction in the Cross Agency Support in NASA, an item funded at \$2.84 billion. This amounts to a reduction of less than sixth-tenths of 1 percent for this item. And while I certainly support NASA, this reduction does not come from their core budget items of education, exploration, or aeronautics.

American workers are the best in the world, and they can out-compete anybody, but Congress must pass legislation to ensure that they compete on a level playing field.

Whether you believe in aggressively moving forward with additional trade agreements, or you believe that we need to rethink American trade policy, we should all agree that we cannot and must not let foreign governments cheat because when they do, American workers and American firms lose.

A vote against this commonsense amendment is a vote to allow China and other nations to continue gaming international trade laws. Stand up for American workers. Fully fund ITEC,

and vote “yes” on the Peters-McCotter-Michaud-LaTourette amendment.

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

The Acting CHAIR (Mrs. MILLER of Michigan). The gentleman from Michigan is recognized for 5 minutes.

Mr. MCCOTTER. I rise in support of the bipartisan Peters-McCotter-Michaud-LaTourette amendment to fully fund the Interagency Trade Enforcement Center.

Common sense is afoot. I know the novelty is frightening to many in this Chamber. However, let us start by examining some of the premises behind this necessary amendment.

First, despite what many claim, we do not live in a period of time where we have free trade. We live in a period of time of negotiated trade; and, as such, trade must be reciprocal, not suicidal.

The United States, throughout our lifetimes, has been the economic engine of the world. It has remained so because we are a free people, free to engage in contracts, free to engage in research and development, free to innovate, free to manufacture, free to show the world what we can achieve economically as well as politically.

What this amendment will do is something that is a long time coming. It is to treat other nations’ unfair trade practices as a comprehensive problem. No more Whack a Mole, no more pretending the problem doesn’t exist. What we need to do is, quite simply, take a “root and branch” approach to those mercantilist countries whose own oppression leads to the lack of necessary freedom for their people to be able to achieve and compete with the United States.

A refusal to support this amendment simply shows that we will continue to go on the same old tired path of watching the best workers and the best entrepreneurs in the world be cheated out of their pursuit of prosperity, and us all be cheated out of a healthier, more vibrant economy.

I urge my colleagues to embrace this bipartisan, this common sense, so that, together, we can strike a blow for free and fair trade and protect American jobs by allowing for free and fair competition amongst nations.

I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

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

Mr. WOLF. The bill already includes important increases for trade enforcement, including \$15 million for the Interagency Trade Enforcement Center, an increase of nearly \$11 million.

We pushed Kirk to add Chinese speakers. He wouldn’t even do it. He wouldn’t even do it. We have pushed him to do it.

This is a bad amendment. The offset is a problem. Sometimes you can come here and be for one thing but also want to protect the other.

The Cross Agency Support Account is not free money that can be cut without consequences. The committee has already extracted more than \$150 million of savings from this account relative to fiscal year 2012, and NASA will not be able to absorb the additional reductions through efficiencies.

NASA has already been cut. Now we want to cut it more. These cuts will include critical programmatic functions. These are the functions that they want to kind of cut in there. Cybersecurity, cybersecurity to fend off relentless attacks by China. Their computers have been hit. While NASA is a civil Agency, much of its technology also has military applications, and protecting this information is a national and economic—that area they will be taking money from that.

Human space flight safety oversight. We learned the hard way on the *Challenger* and *Columbia* tragedies that relentless attention to safety is necessary. Cuts to this account could hamstring NASA’s efforts to minimize the risk of loss of life or property.

Verification and validation of mission-critical software that operates the satellites and the space station. We spend billions of dollars on these space projects, and those investments could easily be wasted by fundamental software errors if such software isn’t rigorously tested.

□ 1510

This account also deals with medical support services to keep the astronauts and ground workers healthy. Many NASA employees work regularly in hazardous environments, and I don’t want to be responsible for endangering them. The procurement account, which is the operation of agency-wide testing, is a big source for jobs. It funds nearly 10,000 contractor workers, and nearly 8,000 are government employees, FTEs, who carry out these activities.

This cuts vital, important things for NASA. If you want to cut NASA, then you ought to cut this. If you support sticking it to NASA and cutting NASA—if you’re against the Orion, if you’re against the commercial crew, if you’re against all the things they do for space safety—support this amendment. If you want to protect NASA, then I urge you to oppose this amendment.

Lastly, I take a backseat to no one in this body in criticizing the Chinese Government. Frankly, this administration has been weak in aggressively pushing with regard to trade and things like that. We forced and urged and told Kirk to put Chinese speakers on. We put the money in for Chinese speakers when they didn’t ask for it.

If you want to protect NASA, I urge a “no” vote on the amendment, and I yield back the balance of my time.

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

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

Mr. FATTAH. In part, I rise out of a desire to have my cake and eat it, too.

I agree with the gentleman, Mr. PETERS, that trade enforcement is critically important. This administration has put a premium on it in that regard, bringing case after case—the tire case—against the Chinese. We could go through the laundry list. There is an \$11 million increase embedded in the bill, as it has come to the floor, over last year’s appropriation. I am not sure you can find a part of this budget in which there has been a more significant increase. However, it is not at the level of what the administration had requested.

I could support moving additional dollars in this direction, but this target of the Cross-Agency account at NASA, which we’re going to see repeated dozens of times on the floor, I think is not the appropriate way to go. We don’t want to rob our space agency of the important resources it needs to protect our astronauts, to protect its cybersystems. We have to be careful here.

So I would say to the gentleman that, no matter what the result on the amendment, I will be glad to work with him as we go forward in the conference to try to find additional resources for trade enforcement. I think this administration has done a great job in fighting the good fight, but they do need the resources. The chairman has provided \$11 million in additional resources, but if we can find a few more dollars in that direction, I think it’s a worthy investment.

I yield back the balance of my time.

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

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

Mr. WOLF. Madam Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert “(reduced by \$13,748,940)”.

Page 4, line 21, after the dollar amount, insert “(reduced by \$2,019,990)”.

Page 6, line 7, after the dollar amount, insert “(reduced by \$1,125,000)”.

Page 6, line 18, after the dollar amount, insert “(reduced by \$860,670)”.

Page 6, line 23, after the dollar amount, insert “(reduced by \$2,880,000)”.

Page 7, line 5, after the dollar amount, insert “(reduced by \$7,600,080)”.

Page 7, line 20, after the dollar amount, insert “(reduced by \$1,367,040)”.

Page 11, line 11, after the dollar amount, insert “(reduced by \$18,635,190)”.

Page 13, line 2, after the dollar amount, insert “(reduced by \$89,051,130)”.

Page 13, line 14, after the dollar amount, insert “(reduced by \$89,051,130)”.

Page 13, line 15, after the dollar amount, insert “(reduced by \$89,051,130)”.

Page 17, line 6, after the dollar amount, insert “(reduced by \$1,650,000)”.

Page 21, line 23, after the dollar amount, insert “(reduced by \$3,309,660)”.

Page 22, line 23, after the dollar amount, insert “(reduced by \$383,160)”.

Page 23, line 9, after the dollar amount, insert “(reduced by \$25,901,010)”.

Page 26, line 14, after the dollar amount, insert “(reduced by \$60,000)”.

Page 27, line 7, after the dollar amount, insert “(reduced by \$343,680)”.

Page 28, line 4, after the dollar amount, insert “(reduced by \$35,654,640)”.

Page 29, line 7, after the dollar amount, insert “(reduced by \$2,701,170)”.

Page 30, line 15, after the dollar amount, insert “(reduced by \$245,550,210)”.

Page 31, line 15, after the first dollar amount, insert “(reduced by \$71,895,120)”.

Page 32, line 4, after the dollar amount, insert “(reduced by \$34,600,350)”.

Page 34, line 3, after the dollar amount, insert “(reduced by \$204,606,510)”.

Page 59, line 4, after the dollar amount, insert “(reduced by \$175,500)”.

Page 65, line 1, after the dollar amount, insert “(reduced by \$85,305,000)”.

Page 70, line 6, after the first dollar amount, insert “(reduced by \$8,982,000)”.

Page 70, line 20, after the dollar amount, insert “(reduced by \$133,200)”.

Page 71, line 20, after the dollar amount, insert “(reduced by \$275,790)”.

Page 73, line 17, after the dollar amount, insert “(reduced by \$10,997,040)”.

Page 74, line 7, after the dollar amount, insert “(reduced by \$2,490,000)”.

Page 74, line 13, after the first dollar amount, insert “(reduced by \$510,000)”.

Page 74, line 17, after the dollar amount, insert “(reduced by \$510,000)”.

Page 76, line 8, after the dollar amount, insert “(reduced by \$90,750)”.

Page 76, line 16, after the first dollar amount, insert “(reduced by \$1,537,530)”.

Page 76, line 24, after the dollar amount, insert “(reduced by \$153,630)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$874,593,990)”.

Mr. BROUN of Georgia (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

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

There was no objection.

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

Mr. BROUN of Georgia. This amendment would reduce the administrative spending salaries and expense accounts in the underlying bill by just 3 percent.

During this time of fiscal crisis, it is imperative that Congress works to get both entitlement as well as discretionary spending under control. As we all know, over the last 2 years, House Members have voted to reduce their own administrative accounts, their Member Representational Allowances, by just over 11 percent. Yet, over that same period, many agencies have seen much lower cuts in their spending and have even seen increases in their spending.

For example, under this bill, the National Telecommunications and Infor-

mation Administration would see a 12 percent increase in its salaries and expenses accounts between FY11 and FY13. The Federal Prison System would receive an additional 9 percent increase in salaries and expenses. The Office of the U.S. Trade Representative would receive a 7 percent increase. The U.S. Marshals, FBI, and Drug Enforcement Administration would all receive a 6 percent increase.

Now, some may argue that these agencies perform important tasks. Certainly, we can all agree that those employed by law enforcement agencies, which are funded by this bill, are deserving of the pay that they receive; but, Madam Chairman, the fiscal writing is on the wall: The U.S. Government is broke. We here in Congress must face the facts and stop the denial of our economic position and crisis that we're in. If we are serious about reducing spending, if we are serious about reducing our deficit, we have to ask every agency to follow Congress' lead to take small reductions in their administrative funding.

To be clear, a 3 percent reduction in these accounts would, in many cases, still result in less than a 10 percent reduction in funding from the FY11 funding levels. While this amount is small, it would pay dividends, rich dividends, resulting in nearly \$875 million in savings in this bill alone.

It is long past time to get serious about spending. Madam Chairman, this amendment represents a balanced way to achieve significant savings. I urge my colleagues to support my amendment, and I yield back the balance of my time.

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

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

Mr. FATTAH. Let me give just one example, and then I will just stand in opposition to the amendment.

On page 30, line 15, this amendment would cut the FBI by \$245 million. Now, we know of the important work being done on behalf of the safety of Americans throughout the world by the FBI and, most particularly, here in our own country. Our job under the Constitution is to figure out what appropriations are needed. Under our Constitution, the Ways and Means Committee is responsible for figuring out how to pay for it. We can't say that somehow the safety of our citizens is too expensive for the wealthiest, greatest country on the face of the Earth. I stand in opposition to this amendment.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman.

Mr. BROUN of Georgia. I want to remind my good friends on the other side, those who oppose this, that if my amendment is passed, the FBI still gets a 6 percent increase in what their funding is over today. So they still not only continue their funding but have an in-

crease over current funding levels. This would just reduce the administrative costs, not the funding for the FBI agents out in the field. It's not going to interfere with the security of American citizens.

Mr. FATTAH. In reclaiming my time, you are, indeed, a person who provides a lot of leadership here in the House, and you lead our Thursday prayer efforts. I want to thank you for all the work that you do, but in this instance, I disagree with you.

I have met with Director Mueller right in my office. The FBI needs additional resources. The chairman has provided \$128 million in this committee bill. This cuts \$245 million when we're trying to deal with the principal responsibility for the world these days in providing protection against terrorist attacks. We just saw in the news today a new device that was attempted to be used to bring down an American commercial airliner. If such a device were to go off, it would cost our economy more, not just in lives, but in real economic costs if we had to reshape our airline industry. It would be, I think, foolish of us as a Nation to retreat from investments at this time in the FBI.

On that point, on page 30, line 15, I oppose this amendment, and I ask my colleagues to do likewise.

I yield back the balance of my time.

□ 1520

Mr. WOLF. Madam Chairman, I rise in opposition to this amendment.

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

Mr. WOLF. I want to thank the gentleman from Georgia (Mr. BROUN). His heart is in the right place, and I think the whole concept of getting control of the budget is very important. But I rise in opposition.

It would cut the FBI, DEA, NIST, U.S. Trade Rep and the National Science Foundation. Some of the increases are in here because the House Intelligence Committee approached us. As Mr. ROGERS said:

There are two kinds of companies in America: those who have been hit by cyberattacks and know it, and those who have been hit by cyber by the Chinese and do not know it.

Many of those important functions the Intel Committee has asked us to carry in order to help and many others would be severely hurt. So I thank the gentleman for the amendment. I think what he's trying to do is important, but I think this would be the wrong way to do it.

I urge a “no” vote and yield back the balance of my time.

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

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

Mr. BROUN of Georgia. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. MCCLINTOCK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert “(reduced by \$277,824,000)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$277,824,000)”.

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

Mr. MCCLINTOCK. Madam Chairman, this amendment cuts more than a quarter-billion dollars in unauthorized appropriations from the International Trade Administration.

What does the International Trade Administration do? Well, it's got some legitimate functions in forcing trade agreements and treaties, and this amendment leaves those functions untouched. But ITA also—and this is from their own material—“provides counseling to American companies in order to develop the most profitable and sustainable plans for pricing, export, and the full range of public and private trade promotion assistance, as well as market intelligence, and industry and market-specific research.”

That's all well and good, Madam Chairman, but isn't that what businesses and trade associations and the chambers of commerce are supposed to do with their own money? Why should taxpayers be subsidizing the profits of individual businesses? If a specific business or industry is the beneficiary of these services, shouldn't they be the sole financiers of those services, either individually or collectively through trade associations?

It's true this program has been around for generations, but Franklin Roosevelt—who was hardly a champion of smaller government—had the right idea when he slashed its budget back in 1932 and closed 31 of its offices. The problem is that reform didn't take. Today the ITA has some 240 offices.

The ITA's authorization lapsed way back in 1996. That's 16 years ago. It's not been reviewed or authorized by Congress since then, but we still keep shoveling money out the door at them. Although it hasn't been reviewed by Congress in all of these years, it has been thoroughly weighed by the Congressional Budget Office, the Office of Management and Budget, and most recently the President's fiscal commission, and they have all found it sadly wanting.

The Simpson-Bowles report summed it up quite nicely when they said:

Services provided by ITA's U.S. commercial services and other divisions directly providing assistance to U.S. companies should be financed by the beneficiaries of this assistance. While the agency charges fees for those services, its fees do not cover the costs of all of its activities. Additionally, it is argued that the benefits of trade-promotion activities are passed on to foreigners in the form of decreased export costs.

Simpson-Bowles goes on to say:

According to a study by the Office of Management and Budget, businesses can receive similar services from State, local, and private sector entities. The CBO option to eliminate ITA's promotion activities or charge the program's beneficiaries saves \$267 million in 2010 and \$1.6 billion through 2014.

Madam Chairman, if the CBO, the OMB, and the President's fiscal commission agree this is wasteful, and Congress hasn't bothered to reauthorize it since it expired 16 years ago, why do we continue spending money that we don't have duplicating services that the beneficiaries of those services either don't need or are quite capable of funding on their own? If the companies that we are told directly benefit from all of these essential services are not willing to fund them, maybe that's just nature's way of telling us that we shouldn't be fleecing our constituents' earnings to pay for them either. Why would we tap American taxpayers to subsidize the export activities of foreigners, as Simpson-Bowles notes?

Madam Chairman, the rules of the House were specifically written to prevent this type of unauthorized expenditure. And they provide for a point of order to be raised if it is included in an appropriations bill, which is what we're talking about right now. But alas, that rule is routinely waived when these measures are brought to the floor, making this amendment the only possible way of ferreting out this kind of duplicative program and outright waste.

This is a prime example of corporate welfare. We ought to be done with it.

I yield back the balance of my time.

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

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

Mr. FATTAH. Less than 1 percent of American businesses export to any other country. We've been engaged in a process to increase the level of exports, in part with the reauthorization of the Export-Import Bank. A number of these other activities are connected. But this is an activity that has borne fruit. I've met with businesses and the people who run these efforts around the country, and they're doing real work, helping real businesses all across our country, and it creates real jobs.

I'm against the amendment. And I guess if you don't think that we should be focused on jobs and exports, you could oppose it. As for myself—and I would ask those who want to support American jobs—partly we have to do that through selling to the 90 percent of consumers who are somewhere else other than in our own country. So I support continued funding for this effort.

I yield back the balance of my time.

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

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

Mr. WOLF. This would be a draconian cut. I heard that 5,000 of the 6,000 products in Wal-Mart are made in China. We want to export our jobs. We want to export our products. We want to make cars in Michigan and send them around the world. We want to make things and export them. We want to develop applesauce and export it. We want to export. So I have a long list I'm not going to say, and there are so many things in this bill that are not authorized. There are four pages of things that are not authorized, and if we didn't do things that weren't authorized, then we would have to shut this place down and move off to some other place.

I just think it's a bad amendment. I understand what the gentleman is doing to save money. But I think we need to export and create jobs, and I want to see American products sold in China, American products sold in England, American products sold in Berlin, American products sold in Indonesia. So I urge a “no” vote for the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 9 OFFERED BY MR. TURNER OF OHIO

Mr. TURNER of Ohio. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 15, after the dollar amount, insert “(increased by \$5,000,000)”.

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

Mr. TURNER of Ohio. Madam Chair, my amendment increases by \$5 million the minimal level of funding for the International Trade Administration in the amount that they must devote to cracking down on unfair Chinese trade practices.

We must ensure that U.S. manufacturers and workers can compete on a level playing field in the global marketplace. Unfortunately, unfair trade practices from countries like China make this increasingly difficult.

□ 1530

Since the year 2000, there has been a 300 percent increase in the amount of goods imported from China to the United States. Moreover, the Import Administration, tasked with cracking down on unfair trade practices, has for years experienced a growing workload of cases involving trade with China. In

my own Dayton community, paper producers and their employers have been hurt by unfairly subsidized imports of thermal-coated paper from China and Indonesia.

For the last several years, Congress has directed the International Trade Administration to devote the same level of funding, \$11.4 million, for China anti-dumping and countervailing duty enforcement and compliance activities.

Given the rise in Chinese imports and the increased complexity of cases the ITA must evaluate, we must ensure that efforts to protect U.S. manufacturers and employees from unfair trade practices receive sufficient dedicated funding. My amendment simply increases the minimal amount that the International Trade Administration must use for these activities by \$5 million, from \$11.4 million to \$16.4 million using existing resources provided for under this bill.

I want to thank Chairman WOLF for working with me on this amendment, and I urge all of my colleagues to support the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. TURNER of Ohio. I yield to the gentleman.

Mr. FATTAH. We would agree to the amendment.

Mr. WOLF. Will the gentleman yield?
Mr. TURNER of Ohio. I yield to the gentleman.

Mr. WOLF. I accept the amendment. I think it's a good amendment. The committee continues to support the International Trade Administration, particularly with regard to China. And I won't go on. But I thank the gentleman for the amendment, and I completely agree with it. I urge all Members to support it.

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUREAU OF INDUSTRY AND SECURITY
OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase

without regard to any price limitation otherwise established by law, \$101,000,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE
PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, \$182,000,000, to remain available until expended; of which \$5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; and of which up to \$5,000,000 shall be for loan guarantees under section 26: *Provided*, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds for loan guarantees under such section 26 are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$70,000,000.

AMENDMENT OFFERED BY MR. MICHAUD

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 17, after the dollar amount, insert "(increased by \$38,000,000)".

Page 7, line 11, after the dollar amount, insert "(reduced by \$38,000,000)".

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

Mr. MICHAUD. I rise today to offer an amendment to restore funding to the Economic Development Administration. EDA is the only Federal Agency with the single mission of creating high-quality jobs here at home. The investments made by EDA in all of our districts lead to economic development and job creation.

By law, EDA projects require a 50 percent local share and must leverage significant private sector investment. As a result, EDA funding goes to projects that have been developed and vetted by local leaders and businesses. Their investments are competitive, merit-based, and are based on regional comprehensive economic development strategies. As a result, EDA projects reflect local priorities and contribute to broader economic development in the area. But most importantly, all EDA investments must result in the creation and retention of high-quality jobs.

The program has a strong track record of success in my home State of

Maine and throughout the country. In fact, between 2005 and 2010, EDA investments have helped to create over 314,000 jobs nationwide. At a time when our economic recovery continues to be slow and millions of Americans are out of a job, it does not make sense to cut the one Federal program singly dedicated to funding projects to put them back to work.

My amendment will maintain level funding for EDA, and it is offset by cuts to the periodic census and programs account, which is currently funded at 3½ times that of EDA. Even though the next census is 8 years away, the overall census program was cut by just under \$10 million. EDA was cut by \$38 million. Reducing the census account by \$38 million is only a 6 percent decrease. By cutting EDA by the same amount is a 17 percent decrease in their funding. Some might come to the floor today to criticize EDA or its investment.

I agree that we should do everything we can to make sure this and other Federal programs work well. But cutting EDA's funding or eliminating it altogether would be shortsighted at a time when we need every job-creating tool at our disposal.

My amendment continues level funding for a program that is uniquely designed to address almost any economic development activity. It continues funding for a program that has specific tools and expertise to address chronically poor and distressed areas, post-disastrous economic recovery, and the consequences of plant closures or downsizing.

I am offering this amendment because I believe it is the wrong time to turn our backs on investments in our communities that will make a real difference and because I believe that it is the right time to get our priorities right and insist on Federal investments that are focused on job creation. I offered this amendment last year, and more than 300 Members of the House joined me in voting to restore EDA funding. I urge my colleagues to join me once again this year and help pass this amendment to restore the funding to EDA and to support a proven job creator.

I yield back the balance of my time.

Mr. POMPEO. Madam Chairman, I rise in opposition to the amendment.

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

Mr. POMPEO. I rise in opposition to this amendment. Just because you call something "economic development" does not make it so. We could name an Agency many things. This administration is one that most folks have never heard of. I had never heard of it before I came to Congress 16 months ago. This is a classic case of the Federal Government taking from one and giving to another, often for the benefit of private companies.

You'll see in a minute that I have got an amendment that takes a very different approach to economic development and how we ought to attack this problem. But I heard the distinguished gentleman from Maine talk about job creation. It's one thing for elected officials to go to a ribbon-cutting and stand in front of a facility and talk about jobs and say those are all the jobs that we created when, in fact, those jobs were created by taking money from taxpayers. Where elected officials often don't want to go is to stand in front of the unemployment line or talk about folks who had to pay too much in taxes or stand there and tell someone why that company got money and the company over on the other side didn't get this particular grant from the Economic Development Administration.

I have seen this Agency up close and personal. It is a very, very political use of capital. This is not the free market that we all know. This is an agency that distributes money all over the country, very, very intentionally into 400-plus districts all across America with the aim of making sure that this Agency continues to exist in perpetuity. This is precisely the kind of stimulus that we have demonstrated time and time again in America. It doesn't work. And for that reason, I oppose increasing the funding for the Economic Development Administration.

I yield back the balance of my time.

Ms. KAPTUR. Madam Chair, I move to strike the last word.

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

Ms. KAPTUR. I rise in strong support of the Michaud amendment to keep level funding for the Economic Development Administration, and I want to thank Congressman MICHAUD for offering this important amendment. He is a true leader in protecting American manufacturing jobs and businesses from unfair free trade agreements and works tirelessly to promote jobs and economic development here at home.

I want to say to our dear colleague from Kansas, when you look across America—and I realize this may be just your first term—but, you know, the whole State of Kansas is held up by the Federal Government, all those agricultural subsidies, CRP, rural development, wetlands reserve, etc. When one takes a look at the whole Farm Credit Administration, for heaven's sake, not every community in America has those sorts of props under them. And agriculture is a success story. Agriculture is doing very well. We, in Ohio, understand that. But there are parts of Ohio that aren't covered by programs like your State benefits from. And that's where you need Agencies like the Economic Development Administration, in those corners of America that actually manufacture but may not grow things.

□ 1540

Mr. POMPEO. Will the gentlewoman yield?

Ms. KAPTUR. I'll be more than pleased to yield to the gentleman when I finish.

Madam Chairman, the Republican majority claims their priority is to create jobs and promote economic development. However, here we are today with an appropriations bill that drastically cuts resources for the only government agency whose sole mission is economic development.

EDA's diverse portfolio of construction, technical assistance, finance and investment planning programs are designed to help communities build upon their regional assets to foster job creation and business expansion. Particularly at a time when banks are hoarding capital and not lending, EDA's capacity becomes even more important and vital.

The American Society of Civil Engineers gave America's infrastructure a D grade and estimated that over the next 5 years, \$2.2 trillion is needed to upgrade our Nation's infrastructure—ports, for example, to ship some of that Kansas grain. That's why I'm a strong supporter of EDA, and particularly of its Public Works program, which funds a variety of infrastructure projects that can help America address our aging infrastructure.

I don't understand why Republicans don't want to help fund investments in America's infrastructure, the greatest job creator we can possibly have in this year of 2012.

EDA's work is generating real returns. So the argument of being concerned with the deficit falls short when you consider EDA. Every dollar in EDA funding is expected to leverage nearly \$7 worth of private investment. We've seen it in State after State after State. In fiscal year 2010, EDA created or retained about 48,500 jobs and generated nearly \$6 billion in private investment. What a good story that is.

Mr. Chairman, I support Mr. MICHAUD's amendment to restore EDA funding to FY12 levels, and I'd be very pleased to yield to the gentleman from Kansas for any comments he might have.

Mr. POMPEO. Thank you very much for yielding.

You said that, because I'm in my first term, maybe I didn't understand. Perhaps it's because you've been here a couple of years that you don't appreciate how jobs are really created in the real world, not here in Washington, D.C.

You talked about Kansas. You may have forgotten that the air capital of the world, where 60, 70 percent of all aircraft are manufactured—indeed, the business I was in for a decade—was good manufacturing jobs. What we didn't need was more taxes and more government spending. What we needed was the government out of the way.

Ms. KAPTUR. I'm really glad the gentleman stated that because, as a member of the Defense Subcommittee, I know exactly where the R&D comes from for fighter aircraft, for all of our

support craft, for all of our Air Guard, and I know how the commercial sector benefits and why we lead the world in terms of airline exports and so forth. But that doesn't abrogate the argument, that doesn't nullify the argument I offered that the whole State of Kansas is doing very well and has a very close relationship to the Federal Government.

Agriculture achieves a special place in this economy, but that's not true in many other sectors, and particularly where we're talking about aging infrastructure, which belongs to all of us. EDA is really vitally important. It's an important ingredient in helping us to modernize coast-to-coast.

So I just want to say to the gentleman from Maine, thank you so very much for keeping the program level. We're not talking about egregious spending here. We're talking about trying to help to rebuild this country. And we know the most important investment we can make in order to create jobs in this country—after assuring unemployment benefits for those out of work, which gets spent immediately in the economy—is investment in infrastructure.

It's too bad that the Republicans can't seem to move a highway bill, a transportation bill out of this Congress. That would be the best thing we could do to create more jobs in this country in the year of 2012. But in any case, passing the gentleman's amendment to fully fund EDA makes common sense and it certainly makes job sense.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I don't think the issue here should be looked at as whether or not the EDA needs more help. It's why, again, we are bashing the Census Bureau. I really think that it's surprising that we would do it on this side, since we will note for the next many hours that there's plenty of folks on that side that will want to do that.

When I first got on this subcommittee years ago and I had the privilege of being ranking member to Chairman ROGERS and then ranking member to Chairman WOLF, I could never figure out what the attack was on the Census Bureau. Then it dawned on me—and I may be totally wrong—that some folks would just like the Census Bureau to do just enough, meaning if you count yourself, that's fine; but if you have to go out and do extra dollars to count folks who ordinarily may not count themselves, then that's not good for some folks and the results may be something they don't want to see. That's the only explanation I could come up with for the fact that—as we will see in the next hours—there will be many desires to cut the Census Bureau and, in some cases, get rid of the whole department.

What we need to know and remind ourselves is that there's probably very few vital functions of agencies like the Census Bureau that are more important than this one. Plans, policies, re-districting, other decisions in this country are based on that count that takes place every 10 years. Unlike other things we do in this Congress and in this country, this is a constitutional mandate, to count the people amongst the States, and every 10 years the Census Bureau gears up for it.

We have found in the past that when we make cuts to the Census Bureau, it ended costing us more money later when we tried to get back some of that money. And then States that may be supportive now of cuts later run to us and say, No, we need a better count; we need a fairer count; we need a count that will make my State show the true growth in population.

So I suspect at the end of today when this vote is taken, there will be a mass vote, as has been in the past, for this amendment. But I really think it is totally foolish to continuously bash the Census Bureau and continuously desire not to have a proper count in this country. It is a vital issue and it's one that we should continue to protect. That's why I would be one of the few voting against this amendment.

I yield back the balance of my time.

Mr. FATTAH. I rise in support of the spirit of this amendment, and I move to strike the last word.

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

Mr. FATTAH. I also have reservations about the offset. But let me talk first about EDA.

It's critically important—and I'm sorry, I want to apologize to the gentlelady from Ohio—we don't want, in this debate, to substitute insult for insight. I think that what we want to do is focus on the issue at hand. We do need to create jobs.

The EDA is a program that I think almost everyone should be able to support because it's local decisionmaking, investing in communities of interest. It's worked in every State of the country to help communities work through difficult economic circumstances when plants close and the like. It's a return of taxpayers' money to their communities for economic development activities.

What we need to do as we go forward is think about how we pay for this. This is a \$38 million increase that the offset of the census will have political attractiveness. But the truth is that we can't substitute that for our constitutional responsibilities to conduct a census and to do it properly. And we have to prepare for it.

So I want to work with the gentleman as the bill goes through the process to try to find additional dollars for EDA, but I hope that at the end of the day we're able to provide more revenues for the census, to do our job as a Congress to fully fund our constitu-

tional responsibilities to have a census and to do it correctly.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. MICHAUD).

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

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

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

□ 1550

AMENDMENT NO. 3 OFFERED BY MR. POMPEO

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, lines 17 through 21, after each dollar amount, insert "(reduced to \$0)".

Page 6, line 7, after the dollar amount, insert "(reduced to \$0)".

Page 101, line 10, after the dollar amount, insert "(increased by \$219,500,000)".

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

Mr. POMPEO. Madam Chair, I rise today to talk about something that Congress doesn't often get a chance to do. I talk to my constituents, and they often tell me, you know, we never get rid of anything. Programs just continue on and on. They grow. They go away for a little bit, and then they come back.

We have a real opportunity here. My amendment is to eliminate the entire Economic Development Administration. We are \$16 trillion in debt. This gives Members on both sides an opportunity to start addressing a serious spending problem in a real way. This is an amendment that has bipartisan support that I will talk about in just a little bit. Having spent over \$1.5 billion on grants, the EDA does nothing but simply pick winners and losers by region, by industry, by community, and by particular businesses. It is very similar to earmarks.

This administration uses the EDA to advance local projects and narrowly benefit a particular company or group. At its core, it is nothing more than a wealth-redistribution program, a stimulus bill built up in the nature of an Agency that has been around since 1965.

Let me describe how it works. It begins by taking dollars from all across the country. That money flows to Washington, DC and before it ever goes back out, over 20 percent of it is consumed here in Washington, DC, no value returned. Then it asks companies and communities to apply for free money from the Federal Government to renovate a movie theater or build a road, for a new industrial park. Some of these projects are ridiculous; some

of them perhaps not so bad. However, each one is a local project that the Federal Government has no business being involved in, and almost every one of these projects would advance without taxpayer resources.

A frequent flier, the EDA Administrator travels all around the country for groundbreaking and ribbon-cuttings, taking credit for creating jobs when it was really private companies that would have created them anyway. He proudly took credit for a \$1.6 billion steel plant in Minnesota with a \$1.4 million EDA grant. This is one-tenth of 1 percent of the project. I promise you that the CEO of that steel plant had no idea that that money was in his capital structure.

Now, you might not be familiar with EDA projects, so let me talk about just a couple. In 2008, the EDA provided \$2 million to begin construction of the Harry Reid Technology Park. As best I can tell, that facility continues to be empty.

Sometime later, the EDA granted money for a culinary amphitheater, some \$2 million of your taxpayer money.

Then, \$1.5 million for what I am sure is a beautiful theater, but what business does the Federal Government have in providing money for a theater such as this? We have many in Kansas, too. We didn't happen to get this particular grant. We didn't strike the EDA lottery.

And, finally, half a million dollars as far back as the 1980s to build replicas of Egyptian pyramids. To this day, you can't drive to this facility that is uncompleted. Half a million dollars of taxpayer money spoiled and wasted.

I urge my colleagues to join me in supporting this amendment. Groups like the Business Coalition for Competition, Club for Growth, Heritage Action—folks who believe in the private sector's capacity to create jobs support this.

I will close with this thought. I talked about this bill being bipartisan. The Simpson-Bowles Commission included the elimination of EDA in its projections. It said this Agency ought to go away, on a bipartisan basis. But more, perhaps surprisingly, in 2008, I want to quote from then-Senator now-President Barack Obama who criticized the EDA as "little more than a fund for corporate welfare."

Madam Chair, I agree with the President, and I hope my colleagues will join me in supporting the Pompeo amendment to this bill.

With that, I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the gentleman's amendment.

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

Mr. WOLF. It would zero out EDA. Last year the House voted 305-127 to, strangely enough, increase funding for EDA by \$80 million. This year, we are

funding the EDA at \$219.5 million, which is \$38 million less than the base appropriation provided to EDA last year. Last year and this year, we in the subcommittee directed the EDA to designate a portion of its grant funding to work with companies to bring back their outsourced manufacturing activities to economically distressed communities in the United States.

So we have asked them to change their whole thrust of the grants, to not do what the gentleman says—and I think he makes some valid points here—but to now have it whereby a community can work to incentivize to bring a company back from China or back from Mexico. Last year, the House voted 305–127 to increase the funding to EDA by \$80 million. This year, we were at \$219.5 million, \$38 million less, so I urge a “no” vote.

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

The Acting CHAIR. The gentleman from Maine is recognize for 5 minutes.

Mr. MICHAUD. Madam Chair, I rise today in strong opposition to this amendment to eliminate funding for EDA. As was mentioned earlier, EDA is the only Federal program whose focus is to create jobs. The program funds merit-based competitive grants for projects that also require local funding. EDA’s grant decision process is void of political influence and awards grants based on merit. The economy is improving, but we’re not back on our feet yet; 12 million Americans are out there still looking for work. Now is not the time to eliminate this program.

My friend from Kansas calls EDA a wealth-distribution program and argues that it picks winners and losers. The financial crisis picked winners and losers. In contrast, the EDA is bound by law to provide investments only to communities experiencing economic distress; 305 Members of the House from both parties, including the gentleman from Kansas, voted to fully fund this program last year. So I urge my colleagues to once again support the EDA in a vote against this amendment to eliminate the program.

I yield back the balance of my time.
Mr. FATTAH. Madam Chair, I rise in opposition to the amendment.

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

Mr. FATTAH. And I think the gentleman might be in opposition. Last year he voted to increase by \$80 million to EDA as we went through this process; and today he comes and says he wants to zero it out.

Let me just put this in some context. We have seen gas prices go down for the last 5 weeks in a row; 200,000 homeowners today have their principals being reduced. We have 4.25 million jobs created over 26 months by the private sector. Our economy, unlike those in Europe—Britain has slumped into a double-dip recession; we have 25 percent unemployment in Spain—America

is coming back. So this notion that somehow we need to kind of just stop trying to help communities move in the right direction I don’t think makes a lot of sense to me. So I join the chairman on the majority side asking that we oppose this amendment.

If there are some people somewhere who don’t want economic development assistance from the Federal Government, they don’t need to apply. These are merit-based competitive grants, locally decided; and it is helping communities all across our country. We had testimony in the Appropriations Committee from Members on both sides of the aisle about work being done by EDA in Alabama and all across our country. So the notion that we should support this amendment to zero this Agency out, to me, doesn’t move us in the right direction. We want to go forward as a country. I move to oppose this amendment.

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

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

Mr. McCLINTOCK. Madam Chairman, I rise in strong support of the amendment offered by the gentleman from Kansas.

The new House Republican majority was elected last year with the specific charge to bring wasteful spending under control. We can’t blame the Senate or the President if there is waste in the budget anymore. Money doesn’t get spent by this government unless the House says it gets spent. In a very real constitutional sense, the buck starts here.

Now, here we have an appropriations bill originating in this House that still has outrageously wasteful and indefensible programs in it, and the flagship of that waste is the \$182 million in unauthorized—there’s that word again—in unauthorized spending for the Economic Development Administration. This is solely and simply a slush fund that gives away money for the most dubious of local projects. Local projects that benefit local communities should be funded locally. We shouldn’t be robbing St. Petersburg to pay St. Paul. We have to ask ourselves, if these projects are so important to local communities, why are those local communities unwilling to pay for them?

□ 1600

If the communities that directly benefit from these projects are unwilling to pay for them, why are we spending Federal money that we don’t have?

To add insult to insanity, this particular Agency is sitting right now on \$845 million. Why on Earth would we provide it with another \$180 million? We ought to abolish this Agency and recover the unspent funds, not throw good money after bad.

Tim Carney hit it on the head in The Washington Examiner last October when he wrote this:

Nearly every Republican voted against President Obama’s stimulus in 2009, arguing that the deficit was too high, that government shouldn’t be in the game of picking winners and losers, and that Washington doesn’t create jobs. But the EDA adds to the deficit, picks winners and losers, and purports to create jobs. If Republicans vote to continue the EDA, they flaunt their hypocrisy to critics.

I have to agree.

I appreciate that the appropriations bills are making incremental improvements in the status quo, but these are times that demand much, much more than that. When Members vote for these appropriations bills, they become responsible for the spending in them and for the waste in them. And I, for one, do not intend to explain to my constituents that a “culinary amphitheater” was worthy of \$2 million of their hard-earned taxes. This spending is simply indefensible. Doling out grants with little, if any, accountability, this ought to be the poster child for waste in government.

I appreciate the fact that the leadership has agreed to an open amendment process, giving us the opportunity to correct this particular oversight on the floor. But the fact of the matter is that the House is ill-equipped to comprehensively address this kind of waste from the floor, and we must do better in both the authorizing and the Appropriations Committees in combing these bills earlier in the process for these kind of unconscionable and indefensible expenditures.

I commend the gentleman from Kansas for offering the amendment. I wholeheartedly support it.

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

Mr. ROGERS of Kentucky. Madam Chairman, I rise in opposition to the amendment.

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

Mr. ROGERS of Kentucky. Madam Chairwoman, my district has historically lagged behind others in the Commonwealth and in the Nation, which is why I have made the economic development of rural Kentucky my top priority since coming to Congress.

Creating jobs in a mountainous region without sufficient roadways or suitable water infrastructure might seem an insurmountable challenge, but I’ve always encouraged my constituents and community leaders to “plan their work and work their plan.” With the help of EDA, this is what we’ve done in southern and eastern Kentucky.

The Economic Development Administration is one of the few entities in our Federal Government uniquely qualified to address the needs of communities with chronically high unemployment or facing enormous setbacks due to natural disasters. EDA’s grants, awarded in a competitive fashion, leverage over \$10 from the private sector for every Federal dollar invested and are targeted at facilities that are essential for private industry to remain or locate in these underachieving areas. As

a result of these targeted investments in water systems, workforce training centers, intermodal facilities or broadband networks, struggling communities around the country have seen the creation of some 314,000 jobs in the last 7 years.

I wholeheartedly concur with the sponsor of the amendment that the role of the Federal Government isn't to create jobs, but instead, to create the conditions favorable for private sector job creation. By partnering with local area development districts, leveraging public and private dollars, and engaging the local workforce, EDA does just that.

This bill provides \$220 million for the agency—which is already \$38 million below the current level—rejects the administration's request to shift funds away from vital public works programs, and supports a loan guarantee program to development innovative manufacturing technologies that will keep rural areas competitive nationally and globally. With unemployment in rural areas around the country still hovering at well above the national average, this is an investment we cannot afford to lose. I urge a "no" vote, and I yield back the balance of my time.

Mr. RAHALL. Madam Chair, I rise in opposition to the amendment offered by the gentleman from Kansas, Mr. POMPEO, to eliminate funding for the Economic Development Administration (EDA).

The importance of EDA cannot be overstated. Established in 1965, EDA empowers economically distressed communities, among them communities that I represent, to develop and revitalize their economies based on their needs and resources. These funds allow rural communities to be active participants in today's economy by helping to create and retain jobs.

The EDA underwrites basic infrastructure needs, such as water and sewer systems and the expansion of broadband services that help to attract jobs and stimulate economic development. While much of the Nation takes for granted the ability to turn on the faucet and have clean drinking water flow out, countless families in rural America do not. For them, answering such a basic human need is a daily struggle. For them, the EDA is a Godsend.

EDA funding has helped to provide the needed infrastructure for development of industrial parks in my State. These up-to-date facilities create modern spaces that enable existing local businesses to grow and entice other businesses to locate to these livable, rural towns that boast ready workforces.

Those who would undo EDA surely cannot understand what a huge difference the seed money it provides is making in our tough economic times. They must not have seen how it expands the reach and effectiveness of educational institutions or leads to better employment for working men and women. They must not get how the relatively small investments the EDA makes are helping struggling communities to transform themselves into economic engines.

There is nothing frivolous about the EDA. This is an agency that is meat-and-potatoes government at its best. The funds it provides are not handouts. To the contrary, these are

investments that are enabling our citizens to pull themselves up by their own bootstraps.

In addition to anecdotal stories though, EDA's success has been proven by an independent study that found that EDA investment in rural areas generates between 2.2 and 5 jobs per \$10,000 in incremental EDA investment, translating to a cost of between \$2,001 and \$4,611 to produce a single job. As the Nation's economy emerges from the recession, EDA is one of the most efficient ways that the Federal government can assist in economic recovery and prevent another downturn.

I have seen firsthand the benefit of a coordinated effort of EDA investments. Between 2006 and 2011, EDA made 25 investments in my district totaling approximately \$10 million. These projects are expected to help create approximately 1,125 jobs and help attract approximately \$98.5 million in private investment.

I urge the House to recognize the value of EDA as a necessary component to revitalizing our economy, ensuring that the United States remains an economic force, and creating new jobs for American workers.

I urge my colleagues to join me in opposing Mr. POMPEO's amendment.

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

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

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

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

AMENDMENT OFFERED BY MR. CICILLINE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 17, strike "grants" and insert "grants, including grants authorized under section 27 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3722)".

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. CICILLINE. Madam Chairman, in an effort to drive innovation and regional collaboration, the America COMPETES Reauthorization Act of 2010 mandated the creation of a Regional Innovation Program within the Economic Development Administration. This program is intended to encourage and support the development of regional innovation strategies, including regional innovation clusters and science and research parks.

The President's fiscal year 2013 budget requested \$25 million to fund the Regional Innovation Strategies Program. Funding for the Regional Innovation Program would support the Economic Development Agency's interagency effort to build regional innovation clusters, including the Jobs and Innovation Accelerator Challenge.

The Jobs Accelerator is a competitive interagency grant that supports the advancement of high-growth re-

gional industry clusters, very important all across America and particularly important in my home State of Rhode Island.

EDA is currently working in partnership with other Federal agencies, including the Department of Labor's Employment and Training Administration and the Small Business Administration, to promote regional collaboration to spur job growth and economic development.

The Jobs Accelerator aggregates existing investments and technical assistance from multiple Federal agencies to strengthen regional industry clusters—networks of interconnected firms and institutions working to accelerate job growth, business formation and expansion, innovation, workforce training, and small business development. A targeted investment in this program will help Federal, State, and local entities leverage existing resources, spur regional collaboration, and advance economic recovery and job-creation efforts in high-growth industries.

Through the Regional Innovation Program, local leaders are empowered to maximize existing assets and are provided resources to ensure that historically underrepresented communities, including those hardest hit by unemployment and economic decline, are able to participate in and benefit from the regional cluster.

My amendment is simple and straightforward. It does not create any new program or authorization. It does not increase or decrease a single account in the appropriations bill for the Departments of Commerce, Justice, Science, and related agencies. Rather, this amendment serves to specifically cite the Regional Innovation Program to focus attention on this vitally important job-creating initiative as the appropriation process moves forward.

The Regional Innovation Program has been specifically supported and cited in both the fiscal year 2012 and fiscal year 2013 Senate CJS Appropriations Committee report.

We have to recognize that innovation is critically important to America's ability to compete in the global economy. Supporting the development of regional innovation clusters will strengthen our capacity to create and retain new jobs and sustain our economic recovery.

The Regional Innovation Program will help Federal, State, and local entities leverage existing resources, spur regional collaboration, and support economic recovery and job creation in these high-growth industries. I urge my colleagues to support this very straightforward and simple amendment, and I yield back the balance of my time.

Mr. WOLF. Will the gentleman yield?

Mr. CICILLINE. I yield to the gentleman.

Mr. WOLF. Madam Chair, this costs no money. We have no objection to the amendment and accept the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CICILLINE. I yield to the gentleman.

Mr. FATTAH. We are prepared to accept the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The amendment was agreed to.

□ 1610

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$37,500,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 7, after the dollar amount, insert “(reduced by \$7,500,000)”.

Page 17, line 6, after the dollar amount, insert “(reduced by \$10,706,000)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$18,206,000)”.

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

Mr. SCALISE. Madam Chair, the amendment that I bring to the desk brings the two Agencies, EDA and Commerce, back to the pre-2008 spending levels. And as we’re focusing on bringing overall spending in this bill, the CJS bill, to pre-2008 levels, I wanted to also bring those two Agencies in line on their overhead, and that’s specifically what my amendment deals with.

I want to first applaud the chairman, the gentleman from Virginia, for the work that he and his committee have done to start the process of reducing spending. We recognize that Washington has a spending problem, and some of us here are willing to do something about it and start forcing Washington to live within its means, and that means we have to start the process of setting priorities.

One of the things that was done in the original CJS bill that’s been filed is to implement a 52 percent cut to the programs that are implemented, for example, in EDA. And, again, I applaud the gentleman for making those improvements and those reforms in the base of the bill to actually bring the spending in those programs in line with pre-2008 levels.

But one thing that was not done was the spending for the salaries and expenses, the overhead of those Agencies. So as the agencies are being trimmed

back, their salaries and overheads are not being subsequently trimmed back, and so that’s what we do in this amendment. We actually reduce spending to the point where we will save \$18.2 million that will reduce the Federal deficit.

Again, this is one small step in a large number of steps that we need to take as a body, but I want to talk a little bit about what these cuts will mean and what the subsequent corresponding cuts will mean to the cuts that have already been made in the programs themselves.

I think there have been some good examples that have been shown of these programs, what EDA does and some of the money that’s wasted. And when you go and you look through what these Agencies have spent money on—again, this is money we don’t have—they’ve spent money on things like building a replica of the Great Pyramids, building a replica of the Great Wall of China.

Two million dollars was spent giving money that we don’t have to a city to build an amphitheater with a wine tasting room. I’m sure there are a lot of people in that amphitheater would like going to a wine tasting room, but there are a lot of places you can go in the private sector that already do that without borrowing money from China to go and build these things with money we don’t have.

And so, again, as the committee did the work of cutting 52 percent of the EDA program, they did make some cuts in the overhead, but not to bring it to the 2008 levels. So, as the bill currently stands, in its base form, these two Agencies will see a 25 percent increase in their overhead from the 2008 budget. So, in that 4-year period, even with the cuts that have already been made, these two Agencies still have a 25 percent increase in their spending.

Now, keep in mind this is coming at a time when States, when local governments, when families in our districts back home have been cutting back, have actually been making due with less to live within their means, as everyone should when times get tough. And yet, in Washington, even though 42 cents of every dollar that’s spent here is borrowed money, Washington still hasn’t cut back subsequently to live within its means; and we’ve got to start that process, and that means setting priorities.

These Agencies would still have, combined, \$74 million to spend on their overhead. But at least it brings them back to their 2008 levels, just as the programs that they’re administering have been brought back to 2008 levels.

So think about it. You know, we’re asking people to do more with less. If my amendment doesn’t pass, they would be asked to do less with more. The programs that they administer are being cut, and yet the salaries and overhead are not being cut subsequently.

We just had a district work period this last week. I go back home and I

talk to small businesses throughout my district in southeast Louisiana, and what they tell me, the things that are holding them back from creating jobs are the regulations, the red tape, and the excessive spending coming out of Washington. Yet, if you look at this, you know, nobody in my district said that they need to see the Great Wall of China being built with taxpayer money. But what they do say is what’s holding them back from creating jobs is borrowing money from China to spend on programs that we just can’t afford to fund.

So while I applaud the cutting of those programs, because the programs in the base of this bill have been cut, what hasn’t been cut subsequently is the overhead to go along with it to bring it to those pre-2008 levels. This is a step we need to take to not only save \$18.2 million that will reduce the deficit, but to start sending the signal that we’re living within our means.

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

Mr. FATTAH. I rise to oppose the amendment.

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

Mr. FATTAH. My colleague mentioned small businesses. It brings to mind that, in today’s financial times, it shows that we have the highest enthusiasm for hiring and economic optimism in the small business community that we’ve had in this country in a very long time.

Over \$70 billion was made available through the Obama administration for small business loans, through 2009 and 2010, and we now see the results of it. We see millions of private sector jobs being created. Our economy has seen a decrease over 11 months from an unemployment rate of 9.1 percent to now 8.1 percent, and most economists agree it’s going to drop into the 7 percent number over the next few months.

This notion that we can cut programs and, therefore, we should cut administration sounds like a lot of common sense. But when you think about it, whether one Member comes over to the floor today or 100 Members, we still have to have staff on the floor. There’s still security; there are still lights. There are still expenses in an agency when you have to run any part of the program. So if you have to run a loan program, if you have to run other programs, you need the expertise and the staff to do it. Whether you cut the program back a little bit—it’s like a classroom in a school. Unless you’re going to eliminate an entire classroom, you need to hire the teacher; you need to have the lights on.

So I would just suggest that, even though the gentleman may be focused on trying to do something, he says, about the deficit, that, in reality, unless he’s actually trying to cripple the Commerce Department as it competes with much larger countries like China and India, economic competitors like

the European Union, trying to work on behalf of the American businesses, our Commerce Department, we cannot afford to be cutting back and cutting in a way that actually does harm to our economy. So I rise in opposition to this amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

MINORITY BUSINESS DEVELOPMENT AGENCY
MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$28,689,000.

AMENDMENT OFFERED BY MS. CLARKE OF NEW YORK

Ms. CLARKE of New York. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, after the dollar amount, insert "(increased by \$5,311,000)".

Page 11, line 11, after the dollar amount, insert "(reduced by \$5,311,000)".

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

Ms. CLARKE of New York. Madam Chair, I rise today in support of additional funding for the Minority Business Development Agency. An offset for this amendment is by \$5.3 million from the \$79 million increase to the National Institute for Standards and Technology.

Madam Chair, minority firms currently provide 5.8 million people with employment, and we know that they have the untapped potential to create even more. That's why, Madam Chair, Ms. CHU of California, Mr. COHEN of Tennessee, who are cosponsors of this amendment, and myself, along with 33 of our colleagues, sent a letter to the CJS Subcommittee in March seeking MBDA funding levels at \$34 million, in direct response to the then-planned closure of the MBDA regional offices and to expand MBDA's network of business centers.

□ 1620

In 2010, MBDA secured \$1.6 billion in contracts and \$2.2 billion in financing for minority firms. That same year, they realized a 125 percent return on their investment.

Our Nation's economy will not and cannot fully recover until all small businesses are active participants in a

robust recovery. The MBDA's mission of supporting minority businesses is absolutely fundamental to the overall recovery of the economy.

Madam Chair, I yield at this time to my colleague, the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I want to thank my colleague from New York for yielding to me.

This is a particularly important amendment because minority business development agencies give people a hand up, not a hand out.

The fact is the folks on the other side are always talking about opportunities in businesses and in small business, and this is the ideal type of Federal Government program in which small business—minorities—are given opportunities to get knowledge about contracting opportunities with the Federal Government and to get a share and get financing capabilities. Minorities have long been denied the opportunity to get adequate financing from our banking system, and they have been less than properly represented in the number of contracts they get from the Federal Government.

The Minority Business Development Agency just put an office in my district in Memphis, Tennessee, which has the largest metropolitan population, African American population, in this country. Yet it wasn't until this year that a minority business office was placed there—the first one in the history of the State of Tennessee.

There is a lot more that needs to be done to give people an opportunity. In this recession, small business has been hurt and minorities have been hurt, and minorities have been hurt in a disproportionate manner. With this amendment, the Minority Business Development Agency can thrive and give people opportunity—give people jobs, give people contracts—and make economic development go throughout all of America.

I urge my colleagues to support this amendment, the Clarke-Cohen-Chu amendment, and to have a hand up, not a hand out.

Ms. CLARKE of New York. I thank the gentleman for his remarks, and I yield back the balance of my time.

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

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

Mr. WOLF. I rise in opposition to the gentlewoman's increase. The bill already funds the Minority Business Development Agency at the level requested by the administration of nearly \$29 million. The administration has not asked for more money.

Also, the offset would not be good. It would cut the scientific research activities at NIST that are vital to increasing our competitiveness, giving the edge to American manufacturing and also doing a lot of work in the area of cyber. Funding the sciences and research programs has been a top pri-

ority of both political parties, so I urge my colleagues to reject this increase and to vote down the amendment.

I yield back the balance of my time.

Mr. FATTAH. I rise in support of the amendment.

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

Mr. FATTAH. This amendment, in all likelihood, is not going to pass in the House today.

The chairman is correct that the appropriations request from the administration was fully met in the bill, but I do want to associate myself with the remarks of the gentlewoman from New York.

I share a birthday with DICK DURBIN, who is the majority leader in the Senate, and with the gentlewoman from New York. We all happened to be born on the same day, but at least between me and DURBIN, she is at least the best among us.

This effort to increase our focus on underserved communities is an important one, and that is why I am happy that she, along with the gentleman from Tennessee, have brought this amendment forward. I think that, in order to increase economic opportunity in our country, we need to be focused on this agency. It's not so much whether we save an office here or there. Rather, it's that we need to put increased focus on loans and technical assistance and contracting opportunities for businesses that have been left out. I know the chairman agrees with me in this regard. We need to continue to look for ways to increase the opportunities for this agency in order to serve these communities.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. CLARKE).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ECONOMIC AND STATISTICAL ANALYSIS
SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$96,000,000, to remain available until September 30, 2014.

BUREAU OF THE CENSUS
SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, \$253,336,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs, provided for by law, \$625,357,000, to remain available until September 30, 2014: *Provided*, That from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

AMENDMENT NO. 4 OFFERED BY MR. LYNCH

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 11, after the dollar amount, insert “(reduced by \$4,000,000)”.

Page 43, line 15, after the dollar amount, insert “(increased by \$4,000,000)”.

Page 44, line 23, after the dollar amount, insert “(increased by \$4,000,000)”.

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

Mr. LYNCH. Madam Chair, I rise to offer an amendment to H.R. 5326, making appropriations for the Departments of Commerce, Justice, Science, and Related Agencies bill.

My amendment would increase by \$4 million the amount appropriated for fiscal year 2013 for the Office of Justice Drug Courts Program. The \$4 million added to the Drug Courts Program will be offset by decreasing the amount by \$4 million in the funding for periodic censuses and related programs.

To say that there is a drug addiction problem in the United States is an understatement. We're dealing with an epidemic that is in every city and town in this country and that reaches across every demographic. Addiction does not discriminate as it shatters lives, breaks up families, and costs hundreds of billions of dollars annually. In fact, according to the National Institute on Drug Abuse, estimates of the total overall costs related to substance abuse in the United States, including productivity and health- and crime-related costs, exceed \$600 billion annually.

Drug courts are specialized court dockets designed to handle cases involving drug and/or alcohol dependent offenders who are commonly charged with offenses such as the possession of a controlled substance or other non-violent offenses determined to have been caused or influenced by their addictions. These cases are handled through a comprehensive program of supervision, drug testing, treatment services, and immediate sanctions and incentives that are designed to reduce the recidivism rates of these particular offenders. People who don't comply with the requirements of drug courts go to jail. They go to jail quickly and for various periods of time. It's a “get tough” policy. Particular offenders have their recidivism rates reduced by helping them overcome their substance abuse problems, which are the primary and predicate causes of their criminal activities.

Drug courts coordinate the efforts of judiciary, prosecution, defense bar, probation, law enforcement, treatment, mental health, social services, and child protection services to break the cycle of substance abuse, addiction, and crime. If we can break that cycle, we will all benefit.

Drug courts work. Drug courts save money. They reduce crime and they restore families. According to the National Association of Drug Court Pro-

fessionals, the drug court approach reduces crime by as much as 45 percent more than other sentencing options. In fact, nationally, 75 percent of drug courts graduates remain arrest-free for at least 2 years after leaving the program, and reductions in crime by those offenders is long term.

In addition to reducing crime, drug courts save money, and that is a theme that has become very popular around here lately. As reported by the National Association of Drug Court Professionals, for every dollar nationwide invested in drug courts, taxpayers save as much as \$27. This substantial savings comes from avoiding criminal costs, prison costs, reduced victimization, and health care utilization—all areas in which vast sums of money are spent.

Most importantly, drug courts help restore and preserve families. According to statistics, family reunification rates for drug offenders are 50 percent higher for drug court participants. As people struggle through addiction, they lose a sense of themselves and become isolated from everyone they've known. Reuniting with their families can be the first step in returning to normalcy and to becoming again productive members of their communities.

The underlying bill provides \$41 million in drug court funding, which is \$6 million over the FY 2012 level. For that, I would like to thank Chairman FRANK WOLF and Ranking Member CHAKA FATTAH.

However, drug courts have been historically underfunded since 2001. So this \$4 million increase would bring funding for the National Drug Court Program in line with its historical average of \$45 million since 2001. I appreciate the good work of the census, and I believe that this modest offset can be accounted for in the coming years, but the work of the drug courts meets an immediate and critical need.

□ 1630

Mr. WOLF. Will the gentleman yield?

Mr. LYNCH. I yield to the gentleman from Virginia.

Mr. WOLF. I have no objection to the amendment. I think it's a good amendment. The committee has also been very supportive. Also based on the recommendation of Mr. MEEHAN, they have broadened it now with regard to veterans, too.

But I thank the gentleman, and we accept the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. LYNCH. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I also can support this amendment.

I led the effort in the Pennsylvania legislature to create drug courts in our State. I'm a big supporter, and I think that the chairman—in the bill before us, we've already increased this account, but I think that the amendment as offered by my colleague is something that we would support.

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

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

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$45,568,000, to remain available until September 30, 2014: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

U.S. PATENT AND TRADEMARK OFFICE
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, \$2,933,241,000 to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2013, so as to result in a fiscal year 2013 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2013, should the total amount of such offsetting collections be less than \$2,933,241,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of \$2,933,241,000 in fiscal year 2013 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That from amounts provided herein, not to exceed \$900 shall be made available in fiscal year 2013 for official reception and representation expenses: *Provided further*, That

in fiscal year 2013 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112-29): *Provided further*, That within the amounts appropriated, \$2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$621,173,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund" *Provided*, That not to exceed \$5,000 shall be for official reception and representation expenses.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, \$149,000,000, to remain available until expended, of which \$128,000,000 shall be for the Manufacturing Extension Partnership, and of which \$21,000,000 shall be for the Advanced Manufacturing Technology Consortia.

AMENDMENT OFFERED BY MR. QUAYLE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 18, after the dollar amount insert "(reduced by \$21,000,000)".

Page 11, line 20, after the dollar amount insert "(reduced by \$21,000,000)".

Page 101, line 10, after the dollar amount insert "(increased by \$21,000,000)".

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

Mr. QUAYLE. Madam Chair, this amendment would strike the new Advanced Manufacturing Technology Consortia, also called AmTech, and apply the \$21 million that was provided in the bill to the spending-reduction

account. This new program is intended to establish a public-private partnership initiative that would provide Federal grants to identify and support research projects focused on long-term industrial needs.

We all recognize the importance of advanced manufacturing and the value of collaboration and innovation policy. My hometown of Phoenix has a strong high-tech base and great research universities. I also serve as the chairman of the Subcommittee on Technology Innovation, which has jurisdiction over NIST. Our committee has a long bipartisan record of support for NIST and its contributions.

That being said, in the current budget environment, I simply do not believe it is appropriate to be establishing and funding a new program. Even without the new \$21 million Advanced Manufacturing Technology Consortia, this budget is still nearly 8 percent higher than was provided last year.

Madam Chair, when you look at the amount of debt that we've accumulated over the course of many years and you look at the budget process that we're going through right now, this AmTech was actually requested for the funding last time around when we were going through the appropriations process, and we rightfully did not fund this new program. There are already programs in place for manufacturing, and there are other places that we can go in the private sector to be able to deal with that in the research and developing new ways to be innovative in advanced manufacturing. It is not the time to be wasting another \$21 million in spending that we don't have in order to put forth a new program.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I rise in opposition to the gentleman's amendment.

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

Mr. WOLF. The amendment would cut \$21 million we provided for NIST to establish an Advanced Manufacturing Technology Consortia, or AmTech.

Revitalizing the manufacturing sector is important to a strong economy. Is America going to be making anything? Aren't we all tired of going into Wal-Mart and seeing "made in China"? We have to begin to make things in this country. AmTech would be a competitive-grants program designed to leverage existing or establish new industry-led consortia to develop roadmaps for key long-term industrial research needs and support research at universities and government labs. AmTech will address multiple components of the innovation cycle from discovery to commercialization to accelerate the pace of innovation through the various industrial sectors.

These are precisely the types of programs that we need now to support American manufacturing and innova-

tion, and NIST has a strong track record of proven success in supporting American manufacturing. Manufacturing should be the cornerstone of the economy, and this amendment would help stop it.

I'm going to digress for just a second. When this Congress on two different occasions was asked by the administration to do away with the so-called "payroll tax," that cost this Congress \$125 billion. By doing that, both sides of this Congress and the administration gave Jimmy Buffett a break and Warren Buffett a break, and they created no new jobs. We took \$250 billion and literally threw it away and jeopardized the Social Security program. They said they were going to pay for it by borrowing from the general fund. The general fund is broke. This is manufacturing, and we need a manufacturer. We need to create jobs in this country.

I know the gentleman has got a great record on the cutting, but this is not the place we want to do it. And I urge a "no" vote and yield back the balance of my time.

Mr. FATTAH. Madam Chair, I rise in opposition.

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

Mr. FATTAH. Madam Chair, there is nothing more important in our country than the revival of manufacturing. Over the first decade of this century, we lost so many manufacturing jobs.

At the front edge of this recovery is manufacturing. So that's 370,000 new jobs. To take our Federal laboratories, which we invest billions of dollars that we have—I've visited Sandia and Los Alamos and the Fermi Lab and the Argonne Lab. We have tens of thousands of scientists and researchers there. This consortia program will allow them to work with local manufacturers and communities to help build our manufacturing base so that as we compete across the globe to build it here and sell it everywhere, that we have the manufacturing capabilities to do it.

I think this is an amendment that is unwise. We have a budget that is built not only on the agreement last year, but on the Ryan budget. We're operating within the 302(b) allocation. So for people to rise and say we don't have the money, no, this is money that's been allocated by the majority Republican Congress to spend on behalf of moving our country forward. So we should have a debate on what's important. I think manufacturing is important. I hope that we will reject this amendment.

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

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

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

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

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

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c-278e), \$60,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$2,968,371,000, to remain available until September 30, 2014, except that funds provided for cooperative enforcement shall remain available until September 30, 2015: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, \$119,064,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That of the \$3,102,435,000 provided for in direct obligations under this heading, \$2,968,371,000 is appropriated from the general fund, \$119,064,000 is provided by transfer, and \$15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$207,013,000: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act.

AMENDMENT NO. 10 OFFERED BY MR. HARRIS

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 2, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$542,000)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$542,000)".

Page 101, line 10, after the dollar amount, insert "(increased by \$542,000)".

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

Mr. HARRIS. Madam Chairman, first I want to congratulate the committee for doing its work to help curb the rise in government spending.

I rise to offer an amendment to provide level funding for NOAA's Climate Portal program, rather than the increase in the funding requested by the President and included in the bill as it currently stands.

The Climate Portal program is actually a Web site run by NOAA; and in committee testimony, Dr. Lubchenko suggested that this was a science Web site. This is where you can share climate science information and make decisions.

□ 1640

Madam Chairman, the request is a 56 percent increase in funding. Now, the only thing that's gotten a 56 percent increase over the last 4 years is the size of the Federal deficit and the debt. So my amendment merely reduces the level of funding to the current level.

But I want to read, as you click on some of these topics, what the science is at this port. I am going to read from an article just published on the Web site on May 2. It talks about farming.

"The rain was as loud as pennies falling on the roof of the truck's cab." Later on in the paragraph, "We had been watching Johnson work in his field until the fat drops of rain sent us racing for cover." Next paragraph, "The machine behind the tractor makes it easier than ever for him to roll the grass into submission, thousands of stalks pointing accusingly at the device that just pancaked them."

Madam Chairman, that's not a scientific article. That's something I read to my children at bedtime. But this is what NOAA is advancing as a scientific Web site to share scientific information and is asking for a 56 percent increase in their funding.

My amendment is simple. Let's just level-fund the Web site. Let's revert it to a truly scientific nature and come back next year, if and when our finances are better.

Mr. WOLF. If the gentleman will yield, I think it's a good amendment, and I accept the amendment.

Mr. HARRIS. With that, I yield back the balance of my time.

Mr. DICKS. I rise in opposition to the amendment.

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

Mr. DICKS. It is our understanding that this affects climate change research, and we think that we should not support the amendment.

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

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

Mr. HARRIS. Madam Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. HANABUSA

Ms. HANABUSA. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 2, after the dollar amount insert "(increased by \$1,600,000)".

Page 32, line 4, after the dollar amount insert "(reduced by \$1,900,000)".

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

Ms. HANABUSA. Madam Chairman, first I would like to say that this is a bipartisan amendment. Congressman YOUNG from Alaska has joined in the amendment, as well as Congresswoman BORDALLO, Congressman SABLAN, and the gentleman from Washington, Congressman DICKS.

So, Madam Chairman, this is a very important issue, and it's not asking for much in terms of funding. It's asking for funding to be restored to the fiscal year '12 level.

And let's look at what we're talking about here. We're talking about the Marine Debris line, which funds NOAA's Marine Debris Program, which was really established and mandated by the Marine Debris Research, Prevention, and Reduction Act of 2006. As you know, the program works to map, identify, assess, remove, and prohibit marine debris.

Marine debris is, of course, the worst pollution that we're dealing with in our oceans, but it has become even more relevant to us after the tsunami, the earthquake, and, of course, Fukushima Daiichi in Japan on March 11, 2011. And we have, I'm sure, all sat there in amazement as reports have been made of a soccer ball being found, I believe, in Alaska and a motorcycle in Canada. Definitely, the debris is hitting North America.

I represent Hawaii, and we are on watch as well. All indications are that the debris is making its way. It will hit the northern Hawaiian Islands maybe in the later part of this year. But definitely we expect that the coast will be hit by 2013 as well as Hawaii and other islands.

And think about what this means. You are not talking about a ship. You are not talking about things being dropped in the ocean. You are talking about whole cities. I'm sure we can all recall seeing, in Japan, that tsunami coming in and wiping out cities. And think about where that went.

I think the problem that we, many of us, have is that we stand there in awe

of what happens, but we don't think about what the consequences are. And the consequences here are major. That is floating in the ocean, and it is making its way to us.

That is why this amendment has been proposed, and that is why I believe this amendment has the sponsors that it does have, because we are simply asking to be restored to the level of fiscal year 2012. What that will give us—remember, at that point, we were merely monitoring. We didn't have any clear evidence as to what was happening. Now we know.

All this does is say restore it to at least that level so that the Marine Debris Program can do its work and map, identify, assess, remove, and prohibit more marine debris from hitting our shores. Think about the consequences for us.

Madam Chairman, that is why I ask that we all support this amendment and, on page 13, line 2, increase the amount by \$1.6 million, just to the fiscal year 2012 level.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HANABUSA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIMM

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 42, line 3, after the dollar amount, insert "(increased by \$18,000,000)".

Page 42, line 12, after the dollar amount, insert "(increased by \$18,000,000)".

Page 13, line 2, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 13, line 14, after the dollar amount, insert "(reduced by \$18,000,000)".

Page 13, line 15, after the dollar amount, insert "(reduced by \$18,000,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Madam Chair, I rise today to offer an amendment I introduced along with my colleagues, Mr. KING of New York, Mr. BARLETTA, and Mr. RUNYAN, that would ensure funding is maintained for regional information sharing activities, such as the Regional Information Sharing System, RISS, a program established by Congress over 30 years ago as a nationwide resource for law enforcement to share criminal and intelligence information.

The House FY2013 CJS appropriations bill requests \$27 million in funding for this important program, a 40 percent reduction over past years. Our amendment would restore regional information sharing activities to the fiscal year 2011 funding level of \$45 million. In the fiscal year 2013 Commerce, Justice, and Science Appropriations Act, it is fully offset by reducing funding for NOAA climate research.

RISS is a valuable tool that helps nearly 9,000 Federal, State, and local law enforcement agencies in all 50

States, the District of Columbia, and U.S. territories. They share information more effectively in order to combat terrorism, dangerous criminals, gangs, and sex offenders.

Since 2000, RISS support has yielded \$942.5 million in narcotics, property, and case seizures alone, a 223 percent return on Federal investment, and contributed to more than 57,360 arrests. These numbers don't lie. It's clear that regional information sharing more than pays for itself. These positive results have spurred a greater demand for RISS services. However, with RISS experiencing funding cuts in fiscal year 2012, Agency needs could not always be met.

□ 1650

With these additional cuts in fiscal year 2013, RISS will need to implement widespread layoffs and potentially dismantle critical intelligence centers. So in order to maximize the ability of law enforcement to combat crime and keep our community safe, regional information-sharing activities must remain adequately funded.

I strongly urge my colleagues to support this amendment, and I yield back the balance of my time.

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

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

Mr. WOLF. I wish we could have worked something out. I visited the RISS center up in Bucks County. My dad was a Philadelphia policeman. I take a back seat to no one on the issue of crime.

But it doesn't cut the climate. We don't go down to that. What we're cutting, basically, is weather. What we're cutting is a National Oceanic and Atmospheric Administration research and facilities issue. The account the gentleman is proposing would cut funds for the National Weather Service and the satellite office that process all the data with regard to weather—hurricanes, tornados.

As we go on, no matter what the outcome of this amendment, it doesn't cut climate service. Also, this is the same level fiscal year as it was in the 2012 level and the request. Some Members come down and want more cuts; others want an increase. This bill is below the President's numbers. It is below last year. It is a good program, but it's balancing out.

So I would urge people to vote "no," and as we go to conference, I'll tell the gentleman, we'll work on it. As of now, I urge a "no" vote. If you vote "yes," then the money is coming out of the weather. If there's a hurricane, a tornado, a snowstorm, a problem, then you make your own judgment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

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

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

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

The Clerk will read.

The Clerk read as follows:

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,931,948,000, to remain available until September 30, 2015, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the \$1,946,948,000 provided for in direct obligations under this heading, \$1,931,948,000 is appropriated from the general fund and \$15,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the statement accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2014: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 13, after the dollar amount, insert “(reduced by \$15,000,000)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$15,000,000)”.

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

Mr. BROUN of Georgia. Thank you, Madam Chairwoman.

My amendment would reduce funding for the Pacific Coastal Salmon Recovery program to the President's FY13 request of \$50 million.

I love salmon. I love to eat them. I love to fish for them. I'm a conservationist, and conservation issues are what started my political activism. But we also are in an economic crisis as a Nation.

Let's be clear, this program is basically an earmark, and we should be eliminating it altogether. But that's not what my amendment does. I'm simply asking that we revert to funding levels back to those requested by the President. If \$50 million in funding is good enough for the administration, that's exactly the amount of taxpayer money that this program should receive—and not a cent more.

Given our current economic emergency, everyone needs to pull their weight when it comes to cutting spending. Congress has had to slash its own budget. Agencies across the Federal Government are tightening their belts left and right, and our Nation's families are reining in spending to deal with our failing and flailing economy. Yet the Pacific Coast Salmon Recovery is requesting \$65 million in their funding—a \$15 million increase in their budget from what the President himself has recommended for this year.

I urge my colleagues to support my amendment to simply save American taxpayers \$15 million by maintaining the status quo for the Pacific Coastal Salmon Recovery funding.

I yield back the balance of my time.

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

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

Mr. DICKS. First of all, I take umbrage at the use of the word “earmark” by my colleague. This is no earmark. This is a national program. This affects California, Nevada, Oregon, Washington, Alaska, and Idaho. These States, after a whole series of endangered species listings that go coast-wide, are trying to save these salmon runs.

As someone who comes from Washington State, I have been in the midst of an effort to try to recover our salmon runs. We have marked our fish. We have gone to selective harvests. We're protecting our wild runs. We're trying to do everything we can to recover these salmon runs.

Today, on the Columbia River in Washington State, we will be very fortunate to get 600,000 salmon back. At a

time in the thirties we would have 20 million fish coming back every year: wild chinook salmon, coho salmon, and others.

So I think this is a very good program. We have worked hard to make sure the money is used for strong habitat restoration work and that we have worked to improve our hatcheries. We've done hatchery reform. We've done everything we can to restore the habitat for these fish.

Again, this is a national program that was created during the Clinton administration. It is strongly supported in the Pacific Northwest by both Democrats and Republicans. I see my good friend from Alaska, Mr. YOUNG, has arrived on the floor; and I just want you to know that Alaska, where we still have many wild fish, also participates in this program from time to time.

So I urge that we vote “no” on this amendment. This is a national program. It has been in existence for 12 years. It is doing a good job; but we're fighting a very difficult problem, and we still need to keep working on this because of the endangered species listing, and we still have work to be done. And to cut this back, I think, is a mistake. I urge my colleagues to vote “no” on the amendment.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2013, obligations of direct loans may not exceed \$24,000,000 for Individual Fishing Quota loans and not to exceed \$59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed \$4,500 for official reception and representation, \$55,000,000: *Provided*, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$28,753,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. (a) Section 105(f) of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112-55) is amended—

(1) by striking “paragraph (2)” and inserting “subsection (e)(2)”; and

(2) by striking “this subsection” and inserting “subsection (e)”.

(b) The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112-55), as amended by subsection (a) of this section, are hereby adopted by reference.

SEC. 106. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized,

pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 108. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 109. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

This title may be cited as the "Department of Commerce Appropriations Act, 2013".

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$110,322,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

□ 1700

AMENDMENT NO. 1 OFFERED BY MR. GOWDY

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 23, insert "(reduced by \$1,000,000)" after the dollar amount.

Page 101, line 10, insert "(increased by \$1,000,000)" after the dollar amount.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Madam Chairwoman, for well over a year now, committees of Congress have been trying to answer basic, fundamental questions about an ill-conceived, ill-executed firearms operation called Fast and Furious. A Border Patrol agent was killed, hundreds of Mexican citizens have been killed, thousands of weapons are unaccounted for and likely to be used in future crimes. But the Department of Justice

and the Attorney General specifically will not provide documents properly, legitimately requested, so I am left with no choice, Madam Chairwoman, but to offer an amendment cutting the Department of Justice appropriation.

Congress has been patient—indeed too patient in my judgment—and I understand that for some everything is a political exercise, but surely the Department of Justice can rise above petty, partisan politics and comply with a subpoena. The Department of Justice expects others to comply with subpoenas, yet they will not do so themselves. For those watching at home, what would happen to them if they ignored a summons for jury duty? What would happen to them if they ignored a grand jury subpoena? What would happen if a committee of Congress demanded documents and they summarily refused to cooperate? Madam Chairwoman, they would be sanctioned, fined, and probably jailed.

The Department of Justice is not just one more agency within the Federal Government. And the Attorney General is not just one more political appointee put in place to advance one agenda or the other. Lady Justice is blindfolded for a reason. She can see who is in front of her, she just chooses not to. The Attorney General is the chief law enforcement officer for the United States, and that is a role that is far and beyond politics. Citizens must have confidence in institutions of justice, and they must have confidence in the top law enforcement official in the country. And how can they possibly have either if the Department of Justice is withholding documents?

Madam Chairwoman, it did not have to come to this. It should not have come to this. But there are basic questions the public and Congress have a right to have answered, such as: Who in the Department of Justice approved the tactic of gun walking? Why was the criminal chief advocating for the tactic of gun walking on February 4, 2011, in Mexico, which is the very same day a demonstrably false letter was written to United States Senator CHUCK GRASSLEY denying the tactic. On the very same day Lanny Brewer is advocating for it, a letter is sent under Department of Justice letterhead denying the tactic. How did such a demonstrably false letter ever get drafted and sent on DOJ letterhead? Was gun walking alluded to in the wiretapping applications? And if so, who missed it? When the President said he did not approve of Fast and Furious and neither did Eric Holder, how did he know that? He said that in March of 2011.

These are but five questions that we do not have the answer to despite one solid year of asking.

So, Madam Chairwoman, this is not about politics to me. It's about respect for the rule of law. It's about answers. It's about accountability. It's about acceptance of responsibility. I will not, I cannot stand idly by while oversight of this body is ignored. It is time we did

the jobs we swore allegiance to the Constitution to do, even if others will not.

With that, I yield back the balance of my time.

Mr. WOLF. Madam Chair, I move to strike the requisite number of words.

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

Mr. WOLF. I rise in support of the gentleman's amendment. I have had a difficult time getting answers out of the Justice Department. Many times before the Attorney General comes up, we have six or seven letters there, and the night before the hearing we get one letter that says, in answer to your letter of October 1, October 15, and October 28—and so I completely support the amendment, and I urge Members to support this to send a message. I think it is important for the Justice Department to respond. Particularly, they are the Justice Department. So I thank the gentleman for the amendment and urge its support.

I yield back the balance of my time.

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

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

Mr. FATTAH. Let me try to make a broader point here. We fund the Department of Justice to deal with crime and the protection of our country and our citizens. The crime rate has gone down each and every year of this administration. Violent crime is down. Homicides are down. The Department of Justice is intertwined in inextricable ways with the prevention of terrorist attacks on our homeland and on our citizens, and they have had an extraordinary record.

Now there may be occasions in the House for committees to do whatever it is that they need to do. I know there have been seven hearings in which the Attorney General has testified. I know that thousands of pages of documents have been turned over. But the last thing we should be doing is stripping away resources from a department whose responsibility to all of its agencies is to protect the people who have elected us. They have a responsibility in terms of antiterrorism.

I was out at the opening of the Terrorist Screening Center in Virginia, and to see the various organizations under the mantle of the Department of Justice working hand in hand to make sure that some 300-plus million Americans are safe, I think it has been an extraordinary job done by Attorney General Holder. I think anyone in our country knows this is a political matter. What we need to do is to do our actual work here, and our work here is to deal with appropriations to figure out what the resources are that the Department of Justice needs to do its work.

And yes, there will be a day for politics. That day is on the first Tuesday in November. Today is not the day for

that. Today is the day for this Congress to do its work. I oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. SCHOCK). The question is on the amendment offered by the gentleman from South Carolina (Mr. GOWDY).

The amendment was agreed to.

□ 1710

AMENDMENT OFFERED BY MR. RUNYAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 23, after the dollar amount, insert "(reduced by \$22,418,000)".

Page 43, line 15, after the dollar amount, insert "(increased by \$22,418,000)".

Page 43, line 17, after the dollar amount, insert "(increased by \$22,418,000)".

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. Mr. Chairman, my amendment transfers \$22.418 million from the General Administration Fund to the Edward Byrne Memorial Justice Assistance Grant program, bringing the Byrne/JAG total to \$392.48 million, the same as the Senate mark.

The Edward Byrne Memorial Justice Assistance Grant program provides valuable services to local police departments all around the United States. These grants help to enhance law enforcement capabilities by providing funding to local law enforcement agencies through improving officer safety via equipment, technology, and training. Better equipment and trained police officers are a necessity to keep our communities and our constituents safe.

This amendment is deficit neutral, while increasing funding for support of local law enforcement organizations all over the United States. It is also supported by the Fraternal Order of Police.

During tough fiscal times such as these, we must prioritize and ensure we are providing appropriate funding for those programs we need the most. The Byrne/JAG funding should be appropriated as mentioned above in an effort to best serve our constituents.

I urge support of my amendment.

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

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DICKS. I yield to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I thank the ranking member.

We rise in opposition because the offsets we think are ill-advised in terms of its cuts, particularly to the Civil Rights Enforcement Office, and a number of others. We request a "no" vote on the amendment.

Mr. DICKS. And it's \$22 million. This is a big-time cut, and this would affect

sensitive civil rights cases. So I urge a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

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

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

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

The Clerk will read.

The Clerk read as follows:

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$33,426,000, to remain available until expended.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$13,438,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$84,199,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$12,772,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$863,367,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses

associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 9, after the dollar amount, insert "(increased by \$13,500,000)".

Page 25, line 9, after the dollar amount, insert "(increased by \$21,500,000)".

Page 30, line 15, after the dollar amount, insert "(increased by \$9,000,000)".

Page 61, line 13, after the dollar amount, insert "(reduced by \$44,000,000)".

Page 63, line 20, after the dollar amount, insert "(reduced by \$38,000,000)".

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

Ms. WATERS. Mr. Chairman, my amendment to H.R. 5326 would fully fund the Department of Justice's financial and mortgage fraud enforcement activities as well as the new Residential Mortgage-Backed Securities Working Group.

In announcing this initiative during the State of the Union, President Obama said that the new unit will "hold accountable those who broke the law, speed assistance to homeowners, and help turn the page on an era of recklessness that hurt so many Americans." President Obama recognized that additional resources were needed to prosecute crimes against homeowners and mortgage investors.

Since the start of the financial crisis of 2008, there have been 3.5 million foreclosures. While it's clear that there was extensive fraud in the origination and securitization of mortgage loans, these cases were complicated and time consuming. Without a coordinated task force with significant resources, the greatest crime in the history of our housing market will go unpunished. However, so far, the RMBS Working Group is off to a slow start.

The RMBS Working Group cochair, New York Attorney General Schneidermann, all but affirmed my concerns when he essentially admitted to the Congressional Progressive Caucus during a special public forum that the RMBS Working Group does not yet have the resources it needs to establish a robust infrastructure commensurate with the charge of investigating the 2008 financial crisis.

To fund this effort, the President requested a \$55 million increase in the budget for the Financial Fraud Enforcement Task Force to help facilitate an increase in staffing for the RMBS Working Group. However, as noted in the Minority Views, H.R. 5326 only provides a small portion of the increase that's needed. So I have worked to find additional funds from within the NASA appropriations that I don't anticipate

will endanger any program. Considering the retirement of the space shuttle program and a shift in NASA's priorities, I believe we should use the funds in these accounts to help bring justice to defrauded investors, homeowners, and consumers.

My amendment pulls from NASA Aeronautics' budget of \$569.9 million in appropriations—a fair target since NASA only requested \$551.5 million. I am making up the other portion of the funds needed to neutralize the impact on budgetary outlays by pulling \$38 million from NASA's Space Operations' \$3.9 billion in appropriations.

In subtracting from these accounts, my amendment would increase the FBI's budgets by \$9 million, increase DOJ's legal activities appropriation by \$13.5 million, and increase the appropriations for U.S. Attorneys by \$21.5 million, all in efforts to fully comply with the Obama administration's \$55 million request.

The FBI needs the funding to increase its capacity to investigate financial and mortgage fraud schemes. The requested 40 new agents and four forensic accountants will create two hybrid squads to target the most significant, complex financial crimes, and remaining resources will be allocated to FBI field offices to increase financial and mortgage fraud efforts.

The criminal division within DOJ needs additional resources to prosecute the most significant financial crimes—including mortgage fraud, corporate fraud, and sophisticated investment fraud—coordinate multi-district financial crime cases, and assist U.S. Attorneys offices in financial crime cases with significant money-laundering and asset-forfeiture components.

The civil division within DOJ needs funding to expand civil enforcement efforts to continue to obtain recoveries from individuals and companies who have defrauded the government by violating the terms of Federal contracts, grants, loans, and subsidies.

□ 1720

The Civil Rights Division within DOJ needs funding to expand civil enforcement efforts, including investigations of predatory lending, pricing discrimination, matters involving allegations of potentially fraudulent behavior.

And lastly, the U.S. Attorneys need additional resources to expand criminal investigations and prosecutions of mortgage fraud.

I yield back the balance of my time.

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

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

Mr. WOLF. I rise in opposition to the amendment.

We share the gentlewoman's concern for the importance of investigating and prosecuting financial crime; however, the bill already includes a program increase of \$6.6 million to the FBI for this purpose, one of the very few in-

creases included under the Justice Department. The bill also includes the requested resources for the FBI to continue the additional positions provided in fiscal year 2009 to enhance the investigation of white collar and financial crimes.

Further, the amendment's proposed offsets are a problem. The aviation industry is one of the few bright spots in our domestic manufacturing sector. It is a large source of high quality and one of the only American industrial sectors to report consistent trade surpluses. \$14.44 million will be taken out of that.

This success has been built on the back of NASA's aeronautics program, which develops new, cutting-edge technology for transfer to the industry. This technology makes American airplanes and airspace safer and more efficient, reliable, and sustainable. Pulling back from our aeronautics program today only ensures that we will fail to produce the innovation needed to fuel our exports in the next decade, which will, in turn, imperil America's leadership in industry, with major economic and national security implications.

I'm also concerned about the amendment's proposed reductions to NASA's Space Operations account, which would affect our ability to effectively manage and utilize the \$100 billion international space station. We have spent \$100 billion on the space station, and I think to take this cut out of that would be a mistake.

So, for all of those reasons, I urge a "no" vote on the amendment.

I yield back the balance of my time.

Mr. MILLER of North Carolina. I move to strike the last word.

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

Mr. MILLER of North Carolina. Mr. Chairman, I did not want to cut the spending for NASA either, but the financial crisis of 2008, from which we are still suffering, cost Americans trillions of dollars. And even more importantly, it has undermined deeply Americans' faith that our Nation really does believe in the rule of law, that the same laws apply to all of us equally. They have not seen anything that justifies a belief that that has happened in this case.

What happened in the financial crisis was not a perfect storm of unforeseeable economic forces. What happened was a visible hand of fraud, or at least a hand that would be visible if anyone would just look.

But despite the fact, the compelling evidence of real misconduct, fraud and probably criminal fraud, there has certainly not been an investigation. There certainly have not been prosecutions to reassure Americans that, yes, there is a rule of law, and those same laws apply to you no matter who you are, what your station in life is.

If we seriously pursued those claims of fraud, those allegations of fraud, criminal fraud charges, every defendant would have a defense team that

would make the O.J. defense team look like a public defender 2 years out of law school handling 100 other cases. We would be swamped by the opposition.

But that is certainly no reason not to pursue those charges. In fact, that is all the more reason to go forward and to pursue criminal fraud, to assure Americans that you do not get out of the rule of law; you do not get a "get out of jail free" card because you are rich and powerful.

In contrast, the savings and loan crisis, which was nothing compared to the crisis that we are still in, there were 1,000 agents from the FBI who were assigned to investigate. There were ample lawyers to bring the claims; and, in fact, almost 1,000 figures from the savings and loan crisis, in fact, were criminally prosecuted and went to jail, with a 90 percent conviction rate.

The current task force, the one the President announced at the State of the Union, has now, we understand, 50 to 60 lawyers and accountants working on the largest financial crisis in history since the Great Depression. The results of this are going to depend upon the kind of resources that that task force has.

It is important that we compensate the people who were the victims of that fraud, and the task force will have the legal power to do that. Even more importantly, it will satisfy Americans' sense of justice, the sense of justice that has been offended, that the people who have suffered the most from the financial crisis really were blameless. And they do believe that there were people who were not blameless, whose misconduct, including criminal misconduct, caused it. We need to satisfy their sense of justice.

Mr. Chairman, I want to satisfy my sense of justice. I support Ms. WATERS' amendment.

I yield back the balance of my time.

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

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

Mr. FATTAH. I totally support the efforts of this amendment to increase the resources we've put into mortgage fraud. And I've written to the Attorney General on this, and we have about \$11 million, I think, appropriated in the bill in this regard. We need to find more.

I'm opposed to these offsets, and the idea that they won't do damage to NASA programs, I think, is wrong. It's easy to go after NASA.

I think that there's broad agreement, however, that the mortgage fraud that took place, as evidenced by the settlement that Attorney General Holder and attorney generals from dozens and dozens of States brought together with the largest banks that are helping to redress some of these problems. So we need to do more. We'll work together to try to find that.

I am opposed to this amendment, as written.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Ms. WATERS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. RUNYAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 9, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 37, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. RUNYAN. Mr. Chairman, my amendment transfers \$5 million from the Department of Justice Legal Activities, Salaries and Expenses, General Legal Activities to the Office of Violence Against Women.

The Office of Violence Against Women serves as an invaluable resource for battered and abused women in all of our communities. The office provides grants that have helped to enhance Federal, State, and local responses to sexual assault, domestic violence, stalking and dating violence, as well as providing domestic shelters and services to victims of domestic violence.

Abused women in our communities frequently have nowhere and no one to turn to. The programs provided by the Violence Against Women Act and the Office of Violence Against Women are the only safe haven for many women. These programs must be funded at a level that ensures these vital services can continue.

This amendment is deficit-neutral, while increasing funding for the Office of Violence Against Women.

During this period of budgetary constraints, we must prioritize the programs we need the most. My amendment clearly states that the Office of Violence Against Women is a priority.

I urge all of my colleagues' support on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTI-TRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$159,587,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be

\$115,000,000 in fiscal year 2013), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the general fund estimated at \$44,587,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, \$1,965,000,000: *Provided*, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$223,258,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, \$223,258,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2013, so as to result in a final fiscal year 2013 appropriation from the Fund estimated at \$0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,000,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$11,456,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary

to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,948,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,188,488,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$10,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, \$1,647,383,000, to remain available until expended: *Provided*, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, \$90,039,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking, and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$521,793,000, of which \$50,000,000 shall remain available until

expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION
SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$8,185,007,000, of which not to exceed \$216,000,000 shall remain available until expended: *Provided*, That not to exceed \$184,500 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; \$80,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,043,904,000; of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
EXPLOSIVES
SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,153,345,000, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$20,000,000 shall remain available until expended: *Provided*, That, in the current fiscal year and any fiscal year thereafter, no funds appropriated under this or any other Act shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to section 478.118 of title 27, Code of Federal Regulations, or to change the definition of "Curios or relics" in section 478.11 of title 27, Code of Federal Regulations, or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from

Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That, in the current fiscal year and any fiscal year thereafter, no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

FEDERAL PRISON SYSTEM
SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$6,820,217,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed \$5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2014: *Provided further*, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a nonprofit entity which has operated such program in the past notwithstanding the fact that such nonprofit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchasing and acquiring facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses inci-

dent thereto, by contract or force account, \$90,000,000, to remain available until expended, of which not less than \$66,965,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES,
FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT
ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN
VIOLENCE AGAINST WOMEN PREVENTION AND
PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and for related victims services, \$415,000,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) \$189,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$25,000,000 is for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) \$3,500,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to "Research, Evaluation, and Statistics" for administration by the Office of Justice Programs;

(4) \$10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) \$50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(6) \$23,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$36,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$41,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) \$11,500,000 is for the safe havens for children program, as authorized by section 1301 of the 2000 Act;

(12) \$5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) \$4,500,000 is for the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(14) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(15) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act, which may be transferred to "Research, Evaluation, and Statistics" for administration by the Office of Justice Programs; and

(16) \$500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

□ 1730

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. PETERS of Michigan.

The first amendment by Mr. BROUN of Georgia.

An Amendment by Mr. McCLINTOCK of California.

An Amendment by Mr. MICHAUD of Maine.

An Amendment by Mr. SCALISE of Louisiana.

An Amendment No. 3 by Mr. POMPEO of Kansas.

An Amendment by Mr. QUAYLE of Arizona.

An Amendment No. 10 by Mr. HARRIS of Maryland.

An Amendment by Mr. GRIMM of New York.

The second amendment by Mr. BROUN of Georgia.

An Amendment by Mr. RUNYAN of New Jersey.

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

AMENDMENT OFFERED BY MR. PETERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 261, not voting 29, as follows:

[Roll No. 202]

AYES—141

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Benishek
Berkley
Berman
Biggart
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Chandler
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Critz
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Dent
Dicks

Dingell
Dold
Ellison
Engel
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Garamendi
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hochul
Holt
Israel
Jackson (IL)
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Levin
Lipinski
Loebsack
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McCotter

McDermott
McGovern
McNerney
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Ross (AR)
Roybal-Allard
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Schakowsky
Schilling
Schrader
Schwartz
Serrano
Sherman
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)

Tierney
Tonko
Tsongas
Velázquez

Visclosky
Walz (MN)
Watt
Welch

NOES—261

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Berg
Billbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Capito
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Costello
Crawford
Crenshaw
Cuellar
Culberson
Davis (IL)
Davis (KY)
Denham
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Emerson
Eshoo
Farenthold
Farr
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger

Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hahn
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
(TX)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McClaul
McClintock
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Miller (FL)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paul
Paulsen

Woolsey
Yarmuth
Pearce
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sarbanes
Scalise
Schiff
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Wasserman
Schultz
Waters
Waxman
Webster
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—29

Becerra
Bonner

Butterfield
Camp

Cantor
Cardoza

Carson (IN)	Jenkins	Pelosi	Nugent	Runyan	Terry	Speier	Turner (NY)	Welch
Chu	Johnson (GA)	Pence	Olson	Ryan (WI)	Thompson (PA)	Stark	Turner (OH)	Westmoreland
Donnelly (IN)	Jones	Reichert	Paul	Sanchez, Loretta	Thornberry	Stivers	Van Hollen	Wilson (FL)
Ellmers	Kucinich	Rothman (NJ)	Petri	Scalise	Tipton	Stutzman	Velázquez	Wittman
Filner	Lee (CA)	Rush	Poe (TX)	Schilling	Towns	Sutton	Visclosky	Wolf
Gibson	McHenry	Slaughter	Polis	Schmidt	Upton	Thompson (CA)	Walz (MN)	Womack
Hirono	Moore	Whitfield	Pompeo	Schweikert	Walberg	Thompson (MS)	Wasserman	Woolsey
Honda	Pascarell		Posey	Scott (SC)	Walden	Tiberi	Schultz	Yarmuth
			Quayle	Scott, Austin	Walsh (IL)	Tierney	Waters	Young (FL)
			Ribble	Sensenbrenner	Webster	Tonko	Watt	
			Rogers (MI)	Shimkus	West	Tsongas	Waxman	
			Rohrabacher	Smith (NE)	Wilson (SC)			
			Rokita	Smith (TX)	Woodall			
			Rooney	Southerland	Yoder			
			Ross (FL)	Stearns	Young (AK)			
			Royce	Sullivan	Young (IN)			

□ 1802

Mr. AL GREEN of Texas, Ms. EDWARDS, Messrs. GRIMM, DAVID SCOTT of Georgia, and CLYBURN, Ms. HAHN, Mr. HINOJOSA, Ms. FUDGE, Messrs. HOYER, CLEAVER, MEEKS, WAXMAN, DAVIS of Illinois, and Mrs. LUMMIS changed their vote from “aye” to “no.”

Mr. JACKSON of Illinois, Ms. BERKLEY, Mr. GEORGE MILLER of California, Mrs. LOWEY, and Messrs. HANNA and CONYERS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 202, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 137, noes 270, not voting 24, as follows:

[Roll No. 203]

AYES—137

Adams	Farenthold	Hultgren
Akin	Fincher	Hunter
Amash	Fitzpatrick	Hurt
Amodei	Flake	Issa
Bachmann	Fleischmann	Jenkins
Benishek	Fleming	Johnson (IL)
Billirakis	Flores	Johnson (OH)
Bishop (UT)	Fortenberry	Jordan
Black	Fox	King (IA)
Blackburn	Frank (MA)	Kline
Boustany	Franks (AZ)	Labrador
Brady (TX)	Gardner	Lamborn
Brooks	Garrett	Landry
Broun (GA)	Gingrey (GA)	LoBiondo
Buchanan	Gohmert	Long
Buerkle	Goodlatte	Luetkemeyer
Burgess	Gosar	Lummis
Burton (IN)	Gowdy	Mack
Campbell	Graves (GA)	Manzullo
Carter	Graves (MO)	Marchant
Chabot	Griffith (VA)	McClintock
Chaffetz	Guthrie	McMorris
Coble	Harper	Rodgers
Coffman (CO)	Harris	Mica
Conaway	Hartzler	Miller (FL)
Davis (KY)	Hensarling	Miller (MI)
Duffy	Herger	Mulvaney
Duncan (SC)	Herrera Beutler	Murphy (PA)
Duncan (TN)	Huelskamp	Myrick
Emerson	Huizenga (MI)	Neugebauer

Ackerman	Ellison
Aderholt	Engel
Alexander	Eshoo
Altmire	Farr
Andrews	Fattah
Austria	Forbes
Baca	Frelinghuysen
Bachus	Fudge
Baldwin	Gallegly
Barletta	Garamendi
Barrow	Gerlach
Bartlett	Gibbs
Barton (TX)	Gibson
Bass (CA)	Gonzalez
Bass (NH)	Granger
Berg	Green, Al
Berkley	Green, Gene
Berman	Griffin (AR)
Biggert	Grijalva
Bilbray	Grimm
Bishop (GA)	Guinta
Bishop (NY)	Gutierrez
Blumenauer	Hahn
Bonamicci	Hall
Bono Mack	Hanabusa
Boren	Hanna
Boswell	Hastings (FL)
Brady (PA)	Hastings (WA)
Braley (IA)	Hayworth
Brown (FL)	Heck
Bucshon	Heinrich
Calvert	Higgins
Camp	Himes
Canseco	Hinche
Capito	Hinojosa
Capps	Hochul
Capuano	Holden
Carmahan	Holt
Carney	Hoyer
Cassidy	Israel
Castor (FL)	Jackson (IL)
Chandler	Jackson Lee
Cicilline	(TX)
Clarke (MI)	Johnson (GA)
Clarke (NY)	Johnson, E. B.
Clay	Johnson, Sam
Cleaver	Kaptur
Clyburn	Keating
Cohen	Kelly
Cole	Kildee
Connolly (VA)	Kind
Conyers	King (NY)
Cooper	Kingston
Costa	Kinzinger (IL)
Costello	Kissell
Courtney	Lance
Crawaack	Langevin
Crawford	Lankford
Crenshaw	Larsen (WA)
Critz	Larson (CT)
Crowley	Latham
Cuellar	LaTourette
Culberson	Latta
Cummings	Levin
Davis (CA)	Lewis (CA)
Davis (IL)	Lewis (GA)
DeFazio	Lipinski
DeGette	Loeb sack
DeLauro	Lofgren, Zoe
Denham	Lowe
Dent	Lucas
DesJarlais	Lujan
Deutch	Lungren, Daniel
Diaz-Balart	E.
Dicks	Lynch
Dingell	Maloney
Doggett	Marino
Dold	Markey
Doyle	Matheson
Dreier	Matsui
Edwards	McCarthy (CA)

NOES—270

McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Petersen
Pingree (ME)
Pitts
Platts
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (WA)

NOT VOTING—24

Becerra	Ellmers	Moore
Bonner	Filner	Pascarell
Butterfield	Hirono	Pence
Cantor	Honda	Reichert
Cardoza	Jones	Rothman (NJ)
Carson (IN)	Kucinich	Rush
Chu	Lee (CA)	Slaughter
Donnelly (IN)	McHenry	Whitfield

□ 1808

Mr. AKIN changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 203, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. MCCLINTOCK

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 121, noes 287, not voting 23, as follows:

[Roll No. 204]

AYES—121

Adams	Fleming	Lance
Akin	Flores	Landry
Amash	Fox	Lankford
Amodei	Franks (AZ)	Long
Barton (TX)	Gardner	Lummis
Bishop (UT)	Garrett	Mack
Black	Gingrey (GA)	McClintock
Bono Mack	Gohmert	McMorris
Boustany	Goodlatte	Rodgers
Brooks	Gosar	Miller (FL)
Broun (GA)	Gowdy	Miller, Gary
Buerkle	Graves (GA)	Mulvaney
Burgess	Griffith (VA)	Myrick
Burton (IN)	Guinta	Neugebauer
Campbell	Harper	Nugent
Canseco	Hartzler	Nunnelee
Cassidy	Hastings (WA)	Olson
Chabot	Hensarling	Palazzo
Chaffetz	Herger	Paul
Coble	Herrera Beutler	Pearce
Coffman (CO)	Huelskamp	Petri
Conaway	Huizenga (MI)	Pompeo
Cravaack	Hultgren	Posey
Culberson	Hunter	Price (GA)
Denham	Hurt	Quayle
Duffy	Issa	Ribble
Duncan (SC)	Jenkins	Rohrabacher
Duncan (TN)	Johnson (IL)	Rokita
Emerson	Jordan	Rooney
Farenthold	King (IA)	Ross (FL)
Fincher	Labrador	Royce
Flake	Lamborn	Ryan (WI)

Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (TX)

Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Upton

NOES—287

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Brady (TX)
Brawley (IA)
Brown (FL)
Buchanan
Buchson
Calvert
Camp
Capito
Capps
Capuano
Carnahan
Carney
Carter
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick

Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hastings (FL)
Hayworth
Heck
Heinrich
Higgins
Himes
Hinchev
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum

Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nunes
Oliver
Owens
Pallone
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)

Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez

Visclosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch

West
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

Latham
LaTourette
Lee (CA)
Levin
Lipinski
LoBiondo
Loeb sack
Luetkemeyer
Luján
Lynch
Manzullo
Marino
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McNerney
Meeks
Mica
Michaud
Miller (NC)
Murphy (CT)
Nadler
Neal
Noem
Olver
Owens

Pallone
Paul
Paulsen
Pelosi
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Richardson
Rogers (KY)
Ross (AR)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schiff
Schilling
Schock
Schwartz
Scott (VA)
Scott, David

Sewell
Sherman
Shuler
Sires
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Welch
Wilson (FL)
Womack
Woolsey
Yarmuth

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)

Ellmers
Filner
Hirono
Frank (MA)
Jones
Kucinich
McHenry
Moore

Pascarell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1813

Mr. MULVANEY changed his vote from “no” to “aye.”

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

Stated against: Mr. FILNER. Mr. Chair, on rollcall 204, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. MICHAUD

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

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

The vote was taken by electronic device, and there were—ayes 190, noes 218, not voting 23, as follows:

[Roll No. 205]

AYES—190

Ackerman
Alexander
Altmire
Austria
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Boustany
Brady (PA)
Brady (IA)
Brown (FL)
Capito
Capuano
Carnahan
Carmay
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clever
Clyburn

Cohen
Connolly (VA)
Cooper
Costello
Courtney
Crawford
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dicks
Dingell
Dold
Doyle
Duncan (TN)
Ellison
Engel
Eshoo
Fattah
Fitzpatrick
Frank (MA)
Garamendi
Gibson
Goodlatte
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)

Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Harris
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchev
Hochul
Holden
Holt
Hoyer
Hurt
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
Kissell
Landry
Langevin
Larsen (WA)
Larson (CT)

Adams
Aderholt
Akin
Amash
Amodei
Andrews
Bachmann
Barletta
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capps
Carter
Cassidy
Chabot
Chaffetz
Clay
Coble
Coffman (CO)
Cole
Conaway
Conyers
Costa
Cravaack
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Dreier
Duffy
Duncan (SC)
Edwards
Emerson
Farenthold
Farr
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy

NOES—218

Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grijalva
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jackson (IL)
Jenkins
Roby
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latta
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lucas
Lummis
Lungren, Daniel
E.
Mack
Maloney
Marchant
Markey
McCarthy (CA)
McCaul
McClintock
McKeon
McKinley

McMorris
Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Napolitano
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Pearce
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schakowsky
Schmidt
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman

Sullivan Walberg Wittman
 Terry Walden Wolf
 Thornberry Walsh (IL) Woodall
 Tipton Waxman Yoder
 Turner (NY) Webster Young (AK)
 Upton West Young (FL)
 Van Hollen Westmoreland Young (IN)
 Velázquez Wilson (SC)

NOT VOTING—23

Becerra Ellmers Pascrell
 Bonner Filner Pence
 Butterfield Hirono Reichert
 Cantor Honda Rothman (NJ)
 Cardoza Jones
 Carson (IN) Kucinich Slaughter
 Chu McHenry Whitfield
 Donnelly (IN) Moore

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 1817

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 205, I was
 away from the Capitol due to prior commit-
 ments to my constituents. Had I been present,
 I would have voted “aye.”

AMENDMENT OFFERED BY MR. SCALISE

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

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
 vice, and there were—ayes 174, noes 233,
 not voting 24, as follows:

[Roll No. 206]

AYES—174

Adams Culberson Hartzler
 Akin Duffy Hastings (WA)
 Amash Duncan (SC) Hensarling
 Amodei Duncan (TN) Herger
 Bachmann Emerson Herrera Beutler
 Barton (TX) Farenthold Hochul
 Benishek Fincher Huelskamp
 Biggert Fitzpatrick Huizenga (MI)
 Bilirakis Flake Hultgren
 Bishop (UT) Fleischmann Hunter
 Black Fleming Hurt
 Blackburn Flores Issa
 Bono Mack Forbes Jenkins
 Boustany Fortenberry Johnson (IL)
 Brady (TX) Foxx Johnson (OH)
 Brooks Franks (AZ) Johnson, Sam
 Broun (GA) Gallegly Jordan
 Buchanan Gardner King (IA)
 Buerkle Garrett Kingston
 Burgess Gibson Kline
 Burton (IN) Gingrey (GA) Labrador
 Calvert Gohmert Lamborn
 Camp Goodlatte Lance
 Campbell Gosar Landry
 Canseco Gowdy Lankford
 Cassidy Graves (GA) Latta
 Chabot Graves (MO) Lewis (CA)
 Chaffetz Griffith (VA) Long
 Coble Guthrie Luetkemeyer
 Coffman (CO) Hall Lummis
 Conaway Hanna Lungren, Daniel
 Cravaack Harper E.
 Cuellar Harris Macks

Manzullo Pompeo
 Marchant Posey
 Marino Price (GA)
 McCarthy (CA) Quayle
 McCaul Ribble
 McClintock Rigell
 McCotter Roby
 McMorris Roe (TN)
 Rodgers Rogers (MI)
 Mica Rohrabacher
 Miller (FL) Rokita
 Miller (MI) Rooney
 Miller, Gary Roskam
 Mulvaney Ross (FL)
 Murphy (PA) Royce
 Myrick Runyan
 Neugebauer Ryan (WI)
 Nugent Scalise
 Nunnelee Schilling
 Olson Schmidt
 Palazzo Schweikert
 Paul Scott (SC)
 Paulsen Scott, Austin
 Petri Sensenbrenner
 Pitts Sessions
 Poe (TX) Shimkus

NOES—233

Ackerman Dreier
 Aderholt Edwards
 Alexander Ellison
 Altmiere Engel
 Andrews Eshoo
 Austria Farr
 Baca Patah
 Bachus Frank (MA)
 Baldwin Frelinghuysen
 Barletta Fudge
 Barrow Garamendi
 Bartlett Gerlach
 Bass (CA) Gibbs
 Bass (NH) Gonzalez
 Berg Granger
 Berkley Green, Al
 Berman Green, Gene
 Bilbray Griffin (AR)
 Bishop (GA) Grijalva
 Bishop (NY) Grimm
 Blumenauer Guinta
 Bonamici Gutierrez
 Boren Hahn
 Boswell Hanabusa
 Brady (PA) Hastings (FL)
 Braley (IA) Hayworth
 Brown (FL) Heck
 Bucshon Heinrich
 Capito Higgins
 Capps Himes
 Capuano Hinchey
 Carnahan Hinojosa
 Carney Holden
 Carter Holt
 Castor (FL) Hoyer
 Chandler Israel
 Cicilline Jackson (IL)
 Clarke (MI) Jackson Lee
 Clarke (NY) (TX)
 Clay Johnson (GA)
 Cleaver Johnson, E. B.
 Clyburn Kaptur
 Cohen Keating
 Cole Kelly
 Connolly (VA) Kildee
 Conyers Kind
 Cooper King (NY)
 Costa Kinzinger (IL)
 Costello Kissell
 Courtney Langevin
 Crawford Larsen (WA)
 Crenshaw Larson (CT)
 Critz Latham
 Crowley LaTourrette
 Cummings Lee (CA)
 Davis (CA) Levin
 Davis (IL) Lewis (GA)
 Davis (KY) Lipinski
 DeFazio LoBiondo
 DeGette Loebsock
 DeLauro Lofgren, Zoe
 Denham Lowey
 Dent Lucas
 DesJarlais Lujan
 Deutch Lynch
 Diaz-Balart Markey
 Dicks Matheson
 Dingell Matsui
 Doggett McCarthy (NY)
 Dold McCollum
 Doyle McDermott

Smith (NE) Thompson (MS)
 Smith (TX) Thompson (PA)
 Southerland Tierney
 Stearns Tonko
 Stivers Towns
 Stutzman Tsongas
 Sullivan Turner (NY)
 Terry Turner (OH)
 Van Hollen
 Velázquez
 Vislosky
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt

NOT VOTING—24

Becerra Ellmers Moore
 Bonner Filner Pascrell
 Butterfield Hirono Pence
 Cantor Honda Reichert
 Cardoza Jones Rothman (NJ)
 Carson (IN) Kucinich Rush
 Chu Maloney Slaughter
 Donnelly (IN) McHenry Whitfield

□ 1820

Mr. GRIMM changed his vote from
 “aye” to “no.”

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

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 206, I was
 away from the Capitol due to prior commit-
 ments to my constituents. Had I been present,
 I would have voted “no.”

AMENDMENT NO. 3 OFFERED BY MR. POMPEO

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Kansas (Mr. POMPEO)
 on which further proceedings were
 postponed and on which the noes pre-
 vailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
 vice, and there were—ayes 129, noes 279,
 not voting 23, as follows:

[Roll No. 207]

AYES—129

Adams Flores Lummis
 Akin Forbes Mack
 Amash Foxx Marchant
 Amodei Franks (AZ) McCaul
 Bachmann Gardner McClintock
 Bachus Garrett McCotter
 Bilirakis Gingrey (GA) McMorris
 Bishop (UT) Gohmert Rodgers
 Black Goodlatte Mica
 Blackburn Gosar Miller (FL)
 Boustany Gowdy Miller, Gary
 Brady (TX) Granger Mulvaney
 Brooks Graves (GA) Myrick
 Broun (GA) Guthrie Neugebauer
 Buerkle Harper Nugent
 Burgess Hensarling Nunnelee
 Burton (IN) Herger Olson
 Camp Huelskamp Palazzo
 Campbell Huizenga (MI) Paul
 Canseco Hultgren Petri
 Carter Hunter Poe (TX)
 Cassidy Hurt Pompeo
 Chabot Issa Posey
 Chaffetz Jenkins Price (GA)
 Coble Johnson (IL) Quayle
 Coffman (CO) Johnson, Sam Ribble
 Conaway Jordan Rigell
 Culberson King (IA) Rogers (MI)
 Dreier Kingston Rohrabacher
 Duffy Klime Rokita
 Duncan (SC) Labrador Rooney
 Farenthold Lamborn Roskam
 Flake Lance Ross (FL)
 Fleischmann Landry Royce
 Fleming Long Ryan (WI)

Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (TX)

Stearns
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Walberg
Walsh (IL)

Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (FL)
Young (IN)

Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman
Schultz

Waters
Watt
Waxman
Webster
Welch
West
Wilson (FL)

Wolf
Womack
Woolsey
Yarmuth
Young (AK)

Royce
Ryan (WI)
Scalise
Schmidt
Sullivan
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (NE)

Smith (TX)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Upton
Walberg
Walden

Walsh (IL)
Webster
West
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—279

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cueellar
Cummins
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry

Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinche
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon

McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nunes
Oliver
Owens
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Southernland
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)

Ellmers
Filner
Hirono
Honda
Jones
Kucinich
McHenry
Moore

Pascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1824

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

Stated against:
Mr. FILNER. Mr. Chair, on rollcall 207, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

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

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

RECORDED VOTE
The Acting CHAIR. A recorded vote has been demanded.

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

The vote was taken by electronic device, and there were—ayes 147, noes 259, not voting 25, as follows:

[Roll No. 208]

AYES—147

Adams
Akin
Alexander
Amash
Amodei
Bachmann
Bachus
Barton (TX)
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Conaway
Culberson
Denham
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Flake
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Long

Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Marchant
McCarthy (CA)
McCauley
McClintock
McCotter
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunnelee
Paul
Paulsen
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Ribble
Rigell
Roby
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)

Ackerman
Aderholt
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Frelinghuysen
Fudge

Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hanabusa
Hanna
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinche
Hinojosa
Hochul
Holden
Holt
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb
Lofgren, Zoe
Lowey
Lucas
Lujan
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)

Nadler
Napolitano
Neal
Noem
Nunes
Olson
Oliver
Owens
Palazzo
Pallone
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Richardson
Richmond
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton

NOES—259

Westmoreland
Wilson (FL)Wolf
WomackWoolsey
YarmuthMcCotter
McKeonRehberg
RenacciSmith (NE)
Smith (NJ)

NOT VOTING—23

NOT VOTING—25

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)
EllmersFilmer
Hirono
Honda
Jones
Kucinich
Langevin
McHenry
Moore
PascrellPence
Reichert
Rothman (NJ)
Roybal-Allard
Rush
Slaughter
WhitfieldMcKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
ReedRibble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
SimpsonSmith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)Ellmers
Filmer
Hirono
Honda
Jones
Kucinich
McHenry
MoorePascrell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1827

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 208, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 10 OFFERED BY MR. HARRIS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 219, noes 189, not voting 23, as follows:

[Roll No. 209]

AYES—219

Adams	Culberson	Hartzler
Aderholt	Davis (KY)	Hastings (WA)
Akin	Denham	Heck
Alexander	Dent	Hensarling
Amash	DesJarlais	Herger
Amodei	Diaz-Balart	Hochul
Austria	Dreier	Huelskamp
Bachmann	Duffy	Huizenga (MI)
Bachus	Duncan (SC)	Hultgren
Barletta	Duncan (TN)	Hunter
Bartlett	Emerson	Hurt
Barton (TX)	Farenthold	Issa
Benishek	Fincher	Jenkins
Berg	Fitzpatrick	Johnson (OH)
Bilirakis	Flake	Johnson, Sam
Bishop (UT)	Fleischmann	Jordan
Black	Fleming	Jordan
Blackburn	Flores	King (IA)
Bono Mack	Forbes	Kingston
Boustany	Fortenberry	Kinzinger (IL)
Brady (TX)	Fox	Kline
Brooks	Franks (AZ)	Labrador
Broun (GA)	Frelinghuysen	Lamborn
Buchanan	Gardner	Lance
Bucshon	Garrett	Landry
Buerkle	Gerlach	Lankford
Burgess	Gibbs	Latham
Burton (IN)	Gingrey (GA)	LaTourette
Camp	Gohmert	Latta
Campbell	Goodlatte	Long
Canseco	Gosar	Lucas
Capito	Gowdy	Luetkemeyer
Carter	Granger	Lummis
Cassidy	Graves (GA)	Lungren, Daniel
Chabot	Graves (MO)	E.
Chaffetz	Griffin (AR)	Mack
Coble	Griffith (VA)	Manzullo
Coffman (CO)	Grimm	Marchant
Cole	Guinta	Marino
Conaway	Guthrie	Matheson
Cravaack	Hall	McCarthy (CA)
Crawford	Harper	McCaul
Crenshaw	Harris	McClintock

Ackerman	Altmire	Andrews	Baca	Baldwin	Barrow	Bass (CA)	Bass (NH)	Berkley	Berman	Biggert	Bilbray	Bishop (GA)	Bishop (NY)	Blumenauer	Bonamici	Boren	Boswell	Brady (PA)	Braley (IA)	Brown (FL)	Brown (FL)	Calvert	Capps	Capuano	Carnahan	Carney	Castor (FL)	Chandler	Cicilline	Clarke (MI)	Clarke (NY)	Clay	Cleaver	Clyburn	Cohen	Connolly (VA)	Conyers	Cooper	Costa	Costello	Courtney	Critz	Crowley	Cuellar	Lance	Cummings	Davis (CA)	Davis (IL)	DeFazio	DeGette	DeLauro	Deutch	Dicks	Dingell	Doggett	Dold	Doyle	Edwards	Ellison	Engel	Eshoo	Farr	Fattah	Frank (MA)	Fudge
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NOES—189

Gallegly	Garamendi	Gibson	Gonzalez	Green, Al	Green, Gene	Grijalva	Gutierrez	Hahn	Hanabusa	Hanna	Hastings (FL)	Hayworth	Heinrich	Herrera Beutler	Higgins	Himes	Hinche	Hinojosa	Holden	Holt	Hoyer	Israel	Jackson (IL)	Jackson Lee	Johnson (GA)	Johnson (IL)	Johnson, E. B.	Kaptur	Keating	Kildee	Kind	King (NY)	Kissell	Langevin	Larsen (WA)	Larson (CT)	Lee (CA)	Levin	Lewis (CA)	Lewis (GA)	Lipinski	LoBiondo	Loebsack	Lofgren, Zoe	Lowey	Lujan	Lynch	Maloney	Markey	Matsui	McCarthy (NY)	McCollum	McDermott	McGovern	McIntyre	McNerney	Meehan	Meeks	Michaud	Miller (NC)	Miller, Gary	Miller, George
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Moran	Murphy (CT)	Nadler	Napolitano	Neal	Olver	Pallone	Pastor (AZ)	Pelosi	Perlmutter	Peters	Peterson	Pingree (ME)	Polis	Price (NC)	Quigley	Rahall	Rangel	Reyes	Richardson	Richmond	Ross (AR)	Roybal-Allard	Ruppersberger	Ryan (OH)	Sanchez, Linda	T.	Sanchez, Loretta	Sarbans	Schakowsky	Schiff	Schrader	Schwartz	Scott (VA)	Scott, David	Serrano	Sewell	Sherman	Shuler	Sires	Smith (WA)	Speier	Stark	Sutton	Thompson (CA)	Thompson (MS)	Tierney	Tonko	Towns	Tsongas	Van Hollen	Velázquez	Visclosky	Walz (MN)	Wasserman	Schultz	Waters	Watt	Waxman	Welch	Wilson (FL)	Woolsey	Yarmuth	Young (AK)
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Messrs. ROONEY and POSEY changed their vote from "no" to "aye." So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 209, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GRIMM

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 209, noes 199, not voting 23, as follows:

[Roll No. 210]

AYES—209

Ackerman	Critz	Holden
Adams	Crowley	Hoyer
Akin	Cuellar	Huelskamp
Alexander	Davis (KY)	Huizenga (MI)
Amodei	DeLauro	Hultgren
Austria	Denham	Hunter
Bachmann	Dent	Hurt
Bachus	Doyle	Issa
Baldwin	Duffy	Jenkins
Barletta	Duncan (SC)	Johnson (OH)
Bass (NH)	Duncan (TN)	Jordan
Benishek	Emerson	Kelly
Berg	Fincher	Kind
Berkley	Fitzpatrick	King (IA)
Biggert	Flake	King (NY)
Bishop (UT)	Fleischmann	Kinzinger (IL)
Black	Fleming	Kissell
Bono Mack	Forbes	Kline
Boswell	Fortenberry	Lamborn
Boustany	Franks (AZ)	Lance
Brady (PA)	Frelinghuysen	Landry
Brady (TX)	Gallegly	Larsen (WA)
Braley (IA)	Garrett	Larson (CT)
Brooks	Gerlach	Latham
Broun (GA)	Gibbs	Latta
Buchanan	Gibson	Lewis (CA)
Bucshon	Gohmert	LoBiondo
Buerkle	Goodlatte	Loebsack
Burgess	Gosar	Luetkemeyer
Burton (IN)	Gowdy	Lujan
Calvert	Graves (GA)	Lungren, Daniel
Camp	Graves (MO)	E.
Canseco	Griffith (VA)	Lynch
Capito	Grimm	Mack
Chabot	Guinta	Manzullo
Clarke (MI)	Guthrie	Marino
Cleaver	Harper	McCarthy (CA)
Coble	Hartzler	McCaul
Conaway	Hayworth	McKeon
Connolly (VA)	Heck	McMorris
Cooper	Hensarling	Rodgers
Costa	Herger	Meehan
Courtney	Himes	Meeks
Cravaack	Hochul	Mica

Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Palazzo
Paulsen
Perlmutter
Peterson
Petri
Platts
Poe (TX)
Price (GA)
Quayle
Rahall
Rangel
Reed
Rehberg
Renacci
Ribble
Richardson

Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Sires
Smith (NE)
Smith (NJ)

Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (PA)
Tiberi
Tonko
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walz (MN)
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yarmuth
Young (AK)

NOES—199

Aderholt
Altmire
Amash
Andrews
Baca
Barrow
Bartlett
Barton (TX)
Bass (CA)
Berman
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Boren
Brown (FL)
Campbell
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (NY)
Clay
Clyburn
Coffman (CO)
Cohen
Cole
Conyers
Costello
Crawford
Crenshaw
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Dreier
Edwards
Ellison
Engel
Eshoo
Farenthold
Farr
Fattah
Flores
Foxx
Frank (MA)
Fudge
Garamendi
Gardner
Gingrey (GA)

Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hastings (FL)
Hastings (WA)
Heinrich
Herrera Beutler
Higgins
Hinchev
Hinojosa
Holt
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kildee
Kingston
Labrador
Langevin
Lankford
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Long
Lowey
Lucas
Lummis
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Miller (NC)
Wilson (FL)
Moran
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson

Oliver
Owens
Pallone
Pastor (AZ)
Paul
Pearce
Pelosi
Peters
Pingree (ME)
Pitts
Polis
Pompeo
Posey
Price (NC)
Quigley
Reyes
Richmond
Rivera
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schramer
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Smith (TX)
Speier
Stark
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Tipton
Tsongas
Van Hollen
Velázquez
Vislosky
Walsh (IL)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Wolf
Womack
Woolsey
Yoder
Young (FL)
Young (IN)

NOT VOTING—23

Becerra
Bonner
Butterfield
Cantor
Cardoza
Carson (IN)
Chu
Donnelly (IN)

Ellmers
Finler
Hirono
Honda
Jones
Kucinich
McHenry
Moore

Pascarell
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Whitfield

□ 1837

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 210, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. BROUN OF

GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 168, noes 239, not voting 24, as follows:

[Roll No. 211]

AYES—168

Adams
Akin
Amash
Amodei
Bachmann
Barletta
Barrow
Barton (TX)
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Carter
Cassidy
Chabot
Conaway
Cravaack
Culberson
Davis (KY)
Dent
Diaz-Balart
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Johnson, Sam
Jordan
Kelly
Flores

Forbes
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Heck
Hensarling
Heger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)

Kinzinger (IL)
Labrador
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Mack
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McIntyre
Meehan
Mica
Miller (FL)
Miller (MI)
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Pearce
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed

Rehberg
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)

Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Thompson (PA)

Thornberry
Tiberi
Turner (NY)
Turner (OH)
Upton
Walberg
Walsh (IL)
Webster
West
Westmoreland
Wilson (SC)
Wittman
Woodall
Yoder
Young (IN)

NOES—239

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Bartlett
Bass (CA)
Bass (NH)
Benishek
Berkley
Berman
Biggert
Billbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
DesJarlais
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fleming

Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gonzalez
Griffin (AR)
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchev
Hinojosa
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (NY)
Kingston
Kissell
Klaine
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeback
Lofgren, Zoe
Lowey
Lucas
Luján
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Markey
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McKeon
McKinley
McMorris
Rodgers
McNerney
Meeks
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moran
Murphy (CT)
Murphy (PA)

Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pastor (AZ)
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rivera
Rogers (AL)
Rogers (KY)
Ross (AR)
Roybal-Allard
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schramer
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (WA)
Speier
Stark
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Vislosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—24

Becerra	Ellmers	Pascarell
Bonner	Filner	Pence
Butterfield	Hirono	Reichert
Cantor	Honda	Rothman (NJ)
Cardoza	Jones	Rush
Carson (IN)	Kucinich	Slaughter
Chu	McHenry	Whitfield
Donnelly (IN)	Moore	Wilson (FL)

□ 1841

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

Stated against:
Mr. FILNER. Mr. Chair, on rollcall 211, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. RUNYAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

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

The vote was taken by electronic device, and there were—ayes 325, noes 81, not voting 25, as follows:

[Roll No. 212]

AYES—325

Adams	Capito	Fitzpatrick
Aderholt	Capuano	Flake
Akin	Carnahan	Fleischmann
Alexander	Carter	Fleming
Altmire	Cassidy	Flores
Amodei	Chabot	Forbes
Andrews	Chaffetz	Fortenberry
Austria	Cicilline	Fox
Bachmann	Clarke (MI)	Frank (MA)
Bachus	Clay	Franks (AZ)
Baldwin	Cleaver	Frelinghuysen
Barletta	Coble	Galleghy
Barrow	Coffman (CO)	Gardner
Bartlett	Cohen	Garrett
Barton (TX)	Cole	Gerlach
Bass (CA)	Conaway	Gibbs
Bass (NH)	Costello	Gibson
Benishek	Courtney	Gingrey (GA)
Berg	Cravaack	Gohmert
Berkley	Crawford	Goodlatte
Berman	Crenshaw	Gosar
Biggart	Critz	Gowdy
Bilbray	Crowley	Granger
Bilirakis	Cuellar	Graves (GA)
Bishop (GA)	Culberson	Graves (MO)
Bishop (NY)	Davis (IL)	Green, Gene
Bishop (UT)	Davis (KY)	Griffin (AR)
Black	DeFazio	Griffith (VA)
Blackburn	DeGette	Grimm
Bonamici	DeLauro	Guinta
Bono Mack	Denham	Guthrie
Boren	Dent	Hahn
Boswell	DesJarlais	Hall
Boustany	Diaz-Balart	Hanabusa
Brady (PA)	Dingell	Hanna
Brady (TX)	Doggett	Harper
Braley (IA)	Dold	Harris
Brooks	Doyle	Hartzler
Brown (GA)	Dreier	Hastings (WA)
Buchanan	Duffy	Hayworth
Bucshon	Duncan (SC)	Heck
Buerkle	Duncan (TN)	Heinrich
Burton (IN)	Emerson	Hensarling
Calvert	Eshoo	Heger
Camp	Farenthold	Herrera Beutler
Canseco	Fincher	Himes

Hinojosa	McKeon	Ryan (OH)
Hochul	McKinley	Ryan (WI)
Holden	McMorris	Sanchez, Loretta
Holt	Rodgers	Scalise
Huelskamp	McNerney	Schakowsky
Huizenga (MI)	Meehan	Schiff
Hultgren	Mica	Schilling
Hunter	Michaud	Schmidt
Hurt	Miller (FL)	Schock
Israel	Miller (MI)	Schrader
Issa	Miller, Gary	Schwartz
Jenkins	Miller, George	Schweikert
Johnson (GA)	Mulvaney	Scott (SC)
Johnson (IL)	Murphy (CT)	Scott (VA)
Johnson (OH)	Murphy (PA)	Scott, Austin
Johnson, Sam	Myrick	Sensenbrenner
Jordan	Neugebauer	Sessions
Kaptur	Noem	Sewell
Keating	Nugent	Sherman
Kelly	Nunes	Shimkus
Kildee	Nunnelee	Shuler
Kind	Olson	Shuster
King (IA)	Olver	Simpson
King (NY)	Palazzo	Sires
Kingston	Pallone	Smith (NE)
Kinzinger (IL)	Paul	Smith (NJ)
Kissell	Paulsen	Smith (TX)
Kline	Pearce	Smith (WA)
Labrador	Perlmutter	Southerland
Lamborn	Peterson	Stearns
Lance	Petri	Stivers
Landry	Pingree (ME)	Stutzman
Langevin	Pitts	Sullivan
Lankford	Platts	Sutton
Larsen (WA)	Poe (TX)	Terry
Larson (CT)	Pompeo	Thompson (CA)
Latham	Posey	Thompson (PA)
LaTourette	Price (GA)	Thornberry
Latta	Price (NC)	Tiberi
Lewis (CA)	Quayle	Tierney
Lipinski	Rahall	Tipton
LoBiondo	Reed	Tsongas
Loeb	Rehberg	Turner (NY)
Loeb	Renacci	Turner (OH)
Lofgren, Zoe	Ribble	Upton
Lucas	Richardson	Van Hollen
Luetkemeyer	Richmond	Walberg
Lujan	Rigell	Walden
Lungren, Daniel	Rivera	Walsh (IL)
E.	Roby	Walz (MN)
Lynch	Roe (TN)	Webster
Mack	Rogers (AL)	West
Manzullo	Rogers (KY)	Westmoreland
Marchant	Rogers (MI)	Wilson (SC)
Marino	Rohrabacher	Wittman
Markey	Rokita	Wolf
Matheson	Rooney	Womack
Matsui	Ros-Lehtinen	Woodall
McCarthy (CA)	Roskam	Yarmuth
McCarthy (NY)	Ross (AR)	Yoder
McCaul	Ross (FL)	Young (AK)
McCotter	Royce	Young (FL)
McGovern	Runyan	Young (IN)
McIntyre		

NOES—81

Ackerman	Grijalva	Pelosi
Amash	Gutierrez	Peters
Baca	Hastings (FL)	Polis
Blumenauer	Higgins	Quigley
Brown (FL)	Hinche	Rangel
Burgess	Hoyer	Reyes
Campbell	Jackson (IL)	Roybal-Allard
Capps	Jackson Lee	Ruppersberger
Carney	(TX)	Sánchez, Linda
Castor (FL)	Johnson, E. B.	T.
Clarke (NY)	Lee (CA)	Sarbanes
Clyburn	Levin	Scott, David
Connolly (VA)	Lewis (GA)	Serrano
Conyers	Long	Speier
Cooper	Lowe	Stark
Cummings	Lummis	Thompson (MS)
Davis (CA)	Maloney	Tonko
Deutch	McClintock	Towns
Dicks	McCollum	Velázquez
Edwards	McDermott	Visclosky
Ellison	Meeke	Wasserman
Engel	Miller (NC)	Schultz
Farr	Moran	Waters
Fattah	Nadler	Watt
Fudge	Napolitano	Waxman
Garamendi	Neal	Welch
Gonzalez	Owens	Wilson (FL)
Green, Al	Pastor (AZ)	Woolsey

NOT VOTING—25

Becerra	Cardoza	Costa
Bonner	Carson (IN)	Donnelly (IN)
Butterfield	Chandler	Ellmers
Cantor	Chu	Filner

Hirono	Moore	Rush
Honda	Pascarell	Slaughter
Jones	Pence	Whitfield
Kucinich	Reichert	
McHenry	Rothman (NJ)	

□ 1846

Mr. AL GREEN of Texas changed his vote from “aye” to “no.”

Mr. DAVIS of Illinois changed his vote from “no” to “aye.”

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

Stated against:
Mr. FILNER. Mr. Chair, on rollcall 212, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

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

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

Ms. KAPTUR. I would like to engage in a colloquy with Chairman WOLF.

There has been a dramatic increase in financial and mortgage fraud as a result of the recent economic crisis, and additional resources are needed to protect the American people and exact justice for them. The FBI is tasked with upholding and enforcing the criminal laws of the United States, but it has limited resources in the areas of financial and mortgage fraud.

□ 1850

In fiscal year 2011, the FBI had approximately 3,000 pending mortgage fraud investigations compared with roughly just 700 investigations in fiscal year 2005. Also, in fiscal 2011, the FBI had more than 2,500 corporate and security fraud investigations, representing a 50 percent increase since fiscal year 2008. Nearly 70 percent of the pending investigations involve losses exceeding \$1 million. And according to the Department of Justice, the average return on investment for one corporate fraud agent was approximately \$54 million over the past 3 years. That’s an incredible return on investment.

While I support hiring even more agents than the President does, the committee was only able to provide \$6.61 million, less than half the request. During the Appropriations Committee markup, the chairman indicated he would be open to finding the necessary funds the President requested to protect the American people from financial and mortgage fraud, but the subcommittee’s 302(b) allocation prevented him from doing so. The Senate version of this bill does fully fund the President’s request.

I ask the chairman to further elaborate on what was said in committee and inquire if the chairman is open to adding additional support should this bill go to conference.

Mr. WOLF. Will the gentlewoman yield?

Ms. KAPTUR. I would be very honored to yield to the gentleman from Virginia.

Mr. WOLF. The FBI was one of the few agencies in this bill to receive

funding above its requested level, and I've always been a strong proponent of providing the necessary resources for law enforcement personnel to protect the American people.

As you noted, the bill includes a program increase of \$6.6 million above the current level for agents and support personnel to combat financial fraud. The Senate has reported their CJS total a higher allocation. I think they were \$781 million above us. As we go to conference with the Senate, the gentleman can rest assured that we will work to ensure that the FBI has the resources that they need.

Ms. KAPTUR. Reclaiming my time, I want to thank the chairman very much for trying so hard and urge my colleagues on both sides of the aisle to look at the return on investment in one agent exacting justice for the American people with a return of \$54 million over 3 years per agent. That's an amazing figure. We owe so much to them.

I thank the chairman very much for his openness, and I yield back the balance of my time.

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

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

Mr. MEEHAN. Mr. Chairman, I rise to express my deep appreciation to the members of this committee who, in their wisdom, saw the ability to support the concept of veterans treatment courts.

Many of our veterans are returning from commitments overseas in which they are having not just one, but two, three, and sometimes four tours of duty. By virtue of the nature of that duty, we're seeing an unusually high number of veterans that are returning with posttraumatic stress syndrome. Oftentimes that stress-related activity leads some of these veterans to act out in ways that sometimes cross the laws of our country. Somebody might get engaged in a fight in a bar. More frequently, we're seeing many of these veterans that are dealing with the issue by alcohol and drug addiction.

There is an opportunity—and I say this as a former prosecutor at both the county and Federal level—to appropriately divert these cases to a place where they can be handled with the treatment that the veterans deserve. Veterans treatment courts are an obligation, in my mind, to these returning veterans to allow us to most effectively deal with the underlying issues that have come as a result of the commitment that they made to our Nation by their service.

I want to express my deep appreciation to Chairman WOLF and to the members of the committee for their forward-thinking support and urge the support of all of the Members of this body for the appropriation in support of veterans treatment courts.

Mr. WOLF. Will the gentleman yield?

Mr. MEEHAN. I am happy to yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I want to thank the gentleman from Pennsylvania for bringing the issue of funding for veterans treatment courts to the attention of the CJS Subcommittee for its assistance.

At the behest of the gentleman from Pennsylvania, we had the honor of welcoming the Pennsylvania Supreme Court Justice Seamus McCaffery to the subcommittee, where he testified about the importance of supporting veterans treatment courts.

I also want to thank Mr. FATTAH for being very supportive. Also, Mr. YODER was very supportive. I'm not sure he is here, but he spoke out very much for it and the entire committee. So I want to thank the gentlemen again. I appreciate it very much.

Mr. MEEHAN. I just want to take one second to express, as well, my appreciation to my good friend, the gentleman from Pennsylvania (Mr. FATTAH), who, from the outset, was one of the original cosponsors that helped to bring this concept to this body. I thank him for his support and encouragement.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

OFFICE OF JUSTICE PROGRAMS
RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007 (Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); and other programs; \$112,000,000, to remain available until expended, of which—

(1) \$45,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act;

(2) \$40,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act; and

(3) \$27,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act.

STATE AND LOCAL LAW ENFORCEMENT
ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the

Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); and other programs, \$962,500,000, to remain available until expended as follows—

(1) \$370,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$5,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), and \$4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention;

(2) \$165,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)); *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) \$20,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(4) \$13,500,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386 and for programs authorized under Public Law 109-164;

(5) \$41,000,000 for drug courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(6) \$4,000,000 for a veterans treatment courts program;

(7) \$9,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416);

(8) \$15,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) \$1,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;

(10) \$7,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110-403;

(11) \$20,000,000 for implementation of the Adam Walsh Act and related activities;

(12) \$20,000,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act;

(13) \$1,000,000 for the National Sex Offender Public Website;

(14) \$12,000,000 for grants to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110-180);

(15) \$6,000,000 for the National Criminal History Improvement Program for grants to upgrade criminal records;

(16) \$125,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program);

(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412); and

(C) \$4,000,000 is for Sexual Assault Forensic Exam Program Grants, including as authorized by section 304 of Public Law 108-405;

(17) \$4,500,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(18) \$38,000,000 for assistance to Indian tribes;

(19) \$1,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(20) \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(21) \$12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79); and

(22) \$70,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), of which \$6,000,000 is for a program to improve State, local and tribal probation supervision efforts and strategies:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

AMENDMENT NO. 2 OFFERED BY DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 7, after the dollar amount, insert “(decreased by \$10,000,000)”.

Page 47, line 17, after the dollar amount, insert “(increased by \$10,000,000)”.

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

Mr. DAVIS of Illinois. Mr. Chairman, I rise to raise the awareness of a gradual but persistent scaling back of the Second Chance Act funding and urge my colleagues to support my amendment calling for a \$10 million increase in 2013 funding.

As all of us know, States are facing historic fiscal challenges and are being forced to make difficult budget

choices. These choices are only made more difficult when prisons are packed to capacity and communities lack effective resources for dealing with offenders who return.

The number of individuals in prisons and jails remain unacceptable. As a matter of fact, our country, the United States of America, is the most incarcerated nation on the face of the Earth, not only in actual numbers, but also in proportion of population. If current projections continue, State and Federal prisons will grow another 13 percent in the next year, which will add an additional 192,000 prisoners at a cost of \$27.5 billion. In light of these challenges, the need for the Second Chance Act is greater now than ever before.

The Second Chance Act is a common-sense response to reduce recidivism and improve outcomes for people released from prisons, jails, juvenile facilities and returning to their communities. Research confirms that comprehensive coordinated services can help formerly incarcerated individuals find stable employment and housing, thereby reducing recidivism.

Last month, the Equal Employment Opportunity Commission issued updated enforcement guidance on employers' use of arrest and conviction records when making employment decisions. In its guidance, the EEOC cited that hiring policies that include blanket exclusions of people with criminal records have a disparate ratio impact and therefore violate Title VII of the 1964 Civil Rights Act.

The new rules call for employers to assess applicants on an individual basis, rather than excluding everyone with a criminal record through a blanket policy. The new policy also encourages employers to give applicants a chance to explain their criminal record before they are rejected outright and marks a momentous advancement in the employment arena for individuals who have been incarcerated.

In addition, the Second Chance Act grants are working in improving public safety. The Moms and Babies program in Illinois' Decatur Correctional Center, a Second Chance grantee, has served 34 women. To date, no program participants have returned to prison. That's a 0 percent recidivism rate. In San Mateo, California, of the 224 participants in their Second Chance program, 61 have been returned to jail. That's a recidivism rate of 28 percent, well below the statewide average of 58 percent.

At the Federal level, reentry has become a high priority for many of the Cabinet agencies in President Obama's administration.

□ 1900

The Federal Interagency Reentry Council, established by Attorney General Holder in January of 2011, represents a significant executive branch commitment to coordinating reentry efforts and advancing reentry policies.

If we don't know anything else, we do know one thing: We know that when

individuals return home from jail and prison, if they don't get any help, chances are that 67 percent, or two-thirds of them, will have done what we call “re-offend” within a 3-year period of time. Those who get help oftentimes do not re-offend. And the more help they get, the less they will re-offend, thereby proving that the funds work. I urge passage of this amendment.

I yield back the balance of my time. Mr. WOLF. I move to strike the requisite number of words.

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

Mr. WOLF. Before I make a statement, I want to congratulate Congressman DAVIS for his work, and I see Congressman BOBBY SCOTT there, too. I think this is very important. I support it completely. And I want to kind of put it in the framework of where we are.

I rise in opposition to the amendment. The bill represents the best efforts to thoughtfully and effectively fund the important programs under its jurisdiction. I am an ardent supporter of efforts to improve outcomes for people returning to communities from prisons and jails.

The Second Chance Act grants help with employment assistance, substance abuse, and does a lot of good work, as Congressman DAVIS said. That is why this bill, our bill here, provides \$70 million for Second Chance Act programs, \$70 million, which is an increase of \$7 million above 2012. And interestingly enough, it's \$45 million above the amount provided in the bill reported by the Senate Appropriations Committee. The Senate Appropriations Committee had 780 or \$781 million greater allocation than we had, and yet we are \$45 million above the amount provided.

In addition to providing the necessary funds for Second Chance, the committee was also committed to recommending significant funding for the SCAAP program. This bill includes \$165 million for SCAAP, which is still \$75 million below the FY 2012 levels. So SCAAP was below it, and now we're taking more from it.

So I oppose this \$10 million reduction in SCAAP funding because SCAAP is an important program that assists State and local governments with the cost of incarcerating undocumented criminal aliens. The cost is a direct result of the Federal failure to control illegal immigration. So for that reason, we have an increase. We are at \$70 million. We have an increase of \$7 million over 2012. There are not many programs that are higher.

But also, when you compare this with the Senate, which had a very high allocation, we are \$45 million above the amount required. And I know the gentleman from Pennsylvania (Mr. FATTAH) is a strong supporter of this program too. So we can go to conference. But to take \$10 million out of SCAAP now would not be a good idea.

So for that reason, I urge a “no” vote and yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

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

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the Davis amendment.

The United States locks up a higher portion of its population than any country on Earth. And one of the contributing factors is the high rate of recidivism—people who get out of prison and then turn around, mess up, and return to prison.

Before the Second Chance Act of 2008, the Department of Justice's statistics reflected that about two-thirds of the offenders released from prison—two-thirds—were re-arrested within 2 years. Now that's down in some States to one-half. In my home State of Virginia, which has taken full advantage of the Second Chance Act and has enacted additional initiatives, the rate is down in the 30 percent range. So additional funding of this amendment will be very useful, and it shows that you can save money and reduce crime.

Now we need a lot more money than even this amendment would provide. Each year, 9 million individuals are released from jails, over 720,000 are released from State and Federal prisons, and they need a lot more assistance than even this amendment would do. But this amendment is a major step in the right direction. At least 95 percent of State prisoners will be released at some point, and they have a myriad of needs which, if unmet, will contribute to the risk of re-incarceration.

There are significant mental health problems that the Second Chance Act can address. Substance abuse is highly correlated with crime. Education—those who do not have adequate education will find themselves back in prison. And employment—those who, basically because they don't have an education, have trouble getting jobs, and having a felony record even exacerbates that problem. The Second Chance Act initiatives go a long way in helping. Basic secondary education, vocational training, and intense supervision all contribute to reductions in recidivism.

So, Madam Chair, if we are to lower crime rates, you can't think of a better investment than this amendment that we're considering today. We can save money and reduce crime and reduce victims. Please support the Davis amendment.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Madam Chairman, I move to strike the requisite number of words.

The Acting CHAIR (Ms. FOXX). The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I rise to support the Second Chance amendment of the gentleman from Illinois and thank him for his long work and the work that he has done with many of us in this Congress on this issue. This has been a long journey. I think, if I recol-

lect, it was 7 years in the making, I will say to Congressman DAVIS, before the bill itself was actually passed.

I want to focus on two points: One, I understand the account of which this money is coming from, and I would make the argument that we have seen a sufficient decrease in the number of undocumented aliens coming across the border, and we've seen a greater handling of the individuals. And frankly, the question is whether these funds should be used in what is a strictly Federal issue, which is the control of immigration in this Nation.

So I would make the argument that this is an appropriate utilization of these funds, these extra funds that would add to Second Chance because, one, it brings it to the President's mark, viewing this through the administration's eyes but really through the Department of Justice's eyes that the Second Chance legislation works. It does work.

And I will tell you why it is enormously important. When I see those individuals who have had an experience in the criminal justice system, one of the things they ask about is, Can we go to work? Second Chance prepares these individuals for work. It helps them be responsible contributors to the workforce. It helps, if you will, shepherd them or give them a roadmap into the workforce. It provides the lifeline to staying out of trouble. Everyone that you come across says to anyone that will hear them, We want to work. Again, Second Chance creates the opportunity for them to work.

And also, I think it assists the enforcement guidance on employers' use of arrest and conviction records when making employment decisions. Again, we understand that people who run afoul of the law must, in essence, pay the price. But when they seek to rehabilitate themselves, the Second Chance legislation has been a lifeline.

I, myself, have had to discuss issues of discrimination against people who have rehabilitated themselves. One case comes to mind. A gentleman who was supporting his family had been out of trouble and had finished with his particular issue for 17 years.

□ 1910

He was still getting the response that they could not hire him because of an arrest and conviction record. The Second Chance steps in in a positive manner, gives these people the opportunity for just that—the second chance. The additional funding, I believe, would be the right direction to take, make us equal with the President's mark, still be fair to the account in which it comes from, allow that account to be preserved, but in fact gives the \$10 million to help save and rehabilitate many more lives that really can make America better.

I support Mr. DAVIS' amendment and the funding for the Second Chance program.

I yield back the balance of my time.

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

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

Mr. FATTAH. I'll be brief. Earlier on in the career of the gentleman from Chicago, I flew out to Chicago early one morning to meet with a whole host of people he had convened as he was developing the concept for this bill. I think the entire country is appreciative and has benefited from the work of DANNY DAVIS and BOBBY SCOTT on the Second Chance Act. I was one of the original cosponsors. It's a very significant statement.

The chairman is right when he says that he's one of the bigger supporters of this effort. There's a confluence of energy around reentry, from the most conservative sides of the political spectrum to the most liberal. We all realize that some 90-plus percent of the people who are incarcerated are coming home, and the only question becomes: Are they going to come home in a position not to further victimize and end up being re-incarcerated?

This is an important effort. This is a program that's probably one of less than a dozen in this bill that has gotten an increase in this bill, and the Senate is significantly lower, with a higher allocation. I guess preachers preach to the choir when only the choir shows up at church on Sunday. But I think the point has been made.

The use of the program that we want to cut the money from is probably not one that we would support at the end of the day because it's also needed, but I think the spirit of this amendment will be reflected in our conference deliberations.

I yield back the balance of my time.

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

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

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

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam

Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); and other juvenile justice programs, \$209,500,000, to remain available until expended as follows—

(1) \$33,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(2) \$90,000,000 for youth mentoring grants;

(3) \$18,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(4) \$67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act); and

(5) \$1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of each amount may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

AMENDMENT OFFERED BY MS. WASSERMAN SCHULTZ

Ms. WASSERMAN SCHULTZ.
Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 48, line 20, after the dollar amount, insert "(reduced by \$30,000,000)(increased by \$30,000,000)".

Page 49, line 4, after the dollar amount, insert "(reduced by \$30,000,000)(increased by \$30,000,000)".

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

Ms. WASSERMAN SCHULTZ. Thank you, Madam Chair.

I rise to ask for my colleagues' support for an amendment to protect our most vulnerable constituents—our children. This bipartisan amendment is a simple one. It says that child victims of sexual predators should not be forced to fight for funding scraps if deep cuts to the Department of Justice occur.

This amendment fences off \$30 million within the Department of Justice's Juvenile Justice Missing and Exploited Children Programs account for Internet Crimes Against Children Task Forces. It ensures that even in this time of painful budget cuts, we will protect the most precious and most vulnerable among us.

Over the last decade, child pornography trafficking has exploded into a multibillion-dollar global industry. The majority of both demand and supply is based in the United States and, sadly, most often involves parents or adults that the victim knows and trusts. Tragically, the demand for images of young children being sexually exploited, raped, and even tortured can only be supplied through the continued sexual abuse of more children. Lit-

erally every image of child pornography is a crime scene photo.

Several years ago, law enforcement informed Congress that it could identify hundreds of thousands of individuals perpetrating child exploitation offenses online, but admitted and acknowledged that it was investigating fewer than 2 percent of these known individuals because of a lack of resources that left them outnumbered and overwhelmed. The vast majority of these identifiable sexual predators remained at large and their young victims beyond rescue.

Congress and the President responded by passing and signing into law the PROTECT our Children Act, which provides desperately needed resources for the vital Internet Crimes Against Children Task Forces. These task forces are teams of local, State, and Federal law enforcement agencies and prosecutors that lift the digital fingerprints, rescue the children, and hold perpetrators accountable.

The ICAC task forces rescue child victims in real time—victims like Alicia Kozakiewicz, who was sexually assaulted at age 13 by a man who befriended her online and abducted her from her Pittsburgh home. She was rescued by the FBI and the Virginia ICAC task force.

Congress is already funding this effort at only half of its authorization. Yet the law is making a difference.

So please join Congressman SHULER, Judiciary Chairman LAMAR SMITH, and me in supporting this important amendment that will give State, local, and Federal law enforcement the resources they need to protect our most vulnerable.

I yield back the balance of my time.

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

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

Mr. WOLF. I support the amendment. We accept the amendment. The Internet Crimes Against Children program is one of several programs funded under the Missing and Exploited Children activities account. This program helps State and local law enforcement agencies develop an effective response to cyber-enticement and child pornography cases.

So I commend the gentlelady and accept it and yield back the balance of my time.

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

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

Mr. FATTAH. Assuming this role from my caucus, the first visit I made was to the Center for Missing and Exploited Children in Virginia. This work is very, very important that the gentlelady from Florida has pointed out because of the pervasiveness of the Internet and the need for more resources.

The Senate bill has a carve-out of some \$21 million. This would be a

carve-out of \$30 million. I rise to say that I also support this amendment, and I thank the chairman for his agreement.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

The amendment was agreed to.

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

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

Mr. ELLISON. Madam Chair, I had submitted an amendment which I was going to move to withdraw. Instead of adding complication, I'll just discuss the amendment that I would have introduced and try to be right to the point.

My colleague RAÚL GRIJALVA and I and several Members of the Congress are concerned about the impact of the "stop shoot first laws" amendment. That's what we call it because we're concerned about the shoot first amendments.

This amendment would have encouraged States to repeal shoot first laws by imposing a 20 percent penalty on Byrne/JAG grants for States with these laws. The shoot first laws make our country less safe, undermine our criminal justice system, and encourage vigilantism. These laws allow armed individuals to confront unarmed people in public and, in some tragic cases, even shoot them in cases where such a confrontation could have been avoided.

□ 1920

Ten years ago, State shoot first laws were basically unknown. Then groups like the National Rifle Association and the American Legislative Exchange Council (ALEC) began promoting shoot first laws in States around the country. ALEC is an organization that ghostwrites bills for State legislators who hold a certain political perspective. And their efforts are paid for by and large by global corporations and are spread in States across the country.

In 2005, ALEC and the NRA convinced Florida to pass the first shoot first law. And since then, they have convinced 23 more States to enact similar laws. The shoot first laws are unnecessary. Americans already have the right to self-defense. Even more, as the Trayvon Martin has tragically highlighted, shoot first laws make it harder for law enforcement to do their job. Despite what was a clear case for trial, George Zimmerman's statement that he had shot in self-defense was enough to prevent prosecution.

Shoot first laws make prosecutions harder because they presume that the use of deadly force is reasonable and put the burden of proof on a prosecutor. With shoot first laws, individuals need only claim that they believed that they were threatened, and the only person who can dispute that is the person who was killed.

These laws also make our States less safe. After Florida enacted its law, the number of justifiable homicide cases in the State per year increased by three times.

While I urge States to repeal these laws, I understand that a point of order could have lied against the amendment, and, therefore, I won't offer it in order to have it withdrawn, but I would like to say, Madam Chair, that these shoot first laws are not good. I wish we could take an approach similar to the .08 law, where the Federal Government would actually withhold financial funds until States complied with .08; .08 actually made our country safer on the roads, and I think repeal of these shoot first laws would do the same.

I wish I could offer this amendment today, but we will do it some other time at a more appropriate place, and with that, I yield back the balance of my time.

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

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

Mr. JOHNSON of Georgia. Madam Chair, I rise to strike the last word in support of the Ellison amendment.

I would also like to respond to what my colleague from Minnesota (Congressman ELLISON) spoke about in terms of the amendment that he was going to offer which he decided not to offer, but it would have imposed a 20 percent penalty to Byrne/JAG grants for States with shoot first laws. Shoot first laws are also known as "stand your ground" laws.

In 2005, Florida passed the first State law explicitly expanding an armed person's right to use deadly force against an unarmed person in "any place where he has a right to be," even if the confrontation could be safely avoided. Florida's law, like so many similar laws in other States, was the result of collusion by some of the Nation's wealthiest corporations, along with the National Rifle Association, through a secretive organization called the American Legislative Exchange Council, or ALEC.

ALEC promotes model legislation written by its corporate members and disseminated to conservative State lawmakers around the country. In fact, about 60 percent of all State legislators are members of ALEC. The Florida stand your ground law was written by an NRA lobbyist. After the law passed in 2005, the NRA presented the bill to ALEC's Criminal Justice Task Force and boasted that the presentation was well received. The corporations and State legislators on the task force voted unanimously to approve the bill as an ALEC model. And as a result, more guns are being sold.

Now 24 States have similar sweeping laws like Florida. Membership fees are not public, but reports do show that the NRA was a cochair of a recent seminar that ALEC held. This is a group that will do anything to help corporate sponsors accomplish their legislative

objectives regardless of the value that it has towards regular citizens. They are just interested in profits. So ALEC, along with NRA, has supported these shoot to kill laws, and they are something that needs to be avoided.

And so with that, I will end my remarks, ask for passage of the pending amendment, and yield back the balance of my time.

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

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

Mr. FATTAH. Obviously we are dealing with some fairly sensitive matters in terms of the Justice Department appropriations. There is an ongoing case somewhat related to—and I think directly related to—the spirit of the comments of the last two gentlemen. So I don't want to comment on the actual case at hand, but I think that there is a great deal of concern in many sections of the country about what the circumstances are under which a shooting and a killing can take place when you have an unarmed teenager. So this is an issue that is being handled in our court of law. We are a country of laws, and we need to let the judicial process take its appropriate course.

But I thank the two gentlemen for offering their points of view and for withdrawing the amendment.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officers Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"), \$72,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with

section 505 of this Act: *Provided further*, That of the amount provided—

(1) \$12,500,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) \$20,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; and

(3) \$40,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd-3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation.

AMENDMENT OFFERED BY MR. GRIMM

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 25, after the dollar amount, insert "(increased by \$126,000,000)".

Page 51, line 12, after the dollar amount, insert "(increased by \$126,000,000)".

Page 65, line 1, after the dollar amount, insert "(reduced by \$126,000,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Madam Chairman, I rise today to offer a truly bipartisan amendment with my good friends, Representatives PIERLUISI, KING, and PASCRELL. This amendment is to fund the highly successful COPS hiring program at the fiscal year 2012 level. This will ensure that we have sufficient police officers on our streets to prevent and to respond to crime and to keep our neighborhoods safe.

Our local police departments count on the COPS hiring program to help them hire additional officers to combat crime in our local communities and to provide true community policing. The money to fund the COPS hiring program comes from reducing in a corresponding amount the appropriation for cross-agency support within NASA, an approach that was adopted by the House in February 2011. Although we do not in any way oppose the work of NASA that is funded through this offsetting account, we are determined to offer a budget-neutral amendment and to give the House an opportunity to work for robust funding for COPS in an eventual conference with the Senate.

In this tough economic time, our officers understand the need for sacrifices and for cutbacks. However, during these trying times we often see increases in crime. Therefore, I feel, and my colleagues agree, that it is essential that law enforcement agencies across the Nation have the necessary resources to protect the American people. I encourage strong support for the Grimm-Pierluisi-King-Pascrell amendment, and I yield back the balance of my time.

□ 1930

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

The Acting CHAIR. The gentleman from Puerto Rico is recognized for 5 minutes.

Mr. PIERLUISI. Madam Chair, along with my colleagues—Mr. GRIMM, a former FBI agent; Mr. PASCRELL, the cochair of the Law Enforcement Caucus; and Mr. KING, the chairman of the Homeland Security Committee—I'm offering this bipartisan amendment to increase funding for the COPS hiring program in order to bring such funding in line with the fiscal year 2012 enacted level of \$166 million.

The base bill provides only \$40 million for this program, which is clearly not sufficient. Forty million dollars is \$126 million below the fiscal year 2012 enacted level, over \$217 million below the President's request, and \$175 million below the amount proposed by the Senate companion bill.

The COPS program was created by title I of the Violent Crime Control and Law Enforcement Act of 1994. I was Attorney General of Puerto Rico at the time, and I'm proud to have worked with my fellow AGs to help secure passage of that bill.

As someone whose own family has been deeply touched by violent crime and who has spent countless hours talking with families that have been similarly affected, I am unyielding in my belief that the most solemn duty of government is to safeguard its citizens. Whether you live in Staten Island, South Orange or San Juan, you deserve to feel safe in your home and in your community. The COPS program is rooted in this simple premise and has done much to make it a reality.

The mission of the COPS program is to enhance the security of our citizens. Under the program, the Federal Government awards grants to State and local law enforcement agencies so they can hire and train police officers, purchase and use new crime-fighting technologies, and develop innovative policing strategies.

To date, over 160 million in COPS grants have been awarded to law enforcement agencies in Puerto Rico, which, unfortunately, has the highest homicide rate in the country. These grants have put more than 3,500 new police officers on Puerto Rico's streets. Over \$6 million has gone to improve safety for students and teachers in the island's schools. And about \$9 million has been awarded for crime-fighting technology. Nearly every one of Puerto Rico's municipalities has benefited from COPS grants.

Each of my colleagues could no doubt cite similar statistics, but even these numbers cannot adequately capture the impact that COPS funding has had in the communities we represent. The number of lives saved, the number of crimes prevented, and the number of families spared the pain of losing a loved one, these numbers are simply beyond calculation.

To increase funding for the COPS hiring program by \$126 million, our amendment reduces funding for the NASA cross-agency support account by an equivalent amount. In the fiscal year 2010 cycle, the House, in a strong bipartisan vote of 228–203, adopted an amendment that followed this same approach.

I respectfully urge my colleagues to support this bipartisan amendment, which is supported by the International Brotherhood of Police Officers, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I move to strike the requisite number of words.

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

Mr. WOLF. I rise in opposition to the amendment.

The cross-agency support account is not free money. It's not a place that you can just—I think they ought to change the name, "cross-agency support." That's like Dietrich Bonhoeffer, it's kind of cheap grace; you can just kind of go someplace and get some money there because it's just a cross-agency support account.

Why don't we want to cut this cross-agency support account? Because NASA will not be able to absorb this. They will literally not be able to absorb this. This deals with safety, it deals with security, and the mission's success. Cybersecurity measures defend off relentless attacks by China and others. While NASA is a civil Agency, much of its technology has military applications.

But let's get it from the cross-agency support account. What does it mean? It doesn't mean anything. Yes, it does. It is a very important function with regard to NASA. Human space flight safety oversight, it comes partly out of that. We have learned the hard way from the *Challenger* and the *Columbia* tragedies that relentless attention to safety is necessary.

Cuts to this account will hamstring NASA's efforts to minimize the risk of loss of life and property. But, hey, let's go to the cross-agency support account. It doesn't mean anything because nobody cares. Yet it does; it's validation and mission critical software.

Medical support services keep astronauts and ground-crew workers healthy. Many NASA employees work regularly with regard to hazardous issues. Procurement support. This account is a question of a lot of jobs. I can go on and on and on.

If you wanted to kind of find it, maybe you should have gone some other place; but to take it out of NASA and to put a spear right at NASA's heart, I think, is a mistake.

If you want to be for this—and my father was a Philadelphia policeman, the City of Philadelphia, 21 years—if you want to be for this, fine. I think you should have found another spot. And we would have been trying to work

with you once we get to conference because the Senate, what is it, \$781 million off? But I'll tell you, if you care about NASA—well, maybe they don't care about NASA. So if you don't care about NASA, I urge strong support for this. If you do care about NASA, I urge you to reject the amendment.

I yield back the balance of my time.

Mr. HOLT. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Madam Chair, I rise in support of this amendment, of which I am a cosponsor.

Over the last several years, we've watched the majority attempt to eliminate—and actually eliminate at least temporarily—the most successful crime-fighting program in the last 20 years, the Community Oriented Policing Services, or COPS, program.

Since this program's creation under President Clinton, it has literally put tens of thousands of police on the beat around the Nation, and it has promoted sensitive, effective policing across America.

The benefits are real. Crime rates in every category decreased as a result of this program. And when this program is gutted, communities feel the effects directly and immediately. The committee should have found the money to keep the COPS program strong, but evidently they gave it lower importance, which is why we are here with this amendment.

Last fall, the city of Trenton was forced to lay off nearly a third of its uniformed officers. It's been reported that our State's capital now has the same number of police on its rolls as it did in 1932. The city had hoped to soften the blow of the budget-driven layoffs through a COPS grant that would have allowed Trenton to hire back at least 18 officers; but unfortunately, because this Congress failed to fund the COPS program, Trenton got no money to hire the laid-off officers, and the people of Trenton are paying the price in a very real way.

Last year, something on the order of 150 people were shot within the city—more than twice, way more than twice the previous year. Street robberies, aggravated assaults, burglaries up alarmingly. And people in the community tell me these trends are continuing to this day.

We need more money to rehire more police. We need it now before more Trentonians and other Americans lose their lives or suffer injury or property loss.

Now, I support NASA. I don't like the offset that we're using for this, but we can't allow the COPS program to wither. I wish the committee had funded this program—as it should be funded—with enough money to meet the legitimate needs of Trenton and other municipalities around America.

Every time I talk with law enforcement officials, I ask: How great is the need? How much can you actually do?

And every time they tell me the need vastly exceeds the resources; and with the resources, they could do a better job.

This past grant cycle, the COPS office received \$2 billion in requests for assistance from around the country, but they only had about 200 million on hand. That's unacceptable. Crime doesn't take a holiday. We need to fully fund the COPS program in order to beat back violent crime around America to make cities more livable, to make America the place where we all want to live. My hope is that we'll be able to meet that goal during the appropriations conference process because the subcommittee didn't do it, which is why we're here now.

This amendment is a step in that direction. And I thank my colleagues—Representative PASCARELL, Representative GRIMM, Representative REICHERT, who is not able to be here tonight—and the other sponsors for their strong leadership in this effort.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

□ 1940

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

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PASCARELL. I must say, Chairman WOLF, you've always been a sensitive person—I don't say this to blow smoke; I really mean this—and it's a tough decision when you have to make priorities. We come to the floor to fight for what we believe in, and I think you respect that, and I'm sure the gentleman from Staten Island respects that as well, and we all do here, my good friend from Philadelphia, Congressman FATTAH. We'd like to do all of these things and more. But not only did we run out of applications—think about that. People, we said, stop, don't apply any longer. You've got 11,000, 12,000 cops laid off, police officers in this country. Tell me that doesn't have consequences.

Tell me, what are those consequences? Smaller warrant squads. The last two police officers killed in North Jersey, killed by two guys on the lam. We didn't have enough people to go look for them. That's not acceptable in a society which depends upon law and order. So you can't talk out of both sides of your mouth about law and order.

We need police on the streets. This is about community policing. And I would say to my good friend from Virginia, these are two programs that, tonight, we're speaking about one of the police, the COPS Program, and the Fire Act. Leader Hoyer could tell us about that. But they're two bills that are run—no other bills are run better in the Federal Government. I think we would want to duplicate that. Having provided a huge cut in the past, from \$166 million all the way down to \$40

million, we can't do that with 11,000 and 12,000 police officers laid off.

Our amendment would restore the program. Of course, this is really just a drop in the bucket because it only really hires close to 1,000 police officers. We've already laid off 12,000. And a lot of positions have not been filled. There was no one in that position to begin with.

So, look, the program, the account that we're talking about in NASA I think is \$2.8 billion. This is a small part of it. I would rather do it some other way, Mr. Chairman, through the Chair. I would rather do it another way.

My hometown laid off 125 police officers. Same story in other towns in New Jersey. Fewer cops on the beat means more crime on our streets, plain and simple.

If I can't come up here and fight for the guys and gals who defend us day in and day out, and if there is an attack, be it a natural disaster or some man-made disaster, it's the police and firefighters and EMTs who are going to be there long before the Federal Government. We need to protect them.

Mr. WOLF. Will the gentleman yield?

Mr. PASCARELL. I yield to the gentleman.

Mr. WOLF. My dad was a policeman in the city of Philadelphia. Actually, you know, with my dad, I couldn't say they were cops because it was a derogatory term. My dad was a policeman, and I loved my father.

And when we go to conference, we will attempt to really deal with this. And I think Mr. FATTAH and I agree. NASA's not the place to go.

I'm very sympathetic. We're given a budget that many of these guys, some guys over on our side want to take the budget down even more. The Republican Study Committee wanted to take it down even more. I mean, will some guys who voted for the Republican Study Committee come down here and be for this?

So, listen, I am committed to do everything we can when we go to conference. The allocation was different.

Mr. PASCARELL. Reclaiming my time, Mr. Chairman, I understand what you're saying.

Mr. WOLF. Just let me say, I will do everything we can as we go to conference, depending on how the allocation is, to see what we can really do, because I want to do everything we can.

Mr. PASCARELL. Mr. Chairman, it cannot be depending on the allocation. We've got to fight for the allocation. We've got to fight for what we want.

I want us all to listen on both sides of the aisle. What is dragging down the economy at this section, at this point, when you look at it objectively, if you try to look at it objectively, is that we have lost between 600,000 and 700,000 public sector jobs.

So we are adding private sector jobs, even though we only added 116,000 last year, and we've got to do a little bit

better than that so we can catch up for people that are coming into the market, and defend and go after those people who want to drop out and become phantoms and then they don't exist at all on the numbers. That doesn't help us either.

But we've got to stop this trend down to the bottom. We're losing teachers, police officers, and firefighters at an unprecedented rate. And if you think that's going to solve our problems, nationally or locally, I don't think that that's the route to go.

I urge a "yes" vote on the amendment.

I yield back the balance of my time.

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

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

Mr. FATTAH. I join the chairman in saying that there are two things that are going to happen when this bill becomes the law of the land. There's going to be additional dollars for COPS, and NASA's not going to be cut.

So I understand that the makers of the amendment have to find an offset. It's an offset that's not going to be acceptable when we come to a final resolution on this bill, but you need an offset to come to the floor.

And you came to the floor to make a point that needs to be made, which is that when people call 911, there needs to be a cavalry on the way and not just the hope that there might be some help. So we thank you for bringing the amendment forward.

When we finalize this bill, there will be additional dollars for the COPS program.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

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

Mr. GRIMM. I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any

person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107-296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered.

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

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

Mr. HOYER. Madam Chair, over two decades ago, the first President Bush signed into law the bipartisan and historic Americans with Disabilities Act. I was proud to sponsor that legislation and have worked over the last 20 years to make sure that it was effective and strengthened.

Contained in the bill before us in an unprecedented measure that would significantly erode the Justice Department's authority to protect access for those with disabilities to swimming pools.

Now, one might say, Access to swimming pools? But I want my colleagues to think about, if you have a mobility impairment, if you have some neurological impairment, that swimming is one of the most effective activities in which you can participate to get your motor skills back in an environment that will not allow you to sink. Therefore, you have an environment in which you can exercise your muscles. So many of you have seen that and know that to be the case.

□ 1950

This is an incredibly important accessible facility for those with disabilities. In any event, those with disabilities ought to have access, certainly, to public facilities; and we can make it so.

Now, I'm not going to offer an amendment to strike this language; but I hope, Mr. Chairman and Mr. Ranking Member, that this will be struck. I hope that we will listen to the literally tens of letters that you've gotten and that I've gotten.

For many Americans with disabilities, swimming pools are an important

source of physical activity and emotional comfort. The provision in question would roll back the Justice Department's 2010 accessibility regulations, undermining standards for new pool construction and for the upgrading of existing facilities. This would constitute a serious setback to Americans with disabilities, including many of our veterans—and I want you to think about this—many of our veterans wounded while serving our Nation overseas. As all of you know, many of these injuries they've received are to their limbs. Again, their exercise programs are facilitated in swimming pools, supported by water. So this would constitute, as I said, a serious setback.

The 2010 accessibility regulations this provision would eliminate do not place an undue burden on pool operators who cannot afford to make their facilities accessible. Some of you will remember Steve Bartlett, who was a Member of this Congress, a mayor of Dallas, still in town—a wonderful friend of mine—and a conservative Republican from Texas. He and I spent literally hundreds of hours working on this legislation together. One of the things we did was to make sure that businesses would know that what they were asked to do was affordable and that they could do it with relative ease, realizing full well that one can't expect a small business, in particular, to incur a large expense notwithstanding the objective is a worthy one. So we had a practical approach to this, and we had language that said it had to be readily achievable and affordable for the enterprise. Certainly, we can continue to do that for these facilities which are so important to so many people with disabilities.

I want to say that Mr. WOLF is one of the most conscientious Members of this House and one of the most courageous Members of this House. He and I have had the opportunity to work together for over three decades on legislation.

I hope, Mr. Chairman, the House and Senate conferees will look carefully at the damage this provision will cause in the lives of so many Americans with disabilities and will strike it from the final version.

I commend my colleagues who have come here to draw attention to it, and I thank them for continuing to stand up for those with disabilities, including veterans and their right to equal access and opportunity.

When George Bush signed on July 26, 1990, the Americans with Disabilities Act, he said it was the most significant civil rights act in over a quarter of a century, since the sixties. He said it ensured that all individuals would have access to the full enjoyment of facilities in this country of opportunity and of freedom.

This amendment may be well intended, but its effect would be very detrimental. Again, I urge the chairman and the ranking member—and I

will certainly be working with my Senate colleagues as well—to make sure this language is not in the final bill because this would be detrimental. As I will remind you once again, so many veterans are coming back in need of this kind of access.

I yield back the balance of my time.

NATIONAL COUNCIL
ON INDEPENDENT LIVING,
Washington, DC, May 8, 2012.

TRENT FRANKS, Chairman,
Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Washington, DC.

JERROLD NADLER, Ranking Member,
Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: These comments are submitted by the National Council on Independent Living (NCIL) for the record of the April 24, 2012 hearing on "The Department of Justice's Guidance on Access to Pools and Spas Under the ADA."

NCIL is the longest-running national, cross-disability, grassroots organization run by and for people with disabilities. Founded in 1982, NCIL represents thousands of organizations and individuals including: Centers for Independent Living (CILs), Statewide Independent Living Councils (SILCs), individuals with disabilities, and other organizations that advocate for the human and civil rights of people with disabilities throughout the United States. There are currently over 700 physical locations across America actively providing Independent Living services to people with disabilities.

This hearing was held to address the proposed legislation in the House that is set to address the concerns of the DOJ's decision to extend the rule RIN 1190-NYD Delaying the Compliance Date for Certain Requirements of the Regulations Implementing Titles II and III of the Americans with Disabilities Act. We have serious concerns with Congress preventing an executive branch agency from enforcing its own regulations such as what is written in H.R. 4256 and H.R. 4200. We must let you know that we find both these bills to be intrusive.

We disagree with both bills. They try to accomplish giving the hospitality and hotel industry an opportunity to provide accessibility to the public in the least efficient manner or even at all. H.R. 4256 attempts to address technical requirements that have been negotiated over years in the rule-making process that has worked well for all other aspects of accessibility. This bill is broader than H.R. 4200 because it prohibits any court enforcement of the new regulations for a year (while DOJ is changing the standards, as required by this bill), including enforcement by private plaintiffs.

To include Title II in the language of the resolution, even though it would appear by the rest of the language that the resolution concerns Public Accommodations only, under 28 CFR Part 36; creates confusion and uncertainty about exactly how far this resolution impact and jurisdiction could be interpreted to go. The resolution calls for a one year extension to the effective date, which we in the community disagree with its necessity.

The ADA has been in effect for 21 years, and all the ADA pool rules have undergone extensive review for more than 10 years, with multiple comment periods and many opportunities for hotels to learn about their responsibilities. The new requirements already had a generous phase-in period of 18 months. Congress should not restrict enforcement of these, or any, ADA requirements.

In response to comments that referred to the hospitality industry not having adequate time to implement this rule, the burden of providing access to swimming pools and the cost for implementing this rule, we strongly disagree with all of these claims. Providing access to swimming pools is achievable and not burdensome. The ADA's accessibility requirements for barrier removal in existing facilities are very reasonable—they only require what is "easily accomplishable" and able to be carried out without much difficulty or expense. The rules are carefully crafted to take the needs of covered entities, such as small businesses including hotels, into account. In other words, hotel owners need not comply with the standards in the new regulations unless doing so would be inexpensive and simple. No extension or enforcement ban is needed.

We also believe that it is not acceptable for the Department of Justice to backtrack on ADA requirements because an industry exerts pressure. To do so is an invitation to other industries to say, "Roll back our requirements, too." Today it's the hotel industry. What weakening changes will come tomorrow? What other human and civil rights laws will be adjusted? In reference to the expense this would cause for the hospitality industry, there are Tax Incentives which have always been available and under-utilized by businesses. IRS Tax code 44 and 190 provide generous credits (dollar for dollar) and deductions (reduction in gross reported to IRS) that let the hotel owner get the money back (1/2 in credit the rest in deductions) so cost should not be an issue.

The Disability and Business Technical Assistance Centers (DBTACs) has done a targeted education project for the "hospitality" industry for several years now and have repeatedly reached out to the organizations representing hotels. They can be reached at 800-949-4232 anywhere in the country.

The House bill H.R. 4256 represents an extraordinarily prejudicial precedent. This bill would deny any federal official, which can include judges, U.S. attorneys, and other enforcing authorities, any power to administer or enforce the new DOJ ADA regulations regarding pools. It removes the waiting period and adds a clause that dismisses any suits filed after March 15, 2012. It also tries to clarify their portable vs. fixed lifts concern, something that should be done by DOJ.

The amendment would affect Title II State and Local Governments, which have been covered for access into the water since 1990. This is seen as a targeted process to undermine the strong federal enforcement role urgently needed and sometimes reached under the ADA. Passage of this bill could initiate a trend to render civil rights laws completely powerless and ineffective, even though they remain public law. This amendment would firmly take this part of the ADA backward. It is our belief that congress should craft strong civil rights protections to end discrimination, not remove the government's enforcing authority.

In the notice of proposed rulemaking, the Department of Justice requested comments on extending the compliance date "in the interest of promoting clear and consistent application of the ADA's requirements to existing facilities." The NCIL community has serious concerns with the number of years it has taken to explain "readily achievable barrier removal". Extensive technical assistance has been provided to explain to many public accommodation pool owners that the requirements are based on what they can afford to do today on their existing structures, with an obligation to provide better access when it can be afforded. Nothing has changed with that concept since the ADA was passed in 1990. It should not take another 6 months to "understand".

To include Title II entities in this extension is a huge step backward! Program access has been a requirement all along, and most state and local government-run pools

and swimming facilities should already have addressed access into the water for their programs. An extension is inappropriate as they have already been responsible for equal access to the water for years.

The part that is confusing is not for new construction and altered facilities having pools and spas, but at existing pools there is some confusion that has been partly created by the DOJ, as the Department responded in a letter February 21st to the American Hotel and Lodging Association (AHLA) when they asked for clarification on the provision of pool lifts. In that letter, the Department addresses several concerns raised in the "eleventh hour" of the rulemaking process by AHLA representatives—including some regarding "fixed" pool lifts versus "portable" pool lifts. The Department has created part of the problem in its convoluted definition of why a pool lift must be "fixed" which is not addressed in the rule, the scoping, or in the technical requirements of the 2010 ADA Standards for Accessible Design.

In addressing concerns by AHLA regarding existing hotels, the DOJ stated that where it is not readily achievable for a hotel owner to install a fixed pool lift, that a portable pool lift may be used if it can be attached to the pool deck while in use. That seems like a good idea to reduce liability for the hotel owner, and makes the unit more stable for the user, who also must be able to use the unit independently. However, it is a matter of technical assistance advice that, with additional helpful information could be given without an extension in the effective date for compliance. Many of these discussions should have already taken place multiple times, given the length of time this rulemaking has taken, and to reiterate the principles of readily achievable barrier removal once again to the organizations pleading ignorance should not take an additional 6 months.

The NCIL membership is very disappointed that an exception was made in the rulemaking process by the current Administration, and strongly objects to the proposed rule extending the compliance date for public accommodations and effectively abolishing the program access requirements including pool lifts at swimming pools, parks, and resorts run with State funds through yet another swimming season—to September 2012. We insist the rulemaking proceed and become effective immediately following the 60 day extension.

Submitted by: L. Dara Baldwin, MPA—Policy Analyst, The National Council on Independent Living.

Submitted For: Mark Derry—Chair of the ADA/Civil Rights Committee for The National Council on Independent Living.

SUBMITTED TESTIMONY OF THE NATIONAL
DISABILITY RIGHTS NETWORK
HEARING ON "THE DEPARTMENT OF JUSTICE'S
GUIDANCE ON ACCESS TO POOLS AND SPAS
UNDER THE ADA"

House Committee on the Judiciary, Subcommittee on the Constitution Tuesday, April 24, 2012

As the nonprofit membership organization for the federally mandated Protection and Advocacy (P&A) Systems and Client Assistance Programs for people with disabilities, the National Disability Rights Network (NDRN) would like to thank Chairman Franks, Ranking Member Nadler and the Subcommittee for the opportunity to submit written testimony for today's hearing on the Department of Justice's Guidance on Access to Pools and Spas under the Americans with Disabilities Act. Over twenty years after the passage of the Americans with Disabilities Act (ADA), the accessibility of swimming pools and other recreational facilities remains a problem for people with disabilities around the country. NDRN encourages the Judiciary Committee to work with the Department of Justice and with swimming pool

owners to ensure that people with disabilities are able to enjoy swimming pools and other recreational facilities to the same extent as others in our society.

As a part of the training and technical assistance that NDRN provides to the Protection and Advocacy agencies, NDRN holds many face-to-face meetings in hotels throughout the country. As such, NDRN routinely books hotel rooms and wants our staff, the staff of the P&A agencies, and other participants to have the opportunity to enjoy all the amenities provided by the hotels. As a disability rights organization whose staff and membership include people with disabilities, we are committed to holding our conferences and meetings at locations that provide full accessibility.

The effective date for swimming pool owners to become compliant with ADA standards was originally March 15, 2012, but the Department on its own chose to extend that time until May 21, 2012. Based on the history of these standards discussed below, NDRN believes that this first extension was unnecessary and sees no reason (politically, practically, or in the furtherance of public policy) to extend this compliance date any longer. The 2010 ADA Accessibility Standards did not create the requirement for accessibility for pools and spas; it only provides more detailed specifications of how to provide that accessibility.

Protection and Advocacy programs across the country have represented people with disabilities seeking access to public swimming pools. For example, P&As in Pennsylvania, Ohio, and Colorado have successfully negotiated agreements with owners of pools to provide pool lifts to allow individuals with disabilities to use those pools. Despite these modest successes, most people with disabilities throughout the country continue to be unable to access swimming pools on the same basis as their non-disabled peers.

The Department's process to develop accessibility guidelines for swimming pools began over 7 years ago on September 30, 2004, when the Department published an Advance Notice of Proposed Rulemaking (ANPRM), 69 FR 58768. This ANPRM requested feedback about the Department's proposal to adopt the Access Board's 2004 revisions to the ADA Accessibility Guidelines (ADAAG), which included provisions for swimming pool accessibility. The Department then published a Notice of Proposed Rulemaking almost 4 years ago on June 17, 2008 seeking public comment, 73 FR 34508. The Final Rule was formally published in the Federal Register on September 15, 2010, 75 FR 56254, and gave owners and operators of existing pools 18 months before the specific regulations became enforceable.

Enough time has passed to allow swimming pool owners to make their pools comply with the ADA. Over 18 months has passed from the date the final rule was announced, over 4 years has passed from first proposal of a final rule, and over 7 years has passed from first the first proposal to adopt the ADAAG standards for pools and spas. Moreover, the requirement to remove barriers to accessibility to swimming pools for people with disabilities has been part of the statutory requirement under the Americans with Disabilities Act since it was passed in 1990, almost 22 years ago. The need for pools and spas to be accessible for people with a disability is not some new idea, but one that has been in federal law for more than 2 decades.

Additionally, the Department's regulations provide more than sufficient flexibility since the requirement is removal of physical barriers that is "readily achievable," or easily accomplishable and able to be carried out without much difficulty or expense.

The swimming pool owners have raised concerns about the Department of Justice

requirement that they install fixed rather than portable lifts. The Americans with Disability Act Accessibility Guidelines, or ADAAG, include specific guidelines regarding the installation of pool lifts. See <http://www.access-board.gov/ada-aba/final.cfm#a1009>. Generally, portable pool lifts cannot meet the ADAAG standards, because they cannot be installed or independently operated by people with disabilities. As the Department of Justice has indicated, however, if an entity chooses to use a lift complying with the ADAAG standards that is removable or otherwise designated as "portable," it may do so, as long as while the lift is provided at the pool, it is affixed in some manner to the pool deck or apron.

NDRN is pleased that some members of the hotel industry have realized that over the course of 22 years the ADA applies to the accessibility of their pools and have taken a proactive approach and installed pool lifts. For example, in recent negotiations with a hotel chain to hold a conference, NDRN raised the issue of whether the swimming pools were accessible for people with disabilities, and were assured that all the hotels were in compliance with all current ADA laws and regulations concerning the pool and had a pool lift. In addition, they were prepared to comply with any and all revisions to Title 3 of the ADA that may occur, and took, "great pride in ensuring . . . our properties meet and exceed any government regulation."

As NDRN continues to contract for our business meetings as well as our staff making their own personal summer travel and vacation plans, we believe that people with disabilities should be able to enjoy the same recreational amenities and opportunities as every other American. Delaying the effective date of the regulations any further will mean another season where people with disabilities will be denied the opportunity to use pools when they travel on vacations with their families or on business. This is unacceptable.

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

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

Mr. FLAKE. To the gentleman's point, the minority whip, I think all of us want to protect the ADA and the goals of the ADA. That's why this amendment was offered in the committee. It was to strike this language.

What will happen—I think we can all see it—is if these new regulations are allowed to go into effect—at the end of this month, I believe, it will come—there isn't the equipment even available to put it into use. The liability issues are so huge to have a stanchion, basically, with a lift at every pool and a power source right by the water, in every body of water. If there is a resort with 10 pools, 10 lifts. If there are three Jacuzzis, three more lifts. If it's an apartment complex with a small, little pool, they'll still have to do it. Municipalities that have public pools will have to do that as well. What will happen is too many of them will say, We can't expose ourselves to the cost or the liability, and so we'll simply close our pools.

Whether they be military or anyone else, what does that do to access for the disabled? What good is it if a pool is closed down because the owner simply can't deal with the cost or the li-

ability? I guarantee you, if this happens, if this goes into effect, then you're just going to be granting waivers based on some kind of spoil system or on whether or not they think they can afford it. It's just not workable. What we need is a workable regulation.

Mr. NADLER. Will the gentleman yield on this point?

Mr. FLAKE. I yield to the gentleman from New York for a very brief time.

Mr. NADLER. Is the gentleman aware that, if the equipment is not ready, then under the law it is not readily achievable and that it doesn't have to be done at that point and that the DOJ has already met with the industry and has told them this?

Mr. FLAKE. In reclaiming my time, it's all well and good to say that; but what these owners will say is their liability comes as soon as the lawyer walks by and the pool doesn't have it. They're not going to risk having the liability. They're not going to risk doing that. So you'll have less access because it's simply not ready. Having this go into effect in less than a month from now, at the end of this month, is simply not reasonable.

What we're about is trying to find a solution that is reasonable and affordable and that will increase accessibility for the disabled. This doesn't do it. That's why the amendment was offered in the committee. It was to take this back and have something reasonable.

All of us have the same goal here; but the regulations, as they're put forward, are not reasonable. Think about that for a minute: a small apartment complex that has a pool open to the public and then imposing that kind of cost and liability on them. Even with the equipment, when it does become available, it's more likely that they will simply shut the pool down because they won't want to deal with that liability. We have resorts in Arizona that have had portable lifts available for years and years. Some of them inform us that they've never been asked once—or one time in 10 years.

There are ways to do this. It's reasonable and prudent to say you ought to have a portable lift available; but a fixed stanchion, or a lift, for every body of water? It just is unreasonable and too costly. So that's why the amendment was offered, and that's why the language is in this bill. I would urge that it be retained.

I yield back the balance of my time.

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

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

Mr. FATTAH. We had this discussion in the full committee.

You have on one side the Paralyzed Veterans Association and the National Association of Blind Veterans—every veterans group you can imagine. On the other side, you have hotel owners, who say, Look, we either can't afford it or nobody will ever want to use it or

we can't get the equipment. What we have in the middle is a set of facts, which is that this regulation has been developed over a long period of time, starting back in 2004, in that, if you have a financial hardship and if you can't do it, you can waive it. If the equipment is not available, if it's not achievable, there are tax credits for it.

The issue here is really whether there is enough heart among the hotel owners to make sure that Americans who are disabled have the same opportunities. That's the real question here. So we don't have a vote on this. There is no amendment pending. I just want the House to be clear that one of the reasons you don't authorize on an appropriations bill is that this is a matter for the Judiciary Committee. They've held a hearing on it.

There is a set of facts that gets kind of bottled up when we're dealing with this spending of dollars; but there is no reason here for a country as big as ours and as wealthy as ours to have so little heart and compassion for those who are less fortunate, who are disabled, so that they can have access as they travel and deal with public accommodations.

I yield back the balance of my time.

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

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

□ 2000

Mr. NUNNELEE. Madam Chair, this measure is not about undermining the Americans with Disabilities Act. This measure is not about denying access. If it were, I would be part of leading the charge to defend that access in the Americans with Disabilities Act. The reason for that is because when I was in college, I lost my eyesight. When I graduated from college, I was blind. I'd been denied a job because of my blindness. I would defend every person's right to access, and I would defend the Americans with Disabilities Act. But this proposal is about finding a reasonable solution to a problem rather than imposing a one-size-fits-all dictate from the bureaucracy of Washington.

There seems to be a serious disconnect between the people that are writing the regulations and those that have to comply with them. Portable lifts accomplish the same access, and they are much easier to install and can be installed at a lower cost. These fixed lifts are much more costly to install, and the net effect is that hotels and municipalities will simply close their swimming pool rather than comply with this new regulation. Many hotels have already begun to comply by ordering portable lifts and making those available, but that money and effort will be wasted because the Department of Justice has decided that only fixed lifts will meet the regulation.

The problem here is that the bureaucrats who don't have to live with the consequences of the rules they write

really don't care how much it costs the small business owners. They just want to tell other people what to do, no matter what the real world consequences are.

Our goal is not to deny access. Our goal is to find a reasonable way for businesses to comply with this new regulation in a fair and reasonable manner and in a cost-effective manner that will ensure access to every American.

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

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, I rise to speak against an amendment added during committee markup of the Commerce-Justice-Science appropriations bill, the one that we've been talking about, that would prevent the Department of Justice from enforcing regulations regarding access to swimming pools under the ADA, the Americans with Disabilities Act.

Since passage of the ADA in 1990, Congress has never acted to weaken the ADA's promise of increased opportunity and access for our neighbors, friends, family, and colleagues with disabilities. Today, however, this House is poised to strip the Justice Department of its ability to enforce certain accessibility rules. We are at this unfortunate and unwarranted juncture because of an aggressive advertising and lobbying campaign that misrepresents what the ADA is and what the Department of Justice rules require.

Congress should not roll back reasonable, balanced, and negotiated civil rights standards that have long enjoyed bipartisan support based on an alarming misunderstanding and misrepresentation of the ADA and Department of Justice regulations, nor should we override a nearly decade-long regulatory process that began under the administration of President George W. Bush and concluded after extensive public notice and comment by adopting the guidelines that the United States Access Board developed in 2004 during the George W. Bush administration.

Certain members of the hotel industry and their lawyers have claimed that Department of Justice rules require all pool owners to install fixed lifts in every pool, that this is costly and burdensome, and that owners who cannot afford to install lifts will have to shut down their pools or face civil penalties. These claims are simply false.

As required by Congress when it passed the ADA in 1990, the Justice Department has now issued rules to increase access to newly constructed and existing swimming pools, rules that have been under development for almost 15 years. New pools must be built with either a sloped entry into the pool or a pool lift, under these new rules. For existing pools, owners will have to

do what is "readily achievable" based on the size and resources of the owner's business and the prospective cost of the improvement.

If it is readily achievable, which is defined in the ADA as "easily accomplishable and able to be carried out without much difficulty or expense," a business should take the same steps to improve an existing pool that it would take if it were building a new pool. This means that if a fixed lift can be installed easily and inexpensively, it should be. If installing a fixed lift is too expensive and difficult, it is not legally required. The law did not impose a one-size-fits-all requirement. The law is quite flexible.

Fixed lifts are superior to portable lifts because a fixed lift provides a safer and more independent means of getting in and out of a pool for a person with a disability. A fixed lift is available whenever a pool is open without the need for staff to locate the lift, ensure it is in proper operating condition, and provide timely and safe installation while the disabled person waits. This allows a person with a disability to swim whenever a pool is open, just like everybody else.

While those pushing this amendment have raised concerns about lift safety, the United States Access Board has found no evidence of increased safety risks from pool lifts. The same measures already in place at a hotel's pool, such as prohibiting unsupervised children from using a pool, should prevent misuse of a pool lift as for other pool equipment like diving boards, slides, deck chairs, or tables.

This unnecessary amendment will harm countless Americans and veterans who rely upon the ADA. And we have heard from a number of organizations and individuals who oppose legislation prohibiting DOJ from enforcing its regulations. I would like to include some of the letters and testimony sent to the House Judiciary Committee's Constitution Subcommittee, where I serve as ranking member, in the RECORD.

Opposition to the amendment comes from organizations that work with a broad spectrum of persons with disabilities, including the National Center for Independent Living, the Association of University Centers on Disabilities, the American Association of People with Disabilities, and the National Disability Rights Network, to name a few.

A father and swim coach in Georgia wrote that swimming has helped his son—a medalist at the Athens and Beijing Paralympics—make friends, earn respect, achieve goals, and make the best of his disability.

A dozen veteran organizations wrote similarly of the benefit of rehabilitation and recreational opportunities for wounded and disabled veterans and servicemembers. These Americans have paid a high price in service to their country. They should be able to count on the ADA to ensure equality and opportunity here at home.

Before today, our commitment to the ADA was a shared one. It would be unfortunate if that were to change under Republican leadership in the House. I call upon my colleagues to ensure that this ill-advised amendment is not included in any bill sent to the President for his signature. These regulations which have not yet been imposed, which the Justice Department has said may be postponed another few months if necessary, are in the spirit of the ADA—they are proper; they are well considered; and they oughtn't to be set aside by lobbyist-driven amendments.

With that, I yield back the balance of my time.

MAY 4, 2012.

DEAR SENATOR/REPRESENTATIVE: We the undersigned veterans organizations are writing in support of the Department of Justice's (DOJ) final rule detailing requirements for accessible entry and exit for pools and spas under the Americans with Disabilities Act (ADA).

Our organizations strongly support the principles of the ADA, because they ensure independence and reintegration for wounded servicemembers and disabled veterans. After a decade of war, we must ensure that the ADA continues to stand for equal treatment and non-discrimination in access to rehabilitation, employment, educational, and recreational opportunities.

Specifically, Congress must not weaken the principles of the ADA by delaying or otherwise inhibiting DOJ's enforcement of the pool and spa accessibility regulatory requirements. DOJ published the final rule on accessibility in September 2010 after engaging in six years of public outreach, which included multiple opportunities for all stakeholders to provide comments. Although the final rule was to go into effect on March 15, 2012, DOJ delayed compliance until May 21.

We believe that our nation's disabled veterans and wounded warriors have waited long enough for access to pools and spas. The January 2012 guidance issued by DOJ clarifying the intent of the final rule for existing pools and spas did not change the requirements DOJ published in September 2010. The gold standard for new construction is a fixed pool lift. It is logical that fixed pool lifts would be required for existing pools and spas if "readily achievable." Readily achievable means that an existing pool or spa would only need to have a fixed pool lift if it was not costly or burdensome.

Readily achievable is the flexibility that was built into the ADA to ensure that a one-size-fits-all approach would not be required. Thus, if it is not readily achievable for a small, family-owned business to install a fixed lift for a pool or spa, then they are not required to under the ADA. The ADA's inclusion of the readily achievable standard represents the compromise between the needs of people with disabilities and the costs of accommodations.

If Congress intercedes by delaying implementation or hindering enforcement of DOJ's final rule, we fear that a dangerous precedent will have been set for the future of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. It is now time for Congress to step back and let the regulatory process function as was envisioned when the ADA was passed by a bipartisan Congress 22 years ago.

If you have any questions, please contact Heather Ansley, Vice President of Veterans Policy for VetsFirst, a program of United

Spinal Association, at (202) 556-2076, ext. 7702 or by e-mail at hansley@vetsfirst.org.

Sincerely,

Blinded Veterans Association, Disabled American Veterans, Iraq and Afghanistan Veterans of America, Jewish War Veterans, National Association for Black Veterans, Paralyzed Veterans of America, Veterans for Common Sense, Veterans of Foreign Wars, Veterans of Modern Warfare, VetsFirst, a program of United Spinal Association, Vietnam Veterans of America.

MAY 7, 2012.

Hon. TRENT FRANKS,
Chairman, Judiciary Committee Subcommittee on the Constitution, Rayburn House Office Building, House of Representatives, Washington, DC.

Hon. JERROLD NADLER,
Ranking Member, Judiciary Committee Subcommittee on the Constitution, Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: I write to you today as a swimming coach with twelve years of experience working with disabled swimmers of whom my son, Lantz, is one. I respectfully request that my son and my athletes and all individuals with disabilities have access to aquatic recreational opportunities just as individuals without disabilities. I have recently been informed that Congress is considering legislation that would prevent the Department of Justice from enforcing its own regulations and keep public pools from being accessible as required by the ADA. I am very concerned about this legislation. I strongly encourage you and your colleagues to act to ensure that individuals with disabilities have the ability to access swimming pools and other facilities.

My son has swum since he was nine years old. Swimming has provided him a way to make friends, earn respect, achieve goals and make the best of his disability (cerebral palsy). He has progressed to the highest level of disability swimming having swum and medaled in the Athens, Greece and Beijing, China Paralympics. Swimming has enabled him to develop a more positive image of himself as well as provide a role model for other children with disabilities.

I have coached swimmers with all kinds of disabilities, from amputees to swimmers with cerebral palsy, as well as my son, to traumatic brain injuries, to swimmers paralyzed from the waist down, to blind swimmers, to gunshot and shrapnel injuries and all sorts of hip and shoulder injuries. The swimmers who need the lifts the most are the ones who have no use of their legs since it is dangerous for the swimmers and their assistants who help them in and out of the pool. Without the lifts most of these swimmers will not try to transfer themselves out of their wheel chair and into the pool because of the risk of further injury.

It is critical that all individuals, including individuals like my son with a disability, have the opportunity to participate in physical activity and sport. Research has shown that physical activity significantly enhances the physical, mental, social, and emotional wellbeing of an individual with a disability. I have seen this numerous times as an individual with a disability realizes that they can participate in physical activity and achieve goals and benefits by their efforts. The pride of self returns when the swimmer sees that he or she can get better, swim faster and most of all achieve! Yet many individuals with disabilities face barriers to accessing physical activity opportunities and the result is that obesity rates for adults and

children with disabilities are 57% and 38% higher, respectively, than rates for adults and children without disabilities (Centers for Disease Control and Prevention). Swimming is a beneficial activity for many people with mobility impairments (more than 13 million Americans who use a wheelchair, walker, cane or other aid to assist in mobility), as it enables individuals with disabilities to be active with fewer limitations (U.S. Census).

Our program provides access to adapted swimming for many individuals. Regrettably too many families, do not have the same opportunities. Please, do not limit the ability of the Department of Justice to ensure full access to swimming pools and spas for individuals with disabilities.

Thank you for considering this request.

Sincerely,

FRED LAMBACK.

ASSOCIATION OF UNIVERSITY
CENTERS ON DISABILITIES,

May 7, 2012.

DEAR REPRESENTATIVE: On behalf of the Association of University Centers on Disabilities (AUCD), I am writing to urge you to oppose Representative Carter's amendment to the Commerce, Justice, and Science Appropriations Bill that would prevent the Justice Department from using its funds to enforce the ADA regulations to increase access for people with disabilities to swimming pools.

On March 15, the 2010 Standards for Accessible Design went into effect, setting accessibility requirements for built-in facilities including swimming pools. These standards were adopted as part of the revised regulations for Title II and Title III of the Americans with Disabilities Act of 1990 (ADA). Unfortunately, the regulations were met with strong opposition by the hotel industry due to a misunderstanding as to what they require and the "readily achievable" standard the ADA applies to ensure reasonable enforcement.

The readily achievable standard has been supported and recognized by the business community since the passage of the ADA in 1990. The standard, since its inception twenty-two years ago, provides the Justice Department with flexibility to determine what is achievable based on a covered entity's particular circumstances, and to prevent the Department from applying a rigid one-size-fits-all standard. In the case of the accessibility regulations for pool lifts, therefore, if it is too costly or burdensome for a small, family-owned business to install a fixed pool lift at their facility, the new regulations do not require that they do so. Furthermore, pool owners that fail to comply with the regulations are not subject to large damage awards largely in part to the fact that individuals cannot obtain money damages against hotels for violations of ADA's accessibility requirements.

The hotel industry has known about this issue for a decade, and has participated in every step of the way. They were given 18 additional months (past the publication of the finalized rules in September 2010) to prepare before the standards went into effect. As a result of the forgoing built in protections in the ADA, this amendment is not needed to protect small hotel owners.

Additionally, it is crucial to understand, that access to swimming pools is important for people with disabilities—it helps them participate in their communities, spend time with their families and, for many, is a critical means of exercise and maintaining good health.

If Congress intercedes by passing this amendment, we fear a dangerous precedent will have been set that could chip away at other provisions of the ADA. The final rule was the result of an extensive regulatory

process that provided ample opportunity for participation. Accordingly, AUCD urges you to protect the ADA by opposing amendments that will take away the right of the Department to enforce such critical regulations.

Sincerely,

A. ANTHONY ANTOSH,
President, Association of University
Centers on Disabilities.

CONSORTIUM FOR CITIZENS

WITH DISABILITIES,

May 8, 2012.

Hon. TRENT FRANKS,

Chairman, Subcommittee on the Constitution Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. JERROLD NADLER,

Ranking Member Subcommittee on the Constitution Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: The undersigned members of the Consortium of Citizens with Disabilities (CCD) submit these comments for the record of the April 24, 2012 hearing on "The Department of Justice's Guidance on Access to Pools and Spas Under the ADA." CCD is a coalition of national disability-related organizations working together to advocate for public policy that ensures full equality, self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

1. *The Justice Department acted entirely within its authority in conducting its rulemaking process and interpreting its own regulations concerning swimming pool access.*

We submit this statement to respond to arguments made at the hearing by the hotel industry that the Justice Department's rulemaking concerning swimming pool access and its interpretation of its own regulations constituted a lawless process that violated the Administrative Procedures Act, that the Department issued "new and arbitrary rules" in 2012 that circumvented the regulatory process, and that congressional action is necessary to "restore order to the regulation-making process."

These claims are unfounded. That the Justice Department reached different conclusions than those that the industry might have preferred does not render the process illegal or improper. On the contrary, the Justice Department's swimming pool regulations were the product of a years-long, fair, considered, and objective process that included the consideration and conclusions of the U.S. Access Board under President George Bush.

The Justice Department's Rulemaking Process Was Thorough, Extensive and Fair

The Justice Department's rulemaking concerning pool lifts involved a lengthy and considered process that involved all stakeholders, including the hotel industry, throughout. The regulations at issue implement a law that was passed nearly 22 years ago. The U.S. Access Board began looking at the issue of pool access in 1996, adopted standards concerning pool access under President Bush in 2002, and incorporated those standards into its ADA Accessibility Guidelines in 2004. In 2004, the Justice Department issued an Advance Notice of Proposed Rulemaking concerning the extent to which the Access Board's accessibility guidelines should be adopted as part of the Department's own regulations. As Representative Nadler noted at the hearing, the hotel industry's comments submitted in response to that ANPRM contemplated, even then,

the possibility that fixed pool lifts would be required. The Access Board's pool access requirements formed the basis for the Justice Department proposed regulations in 2008, and its final regulations in 2010.

The Access Board's extensive consideration of pool access included a detailed research study undertaken on its behalf by the National Center on Accessibility (NCA) in 1996. The study evaluated different methods and standards for their appropriateness, facilitation of independent use, degree of consistency with existing building standards, level of safety, and impact on pool design. With the assistance of a national advisory panel, the NCA undertook a comprehensive review of literature, a national survey of hundreds of people with disabilities, a national survey of hundreds of swimming pool operators, managers, aquatic directors, and adaptive aquatic instructors, and actual on-site pool testing of identified designs and devices by people with disabilities. This on-site testing examined the appropriateness, independent use, and safety of the identified means of pool access by people with diverse disabilities.

The extensive process of deliberation by the Access Board, and subsequent deliberations by the Justice Department, took into account the interests of all stakeholders, including cost and safety concerns. If there was anything extraordinary about this rule-making process, it was the thorough and detailed consideration involved. In light of this extensive process, the idea that it was somehow improper for the Justice Department to issue standards without further study is absurd.

The Department's Interpretation of its Own Regulations was Eminently Reasonable and Entitled to Deference

The hotel industry's biggest complaint is that in January 2012, the Justice Department clarified in a technical assistance document that covered entities may have to install a "fixed" pool lift in existing pools if doing so is readily achievable. The industry claims that this was a "new and arbitrary" standard, since the regulations themselves do not explicitly state that pool lifts must be fixed rather than portable.

The Department's accessibility standards, however, have always applied to fixed or "built-in" elements. Any doubt about this is resolved by the Department's own regulations, which explicitly state: "The 1991 Standards and the 2010 Standards apply to fixed or built-in elements of buildings, structures, site improvements, and pedestrian routes or vehicular ways located on a site."

Far from being unlawful, the Department's interpretation of its own regulations is perfectly permissible and eminently reasonable. Agencies have the authority to interpret their own regulations and routinely do so. In fact, agencies receive deference in resolving ambiguities in their own regulations. See *Auer v. Robbins*, 519 U.S. 452, 461-63 (1999). An agency's interpretation of its own regulations is controlling unless "plainly erroneous or inconsistent with the regulation." *Id.* at 461. Nothing about the Department's interpretation of its regulations to require fixed pool lifts where readily achievable is "plainly erroneous" or in any way inconsistent with the regulation itself.

2. The Justice Department's regulations do not impose high cost burdens on hotels.

Despite the hotel industry's allegations that compliance with the regulations would be so costly and burdensome that pools will shut down rather than comply, the regulations require the installation of a fixed pool lift in existing pools only where it is "readily achievable"—that is, where it can be accomplished "without significant difficulty or

expense." If installing a fixed lift is not affordable and easy, it is not required. The idea that this requirement is so burdensome that it will shut down pools is entirely unfounded.

The "readily achievable" standard was imposed by Congress in the ADA itself, and has been used for nearly 22 years. In fact, this standard was sought by business leaders in order to avoid a "one size fits all" standard for existing facilities and have instead a more flexible, individualized standard that would take into account factors such as the size, nature, and resources of a particular business. Business owners benefit from this flexible test, but must of course make the determination about whether it is readily achievable to meet accessibility standards. That is hardly unreasonable, much less unlawful.

3. The Justice Department's regulations do not create particular safety risks.

The U.S. Access Board concluded after extensive investigation that pool lifts pose no greater safety risks than any other pool equipment. In studying this issue, the Access Board consulted with hundreds of swimming pool operators, managers, aquatic directors, adaptive aquatic instructors, and people with disabilities, and conducted on-site testing of all types of pool access methods by people with different disabilities. Based on this extensive evidence, the Board rejected the hotel industry's speculation about safety concerns. If Congress intervened every time a trade association hired its own expert to disagree with the experts whose conclusions formed the basis for a regulation, the entire federal regulatory process—which already provides for ample stakeholder involvement—would be threatened.

Moreover, the hotel industry's suggestion that the Justice Department cannot require fixed lifts until it has studied the safety issues further, and that those safety issues cannot be fully understood as long as fixed lifts are not required, appears intended to prevent the Justice Department from ever acting on this issue. In her testimony on behalf of the American Hotel and Lodging Association, Ms. Vu stated that the Justice Department's finding that there is no evidence of child safety risks reflects the fact that there has never before been a requirement to have permanent pool lifts, and the issue must be studied further before the Justice Department can act. Yet Ms. Vu and her client vigorously oppose the imposition of any requirement to install permanent pool lifts. If Congress were to grant their request, according to Ms. Vu's logic, there would never be a sufficient basis for the Justice Department to act on this issue; absent any requirement to install permanent lifts, further study would always be needed. We urge you to see past this specious reasoning.

4. Access to swimming pools is important for people with disabilities.

The opportunity to swim is important for people with disabilities, as it is for everyone. Ensuring that people with disabilities have access to everyday activities and can participate in all aspects of society has always been a core civil right promoted by the ADA. The April 24th testimony of Ms. Camacho and Ms. Cody confirmed the experiences of so many people with disabilities: swimming is not only a means of recreation and relaxation, but also an important avenue for children and adults with disabilities to interact with their peers and their families, and participate in their communities. In addition, swimming is a critical way for many people with disabilities to exercise and gain strength in order to facilitate greater independence. This point is illustrated well by Ms. Camacho's testimony that swimming

helped her to gain the strength she needed to get in and out of a car independently, to transfer in and out of bed on her own, and to go to the bathroom by herself.

5. People with disabilities attended the hearing due to their own interest and well-founded concern, rather than as a consequence of exploitation.

We were troubled by Chairman Franks' remarks that the numerous individuals with disabilities who came to the hearing had been "exploited" into taking actions that were against their own interests. People with disabilities deserve more credit than is suggested by the presumption that the individuals who attended the hearing lacked the ability to think for themselves and were simply pawns in the schemes of others. We are quite confident that the individuals with disabilities who chose to attend the hearing did so of their own accord, out of deep and abiding concerns about the legislation's potential consequences for their lives.

Those concerns go far beyond the desire for access to swimming pools. As many of the individuals who attended the hearing made clear, the Justice Department's ADA regulations and its interpretations of those regulations have played an extremely significant role in promoting their rights to live in their homes and communities rather than institutions, and to participate fully in society. Individuals with disabilities are deeply and rightfully concerned about efforts to undermine the Justice Department's authority to interpret and enforce its ADA regulations.

Thank you for your consideration of these comments.

Sincerely yours,

ACCSES, American Association of People with Disabilities, American Foundation for the Blind, The Arc of the United States, Association of University Centers on Disabilities, Autistic Self-Advocacy Network, Bazelon Center for Mental Health Law, Disability Rights Education and Defense Fund, Easter Seals, National Association of Councils on Developmental Disabilities, National Council on Independent Living, Paralyzed Veterans of America, United Cerebral Palsy, United Spinal Association.

NATIONAL COUNCIL
ON INDEPENDENT LIVING,
May 8, 2012.

Hon. TRENT FRANKS,
Chairman, Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

Hon. JERROLD NADLER,
Ranking Member, Subcommittee on the Constitution, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN FRANKS AND RANKING MEMBER NADLER: These comments are submitted by the National Council on Independent Living (NCIL) for the record of the April 24, 2012 hearing on "The Department of Justice's Guidance on Access to Pools and Spas Under the ADA."

NCIL is the longest-running national, cross-disability, grassroots organization run by and for people with disabilities. Founded in 1982, NCIL represents thousands of organizations and individuals including: Centers for Independent Living (CILs), Statewide Independent Living Councils (SILCs), individuals with disabilities, and other organizations that advocate for the human and civil rights of people with disabilities throughout the United States. There are currently over 700 physical locations across America actively providing Independent Living services to people with disabilities.

This hearing was held to address the proposed legislation in the House that is set to address the concerns of the DOJ's decision to extend the rule RIN 1190-NYD Delaying the Compliance Date for Certain Requirements of the Regulations Implementing Titles II and III of the Americans with Disabilities Act.

We have serious concerns with Congress preventing an executive branch agency from enforcing its own regulations such as what is written in H.R. 4256 and H.R. 4200. We must let you know that we find both these bills to be intrusive.

We disagree with both bills. They try to accomplish giving the hospitality and hotel industry an opportunity to provide accessibility to the public in the least efficient manner or even at all. H.R. 4256 attempts to address technical requirements that have been negotiated over years in the rule-making process that has worked well for all other aspects of accessibility. This bill is broader than H.R. 4200 because it prohibits any court enforcement of the new regulations for a year (while DOJ is changing the standards, as required by this bill), including enforcement by private plaintiffs.

To include Title II in the language of the resolution, even though it would appear by the rest of the language that the resolution concerns Public Accommodations only, under 28 CFR Part 36; creates confusion and uncertainty about exactly how far this resolution's impact and jurisdiction could be interpreted to go. The resolution calls for a one year extension to the effective date, which we in the community disagree with its necessity.

The ADA has been in effect for 21 years, and all the ADA pool rules have undergone extensive review for more than 10 years, with multiple comment periods and many opportunities for hotels to learn about their responsibilities. The new requirements already had a generous phase-in period of 18 months. Congress should not restrict enforcement of these, or any, ADA requirements.

In response to comments that referred to the hospitality industry not having adequate time to implement this rule, the burden of providing access to swimming pools and the cost for implementing this rule, we strongly disagree with all of these claims. Providing access to swimming pools is achievable and not burdensome. The ADA's accessibility requirements for barrier removal in existing facilities are very reasonable—they only require what is "easily accomplishable" and able to be carried out without much difficulty or expense. The rules are carefully crafted to take the needs of covered entities, such as small businesses including hotels, into account. In other words, hotel owners need not comply with the standards in the new regulations unless doing so would be inexpensive and simple. No extension or enforcement ban is needed.

We also believe that it is not acceptable for the Department of Justice to backtrack on ADA requirements because an industry experts pressure. To do so is an invitation to other industries to say, "Roll back our requirements, too." Today it's the hotel industry. What weakening changes will come tomorrow? What other human and civil rights laws will be adjusted?

In reference to the expense this would cause for the hospitality industry, there are Tax Incentives which have always been available and underutilized by businesses. IRS Tax code 44 and 190 provide generous credits (dollar for dollar) and deductions (reduction in gross reported to IRS) that let the hotel owner get the money back (1/2 in credit the rest in deductions) so cost should not be an issue.

The Disability and Business Technical Assistance Centers (DBTACs) have done a tar-

geted education project for the "hospitality" industry for several years now and have repeatedly reached out to the organizations representing hotels. They can be reached at 800-949-4232 anywhere in the country.

The House bill H.R. 4256 represents an extraordinarily prejudicial precedent. This bill would deny any federal official, which can include judges, US attorneys, and other enforcing authorities, any power to administer or enforce the new DOJ ADA regulations regarding pools. It removes the waiting period and adds a clause that dismisses any suits filed after March 15, 2012. It also tries to clarify their portable vs. fixed lifts concern, something that should be done by DOJ.

The amendment would affect Title II State and Local Governments, which have been covered for access into the water since 1990. This is seen as a targeted process to undermine the strong federal enforcement role urgently needed and sometimes reached under the ADA. Passage of this bill could initiate a trend to render civil rights laws completely powerless and ineffective, even though they remain public law. This amendment would firmly take this part of the ADA backward. It is our belief that Congress should craft strong civil rights protections to end discrimination, not remove the government's enforcing authority.

In the notice of proposed rulemaking, the Department of Justice requested comments on extending the compliance date "in the interest of promoting clear and consistent application of the ADA's requirements to existing facilities." The NCIL community has serious concerns with the number of years it has taken to explain "readily achievable barrier removal". Extensive technical assistance has been provided to explain to many public accommodation pool owners that the requirements are based on what they can afford to do today on their existing structures, with an obligation to provide better access when it can be afforded. Nothing has changed with that concept since the ADA was passed in 1990. It should not take another 6 months to "understand".

To include Title II entities in this extension is a huge step backward! Program access has been a requirement all along, and most state and local government-run pools and swimming facilities should already have addressed access into the water for their programs. An extension is inappropriate as they have already been responsible for equal access to the water for years.

The part that is confusing is not for new construction and altered facilities having pools and spas, but at existing pools there is some confusion that has been partly created by the DOJ, as the Department responded in a letter February 21st to the American Hotel and Lodging Association (AHLA) when they asked for clarification on the provision of pool lifts. In that letter, the Department addresses several concerns raised in the "eleventh hour" of the rulemaking process by AHLA representatives—including some regarding "fixed" pool lifts versus "portable" pool lifts. The Department has created part of the problem in its convoluted definition of why a pool lift must be "fixed" which is not addressed in the rule, the scoping, or in the technical requirements of the 2010 ADA Standards for Accessible Design.

In addressing concerns by AHLA regarding existing hotels, the DOJ stated that where it is not readily achievable for a hotel owner to install a fixed pool lift, that a portable pool lift may be used if it can be attached to the pool deck while in use. That seems like a good idea to reduce liability for the hotel owner, and makes the unit more stable for the user, who also must be able to use the unit independently. However, it is a matter of technical assistance advice that, with ad-

ditional helpful information could be given without an extension in the effective date for compliance. Many of these discussions should have already taken place multiple times, given the length of time this rule-making has taken, and to reiterate the principles of readily achievable barrier removal once again to the organizations pleading ignorance should NOT take an additional 6 months.

The NCIL membership is very disappointed that an exception was made in the rule-making process by the current Administration, and strongly objects to the proposed rule extending the compliance date for public accommodations and effectively abolishing the program access requirements including pool lifts at swimming pools, parks, and resorts run with State funds through yet another swimming season—to September 2012. We insist the rulemaking proceed and become effective immediately following the 60 day extension.

Submitted by: L. Dara Baldwin, MPA—Policy Analyst, The National Council on Independent Living.

Submitted for: Mark Derry—Chair of the ADA/Civil Rights Committee for The National Council on Independent Living, President/CEO.

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

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

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

I rise in opposition because I know what it's like to live with and to travel with a disabled person—my brother-in-law, a very distinguished retired lawyer who actually was injured in a diving accident and is paralyzed from the waist down.

I never fully had an appreciation for ADA until I started living with him and realized, as he said, that the ADA was not a zoning ordinance about construction; the ADA is a civil right that this Congress enacted 22 years ago. It was remarkable legislation. And to govern that legislation, we have an access board who are not made up of, as someone said, bureaucrats, but they're made up of citizens who are appointed, I guess, all by the President.

And I watched, because my brother-in-law was appointed to that board under President Clinton. I've watched that board as they go through all kinds of issues dealing with people with disabilities very conscientiously, thorough hearings, lots of discussions about how to implement it, and I'm just shocked that Congress would think that we ought to take away an access.

I'm sure these same debates were given when people said, well, we shouldn't do curb cuts; they cost money, and there is nobody standing on that curb that needs it. Ladies and gentlemen, curb cuts make a big difference not just for people that are disabled, but just for elderly people who can't be that lift.

By the way, you and I are all, as my friends like to say, temporarily able-bodied persons, because you never know when you're going to be in the next accident.

□ 2010

So I think that the statements that were made are right on on this side. There is a lot of misinformation going on about these proposed regulations.

I represent the Tourism Caucus. I'm the chair of the bipartisan caucus on tourism. And, yes, a lot of my hoteliers have come in and said, You can't do this. But you know what? There's an exemption in there. For small hotels for whom the pool lift is too expensive to buy it, they're exempted. The regulation also allows hoteliers to do either a permanent or portable lift. There is a lot of discussion here that says, It's all portable. It's mandatory.

By the way, the disability community is a big traveling community. There is a lot of money in that community. And I will just give a kudo, because one of the hotels that is very conscientious about this and has a reputation for being extremely well-suited for disabilities is the Four Seasons Hotel. That is not a cheap hotel.

So there are conscientious hoteliers out there that want to reach this market. There are people that want to get access, and we should never, never take away something that is so essential to quality of life. Indeed, I think our role here is to protect the domestic tranquility of this country. And a lot of that domestic tranquility is people with disabilities, including many of our soldiers.

I want to make sure that we defeat this amendment.

I yield back the balance of my time.

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

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

Mr. SCHWEIKERT. Madam Chairman, this is one of those moments in Congress where I swear we are almost talking about completely different things and the reality that I live in. I am blessed to represent Scottsdale, Arizona, one of the resort centers of the country. Come visit us. It's a wonderful place.

About a month and a half ago, I went and visited one of the resorts right down the street from where I grew up. They have seven pools, when you count the Jacuzzis. And I am walking through the resort with the manager, who I've known since high school, and he is just looking at me with these huge eyes saying, Have they lost their minds?

The first thing he points out to me is they've had a portable lift for a decade, and no one's ever asked for it. The second point he made—and he was emphatic on this—20 years ago, because of their tort liability, the insurance on their pools, they got rid of all of their diving boards. And now we're going to demand that they build fixed structures up against a Jacuzzi? I can't wait to see who is going to be standing there monitoring the beer drinking and not climbing on top of those and leaping into the Jacuzzi, using it as a swimming pool diving board.

Is anyone familiar with the concept of "attractive nuisance"? Those who oppose the amendment, are you going to also step up and say, Well, we're going to provide you tort liability when someone jumps off and ends up in horrible shape? Because 20 years ago, we made a point to remove these types of hazards from the sides of pools and Jacuzzis.

But the third thing—and he was just livid on the point, saying, I have seven pools in my resort. We're barely making it today, and you're telling me that I am going to grind through my concrete, grind through my cool decking, grind through my patios to put power extension, build fixed lifts near every pool and Jacuzzi when no one's even asked for the portable one for 10 years?

What's wonderful about the amendment, if you actually read it and move away from some of the rhetoric, is it makes it very clear that this is about building permanent structures next to those pools and Jacuzzis. If they're going to mandate a portable with the other caveats, okay, fine. Live with that. We already have lots of experience with that. And that way you avoid the attractive nuisance near every pool—not the cost, not the tearing up, not the everything else that goes along with this.

At some point, our love and respect and wanting to help our brothers and sisters, particularly those that have mobility issues, we're there for them. We love them. We want to help. But we also have to have some bit of rationality. Let's actually step up and deal with this rationally, because I fear that the law of unintended consequences is going to be that some of my resorts are going to close down those Jacuzzis, close down those pools for access from anyone when there was a pragmatic solution, which is embracing the portable lifts. That was from every call I have made, up and down through Scottsdale. And if you have been there, you know we have resorts everywhere. I have not had a single manager of a resort call me back and say, Yes, we even use our portable one.

Mr. FATTAH. Will the gentleman yield for a moment?

Mr. SCHWEIKERT. Absolutely.

Mr. FATTAH. Have you called the Paralyzed Veterans of America or any of those types of organizations? Did you just call the hoteliers?

Mr. SCHWEIKERT. Reclaiming my time, yes, we actually had a whole meeting in my office with them and actually had the whole discussion about both the attractive hazard of what happens when, you know, because of this, we create the next paralyzed American, and they looked at me with their eyes and said, You know, we hadn't thought about that. And as long as that resort has that portable one, we get our need taken care of. There is that pragmatic reality.

Mr. FATTAH. If the gentleman would continue to yield, so you are saying that the groups that have been identi-

fied as being for these regulations, you have convinced them to the contrary?

Mr. SCHWEIKERT. No. No. We sat down and had a wonderful conversation. I believe they left understanding how impractical what was happening here, also how there is a much more pragmatic, much more cost-effective, and a much safer solution for the community.

Mr. FATTAH. I thank the gentleman for yielding.

The last I heard, the Paralyzed Veterans were for these provisions.

Mr. SCHWEIKERT. I met with actual people from Scottsdale with mobility issues. So I actually met with real constituents that are real people, not some organization.

Mr. FATTAH. I thank the gentleman for yielding.

Mr. SCHWEIKERT. Madam Chairwoman, I yield back the balance of my time.

Mr. HOLT. Madam Chair, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. I want to join my colleagues in speaking in favor of enforcement of the Americans with Disabilities Act regulations, particularly my colleague STENY HOYER from Maryland, one of the authors of the ADA. And I rise to oppose any efforts to strip the Department of Justice's enforcement of these regulations.

My friend from Arizona is correct. It sounds as if we're in parallel universes talking about different things here, but let me tell you what we are talking about.

We are talking about equality of opportunity in America. Yes, we want to do all we can to give all possible access to swimming. It is important for all sorts of reasons.

We have, in this country, more and more people with disabilities, veterans returning from Afghanistan, people living to older ages. There are many people who can benefit greatly from access to swimming pools. And what we're talking about here is that principle of access, not just what it means for an individual with disabilities but what it means for the American ideal of equality of access.

The regulation and the law, itself, talk about a standard of readily achievable steps. "Readily achievable," that's the key point here. Fixed lifts in a swimming pool, for example, are required only where installation is easy and inexpensive.

The readily achievable standard has been the governing legal principle for increasing access to facilities since the ADA's passage 22 years ago. These particular regulations have gone through extensive review to be consistent with that standard of "readily achievable."

□ 2020

For an existing pool, it means removing barriers that, to the extent that it is readily achievable, to do so. Let me continue on that point. A small, family-owned hotel, for example, does not

have to take the same steps as a large commercial hotel. And some businesses complain that, Well, hardly anyone has ever used the access accommodations they have made. That's like saying, well, the public accommodations provisions of the Civil Rights Act needn't apply because an African American or a Muslim hardly ever comes to this restaurant.

We're talking about civil rights here—the American ideal of equal access for all.

I could go over and over again what this regulation actually says, but I will place in the RECORD what the Consortium for Citizens With Disabilities has said. They write in opposition to any congressional effort to roll back, or prevent enforcement of, the Justice Department's regulations about swimming pool access for people with disabilities.

The Consortium for Citizens With Disabilities includes a myriad of organizations, such as the American Association for People With Disabilities, the American Foundation for the Blind, the Brain Injury Association of America, the National Council on Independent Living, the National Disability Rights Network, the National Multiple Sclerosis Society, and the Paralyzed Veterans of America, I tell my colleague. These are just some of the organizations that say this is an important principle of civil rights. And yes, also it will allow lots of individuals to have healthier lives and to be able to cope with their disabilities.

I would also include in the RECORD a letter from the Disability Rights Education and Defense Fund, where they, too, urge Members of Congress to oppose any effort to prevent using the funds to enforce the Americans with Disabilities Act regulations for greater access for people with disabilities to swimming pools.

I yield back the balance of my time.

DISABILITY RIGHTS EDUCATION

DEFENSE FUND,

Berkley, CA, May 8, 2012.

DEAR REPRESENTATIVE: The Disability Rights Education and Defense Fund (DREDF) is a leading national law and policy center that advances the civil and human rights of people with disabilities through legal advocacy, training, education and public policy and legislative development.

On behalf of the DREDF, I am writing to urge you to *oppose* Representative Carter's amendment to the Commerce, Justice, and Science Appropriations Bill, H.R. 5326. This bill would *prevent* the Department of Justice from *using its funds to enforce the American's with Disabilities Act (ADA) regulations related to greater access for people with disabilities to swimming pools*. The Department of Justice must have the authority to enforce the ADA, which is crucial to protecting core civil rights principles and ensuring people with disabilities have access to all activities allowing them to participate in all aspects of society. Weakening civil rights enforcement of the DOJ sets a dangerous precedent.

The ADA was enacted over 21 years ago, and all the new ADA rules have undergone extensive review for more than 10 years, with multiple comment periods and many opportunities for hotels and other facilities with

swimming pools to learn about their responsibilities. The new requirements set by the 2010 Standards for Accessible Design went into effect on March 15 and already included a generous phase-in period of 18 months, which has been extended already by two months. These standards were adopted as part of the revised regulations for Title II and Title III of the ADA. Unfortunately, the regulations were met with strong opposition by the hotel industry due to a misunderstanding as to what they require and the "readily achievable" standard, which is carefully crafted to take the needs of covered entities large and small, such as hotels, into account.

The readily achievable standard has been supported and recognized by the business community since the passage of the ADA in 1990. The standard, since its inception twenty-two years ago, provides the Justice Department with flexibility to determine what is achievable based on a covered entity's particular circumstances, and to prevent the Department from applying a rigid one-size-fits-all standard. In the case of the accessibility regulations for pool lifts, therefore, if it is too costly or burdensome for a small, family-owned business to install a fixed pool lift at their facility, the new regulations do not require that they do so. Furthermore, pool owners that fail to comply with the regulations are not subject to large damage awards largely in part to the fact that individuals cannot obtain money damages against hotels for violations of ADA's accessibility requirements.

The hotel industry has known about this issue for a decade, and has participated in every step of the way. They were given 18 additional months (past the publication of the finalized rules in September 2010) to prepare before the standards went into effect. As a result of the foregoing built-in protections in the ADA, this amendment is not needed to protect small hotel owners.

Additionally, it is crucial to understand that access to swimming pools is important for people with disabilities—it helps them participate in their communities, spend time with their families and, for many, is a critical means of exercise and maintaining good health and physical rehabilitation.

ADA accessibility requirements providing access to swimming pools and spas is doable, not burdensome and are, in fact, reasonable. If Congress intercedes by passing this amendment, we fear a dangerous precedent will have been set that could chip away at other provisions of the ADA and other civil rights legislation. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. DREDF urges you to protect the ADA by opposing amendments that will take away the right of the Department to enforce such critical regulations.

Sincerely,

SUSAN HENDERSON,

Executive Director.

CONSORTIUM FOR CITIZENS WITH

DISABILITIES,

Washington, DC, April 23, 2012.

DEAR REPRESENTATIVE: The undersigned members of the Consortium for Citizens with Disabilities (CCD), representing people with disabilities, family members, and professionals in the disability field, write in opposition to any Congressional effort to roll back, or prevent enforcement of, the Justice Department's September 15, 2010 regulations setting forth requirements to ensure that swimming pools are accessible to people with disabilities. These regulations, the product of an extensive and considered process of deliberation, were originally scheduled to go into effect on March 15, 2012 and are now slated to take effect in May 2012.

H.R. 4200, introduced on March 16, 2012, would deprive the Justice Department of the authority to enforce its own regulations implementing the ADA with respect to the accessibility of swimming pools. H.R. 4256, introduced on March 26, 2012, would prohibit any court enforcement of the Justice Department's new regulations concerning pool accessibility for a period of one year from enactment of the bill and require the Justice Department to issue new regulations with weaker substantive standards (permitting portable pool lifts even where installing a permanent lift would be readily achievable). These bills present a number of serious concerns.

First, the prospect of Congress preventing an executive branch agency from enforcing its own regulations is very troubling. The regulations at issue were promulgated by the Department of Justice—the agency charged by Congress with enforcement of the ADA—and based on standards issued by the United States Access Board, a federal agency devoted to developing and maintaining standards to ensure accessibility for individuals with disabilities. The ADA requires the Justice Department's accessibility regulations to be consistent with Access Board standards. Both the Access Board and the Justice Department have extensive expertise in setting appropriate accessibility standards that take into account the needs of people with disabilities as well as those of business owners. Congress need not and should not step in to deprive the agencies it designated to issue accessibility standards of the authority to enforce those standards.

Moreover, the opportunity to swim is important to individuals with disabilities just as it is to everyone else. People with disabilities should be able to enjoy swimming pools for recreation and exercise. If enacted, H.R. 4200 and H.R. 4256 would deprive many people with disabilities of access to swimming pools, and would create uncertainty among pool owners about the standards with which they must comply in order to meet the ADA's requirements with respect to pool access.

The regulations at issue do not present a significant burden to hotels or other pool owners. For pools already built when the new regulations take effect, the regulations do not require owners to satisfy the new accessibility requirements. If doing so is not "readily achievable"—that is, "easily accomplishable and able to be carried out without much difficulty or expense"—they need not do so.

In addition, individuals with disabilities are not entitled to damages in ADA lawsuits challenging the inaccessibility of public accommodations.

The hotel industry has been aware of—and involved with—the development of the new pool accessibility standards for a decade. The Access Board initially issued standards for pool accessibility in 2002 guidelines for recreational facilities. In 2004, the Access Board incorporated those standards into its new Accessibility Guidelines. The new regulatory standards come directly from those 2004 guidelines. The Justice Department first published an Advance Notice of Proposed Rulemaking requesting feedback concerning the Access Board standards in 2004, followed by a second Advance Notice of Proposed Rulemaking in 2008. The final rule was adopted on September 15, 2010, and gave existing pools another eighteen months to comply with the new requirements.

In conclusion, we oppose any effort to roll back regulations providing accessible swimming pools for people with disabilities. These places of public accommodation have had

years of notice and substantial opportunity to prepare for these requirements.

Sincerely,

ACCSES, American Association of People with Disabilities; American Foundation for the Blind; American Network of Community Options and Resources; Association of University Centers on Disabilities; The Arc of the United States; Bazelon Center for Mental Health Law; Brain Injury Association of America; Council of Parent Attorneys and Advocates, Inc.; Daniel Jordan Fiddle Foundation; Disability Rights Education and Defense Fund; Easter Seals; Epilepsy Foundation; Helen Keller National Center; Mental Health America; National Association of Councils on Developmental Disabilities; National Council on Independent Living; National Disability Rights Network; National Down Syndrome Society; National Multiple Sclerosis Society; Paralyzed Veterans of America; United Cerebral Palsy; United Spinal Association.

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

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

Mr. CARTER. I am the person who introduced this language. At the time that I introduced it, I started my conversation by saying I am not opposed to—in fact, I am in favor of—access to swimming facilities and hot tubs and other bodies of water by the disabled in this country. But the facts are in this case that, yes, this has been looked at for a long time and everybody recognizes the fact that access to swimming pools and possibly hot tubs or therapeutic facilities is important for the people who are disabled. I agree. I agree with everything my colleagues have said on the other side of the aisle. Sometimes, when you're dealing with bureaucrats, you cannot get their attention to have a little bit of common sense. And you have to get their attention. And the purpose behind this is to get the Justice Department to back off until they can listen to some common sense.

My colleague on this side of the aisle has tried to point out that what the Justice Department has said, and has not been willing to clarify otherwise, is, regardless of what the regulation which was passed originally says, their ruling in January of this year was that it would be a fixed facility. That means it has to be placed permanently by the side of the body of water. That means it would be placed permanently beside every hot tub, placed permanently beside every kiddie pool, placed permanently beside every swimming pool that anybody has at any location. That would be a fixed device.

I don't know how big this device is, but I would assume it's taller than I am because it has to lift someone and put them somewhere. And I also happen to know that there are 13-year-old kids around every swimming pool in the country that figure if there's something you can climb up on and dive off of, you're going to do it.

So the swimming pool people, both publicly and privately—and let me tell you that lots of communications from public pool managers in my district,

say, We don't want to close our pool this summer, but they've set a deadline we can't meet. They've required something that we cannot physically get because the manufacturers are not prepared to do it. And even though they're willing to push the deadline down the line, they're setting up a situation of danger which could easily be resolved by what we've been using already in many of the pools in our area of Texas, and that is a portable device that does exactly the same thing, but when it is not in use it is moved away from the side of the pool to a safe place where someone cannot harm themselves.

What if a child climbed up on the one fixed next to the hot tub which is 3-feet deep and dove into it? He may be stupid, but kids are stupid sometimes. We would have another disabled person.

And so the consequences of this and the cost are something that we should say, How about a little common sense, Justice Department, and answer the question: Can we use a portable device? And so far they have not answered, because they wrote the last thing in January. They set the deadline of May 15 and extended it. And all we want is an answer to that question.

I want everyone to have access to a swimming pool, and I want the disabled to have a device that's safely able to locate them there and that can safely be put away when there's no one in need of that device so that nobody else can be hurt by false use of that device.

I'm not against the disabled, and nobody on our side of the aisle is, even though our colleagues seem to accuse us of that. But I started this conversation—and my colleague on my committee knows this—and I finished the conversation by saying: All I want is to allow them to have access and let the Justice Department say something besides "fixed device" so that we can go forward. If we can get that, we solve this issue. It's not about putting aside the ADA. It's not about being against the disabled. It's about common sense. And the folks that have five pools can have a device to sit around in a safe place to be moved out to accommodate whoever needs this device.

It's common sense, it's good judgment, and it's a safety issue for children. And nobody wants to deprive anybody of going swimming.

So to make this very clear, I think this is something that I agree with, my opponents on the other side of the aisle agree with, and we should be in agreement and bipartisan in trying to get a commonsense resolution.

I yield back the balance of my time.

Madam Chairman, I rise in strong opposition to the proposed amendment.

Mr. Nunnelee from Mississippi and Mr. Flake from Arizona are cosponsors of this amendment.

OPENING STATEMENT

My amendment prohibits the DOJ from using funds to implement the regulation and guidance that would require every public pool and spa in America to have a permanent pool lift. This would not only affect hotels and re-

sorts, but governmental entities such as public pools as well.

Let me make this clear, I am not against disabled Americans having access to pools and spas. But what I am against is unreasonable regulations that don't pass the common sense test.

Over the past year, hotel owners and city managers asked the Department of Justice to clarify the accessible means of entries for swimming pools and spas. This past January, the Justice Department responded to this request by issuing revised guidance. The guidance that was issued is alarming, to say the least.

The revised guidance only allows a place of accommodation to have a portable pool lift under a very narrow set of circumstances. The guidance also doesn't allow a city or place of accommodation to share a pool lift between multiple pools and hot tubs. Furthermore, the revised guidance requires a pool lift to be pool side and fully operational during all pool hours, but does not address the safety risks posed by children playing on and climbing on the pool lift, which I imagine would make a pretty good climb and dive target for a 13 year old.

It just doesn't make sense that if a hotel owner or city pool has multiple pools and hot tubs in one location that you would have to purchase a permanent lift for each pool and spa. Doesn't it make more sense to allow for one portable lift per location?

A major concern is the cost of purchasing and installing permanent pool lifts. In speaking with hotel owners and pool lift manufacturers in recent weeks, the costs of pool lifts can range from \$2,500 to over \$9,700. The cost of installation can range from \$500 to over \$3,000 in States such as California. If a hotel owner with a small pool and hot tub in California needs to install two (2) permanent lifts (one at each body of water), the costs for purchasing and installing the two lifts could range from \$11,000 at the low end to \$25,400 at the high end.

It is significant to note that for hotels that have had pool lifts in place for years; we have reports that guests with disabilities have not been using the lifts. A hotel owner very close to my district, in Austin, Texas, reported that twelve (12) years ago he constructed a pool at his hotel. At that time, Austin had a requirement that all hotels must have a lift for their guests with disabilities. During the 12 years that he has maintained the pool lift at the hotel, he never had a guest request or use the pool lift. Based on his information and belief, none of the hotels in Austin has ever had a guest use their pool lifts. (See attached Affidavit of Hitesh "H.P." Patel.)

And we haven't even discussed how in six weeks, approximately 309,000 pools or spas would have to purchase and install their own individual permanent lift. According to the Association of Pool and Spa Professionals, while present production capacity by pool lift manufacturers is a transient figure, greatly affected by many factors, it is reported that the manufacturers can produce between 2,500 and 5,000 lifts a month at this time. Can you believe that a bureaucrat in the Justice Department really thinks that 309,000 facilities can become compliant by May 15th, when production can't support that?

Mr. Chairman there is a little something called common sense that is missing here in Washington DC. My amendment will only prohibit the Department of Justice from requiring

a permanent point of entry, not a portable one, and will buy time for the Authorizing committee to pass the Pool Safe Act and bring some common sense back to this city. Let's send a clear message to the Justice Department that this regulation and guidance is not acceptable and that if they won't listen to the American people, then the Congress will act.

ADDITIONAL TALKING POINTS

Hotels with fewer than 100 rooms are most negatively impacted by the pool lift mandate. The high costs of purchase and installation, along with the non-use by guests, makes it economically unrealistic for these small business owners. The end result will be that many simply close their pools, which is not a benefit to anyone.

In its comments submitted to the DOJ, the Association of Pool & Spa Professionals (APSP) cited reports by P.K. Data Inc. that there are approximately 310,000 public pools, 85,000 of which are classified as "lodging" and 30,000 classified as "clubs." It is estimated that approximately 33% or 38,000 of these pools are accompanied by a spa, for a total estimate of 153,000 pools or spas likely to fall under Title III, the majority of which are hotel pools and spas. The other public pools such as "community," Parks and Recreation, and Schools likely fall under Title II.

In 2010, the Department of Justice ("DOJ") adopted updated standards for accessible design to replace the 1991 standards. These updated standards included requirements for hotels to make pools and spas accessible for our guests with disabilities. The deadline for compliance was March 15, 2012.

On January 31, 2012—only six (6) weeks before this deadline—the DOJ issued a new Guidance Document on the 2010 ADA standards for pools. This new Guidance Document contained significant revisions to the 2010 ADA Standards concerning existing swimming pools. This was done without providing advance notice to pool owners. The January 31 changes in the ADA requirements included:

(a) For all existing, altered and newly constructed pools, they must install a "fixed" pool lift. If installation of a fixed lift is not readily achievable, the owner may only then consider alternatives such as use of a portable pool lift that complies with the 2010 Standards.

(b) Pool lifts must be at poolside and fully operational during all open pool hours.

(c) Sharing of accessible equipment between pools is not permitted.

As a result of these rules, there was confusion in the hotel industry and among the pool lift manufacturers.

AFFIDAVIT OF HITESH (HP) PATEL, CHA, CHO

1

I am Hitesh (HP) Patel. I am over the age of 21 and suffer no legal disability. I am competent in all respects to testify as to the statements contained herein. My statements set forth below are based upon my personal knowledge, and I authorize the use of this Affidavit for any and all purposes allowed by law.

2

I am a Board member of the Asian American Hotel Owners Association (AAHOA). I am a resident of the City of Austin, Texas. I own and operate a Holiday Inn Express hotel in Austin, Texas.

3

Twelve (12) years ago when we constructed the pool at our Holiday Inn Express hotel,

the City of Austin had a requirement that all hotels must have a portable lift for their guests with disabilities.

4

During the 12 years that I have had a portable pool lift at my Holiday Inn Express hotel, we have never had a guest request or use the pool lift.

5

I am a Board Member of the Austin Hotel Lodging Association. Based on my information and belief, none of the hotels in Austin has ever had a guest use their pool lift.

I affirm, under penalty of perjury, under the laws of my State, that the foregoing is true and correct.

Signed Hitesh Patel, 4/24/12.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 207. Notwithstanding any other provision of law, during the current fiscal year and any fiscal year thereafter, section 102(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (Public Law 102-395) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

□ 2030

AMENDMENT OFFERED BY MR. HUIZENGA OF MICHIGAN

Mr. HUIZENGA of Michigan. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 212.

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

Mr. HUIZENGA of Michigan. Madam Chair, I rise in support of my amendment to strike section 212 of this bill, H.R. 5326.

Madam Chair, Congress should be taking steps to encourage the creation of more private sector jobs, not growing government. Legislative provisions that prohibit, impede, interfere, obstruct, encumber, or delay contracting out opportunities, or even require insourcing, require these things to be done, are counterproductive to reducing the deficit, limiting the size of government, and creating private sector jobs.

Madam Chair, I was one of the founding members of what has been dubbed the Yellow Pages Caucus, a group of people who came to Washington and said, hey, if the private sector can go out and do this, maybe we need to think about whether the government should be doing it and taking those opportunities away from those people who are advertising in the Yellow Pages or in the modern equivalent, on those Google searches that might be on people's iPads.

Well, not only do Federal Agencies duplicate oftentimes private business, but many engage in unfair government competition with the private sector. This amendment would allow A-76 competition within the Bureau of Prisons for the performance of commercial activities within the organization. By allowing the private sector to compete for these services, it forces the Bureau of Prisons to take a hard look at the things that it is currently doing and find savings for us hardworking taxpayers. It is only common sense that these A-76 provisions force government to be more efficient.

Now, what is an A-76? An A-76 is a circular or a letter that is produced by the Office of Management and Budget. And in this it says that whenever possible, and to achieve greater efficiency and productivity, the Federal Government should conduct competition between public Agencies and the private sector to determine who should perform the work.

We are going out and saying, hey, where does it make sense to go do this? Who can go and do this cheaper and deliver a better product?

It requires these executive Agencies to annually prepare lists of activities considered both commercial and inherently governmental. All we're doing with this amendment is to say that the Bureau of Prisons ought to be holding

to the exact same requirements that all of the other Departments and all of the other Bureaus must do in the Federal Government. A-76 forces government Agencies to keep up with the lowest bid the private sector can offer, and it forces government to cut costs and increase efficiencies.

Now the other interesting thing is that with this section 212, we wonder oftentimes what does section 212 do. Section 212 exempts the Bureau of Prisons from doing this activity. This makes no sense to me, Madam Chair. This makes no sense to me that we would take an organization like the Bureau of Prisons and say don't worry about it folks, we trust you. We think you're doing this as efficiently as possible.

Well, Madam Chair, I believe in that old idiom that Ronald Reagan came up with: trust, but verify. I would like to see the Bureau of Prisons do that exact thing. I think they ought to go out and demonstrate that they can in fact and should in fact be doing these activities that they are.

It's estimated, and this is from the Office of Management and Budget from July 2003, page 2 of a report that they have, "Competitive Sourcing Conducting Public-Private Competition in a Reasonable and Responsible Manner," is the title of that, they estimate that this act of competition alone generates cost savings from 10-40 percent on average. So what we are really talking about is we cannot even ask about or study how we can save the hard-working taxpayers of America these moneys in the Bureau of Prisons. If it is good enough for the Department of Defense, if it's good enough for Treasury, if it's good enough for all of these other Departments and all these other areas, why can't it be an option to save those same dollars in the Bureau of Prisons.

I ask you, Madam Chair, does this make sense to you? It sure doesn't to me.

Well, during this continued period of economic uncertainty and unsustainable Federal spending, Americans are looking to Congress for commonsense, taxpayer-first solutions to reduce the cost of services provided by their Federal Government. This amendment allows our Nation's free market system to fairly compete. The role of government should be to govern, not to operate businesses inside of the government.

And with that, Madam Chair, I ask for my colleagues to support my amendment to section 212.

And with that, I yield back the balance of my time.

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

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

Mr. HUIZENGA of Michigan. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 214. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation, and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 215. The Attorney General may, upon request by a grantee and based upon a determination of fiscal hardship, waive the requirements of sections 2976(g)(1), 2978(e)(1) and (2), and 2904 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1), 3797w-2(e)(1) and (2), 3797q-3) and section 6(c)(3) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)) with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2010 through 2013 for Adult and Juvenile Offender State and Local Reentry Demonstration Projects and for State, Tribal, and Local Reentry Courts authorized under part FF of title I of such Act of 1968, and for the Prosecution Drug Treatment Alternatives to Prison Program authorized under part CC of such Act of 1968, and Grants to Protect Inmates and Safeguard Communities under such Act of 2003.

SEC. 216. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 217. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 218. None of the funds made available to the Department of Justice in this Act may be used for the purpose of implementing the requirement for public entities, places of public accommodation, and commercial facilities to provide a permanent means of ac-

cessible entry to pools and spas under the revised regulations for titles II and III of the Americans with Disabilities Act of 1990 (28 CFR 35.101 et seq.; 36.101 et seq.).

SEC. 219. None of the funds made available by this Act may be used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

This title may be cited as the "Department of Justice Appropriations Act, 2013".

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,850,000.

NATIONAL AERONAUTICS AND SPACE

ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$5,095,000,000, to remain available until September 30, 2014, of which up to \$14,500,000 shall be available for a reimbursable agreement with the Department of Energy for the purpose of re-establishing facilities to produce fuel required for radioisotope thermoelectric generators to enable future missions: *Provided*, That not less than \$150,000,000 shall be for Mars Next Decade: *Provided further*, That no funds shall be obligated for Mars Next Decade unless and until the National Research Council has certified to the Committees on Appropriations that the chosen mission concept will lead to the accomplishment of Mars sample return as described in the most recent planetary science decadal survey: *Provided further*, That, in the event that the National Research Council determines that the Mars Next Decade mission concept will not lead to the accomplishment of Mars sample return, all funding provided for Mars Next Decade shall be reallocated to the development of a Jupiter Europa orbiter, consistent with the priorities established in the aforementioned decadal survey: *Provided further*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed \$8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$569,900,000, to remain available until September 30, 2014.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$632,500,000, to remain available until September 30, 2014.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,711,900,000, to remain available until September 30, 2014: *Provided*, That not less than \$1,024,900,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than \$1,857,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 metric tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, \$1,454,200,000 shall be for launch vehicle development and \$402,800,000 shall be for exploration ground systems: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; pur-

chase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$3,985,000,000, to remain available until September 30, 2014.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$100,000,000, to remain available until September 30, 2014, of which \$9,000,000 shall be for the Experimental Program to Stimulate Competitive Research and \$24,000,000 shall be for the National Space Grant College program.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$2,843,500,000, to remain available until September 30, 2014.

AMENDMENT OFFERED BY MR. JOHNSON OF GEORGIA

Mr. JOHNSON of Georgia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 1, insert "(reduced by \$26,000,000)" after the dollar amount.

Page 73, line 17, insert "(increased by \$7,143,000)" after the dollar amount.

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

Mr. JOHNSON of Georgia. Madam Chair, our country is emerging from the worst recession in generations. Millions of Americans, our neighbors, friends and constituents, are still out of work. Millions of those we represent have been out of work for more than 99 weeks. It's difficult for anyone who has not experienced long-term unemployment to fully understand the economic and emotional hardship caused by long-term unemployment.

We all agree that we must help these Americans who are too often unemployed due to no fault of their own. That's why I have serious concerns regarding the recent news reports about blatant discrimination against the unemployed. According to news reports, employers are posting job advertisements stating "must be currently employed" or "no unemployed candidates will be considered at all."

□ 2040

This, Madam Speaker, is unacceptable. A policy where employers discriminate against the unemployed is unfair, unreasonable, and callously ignores the effects of the recession on millions of highly qualified workers who are unemployed through no fault of their own. Such a policy also disproportionately hurts minorities, as we suffer from higher unemployment rates.

If this trend of employers discriminating against the unemployed continues, it will only prolong the suffering of people victimized by the unemployment crisis. Discriminating against the unemployed will not help America on its path to economic recovery.

My amendment is simple. It will increase funding for the Equal Employment Opportunity Commission to the President's budget request level so the commission can adequately investigate discrimination against the unemployed and other victims of discriminatory hiring practices. My amendment is supported by the National Employment Law Project, the Leadership Conference on Civil Rights, the American Federation of Government Employees, the Asian American Justice Center, the American Association of University Women, the National Employment Lawyers Association, and the NAACP Legal Defense and Educational Fund.

This amendment is just common sense, and I ask all of my colleagues to support this amendment. With these funds, the commission will be able to more effectively fight discriminatory hiring practices.

We can and will debate the value of different job-creation proposals, but ending discrimination against the unemployed is beyond debate. Being unemployed is a status that should not disqualify anyone from a job.

I urge my colleagues to support this amendment to provide a needed boost to millions of Americans, and I yield back the balance of my time.

Mr. WOLF. Madam Chair, I move to strike the requisite number of words.

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

Mr. WOLF. I rise in opposition to the amendment. The bill already includes a \$7 million increase for the EEOC, which will allow the agency to continue making progress in addressing its backlog with discrimination complaints. And in a context of a reduced total allocation in which many agencies and accounts in this bill have been level funded or even cut, that \$7 million increase is a substantial show of support.

Lastly—and I'm not going to go into detail—this again cuts NASA by \$26 million. NASA has gradually been cut down and down, in addition to where it takes it from.

I would ask for a "no" vote on the amendment, and I yield back the balance of my time.

Ms. DELAURO. Madam Chair, I move to strike the last word.

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

Ms. DELAURO. I rise in support of the amendment being offered by my colleague from Georgia (Mr. JOHNSON).

I rise in support of this amendment to restore funding for the Equal Employment Opportunity Commission to the President's budget request level.

We all know that while we have had 26 straight months of private sector growth, we are still facing a very tough economy right now. The unemployment rate is still unacceptably high at over 8 percent, and more than 5 million Americans have been out of work for more than 6 months. But now the deck is stacked even further against them. Companies across the country have begun to require current employment to be considered for available positions, and these discriminatory practices are eliminating employment opportunities.

Very simply stated, what has happened here is if you are unemployed, what you are being told is you need not apply for a job. It is really incredulous to think about, in this economy today, people looking for a job want to work, and they are being told that, since you don't have a job, we're not going to give you an opportunity to apply for a job. No one is saying give the person the job, but at least level the playing field and let someone apply for the job because they are unemployed and if they are unemployed.

A National Unemployment Law Project survey of four of the top search Web sites—Careerbuilder.com, Indeed.com, Monster.com, and Craigslist.com—found over 150 job advertisements that specified applicants must be currently employed, and that no one who is unemployed will be considered. My God, when did we deny opportunity for people to make their way in the United States of America? It is unjust. It's unfair for employers to discriminate against those looking for work like this. And that's why we need to really fully fund an Equal Employment Opportunity Commission.

All Americans, regardless of their employment status, should have the same opportunities for employment. That is why we need to make sure that the Equal Employment Opportunity Commission has the necessary funding to investigate and to fight discrimination against the unemployed.

I urge my colleagues to join us in standing up for the millions of qualified Americans who want to work again, but who are being denied that opportunity, being denied the opportunity to find a good job and the chance to find that good job.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$598,000,000, to remain available until September 30, 2018: *Provided*, That hereafter, notwithstanding section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145), all proceeds from leases entered into under that section shall be deposited into this account: *Provided further*, That such proceeds shall be available for a period of 5 years and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the two preceding provisos shall be available for obligation for fiscal year 2013 in an amount not to exceed \$3,791,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$38,000,000, of which \$500,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent (or, in the case of "Construction and Environmental Compliance and Restoration", 15 percent) by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Section 1105 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18431) is amended by striking "The Administrator may not" and all that follows through "inefficiency."

The National Aeronautics and Space Administration shall submit a spending plan, signed by the Administrator, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the enactment of this Act. This spending plan shall be provided at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of

section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 30102(c) of title 51, United States Code, is amended—

(1) in paragraph (2) by striking "and" at the end;

(2) in paragraph (3) by striking the period at the end inserting "and"; and

(3) by adding at the end the following:

"(4) refunds or rebates received on an ongoing basis from a credit card services provider under the National Aeronautics and Space Administration's credit card programs."

NATIONAL SCIENCE FOUNDATION RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,942,693,000, to remain available until September 30, 2014, of which not to exceed \$500,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Science Foundation supported research facilities may be credited to this appropriation.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 68, line 14, after the dollar amount insert "(reduced by \$1,089,453,000)".

Page 69, line 8, after the dollar amount insert "(reduced by \$29,320,000)".

Page 69, line 19, after the dollar amount insert "(reduced by \$109,350,000)".

Page 70, line 6, after the first dollar amount insert "(reduced by \$17,360,000)".

Page 70, line 20, after the dollar amount insert "(reduced by \$620,000)".

Page 71, line 1, after the first dollar amount insert "(reduced by \$2,370,000)".

Page 101, line 10, after the dollar amount insert "(increased by \$1,248,473,000)".

Mr. FLAKE (during the reading). I ask unanimous consent to dispose of the reading.

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

There was no objection.

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

Mr. FLAKE. Madam Chair, this amendment would return National Science Foundation funding to its pre-stimulus level, and it would save the taxpayers about \$1.2 billion.

Just before voting against the stimulus bill a while ago, I stood in this same Chamber and stated what I thought was pretty obvious at that time: that the only thing that this stimulus bill would stimulate is more spending later, and I think we have found that to be the case.

□ 2050

Leave it to the NSF, an agency that doles out billions of dollars testing theories, to prove me right on this.

In the 4 years leading up to the stimulus bill, funding for the NSF averaged more than \$5.7 billion. That's not exactly a drop in the bucket, even by Washington standards. By comparison, in the 4 years since the stimulus bill passed, NSF average spending has climbed 31 percent to a staggering \$7.6 billion.

For whatever reason, rather than draw down from this inflated level, Congress appears content to maintain it. The bill before us today funds the NSF at \$7.3 billion for fiscal year 2013. That's \$300 million more than last year.

While I acknowledge that the NSF does some noble work, it also has drawn its fair share of criticism. Notably, there was a recent investigation by our colleague in the Senate, Senator TOM COBURN. He identified \$3 billion in mismanagement by the agency. The report uncovered a lot of highly questionable research projects that would be laughable if the taxpayers weren't paying the tab. Just a few of them here:

\$755,000 to find out how rumors start. Again, \$755,000 to find out how rumors start;

\$315,000 to answer if playing FarmVille on Facebook helps people make friends;

And then there's the infamous \$559,000 for a project to have shrimp run on a treadmill.

To me, that hardly sounds like justification to give the NSF more money. Rather, Congress ought to make the necessary commonsense cuts to programs like the NSF that have been far too long bloated from the stimulus legislation.

This amendment would employ a reasonable approach to do that. It would simply reduce NSF funding to the highest pre-stimulus level of \$6 billion. This would save the taxpayers, again, more than \$1 billion.

I think we have to remember that this discretionary budget that we are dealing with this year, we'll do 12 appropriation bills for somewhere just over \$1 trillion. Our deficit is more than that, meaning that everything we consider in our process this year, the appropriations process, is money we are borrowing from our kids and our grandkids. When that is the case, I think that we need to be a little more prudent about the programs that we increase funding for. I don't think there's a justification to increase funding for the National Science Foundation this year.

And when you look back to 2008, which is where this would bring us back to if this amendment passes, as I said before, that wasn't the year where "Grapes of Wrath" music was exactly playing in the background. That was a year that we spent a lot of money. But we're spending more now, even given

the current deficit that we're running and the current debt that we've piled up.

So I would urge support for the passage of this amendment.

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

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

Mr. FATTAH. Even though I agree with my colleague from Arizona about some of the issues related to trade embargoes with neighboring countries, in this matter I absolutely oppose him.

Now, he says that the National Science Foundation, we should cut it; we should cut it to some mathematical certainty to the 2008 number. Let me just take a minute because I don't want the House to act without information.

This is the premiere science research agency in the world. It is not the only one. We are not shadowboxing with ourselves. We have a country of 309 million people. Singapore, which is a country of 4.8, less than 5 million people, probably less people than in the Phoenix area alone, invests some \$7 billion in their National Science Foundation. They're stealing talent from us today, hired away some of our top cancer researchers and other scientists, right? We have China, a much larger country. It's built over the last 5 years 100 science-only universities.

The nation that leads in innovation and science will lead the world economically and militarily. The notion that we can unilaterally retreat in terms of investments and the development of future generation of scientists—now, the gentleman and I agreed in committee that when we have nonnative-born students here who are foreigners but who are in school here who get terminal degrees, we should invite them to stay. If we follow through with his cuts at the National Science Foundation, what we're saying to American-born students is, if you're pursuing terminal degrees in the hard sciences, that somehow we're going to cut the legs from up under you.

I think this works at cross purposes. The idea that we would retreat in any respect, in terms of scientific research, should be rejected by this House if what we're trying to do is to ensure America's global leadership.

Now, if this is a math exercise, we should just zero out the National Science Foundation. If we're just trying to save money, then let's zero it out. If we're trying to lead the world, as we have, in science, then we have to make these investments. We should even do more.

I thank the chairman for where he set the bar, and I hope that the House, on a bipartisan basis, rejects this notion that we should cede to our economic competitors scientific superiority for our children and grandchildren and their generations that will follow.

I yield back the balance of my time.

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

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

Mr. WOLF. I rise in opposition.

I want to thank the gentleman from Arizona (Mr. FLAKE). He's a good Member and very consistent in trying to cut, but I rise in opposition to this amendment, which would reduce NSF funding by \$1.2 billion from the levels provided in the bill.

This amendment challenges broad, long-standing, bipartisan agreement on the needs to prioritize Federal investments in basic research, math and science and physics and chemistry and biology in order that America can be number one. This agreement is based on a strong and unambiguous link between investments in research and development and growth and employment and productivity and GDP. This link has been documented repeatedly by expert researchers, economists, and analysts working in administrations and congressional majorities in both parties, as well as private and nonprofit entities.

The link is also well-known and understood internationally, where major foreign competitors, including the European Union, China, and South Korea are investing strongly, are investing much higher, at a much higher level than we are, at a much higher level than we are in research, in the hopes of producing or attracting high-value economic activity. We have already lost a good deal of competitive advantage that we previously held over those countries, and if we fail to keep pace with them in research and development, our situation will only worsen.

Unfortunately, this amendment would contribute to precisely that scenario by not only eliminating any potential growth in NSF basic research next year, but actually reducing basic research expenditures by nearly \$1 billion.

As a father of five kids, my wife and I, we have 16 grandkids. I want the 21st century to be the American century and not the Chinese century.

I urge strongly, I urge a "no" vote for this amendment.

I yield back the balance of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading

of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, \$196,170,000, to remain available until expended: *Provided*, That none of the funds may be used to reimburse the Judgment Fund established under section 1304 of title 31, United States Code.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, \$875,610,000, to remain available until September 30, 2014.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$299,400,000: *Provided*, That not to exceed \$8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2013 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,440,000: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, \$14,200,000, of which \$400,000 shall remain available until September 30, 2014.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,193,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C

of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): *Provided further*, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978: *Provided further*, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: *Provided further*, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: *Provided further*, That of the amounts made available in this paragraph, \$250,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY

COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110-233), the ADA Amendments Act of 2008 (Public Law 110-325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111-2), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; and up to \$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$366,568,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,250 from available funds: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$2,250 for official reception and representation expenses, \$83,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES

CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$328,000,000, of which \$302,400,000 is for basic field programs and required independent audits; \$4,200,000 is for the Office of Inspector General, of which such amounts as may be

necessary may be used to conduct additional audits of recipients; \$17,000,000 is for management and grants oversight; \$3,400,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of sections 505, 533 and 535 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

□ 2100

AMENDMENT NO. 11 OFFERED BY MR. WESTMORELAND

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, line 13, insert “(reduced by \$128,000,000)” after the first dollar amount.

Page 74, line 13, insert “(reduced by \$128,000,000)” after the second dollar amount.

Page 101, line 10, insert “(increased by \$128,000,000)” after the dollar amount.

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

Mr. WESTMORELAND. Mr. Chairman, my amendment is to reduce funding by \$128 million for the Legal Services Corporation in the fiscal year 2013 CJS appropriations bill, bringing this funding down to only \$200 million for FY13. The \$128 million would then be moved to the spending reduction account for deficit reduction.

The main focus of the Legal Services Corporation, at least in the eyes of every farmer, rancher, poultry producer I have met, is to harass those in the agriculture business.

Some examples of this unwarranted harassment include filing surprise lawsuits against farmers for problems found related to housing and transportation, payment issues related to work visas and visa applications, border-crossing fees, et cetera, all without allowing the farmers and the migrant workers to attempt arbitration. Some of those are of Legal Services Corporation’s representatives actively soliciting clients by knowingly trespassing on farm property or by waiting for migrant workers outside of Wal-Mart stores and other places and informing such workers that, if they sue their employers for even the most minor of issues, they will receive monetary settlements.

These lawsuits cost our farmers hundreds of thousands of dollars in legal fees each year and, in some cases, cause their financial ruin. In 2008, in one specific case in Georgia, that of a farmer who did not want to mention his name for fear of retribution, his costs alone in legal fees were \$525,000.

Furthermore, Federal LSC funding is redundant. According to a 2008 report—and I only use the 2008 report because there has not been a comprehensive report since 2008—for the Center for Justice, Law and Society at George Mason University, the total State, county and local expenditures for indigent defense services that same year were almost \$4.5 billion. Federal defender organizations, which also use Federal funds for indigent defense services, received \$849 million in Federal funds for the same purpose that year. Combined with the almost \$351 million in funds that Congress appropriated to the Legal Services Corporation in 2008, the total amount dedicated to indigent defense services that year was almost \$5.7 billion.

The American taxpayers do not want their money wasted on an organization like this. The agriculture community cannot afford to keep fighting the frivolous lawsuits that the Legal Services Corporation has filed, and we cannot afford to keep funding them in the current budgetary climate. Local legal services programs supplement the Legal Services Corporation's grants with funds from a variety of government and private sources.

This is not the only source of funding. Non-LSC funding sources include State and local grants; some interest on lawyers' trust account programs; Federal programs, such as title XX; the Social Services Block Grant; the Older Americans Act; the Violence Against Women Act; the Community Development Block Grants; and private grants from entities such as the United Way, foundations, and national, State and local bar associations. In addition, private attorneys accept referrals to provide legal services to the poor primarily through the Legal Services Corporation's funding of pro bono programs.

The LSC does not provide legal services directly. Rather, it funds local legal services providers referred to by the LSC as grantees. Grantees may include nonprofit organizations that have as a purpose the provision of legal assistance to eligible clients, private attorneys, groups of private attorneys or law firms, State or local governments, and certain sub-State regional planning and coordination agencies.

In its FY 1996 budget resolution, the House assumed a 3-year phase-out of the Legal Services Corporation, recommending the appropriation of \$278 million. Here is what the budget report said:

Too often, lawyers funded through Federal Legal Services Corporation grants have focused on political causes and class action lawsuits rather than helping poor Americans solve their legal problems. A phase-out of Federal funding for the LSC will not eliminate free legal aid to the poor. State and local governments, bar associations and other organizations already provide substantial legal aid to the poor.

With that, I think this is a good reduction in order to start to eliminate the funding, and I hope that we can

pass this amendment and then, further, the reduction.

I yield back the balance of my time. Mr. WOLF. I move to strike the requisite number of words.

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

Mr. WOLF. I rise in opposition to the amendment.

The bill that we are considering tonight provides \$328 million for legal services, which is a reduction to the fiscal year 2006 level. It is almost \$100 million below the FY 2010 level, and we are \$74 million below the request by the administration. LSC helps many people. Last year, 2.3 million people were provided assistance in more than 300,000 family law cases, 105,000 domestic violence cases, thousands of veterans benefit cases, 25,000 unemployment cases, and 20,000 foreclosure cases.

Those cuts would result in 400,000 fewer people being served nationwide and in 160,000 fewer cases closed. This includes returning veterans who are seeking benefits, and it includes elderly victims of foreclosure. The elderly have been taken advantage of in so many cases. It also includes women who are seeking safety for themselves and for their children from domestic violence.

I understand that there are some concerns about LSC-funded programs. Our committee has carried numerous restrictions on political activity by the LSC grantees, to include: lobbying, abortion litigation, class action lawsuits. These restrictions cover both LSC funds, as well as private funds.

The administration proposes to eliminate several of these restrictions, but the House bill does not. The committee conducted vigorous oversight over the LSC in March. We heard testimony from a sheep herder who has concerns about the LSC grantee's violating restrictions. We have included language directing LSC to rigorously enforce the restrictions on political activity. Wherever there is any political activity, we are going to shut it down. We are facing an extremely difficult time, and I think many poor people would be hurt. As a result of that, I would ask for a "no" vote on the amendment.

I yield back the balance of my time.

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

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

Mr. FATTAH. I rise to join the chairman in opposing this amendment.

Mr. Chairman, under our Constitution is the idea that, in a land of laws, we will not deny people an opportunity to have representation as they seek redress. We have thousands of veterans who have returned home after service who have faced foreclosures and have gone to the Legal Services Corporation to seek redress to hold onto their homes. We've had women who have

been faced with abuse and who are in need of restraining orders and other types of assistance who use Legal Services. In fact, three out of four of the clients for Legal Services are women who are seeking an opportunity through a court of law to gain their rights.

To deny them this opportunity in a situation where we are already underfunding Legal Services—and to cut it, to zero it out in terms of Federal support—makes no real sense except if you think poor people have too much access to quality legal representation or, as some would suggest, that they need fewer food stamps or less job training or affordable housing. There seems to be some kind of notion here that poor people have it going too well for them in our country and that what they need is some kind of opportunity to pursue liberty without any kind of assistance or a hand up.

□ 2110

I'm opposed to this amendment. Legal services is one of the proudest accomplishments of a Republican administration, but we come to a day where for some reason there seems to be some partisan approach to this matter. In truth, I think all of us should hope that people throughout the country could have access to lawyers when they are in need of them, because our system requires legal representation in a court of law. And not for Democrats and Republicans, but for Americans seeking to have their case heard.

I hope that we reject this amendment. And I think the House will reject it because even in a Republican majority House, I think there's an understanding that in our Constitution that not having access to the courts really in some ways strips away people's opportunity to truly be an American and for America to live up to its ideals.

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

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I would like to echo the comments made by the ranking member, Mr. FATTAH.

I remember the days I worked very closely with Chairman WOLF, and at that time also with the Subcommittee Chairman ROGERS, as their ranking member, and it was always understood that the Legal Services Corporation was a bipartisan effort. In other words, we understood the need for it. And as the chairman has said, we understood the need to protect this program.

There were always discussions as to how much money we should allocate it, but there was never a desire to get rid of it. There was even discussion tonight not only of what a waste of money this program is, but also perhaps doing away with it totally. This really strikes at something much deeper than just this particular amendment. And it is, as Mr. FATTAH has

said, Where are we going when we believe that services as essential as legal services should not be made available to people who cannot afford any other access?

We keep mentioning—and maybe people think that some of us are trying to be funny—that Richard Nixon understood then the need for this program to exist, and President Nixon understood the need for it to grow to a point where it could be that access point for people.

So I just hope that both Mr. FATTAH and I are correct, that this will not get the support that some people think it will get; that, in fact, this amendment will be defeated. And one of the best messages we could send tonight, as we deliberate, is that in the desire to cut the budget, that we cannot just throw away every gain we've made over this last generation. This is one of the most important programs we have, and we should maintain it.

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

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. BROUN of Georgia. I yield to my dear friend and colleague from Georgia, and I appreciate what he is doing with this amendment.

Mr. WESTMORELAND. Mr. Chairman, I want to thank my colleague for yielding.

I want to again emphasize that, according to a 2008 report by the Center for Justice, Law, and Society at George Mason University, the total State, county, and local expenditures for indigent defense services that same year was almost \$4.5 billion. Federal defender organizations, which also used Federal funds for indigent defense services, received an additional \$849 million in Federal funds for the same purpose that year. Combined with the almost \$351 million in funds that the Congress appropriated that year, it brings the total to \$5.7 billion. Of that \$5.7 billion total, only 6.1 percent was appropriated by Congress, assuming total non-Legal Services Corporation funding for indigent defense services has not increased since then.

My amendment to reduce the agency by \$128 million down to \$200 million would result in a 2.5 percent decrease in overall indigent defense service funding. Reducing the Legal Services Corporation funding to \$200 million, as my amendment would do, would reduce overall CJS funding by 0.0039 percent. Mr. Chairman, if we can't cut 0.0039 percent, then we're going to have a lot bigger problems on our hands at the end of the day.

Mr. BROUN of Georgia. Mr. Chairman, reclaiming my time, I appreciate my colleague's amendment on this. It makes sense. It is a very miniscule cut, and Congress needs to face the fact that America is broke. We don't have the money to keep spending. Both parties are guilty of spending money that

we don't have, spending money that eventually is going to have to be paid for by our grandchildren's children. We just have to stop the spending addiction that we have here in Washington.

I'm an addictionologist, a medical doctor, and I've done addiction medicine. Addiction medicine has a saying that "if there is no denial, there is no addiction." There is denial here in this Congress. There is denial that we have a fiscal crisis as a Nation. This is just a miniscule cut, not much at all.

I support the gentleman's amendment. I hope my colleagues will support it and we can pass this minimal cut in this program.

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

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

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

Mr. SCOTT of Virginia. Mr. Chairman, first of all, there is a difference in indigent legal representation in criminal cases and civil cases. The criminal defense, it's required by the Constitution that you have to provide that, and whatever it costs, the defendant is entitled to representation. In civil court, you don't have that technical requirement. But some of the cases where people need but cannot afford attorneys deal with some of the most important parts of our life: housing, family law, divorce, child custody, consumer rip-offs, health care, things where you actually need representation that legal aid provides.

Legal aid programs cannot meet the needs of their demands right now. Most legal aid programs, as the gentleman from Virginia said, turn down a lot more than they can take. And because of the recession, the demand is much higher than it has been in the past.

When you talk about rights, rights without remedies are no rights at all. When rights in our democracy depend on the generosity of a few pro bono attorneys, we're actually violating our democratic values.

As my colleague again mentioned, traditional Federal funding is down and another traditional funding for legal aid services—Interest on Lawyers Trust Account—is also way down because interest rates are at historic lows.

Mr. Chairman, we should support our democratic principles and support legal aid services and oppose this amendment.

I yield back the balance of my time.

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

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

Mr. COHEN. Mr. Chair, I was off campus, and I got a notice from my staff that this amendment was here.

I kind of knew it was coming, but I find it shocking. In these economic times, there is more of a need for legal services than there has ever been a need for legal services. There are more

people that have been economically hurt because of this economy who haven't been able to get jobs because we haven't passed a transportation bill to put people to work, we haven't passed jobs bills to put people to work. When people are out of work and they're economically deprived, they are more likely to have domestic violence in their homes. It's a direct cause and a direct relationship. They're more likely to be behind in their payments on their house and have problems with their mortgage where they need legal services because they're facing foreclosure. More people are in need of help than ever before, and yet we're taking legal services away from poor people who are the Purple Hearts, the victims of this recession/depression, whichever we're having. This is just hard to fathom. It's unfair, it's unwise, and it violates every Judeo-Christian principle that I can conjure up and imagine.

□ 2120

What you do unto the least of these, you do unto me. And when you take people who are being foreclosed upon, victims of domestic violence, or whatever other purpose and taking away the opportunity to get legal representation, that is un-American.

Now you have a right to legal representation in a criminal case because of the Constitution. In a civil case, it's really up to this Congress to provide funds for Legal Services Corporation to give people that opportunity. And while there is no constitutional amendment, we've got the words of Supreme Court Justice Hugo Black, who said, There can be no equal justice where the kind of trial a man gets depends on the amount of money he has, or the type of representation.

And if you can't get representation, you are not going to have any chance to win in court. And justice should be blind. People should have an opportunity to go to court, particularly for economic distress. And we're seeing more and more of that.

So slashing funds to Legal Services is the wrong thing to do. It hurts the most vulnerable. It hurts the poorest.

There was a group that met out here in Statuary Hall, Come Pray With Me. And Come Pray With Me was saying that we need to have the values that religion has, and they should be a part of this Congress. Well, there should be a separation of church and State, no question about it. But there should be values that are in the Judeo-Christian heritage, which goes to the Muslim heritage, which is that we care about those who are at the bottom and we give them a hand up. And it's not the wealthy we care about, but the poor. We want to give them help.

This is the type of situation, with Legal Services, where we need to help people. And we need to call on the values that we've been taught from generation to generation and put them into effect, not just talk about them in Statuary Hall when the Christian

Broadcasting Network is putting them on television, but put them into effect when we have an opportunity to act. And this Legal Services amendment is one where we have a chance to act because you are helping people who are in distress and need help and need fair, just opportunities that the Legal Services Corporation can provide.

I know these are tough budgetary times, but this is not the place to cut, and it's not the people to cut. So I would ask that we not do this.

I yield back the balance of my time.

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

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

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

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

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, lines 13 through 19, after each dollar amount, insert “(reduced to \$0)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$328,000,000)”.

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

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise today to strike \$328 million in funding for the Legal Services Corporation. Now, at no point in the past 32 years has any party in Congress felt that this agency was important enough to reauthorize it. That's just the fact.

Now let me put it another way. Since 1980, Congress has been appropriating the Legal Services Corporation an average of over \$400 million a year while at the same time, again, deeming it unworthy of reauthorization.

Why has Congress not felt compelled to reauthorize the Legal Services Corporation? Perhaps it's because the Legal Services Corporation has become so far removed from its original intended purpose which was, yes, to provide attorneys for the poor.

In 1975, Congress created the Legal Services Corporation to provide free legal assistance to the poor in civil matters. Currently, they provide less than 6 percent of the need-based legal services in this country. Today, the States, bar associations, and private organizations provide the majority of the pro bono legal services to the poor.

The Legal Services Corporation has, in effect, become bounty hunters who attack farmers and other employers. Instead of representing the needy, they have chosen to focus their attention on another activity—actively lobbying,

even though it is against the rules, for the advancement of their chosen Big Government priorities.

Fifteen years ago, Senator Phil Gramm explained his opposition to the program by saying, “They're being advocates for the existing welfare bureaucracy, and while they may have a right to do it, they don't have a right to do it with taxpayers' money.”

Now every phone book in America has plenty of attorneys in it that will be happy to take any good case on a contingency fee. A recent analysis by The Washington Times found that the Legal Services Corporation—instead of spending your taxpayer dollars on what they were appropriated to do—purchased “a decorative natural stone wall, more than 100 casino hotel rooms that were never occupied, limousines, and first-class airfare,” rather than providing the need-based legal services that the funds were actually appropriated for.

The Legal Services Corporation has clearly been poor stewards of taxpayer dollars, and the constituency they were originally intended to serve simply does not need them, Mr. Chairman.

Tough decisions need to be made. This is not one of them. Certainly there is an attorney that will take any legitimate case that any citizen of this country has, whether they be poor or not. The Legal Services Corporation is duplicative; it's nonessential; it's unauthorized. I encourage my colleagues to defund it completely.

I yield back the balance of my time.

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

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

Mr. FATTAH. I hope that the House would handle this amendment appropriately, relative to what has been said about Legal Services.

I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment, too.

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

Mr. WOLF. I think the arguments have already been made to the gentleman from Georgia, and the same argument would also hold true here.

And let me say one other thing. If any Member has any information with regard to lobbying or any violation of the law, I hope they'll call, because we have made clear that the committee carries numerous restrictions on political activity from LSC grantees, including lobbying abortion litigation and class action lawsuits. And they cover both the LSC funds as well as the private funds. So if anybody has any information on either side, we will hold a public hearing and deal with the issue. But based on this, this zeros it out. So I rise in opposition to the amendment.

I yield back the balance of my time.

Mr. SCOTT of Virginia. I move to strike the last word.

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

Mr. SCOTT of Virginia. Mr. Chairman, the suggestion has been made that we depend on volunteer attorneys. We don't ask for physicians to volunteer. We don't depend on volunteer homebuilders or grocers or police officers or teachers. We shouldn't depend on essential services by asking only volunteers to meet the need. There are volunteer attorneys who volunteer a lot of time. But in terms of essential services, we shouldn't have a system where we depend on those volunteers. I would hope we would defeat this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

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

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I demand a recorded vote.

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2012 and 2013, respectively.

Section 501(a)(2)(A) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134) is amended by striking “on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code” and inserting “triennially by the Bureau of the Census”.

MARINE MAMMAL COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,025,000.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 76, line 8, insert “(reduced by \$181,500)” after the dollar amount.

The Acting CHAIR. The gentleman is recognized for 5 minutes on his amendment.

□ 2130

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

My amendment would reduce the budget for the salaries and expenses of the Marine Mammal Commission by just 6 percent. The underlying bill is suggesting that Congress allot the same amount of Federal funding for the Marine Mammal Commission as last year—more than \$3 million—when, in fact, every other office on Capitol Hill endured a 6 percent cut just this year. It seems only fair that in the midst of our current economic crisis we should ask Federal Commissions without any extreme need or urgent purposes to bear the same reductions. I believe that the Marine Mammal Commission falls under this criteria and that it should be able to find 6 percent worth of savings if they comb through every corner of their budget.

Mr. Chairman, we reduced our budget in our offices by much more than this. I think the Marine Mammal Commission can trim their budget by just 6 percent, and I urge my colleagues to support this very simple amendment that would save nearly \$200,000.

I yield back the balance of my time.

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

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

Mr. WOLF. I support the amendment. I urge adoption, and yield back the balance of my time.

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

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

Mr. FATTAH. I support my colleague in his amendment. Hopefully, he'll withdraw some of the other ones, and we're in business.

I yield back the balance of my time.

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

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

Mr. COHEN. Do you know if the Marine Mammal Commission has anything to do at all with the dolphins that help us in security, that they get these sonars attached to them and they do a lot of security work for us? Isn't this what they do?

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. COHEN. I yield to the gentleman.

Mr. BROUN of Georgia. They study marine mammals. I think probably you're correct on that, but I'm not certain.

Mr. COHEN. So the dolphins that they train and that they study save us in the way of security and they do jobs that humans don't have to do, so they save human lives. And you're talking about \$200,000 and the cost of one SEAL. To me, a SEAL in the United States Navy is worth a lot more than \$200,000. I would rather those dolphins be understood and trained and be able to do that security work and save us. They are marine drones and they are protecting our country and saving

human lives. That's why I say this is penny wise and pound foolish.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. COHEN. I yield to the gentleman.

Mr. BROUN of Georgia. I appreciate the gentleman's comments. Certainly, the Navy SEALs are important, and so are the dolphins. What this is going to do is just cut expenses and salaries of the Commission itself. So it doesn't reduce the funding of the dolphin program. Certainly, there are some things that the Marine Mammal Commission can continue doing. This is not going to hurt those programs.

So I urge the adoption of my amendment.

Mr. COHEN. I thank the gentleman for his response, and I yield back the balance of my time.

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

The amendment was agreed to.

Mr. LIPINSKI. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. LIPINSKI. Mr. Chairman, I rise to respectfully request to engage in a colloquy with the distinguished gentleman from Virginia, Chairman WOLF.

As you know, I've been a strong supporter of science, education, and innovation programs to spur economic growth and job creation. I greatly appreciate the strong funding levels for these programs in this bill, especially the NSF, and also, Chairman WOLF, your eloquent defense of NSF on the floor here a short time ago.

I specifically would like to thank you for inviting me to testify before the CJS panel this year to share my strong support for the NSF Innovation Corps program, which provides NSF grantees with an opportunity to learn from and collaborate with entrepreneurs in order to increase the likelihood that their research can be turned into new products. This program will turn our investments in science and research into American innovation and American jobs and will produce enormous value for the relatively small cost of \$19 million. The early results of I-Corps are promising: out of the first 21 grantees, 19 are pursuing commercialization of their technology in, hopefully, future American jobs.

Chairman WOLF, I understand this bill does not provide line items for most NSF funding, but I hope you agree that the I-Corps programs are a wise investment that will educate America's brightest so they can make the best use of Federal research funding to boost America innovation and job growth.

Mr. WOLF. Will the gentleman yield?

Mr. LIPINSKI. I yield to the chairman.

Mr. WOLF. I thank the gentleman for his support for Federal science Agencies and his advocacy for programs like

this one, which ensure that taxpayer investment in research and development provides returns to the economy in the forms of jobs, revenue, and export opportunities. I'll be happy to work with the gentleman as the bill continues through the appropriations process to ensure that I-Corps and related efforts receive the appropriate amount of support.

Mr. LIPINSKI. Reclaiming my time, I want to thank the gentleman for his response and, again, for his commitment to this program. I look forward to working with you on ensuring success of the I-Corps program and more generally for the continued increases in NSF and science funding as we lead the way to American innovation and American jobs.

I yield back the balance of my time.

The Acting Chair. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$51,251,000, of which \$1,000,000 shall remain available until expended: *Provided*, That not to exceed \$111,600 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall remain available until September 30, 2014: *Provided*, That not to exceed \$2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this

Act that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

AMENDMENT NO. 5 OFFERED BY MR. SESSIONS

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 78, beginning on line 17, strike “(6)” and all that follows through “(7)”, and insert (6).

Page 78, line 23, strike “(8)” and insert “(7)”.

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

Mr. SESSIONS. Mr. Chairman, tonight I offer an amendment which would strike provision 6 of section 505 of the legislation, which would impose a moratorium on contracting out activities currently performed by Federal employees.

These challenging economic times require Congress to not only reassess the size and scope of the Federal Government, but I think it's important to make better stewardship of taxpayer dollars and to give the government an opportunity to get the best dollar for and on behalf of the American taxpayer. Legislative provisions that prohibit or otherwise interfere with contracting out or in-sourcing are counterproductive to reducing spending, limiting the size of government, and creating private sector jobs. My amendment to strike this provision, which I am proud to offer with Congressman JUSTIN AMASH of Michigan, does not affect inherently governmental activities. It allows only for increased private contracting.

Mr. Chairman, the Heritage Foundation has reported that subjecting Federal employee positions which are commercial in nature to a private-public cost comparison would generate, on average, a 30 percent cost savings, regardless of who wins that competition. Rather than preventing market competition that would improve service and lower costs, we should be encour-

aging Agencies to find the best way to deliver services to citizens of this great Nation. This is exactly what this amendment does.

Our Nation's unemployment rate stands at 8.1 percent. We must allow the private sector the ability to create jobs without an unfair disadvantage, and I think we get more results for our money. I urge all my colleagues to support this commonsense amendment that would ensure cost-savings competition in the Federal Government. Congress should be looking to use all the tools it can to help save taxpayer dollars.

□ 2140

Mr. FATTAH. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman.

Mr. FATTAH. I'm trying to clarify, your amendment is amending page 78, line 17, of the bill?

Mr. SESSIONS. I believe that is correct, sir.

Mr. FATTAH. Okay. It would seem to me that you are limiting the committee's oversight of their ability to receive information about what is taking place; is that accurate? Is that your intent?

Mr. SESSIONS. No, sir, it is not.

Mr. FATTAH. Is it your intent to deprive the Appropriations Committee of this important information?

Mr. SESSIONS. I do not believe in any way that we would limit this committee at all; no, sir. It is simply to allow this to take place except where there are inherently governmental policies in place, inherently governmental activities.

Mr. FATTAH. I thank the gentleman for yielding.

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

Mr. WOLF. I rise in opposition to the amendment.

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

Mr. WOLF. Maybe I don't completely understand the amendment, and it pains me to oppose the amendment from my good friend, but this is basically, from the way that we read it, a notification requirement exists so that the Congress can track significant changes in an Agency's activities over the course of the entire fiscal year.

There isn't any reason to believe, unless I misunderstand this—and if I do, I apologize—removing the requirement would result in the administration choosing to contract out government function with any greater frequency or scope. It does, though, guarantee that they will execute any existing plan without any congressional oversight. So, really, regardless of how you feel about the merits of contracting out, we should be able to agree that it's in the best institutional interest for the Congress to know.

Basically, it would be like, and I may be wrong, we are giving this authority.

We are saying, Eric Holder, you take this and you can do whatever you want to do and do not tell us. And believe me, he would take this and he would not tell us. I write Eric Holder seven letters, and I get back one letter thanking me and he quotes each and every date and never answers the question.

Basically, I think you have to have the requirement of a 15-day notification to allow the committee to sort of look at it and see what they were doing. But basically, I think it could be viewed, and perhaps I misunderstand the amendment, turning over much more congressional authority to the executive branch; and since we are on the bill dealing with the Justice Department and I've had some really difficult times with Eric Holder—you think Fast and Furious, we try to get information on so many things—if they didn't have to come up before the committee, I think they would have unfettered rights to do whatever. So based on my understanding of it, I urge a “no” vote on the amendment.

Mr. SESSIONS. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Texas.

Mr. SESSIONS. I appreciate the subcommittee chairman yielding, my very dear friend, and the gentleman from Pennsylvania.

The way I read this, section 505 begins with “none of the funds provided under this act” and continues to say, “contracts out or privatizes any function or activities presently performed by Federal employees,” which is under section 505(6), and it is this (6) that contracts out or privatizes any function: “No funds can be for contracts or privatization of any function or activities performed by Federal employees.”

Now, to me that's pretty straightforward. I'm simply saying that we would amend that and say we're going to strike that to where there is nothing in there that says none of these funds provided in this section shall be provided where you can contract out or privatize any function. That's all I'm simply trying to say. It would be equally a part of any funds in section 505 to say it could be contracted out.

Mr. FATTAH. If the gentleman would yield for a second, or if you run out of time, I will take time and I will yield to you, either way.

Mr. WOLF. I yield to the gentleman.

Mr. FATTAH. Just so we can clarify, so section 505 begins on line 4 on page 78, “none of the funds.” It ends on page 79 on line 3, but lines 1 through 3 say, “approved by the Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance.” So everything that precedes this says you can't use any of these funds unless you notify us ahead of time and we don't disapprove.

This whole section, 505, if the gentleman would follow, is a requirement to prenotify, for instance in this instance, the Republican majority here

in the House, that an administration official is planning to do something. Right? And what you do by taking this out would say if they planned on doing a private contract, they wouldn't have to tell you. They wouldn't have to notify Chairman WOLF or the committee or the staff and they could go ahead and act, and there is no way that you would know about it.

So all I'm saying is that this language actually is a notice to our committee of administrative action as delineated on page 78. And so I just think that the purpose of your intent and what you are actually accomplishing are two different things.

Mr. SESSIONS. I appreciate that, and if I could engage the gentleman, what is that line that you were suggesting?

Mr. FATTAH. I'm saying if you go over to page 79, the top three lines, "as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance."

The Acting CHAIR. The time of the gentleman from Virginia has expired.

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

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

Mr. FATTAH. I yield to my good friend from Texas.

Mr. SESSIONS. Mr. Chairman, I withdraw my amendment at this time.

Mr. FATTAH. I thank the gentleman, and I yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories, or its possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A-87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but

unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2013, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than \$720,000,000 during fiscal year 2013 from the fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601).

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) For fiscal year 2013 and thereafter, the Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearm traces for any reason, and those reasons are not necessarily reported to the Federal Govern-

ment. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 515. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 516. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire an information technology system unless the head of the entity involved, in consultation with the

Federal Bureau of Investigation or other appropriate Federal entity, has made an assessment of any associated risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire an information technology system described in an assessment required by subsection (a) and produced, manufactured or assembled by one or more entities that are owned, directed or subsidized by the People's Republic of China unless the head of the assessing entity described in subsection (a) determines, and reports that determination to the Committees on Appropriations of the House of Representatives and the Senate, that the acquisition of such system is in the national interest of the United States.

SEC. 517. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 518. (a) Notwithstanding any other provision of law or treaty, in the current fiscal year and any fiscal year thereafter, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls

for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 519. Notwithstanding any other provision of law, in the current fiscal year and any fiscal year thereafter, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 520. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 521. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 522. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 523. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of the Intelligence Authorization Act for fiscal year 2013.

SEC. 524. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals

may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 525. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 526. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2013, from the following accounts in the specified amounts—

(1) "Working Capital Fund", \$26,000,000;

(2) "Legal Activities, Assets Forfeiture Fund", \$675,000,000, of which \$314,000,000 shall be permanently rescinded;

(3) "Bureau of Alcohol, Tobacco, Firearms and Explosives, Violent Crime Reduction Program", \$1,028,000;

(4) "Federal Prison System, Buildings and Facilities", \$64,700,000;

(5) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$12,000,000;

(6) "State and Local Law Enforcement Activities, Office of Justice Programs", \$43,000,000; and

(7) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$12,200,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2013 specifying the amount of each rescission made pursuant to subsection (a).

SEC. 527. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301-10.122 through 301-10.124 of title 41 of the Code of Federal Regulations.

SEC. 528. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States, unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 529. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 530. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—
(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 531. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 532. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are “Energy Star” qualified or have the “Federal Energy Management Program” designation.

SEC. 533. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States Government receiving funds appropriated in this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 534. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 535. (a) The head of any department, agency, board or commission funded by this Act shall submit quarterly reports to the Inspector General, or the senior ethics official for any entity without an inspector general, of the appropriate department, agency, board or commission regarding the costs and contracting procedures relating to each conference held by the department, agency, board or commission during fiscal year 2013 for which the cost to the Government was more than \$20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the subject of and number of participants attending that conference;

(2) a detailed statement of the costs to the Government relating to that conference, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services; and

(C) a discussion of the methodology used to determine which costs relate to that conference; and

(3) a description of the contracting procedures relating to that conference, including—

(A) whether contracts were awarded on a competitive basis for that conference; and

(B) a discussion of any cost comparison conducted by the department, agency, board or commission in evaluating potential contractors for that conference.

SEC. 536. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 537. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 538. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 539. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has an unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 540. None of the funds made available by this Act may be used to implement, administer, or enforce the final regulations on “Disparate Impact and Reasonable Factors Other Than Age Under the Age Discrimination in Employment Act” published by the Equal Employment Opportunity Commission in the Federal Register on March 30, 2012 (77 Fed. Reg. 19080 et seq.).

□ 2150

Mr. WOLF (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 101, line 4, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.
The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 541. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

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

Mrs. BLACK. Mr. Chairman, I'm here tonight to talk about my amendment that would prohibit the Obama administration from filing lawsuits against Arizona, South Carolina, Alabama, and other States over their immigration enforcement laws.

In the last 3 years, eight States have adopted immigration enforcement measures to address the illegal alien population in their States. In response, the Department of Justice and Eric Holder have pursued unprecedented lawsuits against these States.

Mr. Chairman, there are over 10 million unauthorized aliens in this country, and States must be able to enforce the law if the Federal Government refuses to. And the States should not have to live in fear of Federal retribution for trying to keep their citizens safe. This amendment would deny the Obama administration and Eric Holder funding for these ridiculous lawsuits. And until the Supreme Court decides the case against Arizona's S.B. 1070, Congress must use our power of the purse to stop these political lawsuits and allow states to uphold the law.

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

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

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

Mr. FATTAH. Let me speak briefly on this matter.

I thank the gentlelady for bringing this amendment.

The Constitution of our United States, which was written in Philadelphia, suggests three branches of government—the executive branch, the legislative branch, and the judicial branch.

I would oppose an amendment like this in a Democratic-majority Congress trying to impede a Republican administration's Justice Department from acting to, in their belief, represent the legitimate, authentic view of the Constitution in a Federal matter.

To fight in court is one thing. To take away someone's right to have a lawyer—that is to say, the Justice Department can't go into court on behalf of the executive branch when they feel the Constitution is being violated—I think is a bad precedent. I think that for those who are interested in protecting and upholding our Constitution, to support it, this is a vote that you will regret having on your record as you look back on your service in the Congress.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

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

Ms. JACKSON LEE of Texas. As a member of the House Judiciary Committee, I can appreciate the frustration that many times we feel as Members of Congress on actions by the Federal Government, but there are two points that I'd like to make:

One, immigration has been defined as an issue under the jurisdiction of the Federal Government. No matter what Attorney General is in place and what position they take, they take it as a representative of the executive, but also of the people of the United States of America.

To highlight Attorney General Eric Holder for fulfilling the responsibilities of an AG, which is to defend against laws that are discriminatory under Federal law, to maintain the integrity of the Federal responsibility of certain laws—which happens to be immigration—would be, I believe, a highlighting or a targeting of a member of the President's Cabinet—and I agree with my ranking member, Mr. FATTAH—of any administration for doing their duty.

So I would just say that I am empathetic to all of our frustrations when we deal with attempting to represent our constituencies. Attorney General Holder, in his pursuit of lawsuits, is representing the American people, but also representing the administration and pursuing justice accordingly under the law. I would hope that we would be able to recognize the frustration, but to reject the underlying amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. I, too, rise in opposition to this amendment.

We have had amendments and even bills on the floor in the past that were just as misguided, and they all take the same form or a similar form: either an amendment to say that no fund shall be expended for the Justice Department to argue for this in court or against that in court. That's one form of the amendment, and this is one of those. Or, we've had court-stripping bills: No court shall have jurisdiction to consider an appeal in the case of X versus Y, or no court shall have jurisdiction to consider a case on a subject matter of—whatever.

All of these are wrong and misguided, whatever the merits of the specific claim may be, because they are violations of the separation of powers and of the proper functioning of the different branches of government.

The Justice Department must argue for the executive branch's interpretation of the law and for its opinion as to constitutionality. That's its job. Our job is to enact laws. The judiciary's job

is to state what the law is. The executive branch is to enforce the law, and for the Justice Department, on a non-political basis—not dictated, certainly, by Congress; we don't want to politicize the Justice Department—to argue in defense of the Constitution as it sees it. Therefore, this amendment is wrongheaded. An amendment or a bill to strip the court of the ability to make a decision as to constitutionality on a given subject would be just as wrongheaded.

□ 2200

So, regardless of one's feelings on immigration, regardless of whether you think that the Federal Government has the sole power of enforcement and that State enforcement of immigration laws is preempted by Federal law, which is one point of view, which the Justice Department is arguing, or that it is not, which is the other point of view, which is what some States are arguing in court, that's for the Court to decide.

Now, Congress might decide to be very clear and say that this immigration law, whatever it is, does not—we do not wish to preempt State law. We could say that. But interpreting what we have said, if we haven't been clear on it, that's the job of the courts, and, in arguing that, the administration's point of view of the Justice Department.

We should not be politicizing the Justice Department. We should not be using the power of the purse to say that the Justice Department cannot argue in a certain case or argue a certain point of view. And certainly, that's even worse; to say they can intervene in a case but on side A but not side B is a perversion of the separation of powers, and we should not be considering—we should not pass this amendment. It would pervert the separation of powers and the safeguards of our liberty.

I yield back the balance of my time.

Mr. BARLETTA. Mr. Chair, I move to strike the last word.

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

Mr. BARLETTA. I wish I didn't have to stand here tonight in strong support of this amendment, but the simple fact is that the Federal Government's lack of action made us do this. The Federal Government, through its deliberate inaction for at least the last 15 years, has created this problem, the problem of unchecked illegal immigration.

From the border States to the heartland, from our largest cities to our smallest boroughs, every American has seen the impact of illegal immigration. An underground workforce that takes away jobs from American citizens and our legal immigrants, overcrowded classrooms that make it harder for children to learn, health care systems forced to the brink of bankruptcy because of unreimbursed costs, victims of crimes committed by people who should not even be in the United States.

Local municipal leaders called out to the Federal Government and asked for help. I know because I was one of them. I saw serious problems in my hometown back in 2005. I came here to Washington to ask for help, and Washington turned its back on me and my citizens.

Higher up, State officials across America called out to the Federal Government. They cried out for enforcement of existing immigration laws. They asked for tougher border security. Elected officials at all levels—sheriffs, mayors, Governors, county commissioners, city councilmen, State representatives—all asked for Federal help.

What have they received? More words, more empty promises, more inflated statistics.

So States acted on their own. They acted to protect their citizens. They acted to protect their budgets. They acted to uphold their constitutional duty to the people that they serve. Most importantly, they enacted laws that work in harmony within the existing Federal framework to slow the effects of illegal immigration. Let me repeat that. They enacted laws that work in harmony within the existing Federal framework.

In fact, just about a year ago, across the street from this building, the United States Supreme Court said that the State of Arizona has the right to impose penalties on businesses that knowingly hire illegal aliens. In upholding that Legal Arizona Workers Act, the Supreme Court ruled there is a high threshold for striking down a State law on the grounds that it conflicts with a Federal law.

As they take effect, these laws are working exactly as intended, within the federally allowed framework. Illegal immigration is slowing. Illegal aliens are self-deporting.

And what has been the Federal Government's response? To file more lawsuits, more taxpayer-funded lawsuits that attempt to punish States for upholding and working within Federal laws.

So the Federal Government creates the illegal immigration problem through decades of inaction, lax enforcement, and looking the other way. States step in to protect the jobs of their residents, the balance of their budgets, and the safety of their residents. Then the Federal Government turns around and sues the States, sues the States, and they use taxpayer dollars to do it. It's ridiculous. It's unfair.

Instead of using tax dollars to sue States, the Department of Justice and other branches in this government should start focusing on enforcing existing immigration laws. And until they do, the Department of Justice should not receive one Federal tax dollar to sue States.

That's what this amendment does, and I encourage my colleagues to vote "yes."

I yield back the balance of my time.

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

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

Mr. SCHWEIKERT. Mr. Chairman, I will try to speak somewhat quickly.

Being from the State of Arizona and having been a legislator in Arizona, having been a County Treasurer from Arizona, and now often find myself in forums having to explain, or trying to at least in some way figure out how to explain, why my Federal Government, why my Justice Department is suing my State.

And if you think about what we saw last year when we had the employer sanctions lawsuits, the Supreme Court ruled in our favor. We were at the Supreme Court standing out there a couple of weeks ago, suing our State again.

But one of the explanations of why does a State like Arizona stand up and have to do these types of laws, understand what you've done to my county, what you've done to my State in education, incarceration, and health care.

If we were having the debate right now of how the Federal Government was going to step up and do its job and reimburse the citizens of Arizona for what was a Federal cost but their failure, maybe we wouldn't be standing here supporting the gentlewoman's amendment. But I don't see that happening in this body.

So, in that case, let Arizona, let States stand up and defend themselves by, in our case, enforcing the actual Federal law.

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

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

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

Mr. FARR. Mr. Chairman, I find this argument very interesting that people like to cast both blame and aspersions that we are sort of different from all our States, that the Federal Government is one thing and the States are different.

I have an amendment in a moment, and I hope all these people will support it, which would prohibit the Federal Government from enforcing laws on legal use of marijuana in those States for medical purposes. It's the exact same argument.

So if you're going to make this argument that, you know, we're only going to be selective, we're going to tell the Justice Department that in immigration laws we're going to prohibit you from enforcing Federal provisions, and turn around and yet allow you to enforce Federal provisions that give States that have legally enacted in their own rights, and law enforcement is supportive of them, to have medical marijuana, it seems very inconsistent.

It also seems very inconsistent to say, well, what about those States that have taken a different approach and allow undocumented folks to have a driver's license? Many States have al-

lowed that. The Federal Government doesn't go in and say you can't do that.

What about those States that allow undocumented children graduating from high school with great grades and getting accepted to colleges to have access to scholarships, called the DREAM Act? States have DREAM Acts. The Federal Government does not.

It seems to me that this argument is just choose your blame and go after the Justice Department. I hope that the people who vote for this amendment, if that's what they want to do, will also vote for the amendment that restricts the Federal Government from enforcing State-enacted medical marijuana laws.

I yield back the balance of my time.

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

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

Mr. CULBERSON. Mr. Chairman, the first coin ever minted in the Republic of Mexico contained the motto, "Liberty in Law," something we understand so well in this country, that there can be no liberty without law. And fundamental to that is law enforcement, and this is a law enforcement issue.

This is a no-brainer. It really illustrates how utterly out of touch the Democrat minority is with the Nation's concern with the lack of law enforcement at our border.

My good friend from Arizona, who was the County Treasurer in Maricopa County, the largest county in Arizona, just pointed out to me that you experienced cost to your local taxpayers of \$1.3 billion a year because of the cost of undocumented illegal aliens in Maricopa County.

□ 2210

In my work on the Homeland Security Appropriations Subcommittee, I've discovered that the Federal Government is only prosecuting about 15 percent of the illegal aliens entering the country in the Tucson sector. So 85 percent of those that they even catch are released, and they return voluntarily across the border so that they come right back.

There are wildly different levels of enforcement up and down the border. The people of the United States, all of us, understand particularly in the State of Texas, which I am so proud to represent, the importance of a healthy relationship with Mexico and the importance of a guest worker program that allows people to come and go freely with our number two trading partner in the world. Canada is our number one trading partner, and Mexico is our number two trading partner. We need a healthy back-and-forth relationship with our friends in Mexico, and the only way to do that is to have the laws enforced equally and fairly as to everyone.

There is no liberty without law enforcement. It is the first responsibility of our State officials to enforce the

law. We know under the Constitution that the police powers are reserved to the States under the 10th Amendment because the Founders understood that the local sheriff, the Governor, and the State police were primarily responsible for protecting the lives and property of the people of their States and their communities.

How many times does it happen every day that a bank robber is arrested or a money launderer is arrested by the State police or a county sheriff, and then because there are Federal charges involved the local prosecutor will hand the individual over to Federal prosecutors for prosecution? Entering the country illegally, crossing the border, is a Federal violation. Those individuals are often picked up by State or local police, who work every day arm in arm with Federal law enforcement authorities to protect the lives and property of the people of America. This is a no-brainer. Local and State law enforcement authorities do it every day.

Enforcing the law is fundamental to who we are as a Nation, because as the Republic of Mexico said on the first coin they ever minted: liberty in law. It's fundamental to who we are as Americans. If we are going to restore the healthy relationship that we've always enjoyed with the people of Mexico, it begins with secure borders, with the uniform—equal—enforcement of the law and by ensuring that the people who come here do so legally and properly so that we know who you are, how long you're going to stay, when you're going home, and that you're not accessing government benefits and costing the people of Maricopa County or the people of the United States money that we simply cannot afford.

As generous as we are, we are out of money. This Nation is living on borrowed income that our kids and grandchildren will have to pay off. It's unacceptable. This new constitutional conservative majority in the House is determined to see the budget balanced, our laws enforced, our borders secured, and this Nation of laws—the greatest democracy ever created in the history of the world—returned to the constitutional set of principles on which it was founded. That begins with liberty in law, which this amendment so wisely attempts to restore. So I strongly support the amendment, and I urge its adoption.

I yield back the balance of my time.

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

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

Mr. BILBRAY. Mr. Chairman, I hope both sides consider the fact of what has happened over the last year or two.

The fact is that this amendment is here before us because we have an extraordinary situation that has happened in certain local communities and States where the Federal Government has actually intervened and filed law-

suits based on the fact that the administration felt that local communities being involved in the enforcement of Federal immigration law was somehow encroaching on the ability of the Federal Government to enforce the law when, in fact, if you read their statement against a State like Arizona, the encroachment was not because they were enforcing some new law or some off-the-wall approach, but the fact that they were enforcing the law. In fact, in the case of Arizona, it said that Arizona's enforcing of immigration law infringed on the ability or prerogative of the executive branch not to enforce the law at any time the executive branch chooses.

Now, I think, as legislators—Democrats and Republicans—but most importantly as Americans, we need to stand up for the fact that the executive branch is here to enforce the law, not to pick which laws to enforce and which ones to ignore. We make the laws, Mr. Chairman, not the White House. We make the laws that the White House is supposed to be enforcing. Sadly, we have seen in the last few years the executive branch claiming the right to choose which laws to enforce and which laws not to enforce. In the Arizona case, they specifically stated that they chose not to enforce the law, thus, that Arizona's enforcing of the Federal law is some kind of encroachment on the executive prerogative.

You and I—Democrats and Republicans—and Americans across the country who believe in the separation of powers should stand up and say, Executive, you do not have the power to legislate from the White House. That's our job. You do not have the authority to pick and choose what laws you enforce.

We all remember the police officer who says, Sir, I do not make the laws. I just enforce them.

All we're asking here is that the executive branch understand that they are not here to choose which laws are honorable and appropriate to be enforced. It is our prerogative to pass those laws and to tell the executive branch, Your job is to enforce it.

Definitely, it is not the executive's right to use taxpayer money to sue States for the cooperation and implementation of laws that this body and bodies before us have passed to make the Federal law. The enforcement of those Federal laws is an essential point, not just on immigration control, but as to the entire concept that this Republic was founded on.

With that, I yield back the balance of my time.

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

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

Mr. GARAMENDI. I yield to my colleague from Pennsylvania.

Mr. FATTAH. I thank the gentleman. Let me sum this up because there is a lot of passion. The Constitution

might be an inconvenient thing, yet it is the basis for all of our law, but let's move beyond that.

This is an appropriations bill. This amendment, no matter what its result, is not going to be in this bill and this bill have the President's signature. So this is the beginning of a whole set of amendments having nothing to do with how much money we're going to spend but, rather, having to do with various political passions. Most, if not all of the amendments, are going to be stripped from this bill. So we're going to spend hours here, and we're going to debate these things, but they're not going to be part of the bill as it finally becomes the law of the land. We're not going to resolve immigration policy in this bill.

So I am going to recede from using all of this time, and I want to thank my colleagues for their comments. The truth of the matter is that this is actually an appropriations bill, and these matters are going to get settled in some other way.

I thank the gentlelady for offering the amendment. It does violate, within the Constitution, the notion of the separation of powers. I believe that, even in a Democrat-controlled Congress and with a Republican President, I would vote against denying the executive branch the right to have its lawyers go to court and argue whatever point of view they wanted to argue.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

Mr. FATTAH. Mr. Chairman, I ask for a recorded vote on the last amendment.

The Acting CHAIR. The gentleman's request is not timely.

Will the gentlewoman from Texas clarify which amendment she is offering?

Ms. JACKSON LEE of Texas. I am offering amendment 381.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. The amounts otherwise provided by this Act for the Department of Justice are revised by reducing the amount made available for "Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses", and increasing the amount made available for "Office of Justice Programs—State and Local Law Enforcement Assistance" (and the amount specified under such heading for DNA-related and forensic program activities and, within such specified amount, the amount further specified for section 2 of the DNA Analysis Backlog Elimination Act of 2000), by \$34,000,000.

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

Ms. JACKSON LEE of Texas. I really do thank the chairman and ranking member of this committee. This is a difficult hurdle and a difficult task, but I do believe that this is an amendment that can draw bipartisan concern.

□ 2220

And I say that because all of us have daughters, wives, and sisters. This amendment deals with the Debbie Smith DNA Backlog Grant program that my colleague from New York sponsored and many of us cosponsored and saw authorized through the Judiciary Committee. The amendment seeks to restore \$34 million to the backlog of rape kit tests that are plaguing the justice system across America.

If we go back more than a decade, New York City reported having 17,000 untested rape kits. In 2004, the Department of Justice indicated there was a backlog of hundreds of thousands of untested DNA kits. This is the only way that law enforcement can ensure that the cases are prosecuted and the right person is prosecuted. This is the only way women who have been violated and sexually abused can have their day in court.

As someone having dealt with a victim of rape, having sat on the board of one of our community women's centers, I know the stories that they've told. We have seen rape increase among our younger women, teenagers, even though during the Bush administration—and we supported it—there was an influx of dollars to the Advancing Justice account. We have still seen thousands of backlog cases. For example, in my own city of Houston—it has been acknowledged in San Antonio, Dallas, and Houston, and other cities across the State of Texas have acknowledged a significant backlog of untested rape kits in their police storage facility, at least 4,000 kits in Houston and 16,000 in Dallas and San Antonio. These are only cities in one State.

Mr. Chairman, I believe in the ability to make the added \$34 million just for the simple action of justice to millions of women that are yet unaccounted for or to be able to move the backlog, which, Mr. Chairman and my colleagues, has not even been assessed. The reason why the numbers are as low as people might assume they are—and I do not believe 17,000 or 22,000 is low—is because the records of the individual jurisdictions are not kept. So these dollars would help to access additional resources directly pointed toward the backlog.

I know that a lot of work was done, but the grant program under this bill, under the DOJ, as I indicated, is down 378 million, or 17 percent. This simply tries to close the gap on the hurt and the harm that have been done to those who have suffered a rape. Remember, justice delayed is justice denied. A rape kit that is now in storage containers around the Nation, because law enforcement doesn't have the resources at the local level to pierce the backlog,

means that prosecutors are not able to prosecute the cases and women remain without justice, women who have been brutalized, women who have suffered the devastation of rape, many of whom suffer with, if you will, the devastation of that act for many years. Many of us know that many women ask the question, was it their fault. We've moved beyond that. But I believe this amendment would at least provide the necessary resources in order to provide the overcoming of this terrible backlog.

My colleagues, please help us. Please help us render justice and provide for the solving or the piercing of the backlog of rape kits that have not been tested throughout the Nation.

I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. WOLF. Mr. Chairman, we have \$125 million. We are at the administration's request of \$125 million for DNA, \$117 million for the DNA backlog. The gentlelady is accurate, it is a very important program. The Debbie Smith DNA Backlog Grant program provides grants to States and units of local law enforcement and local governments to conduct DNA analysis and backlog. But we're at the administration's request. And what this will do is cut from ATF \$34 million. It would require the RIFing of a number of ATF employees; it would impact on the Violent Crime Impact Teams in dozens of cities. The foundation of the Violent Crime Impact Team program is the identification and targeting, disruption, arrests, and prosecution of the worst of the worst criminals possible. We have met the administration's request. We are at \$125 million. It is an important program. There will be \$117 million for the DNA backlog. So we've met the request. It would devastate the ATF is what it would do.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. WOLF. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Chairman WOLF, I appreciate the work of this committee, and it's a committee that attracts the Judiciary Committee. And I have been a supporter of the work of the ATF for many years.

As I looked at the numbers, the ATF has \$1,153,345,000. Their work is important. But we're only asking for \$34 million because the backlog, as I indicated, has really not been assessed. I appreciate the \$125 million. It is my understanding that we're below the mark. I appreciate that. But the point I want to make is that there are backlogs that have not been documented across America. It is far exceeding the \$125 million. I just simply ask to be allowed to take \$34 million out of the \$1 billion of ATF. I certainly support work that they do, but the backlog has been going on and on and on since the Bush administration. We've never been

able to solve the backlog on these rape kits.

Mr. WOLF. Reclaiming my time, we have fully funded this. This would require a reduction of ATF salaries and expense accounts. A cut of this magnitude would result in the loss of 268 ATF personnel, including 111 agents. That's more than 4 percent of ATF's onboard agent staffing. It would require that each ATF remaining staff be furloughed for 5 days.

We're at the amount. It's very important. You have my commitment. We'll fight to make sure that we save the amount. I don't know where the Senate is on this. It's very important. But to go above what the administration asked and to devastate the ATF, I think, would not be a good idea. So I'm committed to the program, but we're at the level; and I don't think we should go higher and devastate the ATF and bring about the number of RIFs and furloughs and reductions, particularly in so many important roles the ATF does.

Ms. JACKSON LEE of Texas. May I inquire of the chairman one more question, please.

Mr. WOLF. What can we do? We're at what the mark is. Again, I'm looking at different numbers. You're obviously the chairman. I see a shortchange. But the point is this is attempting to respond to the rape kits in jurisdictions that have not been accounted for.

Mr. WOLF. I think we should. I completely agree with you. And if there is any additional allocation and we can go, we will. But we're at the request, and I don't think that we can now devastate the ATF. But, yes, I completely agree with you.

ADAM SCHIFF is on the committee. I don't see Mr. SCHIFF here. He's been a strong advocate of this, as has the chairman. This is not a good amendment; but the program is good, and we'll continue. If we get a better allocation and things happen, we'll be very sympathetic to it. But I ask, based on the fact that we have met the administration level, \$117 million for the DNA backlog, that we don't devastate the ATF.

Mr. FATTAH. Will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I think that maybe if the gentlewoman would withdraw the amendment, we would work with her to make sure that we think we've met what is needed to make sure that every one of these kits is analyzed. And if that's not the case, then we can revisit it between now and conference. But the chairman and I would be glad to work with you to make sure this is done because, as he said, we agree that this is vitally needed. We think we've met the requirements as needed.

□ 2230

Ms. JACKSON LEE of Texas. Well, if the gentleman would just yield for a moment so I could respond.

The Acting CHAIR. The time of the gentleman from Virginia has expired.

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

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

Mr. FATTAH. I yield to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. In the spirit of how important this is and to reinforce the fact that there are rape kits that are unaccounted for because there is not any data kept—so I don't think we have met the numbers. But I am willing to work with the chairman and the ranking member to determine how we can move in our next steps.

I will tell you and I do acknowledge that we're doing the work, but we don't have enough money to do all the work that we need to bring justice to women across this Nation.

I ask unanimous consent to withdraw the amendment and will work with the chairman and ranking member.

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

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MRS. BLACKBURN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. _____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

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

Mrs. BLACKBURN. Mr. Chairman, I bring this amendment forward tonight, just as I do every single year for these appropriations bills, because it is so important that we get the out-of-control spending here in Washington, D.C., under control. We all know that at this point in time, we are borrowing 40 cents of every single dollar that we spend. And as we look at this appropriations bill that is before us, we're talking about another \$51.1 billion. So the amendment tonight makes a 1 percent across-the-board haircut. It would be \$511 million.

Now I know all of the arguments. Since I have been doing these since I came to Congress, I know all of the arguments that I am going to have: Well, this is a carefully crafted bill. We have worked diligently on this bill. We have sought to get the costs down in these appropriations.

And I truly appreciate the diligence that goes into this. But I have to tell you, on behalf of the men and women that I represent, the mom and pop stores in my district—which are primarily run by mom at this point in time—on behalf of so many of our small farms, our realtors who are all cutting back more than 1 percent,

more than 10 percent. Many have revenues that are off 25 or 30 percent. We need to require the bureaucracy to get in behind here and cut another penny.

It should be done for our children and our grandchildren. Indeed, if you want to look at what is happening to them, the share of the national debt for my two grandsons is \$50,000 each. That is the burden that we are placing on them because we will not cut a little further. We will not reduce what the bureaucracy has to spend. We are not making the requirements of them that our companies and businesses and stores are having to make of the work that they do every single day.

Now we all know that across-the-board spending cuts work. We've seen them work in our States. We saw it work in Tennessee when a Democrat Governor went in and cut not 1 percent but 9 percent across the board. This is what you do when you want to get your spending under control. It's what we, as a body, should do to prevent DOJ activism because reining that in and preserving our Constitution is priceless. It is a step that we need to take and do that heavy lift. It is our job to be good stewards of the taxpayers' money. It is our job to make certain that we stop borrowing money and spending money that we don't have for programs that many of our constituents do not want and certainly our children and grandchildren do not want. It is time for us to make additional cuts into this budget. So I offer, again, the 1 percent across-the-board cut. It will make a \$511 million reduction to the spending in this appropriation.

With that, I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

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

Mr. WOLF. I appreciate what the gentlelady said. Frankly, what we should do here is—I'll take the amendment tonight and support it, and we can reform Social Security. I mean, we gave Jimmy Buffett and Warren Buffett a big break on Social Security with the payroll tax. We literally bankrupt the Social Security system.

So if there is an amendment, I will take an amendment. If you want to take an amendment tonight, I will take it to close the loophole.

In 2010, everyone here who paid their taxes paid more taxes than GE. They fought 57,000 pages of tax reform. And they were one of the highest taxpayers in China. If you've got a GE taxpaying amendment, I'll take it tonight.

But every dollar is not the same. Let's cut Eric Holder more than we cut Director Mueller. Let's cut some climate issue over at NOAA, where nobody knows, more than we cut cyberterrorism. Let's cut something else rather than cutting the DA's backlog. To take it across the board is just not a good idea.

Across-the-board cuts—and I think the gentlelady had it right—really does

kind of impact on the work that's gone on in the bill. It says \$1 in one agency is just as dispensable and the same as any other agency. I agree with her that we've got to do everything we can.

I was one of the people here who supported Simpson-Bowles. I never signed a Grover Norquist tax pledge. I want to do whatever we can to deal with this issue. I want to put everything on the table. But now we're going through the appropriations process. And to go across the board, FBI and Eric Holder—if I had to make it, I would take \$2 of Eric Holder and give \$2 to Director Mueller, but not across the board. I urge a “no” vote on the amendment.

I yield back the balance of my time.

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

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

Mr. DICKS. I want to commend Mr. WOLF for what he just said. I agree with him, and I think it's a violation of our oath of office to do as she has suggested. So I hope we can vote this down.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. I rise to oppose the amendment and, in many ways, agree with Chairman WOLF.

When you present an across-the-board cut, it always sounds good. And, yes, I will say we've worked diligently on this bill, and it's been many months in putting it together.

But what's interesting in it is that every time you speak about an across-the-board cut, people get excited, and they say, Boy, that sounds good. But these days, those cuts don't hold the same strength that they used to hold in the past because in the past, there were times—and I was part of it, and so were many people on that side—when we felt that we had to grow some accounts.

So one could argue that a 1 percent or a 2 percent or a whatever percent cut taking place made sense. But it's interesting to note now—and I wonder how many people who would present these amendments know that these budgets, these bills that come before you, have been cut dramatically already. Last year and this year, they've been cut dramatically. The allocations given to the subcommittees to put together these bills are not the allocations of the past. There isn't a single bill on the floor—perhaps Defense, the only exception—that is really growing the budget. On the contrary, it's a cut and a cut and a cut.

So the bigger question is, at what point does it end? At what point do we feel that we don't need a government, that we don't need a budget? Will zero be satisfactory to people who want to cut? Zero, not spend a single penny in the Federal Government? This bill, as presented by Mr. FATTAH, by Chairman

WOLF, by the leaders of this subcommittee and this committee, is not a bloated bill. It is a streamlined bill. So it's easy to stand up and say, another 1 percent, another 3 percent, another 5 percent. But where does it end?

□ 2240

At what point do we say that we have a responsibility to fund a government, understanding what people are living through and understanding what we must do for the American people?

But we can't destroy every agency, and that's what these cuts do.

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

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

Mr. FATTAH. I just want the House to be aware that this would be a cut in the FBI budget of close to a hundred million dollars. There will be a cut to the DEA. We just had a major incident in which the Federal Government and our law agencies are working right now involving a mother and three children from Tennessee, where there's been a murder and kidnapping and trying to track these people down.

The idea that cutting a dozen agents doesn't affect our ability to apprehend criminals or to protect the public, I think, really would be malfeasance on the House to just pass an across-the-board cut. If you want to cut an amount of money, let's examine where you want to cut it at. But it's very easy to come and just say, Well, let's slash across the board.

It is true that we've held lots of hearings. It is true that we visited with our law enforcement agencies. I've been out to the counterterrorism training center. I've met with Director Mueller. This will be a cut that has an impact.

So this is not frivolous, and the House Appropriations Committee has the responsibility of figuring out what needs the Nation has that need to be funded. It is the Ways and Means Committee, under our Constitution, that is supposed to figure out how to pay for it.

I don't hear anyone running to the floor asking for an across-the-board tax increase because they see that as being onerous, but to cut FBI agents who are in hot pursuit of criminals, we think that's fine.

I think it's wrong. I ask that we oppose this amendment, and I yield back the balance of my time.

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

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

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

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

Mr. WOLF. Mr. Chairman, I ask unanimous consent that I be permitted to request a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The Acting CHAIR. Is there objection?

Without objection, a recorded vote is requested on the amendment offered by Mrs. BLACK of Tennessee.

There was no objection.

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

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. _____. Each amount appropriated or otherwise made available by this Act, other than an amount required to be appropriated or otherwise made available by a provision of law, an amount made available under the heading "United States Marshals Service", an amount made available under the heading "Federal Bureau of Investigation", or an amount made available under the heading "National Aeronautics and Space Administration", is hereby reduced by 12.2 percent.

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

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

I listened very intently to the debate on the last amendment, and we have an amendment that actually cuts more than just Mrs. BLACKBURN's 1 percent. I listened very carefully to what my dear friend from Virginia, whom I have the utmost respect for and what he was saying, and I do have a tremendous respect for him and hope with my amendment his blood pressure won't go up.

This is a very straightforward amendment. It would simply reduce the overall sending for much of the underlying bill by 12.2 percent.

It's no secret that we as a Nation are facing an economic emergency. Entitlement spending remains out of control; discretionary spending continues to grow; and should the President's health care plan, God forbid, be upheld by the Supreme Court, we could be facing the largest expansion of Federal Government spending in recent history and the greatest attack upon our freedom.

While the budget passed by the House last month would rein in government spending, it would take decades for it to be balanced. Mr. Chairman, we don't have decades to wait around for this budget—which is far better than the President's request—to right our fiscal ship.

During the budget debate, 135 House Members joined me in supporting the Republican Study Committee's budget substitute, which prioritized spending in such a way that it would have bal-

anced in just 5 years. I'm not sure we have 5 years, Mr. Chairman, but the Republican Study Committee's budget would balance in 5 years.

The RSC budget represents a realistic view of the dire situation we're facing and the tough choices which must be made to get our Nation back on the right track fiscally. However, this view isn't for the faint of heart. The RSC budget would have reduced the 302(a) allocations relative to those seen in the underlying bill by 24.4 percent.

My amendment is meant to be a compromise. I'm here to be a compromiser tonight, a halfway point between the level approved in the House-passed budget, which is used in the underlying bill, and the level recommended by the RSC and supported by over 100 Members of this body.

My amendment would also exempt the U.S. Marshals Service. It would exempt the FBI and NASA. It would allow these agencies to continue to further our national security objectives.

It is long past time to get serious about our fiscal situation, and my amendment would be a profound step toward getting Federal spending under control.

I urge support of my amendment, and I yield back the balance of my time.

Mr. WOLF. I rise in opposition to the amendment.

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

Mr. WOLF. This would be great news for the prisoners in prison because it would cut the prison system by \$600 million and we'd have to let a lot of people out of prisons or we couldn't operate them. But I commend the gentleman. He's been very consistent throughout the night. I think this would be an impact on DEA probably in the rage of \$200 million, when we think of the drugs coming into the country.

So, while I appreciate the gentleman's compromise spirit of taking it down from 25 percent to half that, I urge a "no" vote on the amendment, and yield back the balance of my time.

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

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

Mr. FATTAH. I was trying to figure out if we cut 12 percent of the weather satellites budget, how would the satellite actually function with 12 percent less of its capacity?

We have, in Georgia, which the gentleman is from, and from many of our other States the most severe weather that the country has ever seen over the last 20 months. We've had more billion-dollar-plus incidents than we've ever had. And when we have forecasting through our satellite systems that we're launching through the Weather Service, we actually save lives and money by being able to delineate exactly where the storms or tornadoes or

hurricanes are going to hit. And it takes time to be able to evacuate people and the like.

So his cuts to the National Weather Service under this 12 percent approach, especially with exempting certain agencies, would have a disproportionate effect. And I think that for farmers and for others, the lack of weather information would be very problematic in our economy and would actually threaten lives.

So I would reject this amendment. I thank the gentleman for offering it. I hope the House has the wisdom to also reject it, and I yield back the balance of my time.

□ 2250

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

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

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I move to strike the last word.

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I had intended to offer an amendment regarding the civil rights division, and recognizing the structure of the amendment, I chose to raise a point of concern, as I did with the date rape, and I look forward to working with the chairman and the ranking member, particularly on the date rape backlog that I believe is epidemic across America.

But in looking at the appropriations bill, I noticed \$40 million, 4 percent less than requested, for certain areas in the Justice Department which would include the solicitor general, the tax division, the criminal division, civil division, but more importantly, the civil rights division. And it is well important to recognize how valuable civil rights are to Americans. No matter what your political perspective, there is always someone raising the point, I don't want my civil rights violated.

And so obviously, as I have interacted with the civil rights division, particularly as they are engaging in the results of the discrimination in lending and foreclosures, a large responsibility, particularly looking at the impact of subprime mortgages, and as they look at the enormity of voting rights, and we have had a siege of attacks with voting ID laws passed across America. And one would argue there is nothing wrong with voting ID laws, and you are absolutely right. But when they have been determined to impact minorities in a discriminatory fashion, then it is sad when the civil rights division may be limited in funding.

In the State of Texas, for example, our State law has been ruled invalid under section 5 of the Voting Rights Act because it discriminates against Hispanics, African Americans, and even the elderly, based upon the requirement of getting a photo ID from the Department of Public Safety. It is not the fault of the Department of Public Safety, but those officers are not located in many places where communities of color live, and, therefore, they are disproportionately impacted in being prevented from having the right to vote.

We have gone through many States' redistricting, and in some instances those cases have gone before the Department of Justice and the Federal court.

So civil rights, I am well reminded that it was the civil rights department of both the Kennedy administration and the Johnson administration that came to the aid of civil rights leaders and activists, particularly in the 1960s under the Johnson administration. On occasion, they had to be rescued by the Department of Justice.

And so I raise great concern when we find ourselves in a place where we would cut those funds such that they might impact the rendering of justice. It is well known that we have tough times, but I hope that as we make our way through the Congress, that we will find that it is important that we ensure that the funding that is rendered to the particular group of lawyers that come to the defense of civil rights of all Americans, that we ensure the full funding of that particular subset of the division under the Department of Justice.

And so my intent would be to add this comment to the RECORD, and with that I yield back the balance of my time.

AMENDMENT OFFERED BY MR. SOUTHERLAND

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

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

SEC. ____ . None of the funds made available by this Act may be used to develop, approve, or implement a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) that are not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

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

Mr. SOUTHERLAND. Mr. Chairman, the Southerland-Grimm amendment prohibits funds in the CJS Appropriations Act from being spent on limited access programs otherwise known as catch shares. Ladies and gentlemen, what I'm referring to here is nothing less than a battle to prevent freedom in our oceans. I want to make sure that I

am very clear that our amendment only addresses the New England coast, the South Atlantic, the Mid-Atlantic and the Gulf of Mexico. I also want to make sure that it is clear that this amendment only deals with new annual catch limits, not any old programs that are currently in place.

Catch shares are no different than any other inside-the-Beltway style tactic determined to destroy American freedom. By capping the amount of fish that may be caught annually—

Mr. DICKS. Will the gentleman yield?

Mr. SOUTHERLAND. I yield to the gentleman from Washington.

Mr. DICKS. I have been here since the Magnuson-Stevens Act was enacted. Catch shares are done by local councils of fishermen. It doesn't come out of Washington, D.C. Every region of the country has a regional group, and they determine what these catch shares should be. This is not an implemented program from Washington, D.C.

I mean, the gentleman at least owes it, at 5 minutes to 11, to give an accurate description of this amendment and this program, which is a program that many people, especially on the West Coast, by the way, think is a good program that's helping us protect the fishery.

Mr. SOUTHERLAND. Reclaiming my time, in an attempt to answer your question, while you were here since Magnuson-Stevens, my family was continuing 200 years of living on the coast in the Gulf of Mexico. So though I respect your time here, we were there experiencing the crushing impacts of what catch shares do.

Mr. DICKS. Isn't the local group down there in your area making the decision?

Mr. SOUTHERLAND. Reclaiming my time, I want to make it very clear that this amendment does not affect the West Coast.

Mr. DICKS. Oh, I know that. First the East Coast and then the West Coast.

Mr. FRANK of Massachusetts. Will the gentleman yield to me to help support his amendment? I am in support of the gentleman's amendment. Will the gentleman yield to me?

Mr. SOUTHERLAND. They are welcome to get their own time, Mr. Chair, so I would like to finish my statement.

The Acting CHAIR. The gentleman from Florida controls the time.

Mr. SOUTHERLAND. It is very clear that these catch shares in the bodies of water that I made reference to are an effort by a select group to take away the individual fishing rights of individual citizens and to implement a cap-and-trade system where fish are traded like a commodity. The only problem, the American people own this natural resource. This is not like a crop where a farmer has planted this in a field. And so I want to be very clear that this does not affect any existing programs. It just says that no dollars may be used for new—new—programs.

I would like to submit for the RECORD this extensive list of organizations and associations that represent tens of thousands of fishermen, commercial, boats for hire as well as individuals.

I yield back the balance of my time.
THE LIST BELOW REPRESENTS THE VAST MAJORITY OF THE WORKING AND RECREATIONAL FISHERMEN OF THE GULF OF MEXICO

National associations

National Association of Charterboat Operators, Recreational Fishing Alliance, Food and Water Watch.

Regional associations

Southeastern Fisheries Association, Southern Offshore Fishing Association, Fishing Rights Alliance, America Alliance of Fishermen and Communities.

State associations

Florida: Florida Keys Commercial Fishermen's Association, Florida Guides Association, Organized Fishermen of Florida.

Alabama: Alabama Seafood Association.
Louisiana: Louisiana Shrimp Association.
Texas: Recreational Fishing Alliance, Texas Chapter; Texas Shrimp Association.

Local associations

Florida: Panama City Boatmen Association, Marco Island Charter Captains Association, Pensacola Charter Boat Association, Pensacola Recreational Fisherman's Association, Islamorada Charter Boat Association, Destin Charter Boat Association, Key West Charter Boat Association, Organized Fishermen of Florida, Marathon Chapter, SFA East Coast Fisheries Section, Directed Sustainable Fisheries, Inc.

Mississippi: Mississippi Charter Boat Captains Association.

Texas: Port Aransas Boatmen, Inc., Coastal Bend Guides Association.

Seafood dealers

Florida: Greg Abrams Seafood, Water Street Seafood, Key Largo Fisheries, Raffield Fisheries, A.P. Bell Fish Company, Inc., Star Fish Company of Cortez, Inc., Madeira Group, Inc., Pelican Seafood, David Barber Seafood, Seafood Atlantic, Kings Seafood, Madeira Beach Seafood Co., Saveon Seafood Co., Stokes Fish Company, Sunnyland Seafood, RS Enterprise, #1 Discount Corner, Blendedin, Inc., Capt. Alex Seafood, Capt. Eddie's Seafood, Inc., Gary's Seafood Specialties, Inc., Hull's Seafood, Mermaid Foods, Inc., A.M. Fishing Products, Starboard, Inc., Dixon Seafood, John Mantia & Sons, DFI Seafood, Fortune Fish Co., Nachman's Native Seafood, Seacore Seafood Inc., Sea Farms Inc., Billy's Stone Crab, MB Seafood Company, Inc., Cape Canaveral Shrimp Co., Wild Ocean Seafood Market, Top Tuna, Inc.

Alabama: Bryant Seafood, ABC Sport Fishing, Anna's Seafood, Bryant Products, Fish Bones, Get Seafood, JD Seafood, PJ Seafood, Ranch Seafood, Safe Harbour Seafood, Wallace Seafood Trader, Z-Packed Seafood.

Mississippi: Clark Seafood.
Louisiana: Dean Blanchard Seafood, Sharko Seafood Intl, Inc., Griffin Seafood.

Bait and tackle shops

Florida: Fishermens Ice and Bait.

Restaurants

Florida: Rusty Belly Restaurant, Dixie Crossroads Seafood Restaurant, Captain's Table.

Marinas

Florida: Hubbards Marina, Captain Anderson's Marina, Smith's Yacht Basin, Madeira Marine Services, Mexico Beach Marina.

Texas: Woody's Sport Center, Fishermen's Wharf.

Marine support businesses

Duys Marine Electronics, Watkins Oil Company, Inc., Addictive Bottom Cleaning, The Grove of Mexico Beach, Sun Dance Realty, The Shell Shack, Emerald Coast Jewelry, Frost Pottery Garden, Shoreline Styles, Iveys Nail Spa, Catheys Ace Hardware, Parker Realty of Mexico Beach, The Driftwood Inn, El Governor Hotel, Toucans Restaurant, Metcalf Electric, Forgotten Coast Property Management and Rentals, Gulf Foods of Mexico Beach, The Trading Post Cape San Blas, Beach Barber Shop, Harmon Real Estate and Rentals.

Fishing vessels

Florida: Sea Leveler Charters, FN Sea Leveler, F/V Out Of Hand, F/V Zora, Sea Aye Charters, Bottom Dollar Charter Fishing, F/V Bottom Dollar, Jodie Lynn Charters, F/V Capped Off, Cool Beans Fishing Charters, F/V Leo B, F/V Daytona, FN Crosswinds, F/V Raw Dog, Floridaze Adventures, F/V Michelle Marie, F/V Honey Bee, F/V Miss Rita F/V Villager F/V Sea Cat F/V Guardian F/V Bluewater I F/V Taurus F/V God's Grace F/V Gulf Search, F/V Bandit II, F/V Cando, F/V Kingfisher, F/V Crabco, F/V Trecco, F/V Careless, F/V Miss Vicki, F/V BNB, F/V Johnny O, F/V Mary L, F/V Redman, F/V Overkill, F/V Miss Kim, F/V Daniel I, F/V Galilee, F/V Hard Times, F/V Capt AL, F/V Bird Dog 1, F/V Miss Irene, F/V Benjamin K, F/V Round Tuit, F/V Barbara J, F/V Petes Dream, F/V Cynthia J, F/V Life Force, F/V Miss Beth II, F/V Gale Force, F/V Rachel J. Belle, Inc., F/V Lisa M. Belle, Inc., F/V Kalije Belle, Inc., F/V Karen J. Belle, Inc., F/V Savannah Belle, Inc., F/V Liberty Belle, Inc., F/V Sea Hawk, Inc., F/V Blendedin, Inc., F/V Jessie B. Bell, Inc., F/V Rebel, Inc., F/V She's A Belle, Inc., F/V Thunder Belle, Inc., F/V Joanne, Inc., F/V Mystic I., Party Boat Capt Anderson, F/V Leo Too, F/V Aegeus II, F/V Scat II, F/V Flash, F/V Tar Baby, F/V Full Circle, F/V Charisma, F/V Bottom Line, F/V Arrowhead, F/V Wild Catch, F/V Top Tuna, F/V Phat Kat, F/V Four O's, F/V Pirates Pride, F/V Fish Trap, F/V Prescription, F/V Onna Bender, F/V Miss Tracy, F/V Miss Sierra, F/V Captain's Table, F/V Captain's Table II, F/V Big Catch, F/V Second Wind, F/V Patriot, F/N Prowler, F/N Big Chief, F/V Down Easter, F/V Neil L, F/V Out Of Hand, F/V The Obsession, FN Sea Leveler, F/V Relentless II, F/V Point Blank, F/V Tight Work, F/V Tiburon, F/N Night Quest, F/V Sea Wrangler, F/V Crusader, F/N No Limit, Mexico Beach Charters, F/N Miss Mary, F/V Nauti-Dogg, F/V Calamari Express, F/N Big Time, ACME Ventures Fishing, F/V Wile E Coyote.

Alabama: F/V Alexandra Pearl, F/V Angela C, F/V Appalachian Girl, F/V Datt Parker, F/V David's Pride, F/V Debra Lee, F/V Dirty White Boys, F/V Diversifide, F/V Emily Ariel, F/V Erica Lynn, F/V Escape, F/V Eunice Lemay, F/V Fairplay, F/V Free-N-Deed, F/V Kala Michelle, F/V Kimberly Ann, F/V Mama Sharon, F/V Miss Ann, F/V Miss Lorraine, F/V Nixie, F/V Open Sea, F/V Qwest, F/V Sea Weed 2, F/V Seaman Pride, F/V Southbound, F/V WBS, F/V Wild Dream Two, F/V Gladiator, F/V Liberty, F/V Day Break, F/V Posidon, F/V Lucky Nam, F/V Thuy Trang, F/V Gladiator IV, F/V Fellowship, F/V May Flower, F/V Miss Amy, F/V Miss Jennifer, S/F/V LA8283FJ, S/F/V LA8373FP, F/V Lucky Star, S/F/V LA3032CA, F/V Blue Fin, F/V Blue Fin II, S/F/V LA7411FD, S/F/V LA4611CA.

Mississippi: Party Boat Silver Dawn III, Party Boat Happy Hooker, Party Boat Kessler Dolphin II, Party Boat Skipper, Party Boat Miss Hospitality.

Texas: Party Boat La Pesca, Party Boat Dolphin Express, Party Boat Osprey II, Party Boat Osprey, Party Boat New Buc-

caner, Party Boat Texas Cavilier, Party Boat Big Thunder, Party Boat New Pelican, Party Boat Gulf Eagle, Party Boat Kingfisher, Party Boat Adventurer, Party Boat Scat Cat, Party Boat Wharf Cat, Party Boat Dolphin.

Fishermen

Florida: Alan Coe, Jason Whitaker, Donna McRoberts, Louis Michael Primicero, Andrea Fitzwater, Steven E. Brand, Emily Klizek, Roberto Ramirez, Damian Martinez, Carl Barquist, Samantha Cobb, Libia Paulino, Alex Burr, Jennifer Jette, Rian Busse, Stan Mickle, Antonio Giambanco, Herb Sullivan, Capt. Albert Quatraro, Ron Rincones, Brock Anderson, Robert Johnson, Charter boat teaser, Inc, mark brown, sc, Capt. David Grubbs, Capt Tim Fletcher, Bill Houghton, Sam Chavers, Rusty Hudson, George Armexy, Robert Roberts, Mitch Rice, Gary Reed, Daryl Reed, Alex Mallieis, Matt Mallieis, Danny Fiddler, Mike Cardin, Mark Raffield, Tim Chaiffin, Capt. Thomas M. Coleman, Billy Moore, Noah Gibson, Scott Woods, Scott Tubb, Homer Jones, Joseph Mims, Matt Mayfield, Joshua Sprinkle, Shane Schoon, Jim Bonnell, Darrell Knepp, David Johnson, Shawn Watson, Mark Dube, Tim McGrath, Jeff Ursery, Capt. Brian Holland, Capt. Dave Malouf, Capt. Brian Spaeth, Capt. Steve Thoristeem, Capt. Jason Kossert, Capt. Bob Spaeth, Capt. Sam Nastari, Capt. Butch Hewlett, John Stalides, Kirk Stewart, Russell Boats, Mike Nichols, Ed Duller, Rich Castellano, Martha Lee Beneduci, Al Dopirak, John Cox, Capt. Mitch Gale, Joe Pillsbury, Capt. Gary Nichols, Capt. Kelly Nichols, George Gieger, former SAFMC member from FL, Jerry Andrews, Capt. Robbie Fuller, Capt. Bobby Fuller, Mark Hubbard, owner 3 party boats in John's Pass, FL, Greg Abrams, Walter Bell, Karen Bell, former GMFMC member, Karl Lessard, former GMFMC Member and Chairman from FL, Jerry Sansom, Executive Director OFF, Capt. Tim Daniels, Capt. Ernie Piton, Capt. Bobby Pillar, Capt. Billy Niles, Capt. George Niles, Capt. Jason Yarbrough, Capt. Josh Nicklaus, Capt. Vicki Gale, Capt. Jeff Cramer, Steve Reis, Capt. Johnny Brown, Capt. Bob Zales, II, Keith Bowan, Mason Bowan, Tom Adams, Larry Jones, Chip Blackburn, Jimmy Hull, Dewey Hemilright, Jim Busse, Capt. James Turner, Andrea Vautier, Capt. Chuck Guilford, Mike E. Schnurbusch, Thomas Moors, Joshua McCoy, Duane Grove, Sherri McCoy, John Tobeyyansen, Fred Collins, Alvin Sanders, Mel Miller, Stewart Miller, Waylon Mills, William Mills, II, Hubert Potter, Marty Scott, Johnny Brown, Patrick Putslow, William Wamble, Chris King, Richard Turner, Mark Raffield, Danny Fidler, Mike Carden, Milton Alexander, Gary Key, Tim Chaiffin, Anthony Chiodo, Kristy Chiodo, Doug Wiggin, Don Harper, Laura Harper, John Amick, Freddie Knowles, Donnie Harper, Danny Harper, Russell Stewart, III, Mike Moore, Trey Helms, Sherrie Hook, Kristy Miller, Stephenie Oberst, Maria Adams, William Hanson, Allen Byrd, Angelo Petrandis, Mitch Holman, Carolyn Holman, Pat Floyd, Jarvis Olson, Jeffrey Long, Zak McCool, G.P. Floyd, Chris Bucalo, Holly Stricker, Robert Wemple, Paul Cavanaugh, Raymond Zakaluzny, Kenny Evans, Ralph Neil Logan, James A. Reeves, Erica L. Anson, Barrett Colby, Tony Goiillo, Jimmy Reeves, James Capiti, Brent Hancock, Stan Mitchell, Scott Bussen, Andy Fish, Johnny Fish, Greg Rapp, Dustin Rapp, Robbie Knapp, Billy Knight, Joe Palermo, Frank Booth, John Miller, Mike Egner, Leonard Gero, Nichole McCoy, Jimmy Shick, Chip Blackburn, Nate Odum, Henry Hauch, Matt Wegner, John Tendler, Carol Tendler, Sally Childs, Bill Fauth, Teresa Hunter, George Hunter, Marie Stephens,

Dena Frost, Jay Frost, Tracy Wilson, Lionne Fulk, Ivey Chapman, Helen Laplante, Duane Wrona, Al Cathey, Lee Cathey, Cathey Parker Hobbs, Ralph Hobbs, Maurice Bosstick, Curtis Cain, Gary Carlton, Fred Buskins, Capt. Dick Swikert, Diane Wallace, Nancy Compton, Jim Compton, John Rand, Shawna Wood, Amy Haag, Peggy Wood, B. J. Shaw, Teresa Lineberger, Wiley Petty, Scott Gordon, Jay Metcalf, Teresa Carlton, Candi Daniel, Capt. Luke Daniel, Capt. John Wilson, Lisa Guilford, Andrew Wyrosidick, Nike Wyrosidick, Ike Godwin, Todd Godwin, Michelle Catrett, Chris Hubbard, Ryan Harmon, Michelle Corbel, Randall Cowan, James Stanley, Jerry Metz.

Alabama: Cindy Adams, Lea Adams, Steven Adams, Tim Adams, Bruce Alexander, Phillip A. Alexander, Tracy Allen, Mark Averitt, Darlene Baird, Jason Baird, Shane Baird, Mellisa Bartholomew, Scott Black, Josh Blackwell, Terry Boyd, Kevin A. Brannon, Phillip Brannon, Beth Bryant, Glen Bryant, Robert L. Bryant, Brent Buchanan, David Buchanan, Jimmy Lewis Buckley, Jerry Burleson, Teddy Jerome Bussie, Gilbert Calloway, Jennifer Calloway, M. C. Calloway, Shelby Calloway, Mike Cassey, Joe Carver, Doug Coleman, Barry Collier, Mark Collier, Richard M. Collier, Sean Collier, Troy Cornelius, Billy Cunningham, Larry S. Davis, Douge Duvall, William Eddins, Mitch Fore, Jack Gaines, David Grazzier, Joseph Anthony Nelson, II, Justin Nelson, Lloyd Nielson, Mathew Noel, Paul Noel, Tommy Phillips, Trung Phan, Urban Poole, Charles Pope, Timothy E. Rice, Ron Rifley, David Roberts, David Rogers, David Rogers, Jr., Robert Rutledge, Noah Gibson, Ted Clark Gillespie, Bernnie Ray Goldman, Ann Marie Guidroz, Beth Guidroz, Clay Guidroz, Clayton Guidroz, Jr., Renay Guidroz, Mathew Haidt, Willie Harris, Deral Holeman, Robert Neal Horton, Wendall A. Howerin, Jan Isham, Connie Johnson, Daryl Ray Johnson, Zeb Jones, Farrell Ryan, Shawn Ryan, Eathan Saunders, Harry Saunders, Kevin Saunders, Jr., Kevin Saunders, Sr., Sebastian Saunders, Polly Saunders, Alan Savell, Jeremy Schoon, Thurman Seaman, Randy Shutt, David Simms, Jr., David Simms, Sr., Robert Sprinkle, Vernon Steele, James Stewart, Homer O. Ladnier, Kieth Ladnier, Chris Laforce, Joseph Laskey, Mark Lewis, Julia Lochrico, King Marchand, Lane Moralis, Terry Moralis, Clayton Morgan, Harry Mund, Bradley Murph, Alvin Nelson, Allen Still, M.L. Strange, Glenn G. Swift, Brian Swindle, Claude Teed, Chuck Turner, Richard Turner, Tyler Vantt Hoff, Cecil Wainwright, Angela Wallace, Blake Wallace, Brent Wallace, Brittan Wallace, Bruce Wallace, Eddie Wallace, Erin Wallace, Heather Wallace, Violet Wallace, Bobby Wescovich, Stacy Wester, Roy White, Bryan Wilkerson, Deloyd Williams, Greg Williams, Martin Young, Brent Zirlott, Jeremy Zirlott, Simon Zirlott, Kim Vo, Amy Vo, Khai Nguyen, Khanh Nguyen, Chuc Nguyen, Dung Nguyen, Nam Nguyen, Chau Kha, Ai Tran, Mang Sov, Minh Chau, Anh Tran, Van Tran, Tuan Tran, Jay Trotter, James Braddock, Frank Kruth, Thi Lo, Lien Nguyen, Nam Truong, Hong Truong, Smay Son, Tiet Thach, Glenn Bryant, Pete Barber.

Mississippi: Jay Trochetset, James McClellon, James Young, Tom Becker, Kenny Barhanovich, Phil Horn.

Louisiana: Clint Guidry, President LA Shrimp Assn.

Rhode Island: Tina Jackson, President A AFC.

Texas: Michael Hall, Phil Calo, Ed Schroeder, Kelly F. Owens, Mary Ann Heinmann, Bobby Grumbles, Paul Dirk, Capt. Mike Nugent, Mike Holmes, Ed Schroeder, Tom Hilton, Glenn Martin, Former Mayor Port, TX, Bobby Grumbles, Hefner Appling.

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

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

Mr. DICKS. I've got a letter and let me read you this letter because I think it really picks up what this program is about so that Members understand that this is a program that is going to help the fishermen, not hurt them:

We are writing to ask your continued support for the groundfish trawl program in the FY12 and FY13 National Marine Fisheries Service budget.

Today, a year after the implementation of catch shares in our fishery, things are beginning to improve. We are seeing higher prices for several key groundfish species. We have greater flexibility in when and how we fish. Discards are down dramatically. Gear innovation is on the rise. Fishermen, processors, fishery managers, and others are coming together to make this new program work. While the new management system will require ongoing improvement to maximize economic and biological performance, the early trends are positive.

As we continue into the second year of the catch share program, a fundamental challenge confronts us—observer and program management costs.

The high cost of observers—a key element of the catch share program—is a subject of deep concern to many of us. While over time we will assume more of these costs, we continue to require Federal assistance during the transitional phase to help support the cost of observers.

□ 2300

So here we have a group of people who think that this is the program of the future. It is decided upon by a regional council under the Magnuson-Stevens Act. Every region can make decisions that affect the fishery in their area. In our area of the world, this is highly regarded.

The gentleman from Alaska isn't on the floor, but he'll tell you the people up in Alaska on halibut, this has been a great salvation. We're protecting the lives of these people so they don't have to rush out, catch all their fish in 1 or 2 days. They have a share, and they can do it over a reasonable period of time. It adds safety to this program.

But the last thing it is is coming out of D.C. This isn't NOAA or NMFS. This is the regional council in the gentleman's part of the world, in the Northeast, on the Atlantic coast off of Florida. These regional councils, they're the ones that make the decisions.

I thought that our good friends on the other side were for authority being used at the local level. So I urge you all, do not buy into this amendment. We should defeat this.

By the way, the gentleman from Washington is the chairman of the Natural Resources Committee. The gentleman from Florida (Mr. SOUTHERLAND) is a member of that committee. If he's got a complaint, why don't you go to your own committee and work on it rather than coming here and screwing up an appropriations bill where we don't need riders, frankly. We appreciate your concern,

but go talk to the chairman, and you guys sit down and write some laws if you can get them passed.

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

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

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Mr. Chairman, I rise in support of my friend and colleague from Florida.

I represent an island. And I respect the letter that was just read, but I have to be honest, those that I'm speaking to in my district that have made their living for generations on the water disagree. I have been contacted by many of my constituents that have great concerns that this will hamper their ability to earn a living.

I want to add, when we talk about the economy and growing the economy and creating jobs, think about those that have a charter boat and they bring out people from all over that come and vacation and go fishing. Think of all the ancillary business that that brings—all of the hotels, all of the restaurants, all of the shopping that they do. I think that is also relative.

At this time, I'd like to yield to the gentleman from Massachusetts, who has been waiting.

Mr. FRANK of Massachusetts. I thank the gentleman.

I strongly support the amendment. The gentleman from Washington has the regional councils confused with the people who fish. There's a regional split here. If the people on the west coast are happy with this, good luck to them.

Here's what happened.

In the Magnuson-Stevens Act passed in the lame duck of 2006, we said that provisions that would provide for these kinds of limitations were to be voted on by the people in the fishery. There would have to be a vote of the people in the fishery. What happened was, in Washington, they decided that there were areas where they wouldn't get the fishermen to vote for it—maybe on the west coast, they would; on the east coast, they wouldn't. So they invented—Washington did—catch shares, which is a way to have exactly the same impact as what we have in the bill, but without a referendum. We went to court. The judge said, Well, you've got a good argument, but I've got to go with the administrator.

If this amendment passes, if the people in the fishery—the fishermen—want to vote for something that will, in effect, be catch shares, they can put it into effect. And if they vote "no," it will be no.

The regional councils, they are not only fishermen, they are appointees. NMFS has had a major impact.

So let's be very clear: If you think the fishermen ought to be able to decide, that's what the law says. This catch shares is an invention to get around the law. If this amendment

passes, catch shares will not be around, but the law that we passed in 2006 that allows for the fishermen to vote if they want to implement it will still be there. If people on the west coast want it, fine.

Mr. DICKS. Will the gentleman yield? That's not what the amendment says.

Mr. FRANK of Massachusetts. No, excuse me. That is what the amendment says. The amendment says you can't have what they call catch shares. If it passes, you will go back to the underlying Magnuson-Stevens Act, which did come out of committee.

Do you know who amended the bill? Not here in the appropriations process, NMFS. If there are no catch shares, that means you can't do this without a vote of the fishermen. You will go back to the underlying statute, Magnuson-Stevens, which will say that if the people in the fishery want to vote for it, they can; otherwise, it doesn't happen.

I thank my friend for yielding.

Mr. GRIMM. In closing, I just want to say that I urge all of my colleagues to join me in supporting our fishermen and support this amendment.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Chairman, I move to strike the last word.

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

Ms. PINGREE of Maine. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. GRIMM said that he represents an island. I live on an island. I live in the heart of the fisheries in the State of Maine, and I join my colleagues in Maine in supporting this. I'm sorry to see my good friend from Massachusetts is in opposition, but it shows that there are differences in the fisheries. I guarantee you that the fishermen in my State would say this is not to circumvent the law; this is a law that is now working in our State and highly successful. This amendment would block the use of catch shares from managing our Nation's fisheries by superseding the Regional Fishery Management Council process set up by Congress.

I live in the heart of a district where people have lost a tremendous amount of fish and are looking for ways to make sure that they have a fisheries industry to pass along to their children and grandchildren. The sectors management system in Maine has done that; it has allowed innovative fishermen, like members of the Maine Coast Fishermen's Association, to manage their small business in a way that works best for them in their own way of managing it.

By having an allocation and the flexibility to fish on their own schedule—which I can tell you is far safer and far more profitable—fishermen can enter into contracts with processors and avoid the “race to fish,” improving their bottom line and their safety. And it's been proven over and over again.

Some Maine fishermen have even developed community-supported fisheries

co-ops, which bring local fish to the tables of local consumers, strengthening our communities while getting fishermen a better price for their catch.

It is critical for coastal communities and working waterfronts that fishermen are allowed to utilize the best management tools for their particular fishery. Catch shares may not be the best option for every fishery, but that decision should be left to the industry, the management experts, and the scientists in their region where the fishery occurs.

In order to help our fishermen, we should be focused on improving the stock assessments, implementing cooperative research programs, addressing monitoring challenges, and ensuring fair enforcement. This amendment would do none of these things. Instead, it would take a critical management tool out of the toolbox to keep our fishermen on the water.

I urge my colleagues to join me in supporting fishermen by keeping all options available for wise fisheries management by opposing this amendment and sticking with the fishermen in the State of Maine who have found this highly successful—far more safe for the industry and much more profitable for them. Any other argument is just plain wrong.

Mr. DICKS. Will the gentelady yield?

Ms. PINGREE of Maine. I yield to the gentleman from Washington.

Mr. DICKS. I have a letter here from the Atlantic Trawlers Fishing, Inc, the Associated Fisheries of Maine, and a whole bunch of other groups, and they say:

Dear Member of Congress:

Please don't micromanage our fisheries from Washington, D.C.

We represent thousands of hardworking fishing men and women from all over the country who want local fishermen to write the rules governing their fisheries instead of having Congress dictate them through an appropriations rider.

Through the Nation's primary fishing law, the Magnuson-Stevens Act, Congress has given regional fishery management councils made up of fishing industry representatives and others the power to write the rules governing fishing in their area.

But in a move that would tie the hands of local fishermen, Representative Steve Southerland recently sent a letter to the appropriators seeking a rider to the Commerce-Justice-Science appropriation bill that would prohibit the “future development and implementation of new ‘catch share’ programs for any fishery under the jurisdiction of the Fishery Management Councils” in certain regions.

Such a rider would prevent councils from eliminating command-and-control regulations that burden our small businesses, imperil our jobs, drive up our fuel costs, even put our lives at greater risk—

Shame on you. That was an edit, by the way.

—and often don't successfully conserve fish populations.

Although catch shares have proven successful in commercial fisheries around the world and in the United States (today, fully half the fish caught in U.S. Federal waters

are under catch share management), they may not be right for every fishery. But that is a determination best made by the councils, which have local representation, not legislators in Washington, D.C. Congress micromanaging Federal fisheries through appropriations riders is big government at its worst.

□ 2310

Ms. PINGREE of Maine. Reclaiming my time, how much time do I have left?

The Acting CHAIR. The gentlewoman has 30 seconds remaining.

Ms. PINGREE of Maine. So just to be clear, the Catch Shares Program, as you've heard over and over again, suits the fishermen of my district. It serves them well. It brings about a tremendous amount more safety. When they had allocations, they had to go out whenever the day was, whatever the weather was. With catch shares they can make that determination on their own. They can get a better price for their fish.

If the Port Clyde fishermen were up this late, which I feel confident they're not, and they saw Congress debating the opportunity to take away this right that has been very successful for them, they would be shocked and angry and frustrated and down here tomorrow with their boats and their boots.

I yield back the balance of my time.

Mr. DUNCAN of South Carolina. I move to strike the last word.

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

Mr. DUNCAN of South Carolina. I yield to the gentleman from Florida.

Mr. SOUTHERLAND. You know, what's amazing is I always hear stuff that's not true. I was very clear. The letter that my colleague, Mr. Chairman, read, clearly stated that it would eliminate programs, catch share programs currently in bodies of water all around America; and that's just not true. That's not what it says.

My amendment is crystal clear. New catch shares in New England, Mid-Atlantic, South Atlantic and Gulf of Mexico—that's four bodies of water.

Now, I also want to make it very clear that every time that opponents or proponents of catch share stand up they want to talk about commercial fishermen. And I have commercial fishermen in my district, and I'm concerned about our commercial fishing industry.

But I'm also concerned about the individual freedoms and liberties of the American people, and the proponents of the catch share program never want to talk about the individual rights and freedoms of the American people.

This is a public resource, a natural resource. This is not just for a small select group of commercial fishermen that are backed by very, very wealthy environmentalists to decide alone.

This is an issue that is worthy for the American people to speak on. And this is the people's House. And so I stand here, yes, as a Member of the people's House, but I also stand here as someone who's lived on the Gulf of Mexico,

as a family, for over 200 years. I know what I'm talking about.

And you just quoted something that was untrue, Mr. Chairman, and I have a problem with that. Geez.

Mr. DICKS. Will the gentleman yield?

Mr. SOUTHERLAND. I yield to the gentleman.

Mr. DICKS. This was from an east coast group of Atlantic fishermen. This wasn't west coast people. I quoted and I gave the title of the people who were—

Mr. SOUTHERLAND. I reclaim my time, sir. When the gentleman stood up he mentioned—

The Acting CHAIR. The gentleman from South Carolina controls the time.

Mr. DUNCAN of South Carolina. I reclaim my time, and I yield to the gentleman from Massachusetts.

MR. FRANK of Massachusetts. The gentleman from Washington is turning this on its head; and standing on your head is dangerous in any circumstances; but in the water, it's bad for your breathing.

What we have in the law are individual transferrable quotas. It was written into Magnuson-Stevens, and it does exactly what catch shares are supposed to do, with one difference.

The gentleman says Washington is micromanaging. No, it was the National Marine Fisheries Service that twisted the law. The law says they can do this for new ones. The gentleman's right, it doesn't disrupt anything. It allows them to do it subject to a vote of the people in the fishery.

I would say to my friend from Maine that may be what they think in Maine. I represent the fishing port in the United States that brings in the most money, and the people there want to be able to vote for themselves. They do not, as does the gentleman from Washington, identify the regional councils as the voice of the fishermen. They have a lot of complaints about that, including the NMFS intervention.

So this is the question. It is not whether or not we should have the system that the gentlewoman from Maine mentioned, whether or not you should be able to allocate and come together.

There is one point at issue here: should the fishermen themselves have to vote for it. In the Magnuson-Stevens Act, it said you can do any of that new if the fishermen voted it. The NMFS didn't like the notion of a fishermen vote, so they came up with catch shares and said the fishermen don't have to vote.

So all of the benefits the gentlewoman from Maine claims, everything else can be done. The difference is the gentleman from Washington apparently thinks the councils are fishermen. The councils do not, in my experience of 20 years of representing a large fishing port, represent the fishermen. The fishermen represent the fishermen.

And so the question is not whether or not we allow this kind of allocation in shares, but should it be subject to a

vote of the fishermen, as the Magnuson-Stevens Act said, or should this wiggle room that NMFS came up with allow it to go to the council with NMFS people and others sitting on it, State officials sitting on it, as opposed to the fishermen.

So the gentleman's amendment is very clear. It will allow those kinds of allocations. It would allow any of those things. It allows everything that you get in catch shares, except it calls them individual transferrable quotas, as it did in the law, not catch shares; and it's subject to a vote of the people in the fisheries.

That's the sole issue here in this amendment: should the people who are the fishermen themselves be able to vote on this, or should NMFS be able to tell the council and the council should be able to do it.

Mr. DUNCAN of South Carolina. Reclaiming my time, I appreciate the gentleman from Massachusetts lending his voice to this debate in favor of it.

I yield to the gentleman from Florida.

Mr. SOUTHERLAND. I'd like to thank the gentleman from Massachusetts. I agree with his comments.

Again, I want to be just very clear. I think that the amendment is crystal clear. I think that all Americans who believe—

The Acting CHAIR. The time of the gentleman from South Carolina has expired.

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

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

Mr. FATTAH. I rise in opposition to this amendment. This amendment affects fisheries under the jurisdiction of NOAA, as written in the actual amendment in the South Atlantic, Mid-Atlantic, New England, Gulf of Mexico fishery management council areas; and it prohibits these catch shares from any funds being used.

Now, I believe that the 15 Federal catch shares programs have worked well. I think that they have had a great deal of social, economic, and biological benefit. They deal with the essential challenge here, which is overfishing. And it also deals with some of the dangerous conditions related to kind of this race to fish, or derby kind of atmosphere because it creates some order. And order is useful, and is done at a local level.

Now, our committee is an appropriations committee. It is not the place for this to be worked out. This is not the hour for it to be worked out. But if the House has to take a vote on this, I think that we should understand our responsibilities in terms of stewardship here.

There's a difference between saying, well, it shouldn't be the regional council, it should be the fishermen and saying that there should be no funds of NOAA used to organize these catch shares. They're two different things. They are not the same.

So I join the gentlelady from Maine, I join my ranking member from Washington State, and I ask the House and I'll be asking members of my caucus to vote "no" on this amendment.

I yield back the balance of my time.

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

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

Mr. FARR. Mr. Chairman, I rise as a Representative from a great fishing community, Monterey, California. Many of you may have heard about Monterey because it was the sardine port of the world, the largest sardine port in the world; and it certainly was written about in Steinbeck's famous "Cannery Row."

We don't catch sardines anymore. They're all gone. We fished them all out, destroyed an entire industry. No programs there to help people in the 1950s when that whole Cannery Row closed down.

It took about 50 years to rebuild it as a tourist industry, but the sensitivities of all the Italian and Portuguese fishermen that were in that community are still there today.

We have a catch share program on the west coast, and people endorse it wholeheartedly.

□ 2320

I've been listening to this debate. Unfortunately, the debate hasn't really gone to the amendment. Let me read what the amendment is:

None of the funds made available by this Act may be used to develop, approve or implement a new limited access privilege program.

It doesn't say anything about fishermen's votes or catch shares or anything like that. This is just taking a tool out of the toolbox and saying you can't even use it, that you cannot use it. There hasn't been a program developed, approved or implemented yet. So why are we trying to say you can't use any of these funds to go and do that? It's because the process is from the bottom up. That's the way it was worked out in all of these fisheries. So we're taking a meat ax to, really, a weak fish, a delicate fish. We're taking a meat ax to a delicate fish.

I think the process here of Congress is overreaching, and it is prohibiting a tool to be used to work out with local fishermen, which are all the things the gentlelady from Maine said. Fishermen want to be able to have certainty in that they can go out and fish within the quota. They don't want to have to go out, because the season is so short, when the storms are high—because that's the window—and risk their lives. They want to be able to have more. If all the fish are caught at the same time, the price for fish goes down. This way, you can spread it out. Then, as you've heard, revenue goes up for fishermen. They have a sustainability, and the fishery doesn't get pounded so hard. It can replenish itself.

There are all the good things in here that any farmer would tell you were absolutely logical in farming practices. So why wouldn't we want to apply that to farming the sea? You are using this amendment to say, before you even think about it, before you even discuss it, we're not going to allow you to even consider it. We're going to take the money away from the administration and prohibit it from doing it.

Don't leap before you look. It is not broken. It does not need to be fixed yet.

I yield back the balance of my time.

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

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

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

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

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

The Acting CHAIR. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Chairman, I rise in opposition to language included in the FY13 Commerce-Justice-Science appropriations bill that strips the Justice Department's authority to implement accessibility standards for swimming pools under the Americans with Disabilities Act, which was an amendment offered and discussed earlier this evening.

As cochair of the bipartisan Disabilities Caucus and as a person who has lived with a disability for over 30 years, I am very troubled by any attempt to weaken the ADA. However, I am even more surprised to see such language included in an appropriations bill used to fund the Federal Government.

In 2010, the Department of Justice issued regulations requiring that public and commercial pools be made accessible by either a ramp or a fixed pool lift. This rule was intended to break down one of many barriers to recreational activities that people with disabilities face. I understand that some businesses, such as hotels and motels, believe that meeting these requirements would impose an undue cost burden, so I would like to take a moment to dispel some of the misunderstandings that have formed around this issue.

The Justice Department's regulation only requires existing pool facilities to satisfy the accessibility standards if it is "readily achievable," which simply means that it is "easily accomplished and able to be carried out without much difficulty or expense." This has been the governing legal principle of the ADA since its passage 22 years ago. It ensures that businesses are given the flexibility to determine whether they

have the resources to make accessibility improvements rather than requiring a one-size-fits-all approach; and contrary to some misconceptions, individual parties cannot sue to get money damages as a result of non-compliance.

It is also worth pointing out that this is not a last-minute regulation rushed through by any one administration. The United States Access Board first adopted pool access standards in 2002 and incorporated those standards into its ADA Accessibility Guidelines in 2004. This rule applies those same standards to the 2010 regulation at issue, and businesses have had 18 months to prepare and give feedback on this rule. In fact, they were recently granted another 2-month extension to delay implementation until May 21, 2012.

I recognize the challenges facing many small businesses, so I feel it is important that regulations do not impose an undue burden on them. However, if this language to strip the DOJ's authority is approved, a burden will be borne by people with disabilities everywhere—whether they are trying to access commercial pools or public pools like those run at State and local recreation facilities.

Swimming is a recreational activity that provides numerous social, physical, and medically therapeutic benefits; and it has played a crucial role in the rehabilitation, overall health and increased quality of life for millions of people with disabilities, including our injured military servicemembers and disabled veterans who participate in adaptive sports and recreational swimming as a means of fitness, inclusion, and empowerment. Many veterans service organizations and disability rights groups have expressed as much in letters opposing this language, including Disabled American Veterans, Iraq and Afghanistan Veterans of America, Jewish War Veterans, VetsFirst, in addition to the National Council on Independent Living, American University Centers on Disabilities, and the Consortium for Citizens with Disabilities, which encompasses many additional disability, health and veterans groups.

Mr. Chairman, this language sets a dangerous precedent for civil rights enforcement, and it would mark the first time that Congress has weakened the enforcement of the ADA. So I ask my colleagues to oppose this language in any final bill that is conferred with the Senate. Once you pull that thread, you risk unraveling the protections of the most important civil rights bill for people with disabilities as well as that which binds us all together in a higher calling of equal rights for all.

I yield back the balance of my time.

ASSOCIATION OF UNIVERSITY
CENTERS ON DISABILITIES,
Silver Spring, MD, May 7, 2012.

DEAR REPRESENTATIVE: On behalf of the Association of University Centers on Disabilities (AUCD), I am writing to urge you to op-

pose Representative Carter's amendment to the Commerce, Justice, and Science Appropriations Bill that would prevent the Justice Department from using its funds to enforce the ADA regulations to increase access for people with disabilities to swimming pools.

On March 15, the 2010 Standards for Accessible Design went into effect, setting accessibility requirements for built-in facilities including swimming pools. These standards were adopted as part of the revised regulations for Title II and Title III of the Americans with Disabilities Act of 1990 (ADA). Unfortunately, the regulations were met with strong opposition by the hotel industry due to a misunderstanding as to what they require and the "readily achievable" standard the ADA applies to ensure reasonable enforcement.

The readily achievable standard has been supported and recognized by the business community since the passage of the ADA in 1990. The standard, since its inception twenty-two years ago, provides the Justice Department with flexibility to determine what is achievable based on a covered entity's particular circumstances, and to prevent the Department from applying a rigid one-size-fits-all standard. In the case of the accessibility regulations for pool lifts, therefore, if it is too costly or burdensome for a small, family-owned business to install a fixed pool lift at their facility, the new regulations do not require that they do so. Furthermore, pool owners that fail to comply with the regulations are not subject to large damage awards largely in part to the fact that individuals cannot obtain money damages against hotels for violations of ADA's accessibility requirements.

The hotel industry has known about this issue for a decade, and has participated in every step of the way. They were given 18 additional months (past the publication of the finalized rules in September 2010) to prepare before the standards went into effect. As a result of the forgoing built in protections in the ADA, this amendment is not needed to protect small hotel owners.

Additionally, it is crucial to understand, that access to swimming pools is important for people with disabilities—it helps them participate in their communities, spend time with their families and, for many, is a critical means of exercise and maintaining good health.

If Congress intercedes by passing this amendment, we fear a dangerous precedent will have been set that could chip away at other provisions of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. Accordingly, AUCD urges you to protect the ADA by opposing amendments that will take away the right of the Department to enforce such critical regulations.

Sincerely,

A. ANTHONY ANTOSH,
President.

MAY 4, 2012.

DEAR SENATOR/REPRESENTATIVE: We the undersigned veterans organizations are writing in support of the Department of Justice's (DOJ) final rule detailing requirements for accessible entry and exit for pools and spas under the Americans with Disabilities Act (ADA).

Our organizations strongly support the principles of the ADA, because they ensure independence and reintegration for wounded servicemembers and disabled veterans. After a decade of war, we must ensure that the ADA continues to stand for equal treatment and non-discrimination in access to rehabilitation, employment, educational, and recreational opportunities.

Specifically, Congress must not weaken the principles of the ADA by delaying or otherwise inhibiting DOJ's enforcement of the

pool and spa accessibility regulatory requirements. DOJ published the final rule on accessibility in September 2010 after engaging in six years of public outreach, which included multiple opportunities for all stakeholders to provide comments. Although the final rule was to go into effect on March 15, 2012, DOJ delayed compliance until May 21.

We believe that our nation's disabled veterans and wounded warriors have waited long enough for access to pools and spas. The January 2012 guidance issued by DOJ clarifying the intent of the final rule for existing pools and spas did not change the requirements DOJ published in September 2010. The gold standard for new construction is a fixed pool lift. It is logical that fixed pool lifts would be required for existing pools and spas if "readily achievable." Readily achievable means that an existing pool or spa would only need to have a fixed pool lift if it was not costly or burdensome.

Readily achievable is the flexibility that was built into the ADA to ensure that a one-size-fits-all approach would not be required. Thus, if it is not readily achievable for a small, family-owned business to install a fixed lift for a pool or spa, then they are not required to under the ADA. The ADA's inclusion of the readily achievable standard represents the compromise between the needs of people with disabilities and the costs of accommodations.

If Congress intercedes by delaying implementation or hindering enforcement of DOJ's final rule, we fear that a dangerous precedent will have been set for the future of the ADA. The final rule was the result of an extensive regulatory process that provided ample opportunity for participation. It is now time for Congress to step back and let the regulatory process function as was envisioned when the ADA was passed by a bipartisan Congress 22 years ago.

If you have any questions, please contact Heather Ansley, Vice President of Veterans Policy for VetsFirst, a program of United Spinal Association, at (202) 556-2076, ext. 7702 or by e-mail at [hansley\(a\)vetsfirstorg](mailto:hansley(a)vetsfirstorg).

Sincerely,

Blinded Veterans Association; Disabled American Veterans; Iraq and Afghanistan Veterans of America; Jewish War Veterans; National Association for Black Veterans; Paralyzed Veterans of America; Veterans for Common Sense; Veterans of Foreign Wars; Veterans of Modern Warfare; VetsFirst, a program of United Spinal Association; Vietnam Veterans of America.

CONSORTIUM FOR CITIZENS
WITH DISABILITIES,

Washington, DC, April 23, 2012.

DEAR REPRESENTATIVE: The undersigned members of the Consortium for Citizens with Disabilities (CCD), representing people with disabilities, family members, and professionals in the disability field, write in opposition to any Congressional effort to roll back, or prevent enforcement of, the Justice Department's September 15, 2010 regulations setting forth requirements to ensure that swimming pools are accessible to people with disabilities. These regulations, the product of an extensive and considered process of deliberation, were originally scheduled to go into effect on March 15, 2012 and are now slated to take effect in May 2012.

H.R. 4200, introduced on March 16, 2012, would deprive the Justice Department of the authority to enforce its own regulations implementing the ADA with respect to the accessibility of swimming pools. H.R. 4256, introduced on March 26, 2012, would prohibit any court enforcement of the Justice Department's new regulations concerning pool accessibility for a period of one year from en-

actment of the bill and require the Justice Department to issue new regulations with weaker substantive standards (permitting portable pool lifts even where installing a permanent lift would be readily achievable). These bills present a number of serious concerns.

First, the prospect of Congress preventing an executive branch agency from enforcing its own regulations is very troubling. The regulations at issue were promulgated by the Department of Justice—the agency charged by Congress with enforcement of the ADA—and based on standards issued by the United States Access Board, a federal agency devoted to developing and maintaining standards to ensure accessibility for individuals with disabilities. The ADA requires the Justice Department's accessibility regulations to be consistent with Access Board standards. Both the Access Board and the Justice Department have extensive expertise in setting appropriate accessibility standards that take into account the needs of people with disabilities as well as those of business owners. Congress need not and should not step in to deprive the agencies it designated to issue accessibility standards of the authority to enforce those standards.

Moreover, the opportunity to swim is important to individuals with disabilities just as it is to everyone else. People with disabilities should be able to enjoy swimming pools for recreation and exercise. If enacted, H.R. 4200 and H.R. 4256 would deprive many people with disabilities of access to swimming pools, and would create uncertainty among pool owners about the standards with which they must comply in order to meet the ADA's requirements with respect to pool access.

The regulations at issue do not present a significant burden to hotels or other pool owners. For pools already built when the new regulations take effect, the regulations do not require owners to satisfy the new accessibility requirements. If doing so is not "readily achievable"—that is, "easily accomplishable and able to be carried out without much difficulty or expense"—they need not do so.

In addition, individuals with disabilities are not entitled to damages in ADA lawsuits challenging the inaccessibility of public accommodations.

The hotel industry has been aware of—and involved with—the development of the new pool accessibility standards for a decade. The Access Board initially issued standards for pool accessibility in 2002 guidelines for recreational facilities. In 2004, the Access Board incorporated those standards into its new Accessibility Guidelines. The new regulatory standards come directly from those 2004 guidelines. The Justice Department first published an Advance Notice of Proposed Rulemaking requesting feedback concerning the Access Board standards in 2004, followed by a second Advance Notice of Proposed Rulemaking in 2008. The final rule was adopted on September 15, 2010, and gave existing pools another eighteen months to comply with the new requirements.

In conclusion, we oppose any effort to roll back regulations providing accessible swimming pools for people with disabilities. These places of public accommodation have had years of notice and substantial opportunity to prepare for these requirements.

Sincerely,

ACCSES; American Association of People with Disabilities; American Foundation for the Blind; American Network of Community Options and Resources; Association of University Centers on Disabilities; The Arc of the United States; Bazelon Center for Mental Health Law; Brain Injury Associa-

tion of America; Council of Parent Attorneys and Advocates, Inc.; Daniel Jordan Fiddle Foundation; Disability Rights Education and Defense Fund; Easter Seals; Epilepsy Foundation; Helen Keller National Center; Mental Health America; National Association of Councils on Developmental Disabilities; National Council on Independent Living; National Disability Rights Network; National Down Syndrome Society; National Multiple Sclerosis Society; Paralyzed Veterans of America; United Cerebral Palsy; United Spinal Association.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DAVIS of Illinois.

An amendment by Mr. GRIMM of New York.

An amendment by Mr. HUIZENGA of Michigan.

An amendment by Mr. JOHNSON of Georgia.

An amendment by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. WESTMORELAND of Georgia.

An amendment by Mr. AUSTIN SCOTT of Georgia.

An amendment by Mrs. BLACK of Tennessee.

An amendment by Mrs. BLACKBURN of Tennessee.

An amendment by Mr. BROUN of Georgia.

An amendment by Mr. SOUTHERLAND of Florida.

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

AMENDMENT NO. 2 OFFERED BY MR. DAVIS OF
ILLINOIS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 99, noes 311, not voting 21, as follows:

[Roll No. 213]

AYES—99

Andrews	Clarke (MI)	DeGette
Baldwin	Clarke (NY)	Deutch
Bishop (GA)	Clay	Dingell
Blumenauer	Cleaver	Doyle
Bonamici	Clyburn	Edwards
Brady (PA)	Cohen	Ellison
Brown (FL)	Conyers	Fattah
Capuano	Cooper	Fitzpatrick
Carnahan	Costa	Frank (MA)
Castor (FL)	Crowley	Fudge
Chu	Cummings	Green, Al
Cicilline	Davis (IL)	Green, Gene

Gutierrez Maloney Schakowsky Pompeo Ryan (WI) Terry Bishop (GA) Hanabusa Pallone
 Hahn Markey Schrader Posey Sanchez, Loretta Thompson (CA) Bishop (NY) Hartzler Pascrell
 Hanabusa McCollum Scott (VA) Canlise Thompson (PA) Blumenauer Hayworth Pastor (AZ)
 Hastings (FL) McDermott Scott, David Quayle Schiff Thornberry Bonamici Heck Paulsen
 Hirono McGovern Serrano Rahall Schilling Tiberi Herrera Beutler Boren Pelosi
 Holt Meeks Sewell Reed Schmidt Tipton Tiberti Higgins Peters
 Jackson (IL) Michaud Smith (WA) Schock Tsongas Brady (PA) Himes Peterson
 Jackson Lee Miller (NC) Thompson (MS) Renacci Schwartz Turner (NY) Braley (IA) Hinchey Pingree (ME)
 (TX) Moran Tierney Reyes Schweikert Brown (FL) Hinojosa Platts
 Johnson (GA) Nadler Tonko Ribble Scott (SC) Turner (OH) Bucshon Price (NC)
 Johnson (IL) Neal Towns Richardson Scott, Austin Scott (SC) Capps Hochul Quigley
 Johnson, E. B. Pallone Van Hollen Rigell Sensenbrenner Sessions Walberg Walden Capuano Holden Rahall
 Kaptur Pascrell Velázquez Rivera Sires Sherman Walsh (IL) Carnahan Holt Rangel
 Keating Peters Visclosky Roby Shuler Walsh (MN) Carney Israel Reed
 Kildee Pingree (ME) Wasserman Roe (TN) Shimkus Walz (MN) Castor (FL) Jackson (IL)
 Landry Polis Schultz Rogers (AL) Shuler Waxman Chabot Johnson (GA)
 Langevin Price (NC) Waters Rogers (KY) Shuster Webster Chandler Johnson (IL)
 Larsen (WA) Quigley Watt Rogers (MI) Simpson West Westmoreland Clarke (MI) Keating Ross (AR)
 Lee (CA) Rangel Welch Wilson (FL) Rokita Rooney Smith (TX) Wittman Wilson (SC) Coble Kelly
 Levin Richmond Sánchez, Linda Woolsey Roskam Southerland Wolf Womack Woodall Kissell King (NY)
 Lewis (GA) T. Yarmuth Ross (AR) Stark Stearns Yoder Young (AK) Conyers Conyers King (NY)
 Lynch K. Sánchez, Linda Yarmuth Ross (FL) Roybal-Allard Stivers Young (FL) Conyers Conyers King (NY)
 Young (IN) Young (IN) Young (IN)

NOES—311

Ackerman Diaz-Balart Kelly Bachmann Filner Paul
 Adams Dicks Kind Butterfield Honda Pence
 Aderholt Doggett King (IA) Cantor Jones Reichert
 Akin Dold King (NY) Lance Kucinich Rothman (NJ)
 Alexander Dreier Kingston Lankford Carson (IN) McCaul Rush
 Altmore Duffy Kinzinger (IL) Latham Donnelly (IN) McHenry Sarbanes
 Amash Duncan (SC) Kissell Ellmers Moore
 Amodi Duncan (TN) Kline Labrador Bachmann Filner Paul
 Austria Emerson Engel Butterfield Honda Pence
 Baca Engel Lamborn Cantor Jones Reichert
 Bachus Eshoo Farenthold Lankford Carson (IN) McCaul Rush
 Barletta Farr Larson (CT) Donnelly (IN) McHenry Sarbanes
 Barrow Fincher Latham Ellmers Moore
 Bartlett Flake LaTourette Latta Kline Labrador Bachmann Filner Paul
 Barton (TX) Fleischmann Latta Lewis (CA) Lipinski Flores Becerra
 Bass (CA) Fleming Lipinski Flores Becerra Forbes
 Bass (NH) Doggett King (IA) Cantor Jones Reichert
 Becerra Dold King (NY) Lance Kucinich Rothman (NJ)
 Benishek Dreier Kingston Lankford Carson (IN) McCaul Rush
 Berg Duffy Kinzinger (IL) Latham Donnelly (IN) McHenry Sarbanes
 Berkley Fox Long Lowey Lucas Luetkemeyer Luján Lummis
 Berman Franks (AZ) Long Lowey Lucas Luetkemeyer Luján Lummis
 Biggert Frelinghuysen Gallegly Garamendi Gardner Garrett
 Bilbray Gallely Garamendi Gardner Garrett Gerlach
 Billirakis Garamendi Gardner Garrett Gerlach Gibbs
 Bishop (NY) Gardner Garrett Gerlach Gibbs Gibson
 Bishop (UT) Garrett Gerlach Gibbs Gibson Gingrey (GA)
 Black Gerlach Gibbs Gibson Gohmert Gohmert
 Blackburn Gibbs Gibson Gohmert Gohmert Gonzalez
 Bonner Gibson Gohmert Gohmert Gonzalez Goodlatte
 Bono Mack Gingrey (GA) Gohmert Gohmert Gonzalez Goodlatte
 Boren Gohmert Gohmert Gonzalez Goodlatte Gosar
 Boswell Gonzalez Goodlatte Gosar McCarthy (CA)
 Boustany Goodlatte Gosar McCarthy (CA) McCarthy (NY)
 Brady (TX) Gosar McCarthy (CA) McCarthy (NY) McClintock
 Braley (IA) Granger McClintock McCotter
 Brooks Granger McClintock McCotter McIntyre
 Broun (GA) Graves (GA) McCotter McIntyre McKeon
 Buchanan Graves (MO) Griffin (AR) Griffith (VA)
 Bucshon Graves (MO) Griffin (AR) Griffith (VA) Grijalva
 Buerkle Griffith (VA) Grijalva Grimm McMorris
 Burgess Grijalva Grimm McMorris Rodgers
 Burton (IN) Grimm McMorris Rodgers McNeerney
 Calvert Guinta Guinta McNeerney Meehan
 Camp Guthrie Meehan Meehan Mica
 Campbell Hall Mica Miller (FL)
 Canseco Hanna Mica Miller (FL) Miller (MI)
 Capito Harper Miller (MI) Miller, Gary
 Capps Harris Miller, Gary Miller, George
 Carney Hartzler Hastings (WA) Miller, George Mulvaney
 Carter Hastings (WA) Miller, George Mulvaney Murphy (CT)
 Cassidy Hayworth Heck Murphy (PA)
 Chabot Heck Murphy (PA) Myrick
 Chaffetz Heinrich Hensarling Napolitano
 Chandler Hensarling Napolitano Neugebauer
 Coble Herger Napolitano Neugebauer Noem
 Coffman (CO) Herrera Beutler Neugebauer Noem Nugent
 Cole Higgins Hines Hinchey Nunes
 Conaway Hines Hines Hinchey Nunes
 Connolly (VA) Hinchey Hinojosa Nuneelee
 Costello Hinojosa Olson
 Courtney Hochul Olson Olver
 Cravaack Holden Olver Owens
 Crawford Hoyer Owens Palazzo
 Crenshaw Huelskamp Palazzo Pastor (AZ)
 Critz Huizenga (MI) Paulsen Paulsen
 Cuellar Hultgren Hunter Pearce
 Culberson Hunter Hurt Pelosi
 Davis (CA) Hurt Perlmutter Peterson
 Davis (KY) Israel Issa Peterson
 DeFazio Isssa Peterson
 DeLauro Jenkins
 Denham Johnson (OH) Pitts
 Dent Johnson, Sam Platts
 DesJarlais Jordan Poe (TX)

Thompson (CA) Bishop (NY) Hanabusa Pallone
 Thompson (PA) Blumenauer Hayworth Pastor (AZ)
 Thornberry Bonamici Heck Paulsen
 Tiberi Herrera Beutler Boren Pelosi
 Tipton Tiberti Higgins Peters
 Tsongas Brady (PA) Himes Peterson
 Turner (NY) Braley (IA) Hinchey Pingree (ME)
 Turner (OH) Bucshon Price (NC)
 Upton Capps Hochul Quigley
 Walberg Walden Capuano Holden Rahall
 Walden Capuano Holden Rahall
 Walsh (IL) Carnahan Holt Rangel
 Walsh (MN) Castor (FL) Jackson (IL)
 Waxman Chabot Johnson (GA)
 Webster Chandler Johnson (IL)
 West Johnson (OH)
 Westmoreland Clarke (MI) Keating Ross (AR)
 Whitfield Kelly Roybal-Allard
 Wilson (SC) Coble Kelly
 Wittman Wilson (SC) Coble Kelly
 Wolf Womack Woodall Kissell King (NY)
 Womack Woodall Kissell King (NY)
 Yoder Young (AK) Conyers Conyers King (NY)
 Young (FL) Conyers Conyers King (NY)
 Young (IN) Young (IN) Young (IN)

NOT VOTING—21

Bachmann Filner Paul
 Butterfield Honda Pence
 Cantor Jones Reichert
 Carson (IN) McCaul Rush
 Donnelly (IN) McHenry Sarbanes
 Ellmers Moore

□ 2350

Messrs. WALZ of Minnesota, CON-
 AWAY, BROOKS, WHITFIELD, LUJÁN
 and BECERRA, Ms. ROYBAL-
 ALLARD, Mr. HOYER, and Ms. LO-
 RETTA SANCHEZ of California
 changed their vote from “aye” to “no.”

Messrs. CROWLEY, WELCH, COSTA,
 Ms. HANABUSA, Messrs. MARKEY,
 VAN HOLLEN, and Ms. WATERS
 changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 213, I was
 away from the Capitol due to prior commit-
 ments to my constituents. Had I been present,
 I would have voted “no.”

AMENDMENT OFFERED BY MR. GRIMM

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

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
 vice, and there were—ayes 206, noes 204,
 not voting 21, as follows:

[Roll No. 214]

AYES—206

Ackerman Baca Bass (NH)
 Altmore Baldwin Becerra
 Andrews Barletta Berg
 Austria Barrow Berkley

Bishop (GA) Hanabusa Pallone
 Bishop (NY) Hartzler Pascrell
 Blumenauer Hayworth Pastor (AZ)
 Bonamici Heck Paulsen
 Boren Herrera Beutler Boren Pelosi
 Boswell Higgins Peters
 Brady (PA) Himes Peterson
 Braley (IA) Hinchey Pingree (ME)
 Brown (FL) Hinojosa Platts
 Bucshon Price (NC)
 Capps Hochul Quigley
 Capuano Holden Rahall
 Carnahan Holt Rangel
 Carney Israel Reed
 Castor (FL) Jackson (IL)
 Chabot Johnson (GA)
 Chandler Johnson (IL)
 Cicilline Johnson (OH)
 Clarke (MI) Keating Ross (AR)
 Clay Kelly Roybal-Allard
 Coble Kelly
 Cohen Kildee
 Connolly (VA) King (NY)
 Conyers Conyers King (NY)
 Cooper Cooper King (NY)
 Costa Costa Kissell King (NY)
 Costello Larson (CT)
 Courtney LaTourette
 Cravaack Levin
 Crawford Lewis (GA)
 Critz Lewis (GA)
 Crowley Lipinski
 Cuellar LoBiondo
 Cummings Loeb sack
 Davis (CA) Lowey
 Davis (IL) Luetkemeyer
 DeFazio Luján
 DeGette Lungren, Daniel
 DeLauro E.
 Denham Lynch
 Dent Maloney
 DesJarlais Marino
 Deutch Deutch Marky
 Dicks Dicks Matheson
 Dingell Matsui
 Doggett McCarthy (NY)
 Dold McCotter
 Doyle McDermott
 Duncan (TN) McGovern
 Ellison McIntyre
 Emerson McMorris
 Engel Rodgers
 Eshoo McNeerney
 Farr Meehan
 Fitzpatrick Meeks
 Fortenberry Michaud
 Frank (MA) Miller (MI)
 Frelinghuysen Miller (NC)
 Gerlach Miller, George
 Gibson Moran
 Griffith (VA) Murphy (PA)
 Grijalva Myrick
 Grimm Nadler
 Guinta Napolitano
 Gutierrez Neal
 Hahn Owens

NOES—204

Adams Canseco Garamendi
 Aderholt Capito Gardner
 Akin Carter Garrett
 Alexander Cassidy Gibbs
 Amash Chaffetz Gingrey (GA)
 Amodi Chu Gohmert
 Bachus Clarke (NY) Gonzalez
 Bartlett Cleaver Goodlatte
 Barton (TX) Clyburn Gosar
 Bass (CA) Coffman (CO) Gowdy
 Benishek Cole Granger
 Berman Conaway Graves (GA)
 Biggert Crenshaw Graves (MO)
 Bilbray Culberson Green, Al
 Billirakis Davis (KY) Green, Gene
 Bishop (UT) Diaz-Balart Griffin (AR)
 Black Duffy Guthrie
 Blackburn Duncan (SC) Hall
 Bonner Edwards Hanna
 Bono Mack Farenthold Harper
 Boustany Fattah Harris
 Brady (TX) Fincher Hastings (FL)
 Brooks Flake Hastings (WA)
 Broun (GA) Fleischmann Heinrich
 Buchanan Fleming Hensarling
 Buerkle Flores Herger
 Burgess Forbes Hoyer
 Burton (IN) Foxx Huelskamp
 Calvert Franks (AZ) Huizenga (MI)
 Camp Fudge Hultgren
 Campbell Gallegly Hunter

Hurt	Murphy (CT)	Schmidt	Berg	Quinta	Paulsen	Johnson, E. B.	Michaud	Schiff
Issa	Neugebauer	Schock	Biggert	Guithrie	Pearce	Johnson, Sam	Miller (NC)	Schmidt
Jackson Lee	Noem	Schweikert	Bilirakis	Hall	Petri	Kaptur	Moran	Schrader
(TX)	Nugent	Scott (SC)	Bishop (UT)	Hanna	Pompeo	Keating	Murphy (CT)	Schwartz
Jenkins	Nunes	Scott (VA)	Black	Harris	Posey	Kildee	Nadler	Scott (VA)
Johnson, E. B.	Nunnelee	Sensenbrenner	Blackburn	Hartzler	Price (GA)	Kind	Napolitano	Scott, David
Johnson, Sam	Olson	Sessions	Bonner	Hastings (WA)	Quayle	King (NY)	Neal	Serrano
Jordan	Oliver	Shimkus	Bono Mack	Hayworth	Reed	Kissell	Olver	Sewell
Kaptur	Palazzo	Shuster	Boustany	Heck	Rehberg	Langevin	Pallone	Sherman
King (IA)	Pearce	Simpson	Brady (TX)	Herger	Renacci	Larsen (WA)	Pascarell	Shimkus
Kingston	Perlmutter	Smith (NE)	Brooks	Herrera Beutler	Ribble	Larson (CT)	Pastor (AZ)	Shuler
Kinzinger (IL)	Petri	Smith (TX)	Broun (GA)	Hinchey	Rigell	LaTourette	Pelosi	Sires
Kline	Pitts	Southerland	Buchanan	Huelskamp	Rivera	Lee (CA)	Perlmutter	Smith (NJ)
Labrador	Poe (TX)	Stearns	Bucshon	Huizenga (MI)	Robby	Levin	Peters	Smith (TX)
Lamborn	Polis	Stutzman	Buerkle	Hultgren	Roe (TN)	Lewis (GA)	Peterson	Speier
Landry	Pompeo	Sullivan	Burgess	Hunter	Rogers (AL)	Lipinski	Pingree (ME)	Stark
Lankford	Posey	Thornberry	Burton (IN)	Hurt	Rogers (MI)	LoBiondo	Pitts	Sutton
Latham	Price (GA)	Tipton	Calvert	Issa	Rohrabacher	Loeb sack	Platts	Thompson (CA)
Latta	Quayle	Van Hollen	Camp	Jenkins	Rokita	Lofgren, Zoe	Poe (TX)	Thompson (MS)
Lee (CA)	Reyes	Visclosky	Campbell	Johnson (IL)	Rooney	Lowey	Polis	Tierney
Lewis (CA)	Ribble	Walberg	Capito	Johnson (OH)	Roskam	Lucas	Price (NC)	Tonko
Lofgren, Zoe	Rigell	Walsh (IL)	Cartel	Jordan	Ross (FL)	Lujan	Quigley	Towns
Long	Rivera	Walden	Cassidy	Kelly	Royce	Lungren, Daniel	Rahall	Tsongas
Lucas	Roby	Walsh (IL)	Chaffetz	King (IA)	Ryan (WI)	E.	Rangel	Turner (NY)
Lummis	Roe (TN)	Wasserman	Coble	Kingston	Scalise	Lynch	Reyes	Van Hollen
Mack	Rogers (AL)	Schultz	Coffman (CO)	Kinzing er (IL)	Schilling	Maloney	Richardson	Velázquez
Manzullo	Rogers (KY)	Watt	Cole	Kline	Schock	Marino	Richmond	Visclosky
Marchant	Rogers (MI)	Webster	Conaway	Labrador	Schweikert	Markey	Rogers (KY)	Walz (MN)
McCarthy (CA)	Rohrabacher	Westmoreland	Connolly (VA)	Lamborn	Scott (SC)	Matheson	Ros-Lehtinen	Wasserman
McCaul	Rokita	Whitfield	Cravaack	Lance	Scott, Austin	Matsui	Ross (AR)	Schultz
McClintock	Rooney	Wilson (SC)	Crawford	Landry	Sensenbrenner	McCarthy (NY)	Roybal-Allard	Waters
McCollum	Ros-Lehtinen	Wittman	Crenshaw	Lankford	Sessions	McCollum	Runyan	Watt
McKeon	Roskam	Wolf	Davis (KY)	Latham	McDermott	McGovern	Ruppersberger	Waxman
McKinley	Ross (FL)	Womack	Dent	Latta	Ryan (OH)	McIntyre	Ryan (OH)	Welch
Mica	Royce	Woodall	DesJarlais	Lewis (CA)	McKinley	McHenry	Sánchez, Linda	Wilson (FL)
Miller (FL)	Ryan (WI)	Yoder	Dold	Long	Smith (NE)	T.	Sanchez, Loretta	Wolf
Miller, Gary	Scalise	Young (AK)	Dreier	Luetkemeyer	Smith (WA)	McNerney	Sarbanes	Woolsey
Mulvaney	Schiff	Young (FL)	Duffy	Lummis	Southerland	Meehan	Schakowsky	Yarmuth

NOT VOTING—21

Bachmann	Ellmers	Paul
Butterfield	Filner	Pence
Cantor	Honda	Reichert
Cardoza	Jones	Rothman (NJ)
Carson (IN)	Kucinich	Rush
Donnelly (IN)	McHenry	Slaughter
Dreier	Moore	Waxman

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2354

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 214, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. HUIZENGA OF MICHIGAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 199, noes 211, not voting 21, as follows:

[Roll No. 215]

AYES—199

Adams	Alexander	Barletta
Aderholt	Amash	Barton (TX)
Akin	Amodei	Benishak

Duncan (SC)	Duncan (TN)	Farenthold	Fincher	Flake	McCaul	McClintock	McCotter	McKeon	McMorris	Rodgers	Mica	Miller (FL)	Miller (MI)	Miller, Gary	Miller, George	Mulvaney	Murphy (PA)	Myrick	Neugebauer	Noem	Nugent	Nunes	Nunnelee	Olson	Owens	Palazzo
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NOES—211

Ackerman	Clarke (MI)	Fattah
Altmire	Clarke (NY)	Fitzpatrick
Andrews	Clay	Fudge
Austria	Cleaver	Garamendi
Baca	Clyburn	Gerlach
Bachus	Cohen	Gibson
Baldwin	Conyers	Gonzalez
Barrow	Cooper	Goodlatte
Bass (CA)	Costa	Green, Al
Bass (NH)	Costello	Green, Gene
Becerra	Courtney	Griffith (VA)
Berkley	Critz	Grijalva
Berman	Crowley	Grimm
Bilbray	Cuellar	Gutierrez
Bishop (GA)	Culberson	Hahn
Bishop (NY)	Cummings	Hanabusa
Blumenauer	Davis (CA)	Harper
Bonamici	Davis (IL)	Hastings (FL)
Boren	DeFazio	Heinrich
Boswell	DeGette	Hensarling
Brady (PA)	DeLauro	Higgins
Braley (IA)	Deutch	Himes
Brown (FL)	Diaz-Balart	Hinojosa
Canseco	Dicks	Hirono
Capps	Dingell	Hochul
Capuano	Doggett	Holden
Carnahan	Doyle	Holt
Carney	Edwards	Hoyer
Castor (FL)	Ellison	Israel
Chabot	Emerson	Jackson (IL)
Chandler	Engel	Jackson Lee
Chu	Eshoo	(TX)
Ciilline	Farr	Johnson (GA)

NOT VOTING—21

Bachmann	Donnelly (IN)	Moore
Bartlett	Ellmers	Paul
Butterfield	Filner	Pence
Cantor	Honda	Reichert
Cardoza	Jones	Rothman (NJ)
Carson (IN)	Kucinich	Rush
Denham	McHenry	Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2357

Mr. FRANKS of Arizona changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall No. 215, I was away from the capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. JOHNSON OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 96, noes 314, not voting 21, as follows:

[Roll No. 216]

AYES—96

Ackerman	Flake	Price (NC)
Baca	Frank (MA)	Quigley
Baldwin	Hahn	Rangel
Barrow	Hanabusa	Richardson
Bass (CA)	Higgins	Richmond
Becerra	Himes	Roybal-Allard
Berkley	Hirono	Ryan (OH)
Biggert	Holden	Sánchez, Linda
Bishop (GA)	Israel	T.
Boswell	Jackson (IL)	Sanchez, Loretta
Brady (PA)	Johnson (GA)	Sarbanes
Braley (IA)	Johnson (IL)	Schakowsky
Capuano	Keating	Scott, David
Carnahan	Kind	Serrano
Castor (FL)	Langevin	Sires
Ciциlline	Larson (CT)	Smith (WA)
Clarke (MI)	Lee (CA)	Speier
Clarke (NY)	Levin	Stark
Clay	Loeb sack	Thompson (MS)
Cohen	Lowe y	Tierney
Conyers	Lynch	Tonko
Cooper	McCarthy (NY)	Towns
Critz	McCollum	Tsongas
Crowley	McDermott	Velázquez
Davis (IL)	Meeks	Visclosky
DeGette	Michaud	Wasserman
DeLauro	Miller (NC)	Nadler
Doggett	Murphy (CT)	Pascrell
Doyle	Nadler	Pastor (AZ)
Ellison	Pascrell	Peters
Farr	Pastor (AZ)	Pingree (ME)
Fattah	Peters	
Fitzpatrick	Pingree (ME)	

NOES—314

Adams	Cravaack	Hanna
Aderholt	Crawford	Harper
Akin	Crenshaw	Harris
Alexander	Cuellar	Hartzler
Altmire	Culberson	Hastings (FL)
Amash	Cummings	Hastings (WA)
Amodei	Davis (CA)	Hayworth
Andrews	Davis (KY)	Heck
Austria	DeFazio	Heinrich
Bachus	Denham	Hensarling
Barletta	Dent	Herger
Bartlett	DesJarlais	Herrera Beutler
Barton (TX)	Deutch	Hinche y
Bass (NH)	Diaz-Balart	Hinojosa
Benishek	Dicks	Hochul
Berg	Dingell	Holt
Berman	Dold	Hoyer
Bilbray	Dreier	Huelskamp
Bilirakis	Duffy	Huizenga (MI)
Bishop (NY)	Duncan (SC)	Hultgren
Bishop (UT)	Duncan (TN)	Hunter
Black	Edwards	Hurt
Blackburn	Emerson	Issa
Blumenauer	Engel	Jackson Lee
Bonamici	Eshoo	(TX)
Bonner	Farenthold	Jenkins
Bono Mack	Fincher	Johnson (OH)
Boren	Fleischmann	Johnson, E. B.
Boustany	Fleming	Johnson, Sam
Brady (TX)	Flores	Jordan
Brooks	Forbes	Kaptur
Broun (GA)	Fortenberry	Kelly
Brown (FL)	Fox	Kildee
Buchanan	Franks (AZ)	King (IA)
Bucshon	Frelinghuysen	King (NY)
Buerkle	Fudge	Kingston
Burgess	Galle g y	Kinzinger (IL)
Burton (IN)	Garamendi	Kissell
Calvert	Gardner	Kline
Camp	Garrett	Labrador
Campbell	Gerlach	Lamborn
Canseco	Gibbs	Lance
Capito	Gibson	Landry
Capps	Gingrey (GA)	Lankford
Carney	Gohmert	Larsen (WA)
Carter	Gonzalez	Latham
Cassidy	Goodlatte	LaTourette
Chabot	Gosar	Latta
Chaffetz	Gowdy	Lewis (CA)
Chandler	Granger	Lewis (GA)
Chu	Graves (GA)	Lipinski
Cleaver	Graves (MO)	LoBiondo
Clyburn	Green, Al	Lofgren, Zoe
Coble	Green, Gene	Long
Coffman (CO)	Griffin (AR)	Lucas
Cole	Griffith (VA)	Luetkemeyer
Conaway	Grijalva	Luján
Connolly (VA)	Grimm	Lummis
Costa	Guinta	Lungren, Daniel
Costello	Guthrie	E.
Courtney	Hall	Mack

Maloney	Pitts	Sherman
Manzullo	Platts	Shimkus
Marchant	Poe (TX)	Shuler
Marino	Polis	Shuster
Matheson	Pompeo	Simpson
Matsui	Posey	Smith (NE)
McCarthy (CA)	Price (GA)	Smith (NJ)
McCaul	Quayle	Smith (TX)
McClintock	Rahall	Southerland
McCotter	Reed	Stearns
McGovern	Rehberg	Stivers
McIntyre	Renacci	Stutzman
McKeon	Reyes	Sullivan
McKinley	Ribble	Sutton
McMorris	Rigell	Terry
Rodgers	Rivera	Thompson (CA)
McNerney	Roby	Thompson (PA)
Meehan	Roe (TN)	Thornberry
Moran	Rogers (AL)	Tiberi
Mica	Rogers (KY)	Tipton
Miller (FL)	Rogers (MI)	Turner (NY)
Miller (MI)	Rohrabacher	Turner (OH)
Miller, Gary	Rokita	Upton
Miller, George	Rooney	Van Hollen
Moran	Ros-Lehtinen	Walberg
Mulvaney	Roskam	Walden
Murphy (PA)	Ross (AR)	Walsh (IL)
Myrick	Ross (FL)	Walz (MN)
Napolitano	Royce	Duncan (TN)
Neal	Runyan	Farenthold
Neugebauer	Ruppersberger	Fincher
Noem	Ryan (WI)	Fitzpatrick
Nugent	Scalise	Flake
Nunes	Schiff	Fleming
Nunnelee	Schilling	Fortenberry
Olson	Schmidt	Fox
Oliver	Schock	Franks (AZ)
Owens	Schwartz	Gardner
Palazzo	Schweikert	Garrett
Pallone	Scott (SC)	Gingrey (GA)
Paulsen	Scott (VA)	Olson
Pearce	Scott, Austin	Petri
Pelosi	Sensenbrenner	Pitts
Perlmutter	Sessions	Poe (TX)
Peterson	Sewell	Pompeo
Petri		

NOT VOTING—21

Bachmann	Finler	Moore
Butterfield	Gutierrez	Paul
Cantor	Honda	Pence
Cardoza	Jones	Reichert
Carson (IN)	Kucinich	Rothman (NJ)
Donnelly (IN)	Markey	Rush
Ellmers	McHenry	Slaughter

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

□ 0000

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

Stated for:
Mr. FILNER. Mr. Chair, on rollcall 216, I was
away from the Capitol due to prior commit-
ments to my constituents. Had I been present,
I would have voted "aye."

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Arizona (Mr. FLAKE)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 121, noes 291,
not voting 19, as follows:

[Roll No. 217]

AYES—121

Adams	Graves (GA)	Posey
Akin	Graves (MO)	Quayle
Amash	Griffith (VA)	Rehberg
Bilirakis	Harris	Ribble
Bishop (UT)	Hartzler	Rigell
Black	Hensarling	Roby
Blackburn	Herger	Rohrabacher
Bono Mack	Huelskamp	Rokita
Boustany	Huizenga (MI)	Rooney
Brady (TX)	Hunter	Ross (FL)
Brooks	Hurt	Royce
Broun (GA)	Issa	Ryan (WI)
Bucshon	Jenkins	Scalise
Buerkle	Jordan	Schmidt
Burton (IN)	Kelly	Schweikert
Campbell	King (IA)	Scott (SC)
Canseco	Kingston	Scott, Austin
Chabot	Kline	Sensenbrenner
Chaffetz	Labrador	Sessions
Coble	Lamborn	Shimkus
Coffman (CO)	Lance	Shuster
Conaway	Landry	Smith (NE)
Denham	Latta	Southerland
DesJarlais	Long	Stearns
Duncan (SC)	Lummis	Stutzman
Duncan (TN)	Mack	Sullivan
Farenthold	Manzullo	Thornberry
Fincher	Marchant	Upton
Fitzpatrick	McCarthy (CA)	Walberg
Flake	McClintock	Walden
Fleming	Mica	Walsh (IL)
Fortenberry	Miller (FL)	Walsh (IN)
Fox	Miller, Gary	Webster
Franks (AZ)	Mulvaney	West
Gardner	Neugebauer	Westmoreland
Garrett	Nugent	Wilson (SC)
Gingrey (GA)	Olson	Woodall
Gohmert	Petri	Yoder
Gosar	Pitts	Young (FL)
Gowdy	Poe (TX)	Young (IN)
	Pompeo	

NOES—291

Ackerman	Cohen	Green, Gene
Aderholt	Cole	Griffin (AR)
Alexander	Connolly (VA)	Grijalva
Altmire	Conyers	Grimm
Amodei	Cooper	Guinta
Andrews	Costa	Guthrie
Austria	Costello	Gutierrez
Baca	Courtney	Hahn
Bachus	Cravaack	Hall
Baldwin	Crawford	Hanabusa
Barletta	Crenshaw	Hanna
Barrow	Critz	Harper
Bartlett	Crowley	Hastings (FL)
Barton (TX)	Cuellar	Hastings (WA)
Bass (CA)	Culberson	Hayworth
Bass (NH)	Cummings	Heck
Becerra	Davis (CA)	Heinrich
Benishek	Davis (IL)	Herrera Beutler
Berg	Davis (KY)	Higgins
Berkley	DeFazio	Himes
Berman	DeGette	Hinche y
Biggert	DeLauro	Hinojosa
Bilbray	Dent	Hirono
Bishop (GA)	Deutch	Hochul
Bishop (NY)	Diaz-Balart	Holden
Blumenauer	Dicks	Holt
Bonamici	Dingell	Hoyer
Bonner	Doggett	Hultgren
Boren	Dold	Israel
Boswell	Doyle	Jackson (IL)
Brady (PA)	Dreier	Jackson Lee
Braley (IA)	Duffy	(TX)
Brown (FL)	Edwards	Johnson (GA)
Buchanan	Ellison	Johnson (IL)
Burgess	Emerson	Johnson (OH)
Calvert	Engel	Johnson, E. B.
Camp	Eshoo	Johnson, Sam
Capito	Farr	Kaptur
Capps	Fattah	Keating
Capuano	Fleischmann	Kildee
Carnahan	Flores	Kind
Carney	Forbes	King (NY)
Carter	Frank (MA)	Kinzinger (IL)
Cassidy	Frelinghuysen	Kissell
Castor (FL)	Fudge	Langevin
Chandler	Galle g y	Lankford
Chu	Garamendi	Larsen (WA)
Ciциlline	Gerlach	Larson (CT)
Clarke (MI)	Gibbs	Latham
Clarke (NY)	Gibson	LaTourette
Clay	Gonzalez	Lee (CA)
Cleaver	Granger	Levin
Clyburn	Green, Al	Lewis (CA)

Lewis (GA) Owens
Lipinski Palazzo
LoBiondo Pallone
Loeback Pascrell
Lofgren, Zoe Pastor (AZ)
Lowey Paulsen
Lucas Pearce
Luetkemeyer Pelosi
Luján Perlmutter
Lungren, Daniel Peters
E. Peterson
Lynch Pingree (ME)
Maloney Platts
Marino Polis
Marky Price (GA)
Matheson Price (NC)
Matsui Quigley
McCarthy (NY) Rahall
McCaul Rangel
McCollum Reed
McCotter Renacci
McDermott Reyes
McGovern Richardson
McIntyre Richmond
McKeon Rivera
McKinley Roe (TN)
McMorris Rogers (AL)
Rogers (KY)
McNerney Rogers (MI)
Meehan Ros-Lehtinen
Meeks Roskam
Michaud Ross (AR)
Miller (MI) Roybal-Allard
Miller (NC) Runyan
Miller, George Ruppberger
Moran Ryan (OH)
Murphy (CT) Sánchez, Linda
Murphy (PA) T.
Myrick Sanchez, Loretta
Nadler Sarbanes
Napolitano Schakowsky
Neal Schiff
Noem Schilling
Nunes Schock
Nunnelee Schrader
Olver Schwartz

Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stivers
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (AK)

NOT VOTING—19

Bachmann Filner
Butterfield Honda
Cantor Jones
Cardoza Kucinich
Carson (IN) McHenry
Donnelly (IN) Moore
Ellmers Paul

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 0004

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

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 217, I was
away from the Capitol due to prior commit-
ments to my constituents. Had I been present,
I would have voted “no.”

AMENDMENT NO. 11 OFFERED BY MR.
WESTMORELAND

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Georgia (Mr. WEST-
MORELAND) on which further pro-
ceedings were postponed and on which
the noes prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 165, noes 246,
not voting 20, as follows:

[Roll No. 218]
AYES—165
Adams
Akin
Amash
Amodei
Barrow
Barton (TX)
Benishek
Berg
Billbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Denham
DesJarlais
Duffy
Duncan (SC)
Fincher
Flake
Fleming
Flores
Fox
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Guinta
Hall
Hall
Harris
Hartzler
Hastings (WA)
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latta
LoBiondo
Long
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McIntyre
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Ribble
Roby
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (NJ)
Southernland
Stearns
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walsh (LL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kinzinger (IL)
Kissell
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loeback
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Nunnelee
Olver
Sarbanes
Schakowsky
Schiff
Schradler
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross (AR)
Roybal-Allard
Runyan
Ruppberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Sarbanes
Schakowsky
Schiff
Schradler
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross (AR)
Roybal-Allard
Runyan
Ruppberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

NOT VOTING—20

Bachmann Filner
Butterfield Gohmert
Cantor Honda
Cardoza Jones
Carson (IN) Kucinich
Donnelly (IN) McHenry
Ellmers Moore

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 0007

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

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 218, I was
away from the Capitol due to prior commit-
ment to my constituents. Had I been present,
I would have voted “no.”

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF
GEORGIA

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

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic de-
vice, and there were—ayes 122, noes 289,
not voting 20, as follows:

NOES—246
Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capito
Capps
Capuano
Carnahan
Carney
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (LL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hanabusa
Hanna
Harper
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul

[Roll No. 219]

AYES—122

Adams	Gosar	Nunnelee
Akin	Gowdy	Olson
Amash	Granger	Paulsen
Barton (TX)	Graves (GA)	Pearce
Benishek	Guinta	Petri
Berg	Harris	Pitts
Bilbray	Hastings (WA)	Pompeo
Bishop (UT)	Hensarling	Posey
Black	Herger	Price (GA)
Blackburn	Huelskamp	Quayle
Boustany	Huizenga (MI)	Rehberg
Brady (TX)	Hunter	Ribble
Brooks	Hurt	Rogers (MI)
Broun (GA)	Issa	Rohrabacher
Buerkle	Jenkins	Rooney
Burgess	Johnson (OH)	Ross (FL)
Burton (IN)	Johnson, Sam	Royce
Campbell	Jordan	Ryan (WI)
Canseco	Kelly	Scalise
Carter	King (IA)	Schilling
Chabot	Kline	Schmidt
Chaffetz	Labrador	Schock
Coffman (CO)	Lamborn	Schweikert
Conaway	Landry	Scott (SC)
Culberson	Long	Scott, Austin
Denham	Mack	Sensenbrenner
DesJarlais	Manzullo	Shimkus
Duffy	Marino	Smith (NE)
Duncan (SC)	McCarthy (CA)	Smith (NE)
Fincher	McClintock	Southerland
Flake	McKeon	Stearns
Fleming	Mica	Stutzman
Flores	Miller (FL)	Thornberry
Foxx	Miller, Gary	Tipton
Franks (AZ)	Mulvaney	Walberg
Gallely	Murphy (PA)	Walsh (IL)
Gardner	Myrick	Westmoreland
Garrett	Neugebauer	Wilson (SC)
Gibbs	Noem	Woodall
Gingrey (GA)	Nugent	Yoder
Goodlatte	Nunes	Young (IN)

NOES—289

Ackerman	Connolly (VA)	Griffith (VA)
Aderholt	Conyers	Grijalva
Alexander	Cooper	Grimm
Altmire	Costa	Guthrie
Amodei	Costello	Gutierrez
Andrews	Courtney	Hahn
Austria	Cravaack	Hall
Baca	Crawford	Hanabusa
Bachus	Crenshaw	Hanna
Baldwin	Critz	Harper
Barletta	Crowley	Hartzler
Barrow	Cuellar	Hastings (FL)
Bartlett	Cummings	Hayworth
Bass (CA)	Davis (CA)	Heck
Bass (NH)	Davis (IL)	Heinrich
Becerra	Davis (KY)	Herrera Beutler
Berkley	DeFazio	Higgins
Berman	DeGette	Himes
Biggart	DeLauro	Hinchey
Bilirakis	Dent	Hinojosa
Bishop (GA)	Deutch	Hirono
Bishop (NY)	Diaz-Balart	Hochul
Blumenauer	Dicks	Holden
Bonamici	Dingell	Holt
Bonner	Doggett	Hoyer
Bono Mack	Dold	Hultgren
Boren	Doyle	Israel
Boswell	Dreier	Jackson (IL)
Brady (PA)	Duncan (TN)	Jackson Lee
Bralley (IA)	Edwards	(TX)
Brown (FL)	Ellison	Johnson (GA)
Buchanan	Emerson	Johnson (IL)
Bucshon	Engel	Johnson, E. B.
Calvert	Eshoo	Kaptur
Camp	Farenthold	Keating
Capito	Farr	Kildee
Capps	Fattah	Kind
Capuano	Fitzpatrick	King (NY)
Carnahan	Fleischmann	Kingston
Carney	Forbes	Kinzinger (IL)
Cassidy	Fortenberry	Kissell
Castor (FL)	Frank (MA)	Lance
Chandler	Frelinghuysen	Langevin
Chu	Fudge	Lankford
Cicilline	Garamendi	Larsen (WA)
Clarke (MI)	Gerlach	Larson (CT)
Clarke (NY)	Gibson	Latham
Clay	Gohmert	LaTourette
Cleaver	Gonzalez	Latta
Clyburn	Graves (MO)	Lee (CA)
Coble	Green, Al	Levin
Cohen	Green, Gene	Lewis (CA)
Cole	Griffin (AR)	Lewis (GA)

Lipinski	Pelosi	Shuster
LoBiondo	Perlmutter	Simpson
Loebsack	Peters	Sires
Lofgren, Zoe	Peterson	Smith (NJ)
Lowe	Pingree (ME)	Smith (TX)
Lucas	Platts	Smith (WA)
Luetkemeyer	Poe (TX)	Speier
Lujan	Polis	Stark
Lummis	Price (NC)	Stivers
Lungren, Daniel	Quigley	Sullivan
E.	Rahall	Sutton
Lynch	Rangel	Terry
Maloney	Reed	Thompson (CA)
Marchant	Renacci	Thompson (MS)
Markey	Reyes	Thompson (PA)
Matheson	Richardson	Tiberi
Matsui	Richmond	Tierney
McCarthy (NY)	Rigell	Tonko
McCaul	Rivera	Towns
McCollum	Roby	Tsongas
McCotter	Roe (TN)	Turner (NY)
McDermott	Rogers (AL)	Turner (OH)
McGovern	Rogers (KY)	Upton
McIntyre	Ros-Lehtinen	Van Hollen
McKinley	Roskam	Velázquez
McMorris	Ross (AR)	Visclosky
Rodgers	Roybal-Allard	Walden
McNerney	Runyan	Walz (MN)
Meehan	Ruppersberger	Wasserman
Meeks	Ryan (OH)	Schultz
Michaud	Sánchez, Linda	Waters
Miller (MI)	T.	Watt
Miller (NC)	Sanchez, Loretta	Waxman
Miller, George	Sarbanes	Webster
Moran	Schakowsky	Welch
Murphy (CT)	Schiff	West
Nadler	Schrader	Whitfield
Napolitano	Schwartz	Wilson (FL)
Neal	Scott (VA)	Wittman
Oliver	Scott, David	Wolf
Owens	Serrano	Womack
Palazzo	Sessions	Woolsey
Pallone	Sewell	Yarmuth
Pascrell	Sherman	Young (AK)
Pastor (AZ)	Shuler	Young (FL)

NOT VOTING—20

Bachmann	Filner	Pence
Butterfield	Honda	Reichert
Cantor	Jones	Rokita
Cardoza	Kucinich	Rothman (NJ)
Carson (IN)	McHenry	Rush
Donnelly (IN)	Moore	Slaughter
Ellmers	Paul	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 0010

So the amendment was rejected. The result of the vote was announced as above recorded. Stated against: Mr. FILNER. Mr. Chair, on rollcall 219, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MRS. BLACK

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 238, noes 173, not voting 20, as follows:

[Roll No. 220]

AYES—238

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

NOES—173

Ackerman	Brady (PA)	Clyburn
Andrews	Bralley (IA)	Cohen
Baca	Brown (FL)	Connolly (VA)
Baldwin	Capps	Conyers
Bass (CA)	Capuano	Cooper
Becerra	Carnahan	Costa
Berkley	Carney	Costello
Berman	Castor (FL)	Courtney
Biggart	Chu	Critz
Bishop (GA)	Cicilline	Crowley
Bishop (NY)	Clarke (MI)	Cuellar
Blumenauer	Clarke (NY)	Cummings
Bonamici	Clay	Davis (CA)
Boswell	Cleaver	Davis (IL)

DeFazio	Kildee	Richardson	[Roll No. 221]	Johnson (GA)	Moran	Schiff
DeGette	Kind	Richmond		Johnson, E. B.	Murphy (CT)	Schock
DeLauro	Langevin	Rivera	AYES—160	Johnson, Sam	Nadler	Schrader
Deutch	Larsen (WA)	Ros-Lehtinen		Kaptur	Napolitano	Schwartz
Diaz-Balart	Larson (CT)	Roybal-Allard		Keating	Neal	Scott (VA)
Dicks	Lee (CA)	Ruppersberger		Kildee	Noem	Scott, David
Dingell	Levin	Ryan (OH)		Kind	Nugent	Serrano
Doggett	Lewis (GA)	Sánchez, Linda		King (NY)	Olver	Sewell
Dold	Lipinski	T.		Kingston	Owens	Sherman
Doyle	Loeb sack	Sanchez, Loretta		Kissell	Pallone	Shuler
Edwards	Lofgren, Zoe	Sarbanes		Langevin	Pascrell	Simpson
Ellison	Lowey	Schakowsky		Larsen (WA)	Pastor (AZ)	Sires
Engel	Lujan	Schiff		Larson (CT)	Pelosi	Smith (NJ)
Eshoo	Maloney	Schrader		Latham	Perlmutter	Smith (TX)
Farr	Markey	Schwartz		LaTourette	Peters	Smith (VA)
Fattah	Matsui	Scott (VA)		Lee (CA)	Peterson	Speier
Frank (MA)	McCarthy (NY)	Scott, David		Levin	Pingree (ME)	Stark
Fudge	McCollum	Serrano		Lewis (CA)	Platts	Stivers
Garamendi	McDermott	Sewell		Lewis (GA)	Posey	Sutton
Gonzalez	McGovern	Sherman		Lipinski	Price (NC)	Thompson (CA)
Green, Al	McNerney	Sires		LoBiondo	Quigley	Thompson (PA)
Green, Gene	Meehan	Smith (WA)		Loeb sack	Rahall	Tiberi
Grijalva	Meeks	Smith (WA)		Lofgren, Zoe	Rangel	Tierney
Gutierrez	Michaud	Speier		Lowey	Reed	Tonko
Hahn	Miller (NC)	Stark		Lucas	Rehberg	Towns
Hanabusa	Miller, George	Sutton		Lujan	Renacci	Tsongas
Hastings (FL)	Moran	Thompson (CA)		Lungren, Daniel	Reyes	Turner (NY)
Heinrich	Murphy (CT)	Thompson (MS)		E.	Richardson	Turner (OH)
Higgins	Nadler	Tierney		Maloney	Richmond	Van Hollen
Himes	Napolitano	Tonko		Marino	Rivera	Velázquez
Hinche y	Neal	Towns		Markey	Roby	Vislosky
Hinojosa	Olver	Tsongas		Matsui	Rogers (AL)	Walz (MN)
Hirono	Owens	Van Hollen		McCarthy (NY)	Rogers (KY)	Wasserman
Hochul	Pallone	Velázquez		McCollum	Ros-Lehtinen	Schultz
Holden	Pascrell	Vislosky		McDermott	Ross (AR)	Waters
Holt	Pastor (AZ)	Walz (MN)		McGovern	Ross (FL)	Watt
Hoyer	Pelosi	Wasserman		McIntyre	Roybal-Allard	Waxman
Israel	Perlmutter	Schultz		McKeon	Runyan	Webster
Jackson (IL)	Peters	Waters		McKinley	Ruppersberger	Welch
Jackson Lee	Pingree (ME)	Watt		McNerney	Ryan (OH)	West
(TX)	Polis	Waxman		Meehan	Sánchez, Linda	Wilson (FL)
Johnson (GA)	Price (NC)	Welch		Meeks	T.	Wolf
Johnson, E. B.	Quigley	Wilson (FL)		Michaud	Sanchez, Loretta	Womack
Kaptur	Rangel	Woolsey		Miller (NC)	Sarbanes	Woolsey
Keating	Reyes	Yarmuth		Miller, George	Schakowsky	Yarmuth

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Denham
Donnelly (IN)

Ellmers
Filner
Honda
Jones
Kucinich
McHenry
Moore

Paul
Pence
Reichert
Rothman (NJ)
Rush
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 0014

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 220, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MRS. BLACKBURN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 160, noes 251, not voting 20, as follows:

Adams
Akin
Amash
Amodei
Austria
Bachus
Bartlett
Harper
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Bono Mack
Boustany
Brady (TX)
Brooks
Brown (GA)
Buchanan
Buerkle
Burgess
Kelly
King (IA)
Camp
Kline
Labrador
Cassidy
Lamborn
Lance
Landry
Lankford
Latta
Long
Luetkemeyer
Lummis
Lynch
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nunes

Gosar
Gowdy
Graves (GA)
Graves (MO)
Pearce
Griffith (VA)
Guthrie
Petri
Pitts
Poe (TX)
Polis
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schilling
Sessions
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Southernland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (LL)
Westmoreland
Whitfield
Wilson (SC)
Wittman
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—251

Ackerman
Aderholt
Alexander
Altmire
Andrews
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boren
Boswell
Brady (PA)
Bralley (IA)
Brown (FL)
Bucshon
Calvert
Capito
Capps
Capuano
Carnahan
Carney
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)

Clay
Clever
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Forbes

Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinche y
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Israel
Jackson (IL)
Jackson Lee
(TX)

NOT VOTING—20

Bachmann
Butterfield
Cantor
Cardoza
Carson (IN)
Donnelly (IN)
Ellmers

Filner
Honda
Jones
Kucinich
McHenry
Moore
Paul

Pence
Reichert
Rothman (NJ)
Rush
Slaughter
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 0016

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on roll call 221, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 105, noes 307, not voting 19, as follows:

[Roll No. 222]

AYES—105

Adams Gingrey (GA) Myrick
 Akin Gohmert Neugebauer
 Amash Goodlatte Nunes
 Benishek Gosar Nunnelee
 Bishop (UT) Gowdy Olson
 Black Graves (GA) Petri
 Blackburn Graves (MO) Poe (TX)
 Boustany Griffith (VA) Pompeo
 Brady (TX) Harris Price (GA)
 Brooks Hartzler Quayle
 Broun (GA) Hensarling Ribble
 Buerkle Huelskamp Rohrabacher
 Burgess Huizenga (MI) Rokita
 Burton (IN) Hunter Rooney
 Campbell Hurt Royce
 Canseco Issa Ryan (WI)
 Chabot Johnson (IL) Scalise
 Chaffetz Jordan Schmidt
 Coble King (IA) Schweikert
 Coffman (CO) Labrador Scott (SC)
 Conaway Lamborn Sensenbrenner
 DesJarlais Lance Sessions
 Dreier Landry Shimkus
 Duncan (SC) Latta Southerland
 Duncan (TN) Long Stearns
 Fincher Stutzman Stutzman
 Fitzpatrick Mack Sullivan
 Flake Manzullo Thornberry
 Fleischmann Marchant Walberg
 Fleming McClintock Walsh (IL)
 Flores Mica Westmoreland
 Foxx Miller (FL) Wilson (SC)
 Franks (AZ) Miller (MI) Woodall
 Gardner Miller, Gary Young (AK)
 Garrett Mulvaney Young (IN)

NOES—307

Ackerman Costa Harper
 Aderholt Costello Hastings (FL)
 Alexander Courtney Hastings (WA)
 Altmire Cravaack Hayworth
 Amodei Crawford Heck
 Andrews Crenshaw Heinrich
 Austria Critz Heger
 Baca Crowley Herrera Beutler
 Bachus Cuellar Higgins
 Baldwin Culberson Himes
 Barletta Cummings Hinchey
 Barrow Davis (CA) Hinojosa
 Bartlett Davis (IL) Hirono
 Barton (TX) Davis (KY) Hochul
 Bass (CA) DeFazio Holden
 Bass (NH) DeGette Holt
 Becerra DeLauro Hoyer
 Berg Denham Hultgren
 Berkley Dent Israel
 Berman Deutch Jackson (IL)
 Biggert Diaz-Balart Jackson Lee
 Bilbray Dicks (TX)
 Bilirakis Dingell Jenkins
 Bishop (GA) Doggett Johnson (GA)
 Bishop (NY) Dold Johnson (OH)
 Blumenauer Doyle Johnson, E. B.
 Bonamici Duffy Johnson, Sam
 Bonner Edwards Kaptur
 Bono Mack Ellison Keating
 Boren Emerson Kelly
 Boswell Engel Kildee
 Brady (PA) Eshoo Kind
 Braley (IA) Farenthold King (NY)
 Brown (FL) Farr Kingston
 Buchanan Fattah Kinzinger (IL)
 Buchshon Forbes Kissell
 Calvert Fortenberry Kline
 Camp Frank (MA) Langevin
 Capito Frelinghuysen Lankford
 Capps Fudge Larsen (WA)
 Capuano Gallegly Larson (CT)
 Carnahan Garamendi Latham
 Carney Gerlach LaTourette
 Carter Gibbs Lee (CA)
 Cassidy Gibson Levin
 Castor (FL) Gonzalez Lewis (CA)
 Chandler Granger Lewis (GA)
 Chu Green, Al Lipinski
 Cicilline Green, Gene LoBiondo
 Clarke (MI) Griffin (AR) Loebsock
 Clarke (NY) Grijalva Lofgren, Zoe
 Clay Grimm Lowey
 Cleaver Guinta Lucas
 Clyburn Guthrie Luetkemeyer
 Cohen Luján Maloney
 Cole Hahn
 Connolly (VA) Hall E.
 Conyers Hanabusa Lynch
 Cooper Hanna Maloney

Marino Polis
 Markey Posey
 Matheson Price (NC)
 Matsui Quigley
 McCarthy (CA) Rahall
 McCarthy (NY) Rangel
 McCaul Reed
 McCollum Rehberg
 Olson McCotter
 McDermott Reyes
 McGovern Richardson
 McIntyre Richmond
 McKeon Rigell
 McKinley Rivera
 McMorris Roby
 Rodgers Roe (TN)
 McNeerney Rogers (AL)
 Meehan Rogers (KY)
 Meeks Rogers (MI)
 Michaud Ros-Lehtinen
 Miller (NC) Roskam
 Miller, George Ross (AR)
 Moran Ross (FL)
 Murphy (CT) Roybal-Allard
 Murphy (PA) Runyan
 Nadler Ruppertsberger
 Napolitano Ryan (OH)
 Neal Sánchez, Linda
 Neom T.
 Nugent Sanchez, Loretta
 Oliver Sarbanes
 Owens Schakowsky
 Palazzo Schiff
 Pallone Schilling
 Pascrell Schock
 Pastor (AZ) Schrader
 Paulsen Schwartz
 Pearce Scott (VA)
 Pelosi Scott, Austin
 Perlmutter Scott, David
 Peters Serrano
 Peterson Sewell
 Pingree (ME) Sherman
 Pitts Shuler
 Platts Shuster

NOT VOTING—19
 Bachmann Filner Pence
 Butterfield Honda Reichert
 Cantor Jones Rothman (NJ)
 Cardoza Kucinich Rush
 Carson (IN) McHenry Slaughter
 Connelly (IN) Moore
 Ellmers Paul

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

□ 0019

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

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

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic ve-
 nue, and there were—ayes 220, noes 191,
 not voting 20, as follows:

[Roll No. 223]

AYES—220

Adams Amash Barletta
 Aderholt Amodei Barrow
 Akin Austria Bartlett
 Alexander Bachus Barton (TX)

Benishek
 Berg
 Biggert
 Bilirakis
 Bishop (NY)
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Capuano
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Conaway
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Culberson
 Davis (KY)
 DeFazio
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dold
 Doyle
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Fincher
 Flake
 Fleischmann
 Fleming
 Flores
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibson
 Gingrey (GA)
 Gohmert
 Gosar
 Gowdy
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Grimm
 Guinta

NOES—191

Ackerman
 Altmire
 Andrews
 Baca
 Baldwin
 Bass (CA)
 Bass (NH)
 Becerra
 Berkley
 Berman
 Bilbray
 Bishop (GA)
 Blumenauer
 Bonamici
 Boren
 Boswell
 Brady (PA)
 Braley (IA)
 Brown (FL)
 Buchshon
 Buerkle
 Capito
 Capps
 Carnahan
 Carney
 Carter
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Cole
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 DeGette
 DeLauro
 Dicks
 Dingell
 Doggett
 Edwards
 Ellison
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fitzpatrick
 Forbes
 Fortenberry
 Foxx
 Fudge
 Garamendi
 Gibbs
 Gonzalez
 Goodlatte
 Granger
 Griffith (VA)
 Grijalva
 Gutierrez
 Hahn
 Hanabusa
 Hanna
 Harper
 Hastings (FL)
 Hastings (WA)
 Hayworth

Heinrich	Matsui	Sanchez, Loretta
Higgins	McCollum	Sarbanes
Himes	McDermott	Schakowsky
Hinchee	McMorris	Schiff
Hinojosa	Rodgers	Schrader
Hirono	McNerney	Schwartz
Hochul	Meeks	Scott (VA)
Holden	Michaud	Scott, David
Holt	Miller (NC)	Serrano
Hoyer	Miller, George	Sewell
Hurt	Moran	Sherman
Israel	Murphy (CT)	Shimkus
Jackson (IL)	Nadler	Shuler
Jackson Lee	Napolitano	Shuster
(TX)	Oliver	Smith (WA)
Johnson (GA)	Owens	Speier
Johnson, E. B.	Pascarell	Stark
Johnson, Sam	Pastor (AZ)	Sutton
Kaptur	Pelosi	Terry
Kildee	Perlmutter	Thompson (CA)
Kind	Peters	Thompson (MS)
Kingston	Peterson	Tiberi
Kissell	Pingree (ME)	Tonko
Lance	Polis	Towns
Langevin	Price (NC)	Van Hollen
Larsen (WA)	Quigley	Velázquez
Larson (CT)	Rahall	Viscosky
LaTourette	Rangel	Walz (MN)
Lee (CA)	Richardson	Wasserman
Levin	Richmond	Schultz
Lewis (GA)	Rigell	Waters
Lipinski	Roby	Watt
Loeback	Ross (AR)	Waxman
Lofgren, Zoe	Roybal-Allard	Wilson (FL)
Lowey	Ruppersberger	Wittman
Luján	Ryan (OH)	Woolsey
Maloney	Sánchez, Linda	Yarmuth
Markey	T.	Young (FL)

NOT VOTING—20

Bachmann	Filner	Paul
Butterfield	Herger	Pence
Cantor	Honda	Reichert
Cardoza	Jones	Rothman (NJ)
Carson (IN)	Kucinich	Rush
Donnelly (IN)	McHenry	Slaughter
Ellmers	Moore	

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 0025

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

Mr. WOLF. Mr. Chairman, I move
that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose;
and the Speaker pro tempore (Mr.
SMITH of Nebraska) having assumed the
chair, Mr. HASTINGS of Washington,
Acting Chair of the Committee of the
Whole House on the state of the Union,
reported that that Committee, having
had under consideration the bill (H.R.
5326) making appropriations for the De-
partments of Commerce and Justice,
Science, and Related Agencies for the
fiscal year ending September 30, 2013,
and for other purposes, had come to no
resolution thereon.

ADJOURNMENT

Mr. HUIZENGA of Michigan. Mr.
Speaker, I move that the House do now
adjourn.

The motion was agreed to; accord-
ingly (at 12 o'clock and 27 minutes
a.m.), under its previous order, the
House adjourned until today, Wednes-
day, May 9, 2012, at 10 a.m. for morn-
ing-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

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

5886. A letter from the Executive Director,
Comptroller of the Currency, transmitting
the Office of Minority and Women Inclu-
sion's annual report for FY 2011; to the Com-
mittee on Financial Services.

5887. A letter from the Chief Counsel, De-
partment of Homeland Security, transmit-
ting the Department's final rule — Final
Flood Elevation Determinations: Randolph
County, Arkansas; [Docket ID: FEMA-2012-
0003] received April 18, 2012, pursuant to 5
U.S.C. 801(a)(1)(A); to the Committee on Fi-
nancial Services.

5888. A letter from the Chief Counsel, De-
partment of Homeland Security, transmit-
ting the Department's final rule — Final
Flood Elevation Determinations: City of
Mandeville, Louisiana; [Docket ID: FEMA-
2012-0003] received May 8, 2012, pursuant to 5
U.S.C. 801(a)(1)(A); to the Committee on Fi-
nancial Services.

5889. A letter from the Director, Public and
Congressional Affairs, National Credit Union
Administration, transmitting the Office of
Minority and Women Inclusion's annual re-
port for 2011; to the Committee on Financial
Services.

5890. A letter from the Director, Office of
Standards, Regulations and Variances, De-
partment of Labor, transmitting the Depart-
ment's final rule — Examinations of Work
Areas in Underground Coal Mines for Viola-
tions of Mandatory Health or Safety Stand-
ards (RIN: 1219-AB75) received April 19, 2012,
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Education and the Workforce.

5891. A letter from the Assistant Secretary,
Legislative Affairs, Department of State,
transmitting notice that the Deputy Sec-
retary has issued the required determination
to waive certain restrictions on the mainte-
nance of a Palestine Liberation Organization
(PLO) Office and on expenditure of PLO
funds for a period of six months; to the Com-
mittee on Foreign Affairs.

5892. A letter from the Assistant Secretary,
Legislative Affairs, Department of State,
transmitting Transmittal No. DDTC 11-137,
pursuant to the reporting requirements of
Section 36(c) of the Arms Export Control
Act; to the Committee on Foreign Affairs.

5893. A letter from the Secretary, Depart-
ment of the Treasury, transmitting as re-
quired by section 401(c) of the National
Emergencies Act, 50 U.S.C. 1641(c), and sec-
tion 204(c) of the International Emergency
Economic Powers Act, 50 U.S.C. 1703(c), and
pursuant to Executive Order 13313 of July 31,
2003, a six-month periodic report on the na-
tional emergency with respect to the sta-
bilization of Iraq that was declared in Execu-
tive Order 13303 of May 22, 2003; to the Com-
mittee on Foreign Affairs.

5894. A letter from the Acting Chief Execu-
tive Officer, Corporation for National and
Community Service, transmitting the Cor-
poration's annual report for FY 2011 prepared
in accordance with the and Federal Em-
ployee Antidiscrimination and Retaliation
Act of 2002 (No FEAR Act); to the Committee
on Oversight and Government Reform.

5895. A letter from the Chairman, Council
of the District of Columbia, transmitting
Transmittal of D.C. ACT 19-350, "Wrongful
Death Temporary Act of 2012"; to the Com-
mittee on Oversight and Government Re-
form.

5896. A letter from the Chairman, Council
of the District of Columbia, transmitting
Transmittal of D.C. ACT 19-349, "Medical
Marijuana Cultivation Center Temporary

Amendment At of 2012"; to the Committee
on Oversight and Government Reform.

5897. A letter from the Chairman, Council
of the District of Columbia, transmitting
Transmittal of D.C. ACT 19-348, "Advisory
Neighborhood Commissions Boundaries Tem-
porary Act of 2012"; to the Committee on
Oversight and Government Reform.

5898. A letter from the Chairman, Council
of the District of Columbia, transmitting
Transmittal of D.C. ACT 19-347, "Fresh
Healthy Mobile Cart Vending Pilot in Under-
served Areas Temporary Amendment Act of
2012"; to the Committee on Oversight and
Government Reform.

5899. A letter from the Chairman, Council
of the District of Columbia, transmitting
Transmittal of D.C. ACT 19-346, "DISB Fin-
gerprint-Based Background Check Author-
ization Act of 2012"; to the Committee on
Oversight and Government Reform.

5900. A letter from the Chairman, Federal
Maritime Commission, transmitting the
Commission's report for fiscal year 2011 on
the amount of acquisitions from entities
that manufacture articles, materials, or sup-
plies outside of the United States; to the
Committee on Oversight and Government
Reform.

5901. A letter from the Senior Procurement
Executive/Deputy Chief Acquisition Officer,
General Services Administration, transmit-
ting the Administration's final rule — Fed-
eral Acquisition Regulation; Biobased Pro-
curements [FAC 2005-58; FAR Case 2010-004;
Item I; Docket 2010-0004, Sequence 2] (RIN:
9000-AM03) received April 19, 2012, pursuant
to 5 U.S.C. 801(a)(1)(A); to the Committee on
Oversight and Government Reform.

5902. A letter from the Senior Procurement
Executive/Deputy Chief Acquisition Officer,
General Services Administration, transmit-
ting the Administration's final rule — Fed-
eral Acquisition Regulation; Representation
Regarding Export of Sensitive Technology to
Iran [FAC 2005-58; FAR Case 2010-018; Item II;
Docket 2010-0018, Sequence 1] (RIN: 9000-
AL91) received April 19, 2012, pursuant to 5
U.S.C. 801(a)(1)(A); to the Committee on
Oversight and Government Reform.

5903. A letter from the Senior Procurement
Executive/Deputy Chief Acquisition Officer,
General Services Administration, transmit-
ting the Administration's final rule — Fed-
eral Acquisition Regulation; Justification
and Approval of Sole-Source 8(a) Contracts
[FAC 2005-58; FAR Case 2009-038; Item III;
Docket 2010-0095, Sequence 1] (RIN: 9000-
AL55) received April 19, 2012, pursuant to 5
U.S.C. 801(a)(1)(A); to the Committee on
Oversight and Government Reform.

5904. A letter from the Senior Procurement
Executive/Deputy Chief Acquisition Officer,
General Services Administration, transmit-
ting the Administration's final rule — Fed-
eral Acquisition Regulation; Federal Acqui-
sition Circular 2005-58; Small Entity Com-
pliance Guide [Docket FAR 2012-0081, Sequence
3] received April 19, 2012, pursuant to 5 U.S.C.
801(a)(1)(A); to the Committee on Oversight
and Government Reform.

5905. A letter from the Chairman, National
Labor Relations Board, transmitting the
Board's FY 2011 Buy American Act report; to
the Committee on Oversight and Govern-
ment Reform.

5906. A letter from the Chief Administra-
tive Officer, transmitting the quarterly re-
port of receipts and expenditures of appro-
priations and other funds for the period Jan-
uary 1, 2012 through March 31, 2012 as com-
piled by the Chief Administrative Officer,
pursuant to 2 U.S.C. 104a Public Law 88-454;
(H. Doc. No. 112-106); to the Committee on
House Administration and ordered to be
printed.

5907. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery; Economic Data Collection; Correction [Docket No.: 110207103-2041-02] (RIN: 0648-BA80) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5908. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XB070) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5909. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment for the South Atlantic [Docket No.: 100812345-2142-03] (RIN: 0648-AY73) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5910. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Interim Action [Docket No.: 120316196-2195-01] (RIN: 0648-BB89) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5911. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2012 and 2013 Harvest Specifications for Groundfish [Docket No.: 111207737-2141-02] (RIN: 0648-XA711) received April 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5912. A letter from the Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLO Order No.: 009-2012] received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5913. A letter from the Clerk, United States Court of Appeals for the First Circuit, transmitting the judicial opinion of the United States Court of Appeals for the First Circuit for *Lawson v. FMR, et al.*, No. 10-2240; to the Committee on the Judiciary.

5914. A letter from the Secretary, Department of Transportation, transmitting the Department's 2012 annual report on recommendations made by the Intelligent Transportation Systems Program Advisory Committee; to the Committee on Transportation and Infrastructure.

5915. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — Locomotive Safety Standards [Docket No.: FR-2009-0095; Notice No. 3] (RIN: 2130-AC16) received April 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5916. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Memorandum of Understanding between the United States and the Government of the Republic of Bolivia concerning the imposition of import restrictions on archaeological material from the pre-Columbian cultures and certain ethnological material from the colonial and republican periods of Bolivia, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

5917. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — National Forest System Land Management Planning (RIN: 0596-AD02) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Natural Resources and Agriculture.

5918. A letter from the Assistant Secretary, Department of Defense, transmitting an additional legislative proposal that the Department of Defense requests to be enacted during the second session of the 112th Congress; jointly to the Committees on Rules, Energy and Commerce, Transportation and Infrastructure, Armed Services, Foreign Affairs, Ways and Means, the Judiciary, Financial Services, Oversight and Government Reform, and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Kentucky: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2013 (Rept. 112-465). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 2764. A bill to amend the Homeland Security Act of 2002 to establish weapons of mass destruction intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; with an amendment (Rept. 112-466). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 3140. A bill to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to prioritize the assignment of officers and analysts to certain State and urban area fusion centers to enhance the security of mass transit systems (Rept. 112-467). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 2179. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organizations, Incorporated, and for other purposes; with an amendment (Rept. 112-468). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PASCRELL (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 5542. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself and Mr. MCDERMOTT):

H.R. 5543. A bill to amend the Social Security Act to expand the authority of the Secretary of the Treasury to access the National Directory of New Hires for purposes of tax administration; to the Committee on Ways and Means.

By Mr. CRAVAACK:

H.R. 5544. A bill to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Mr. GARAMENDI, and Ms. WOOLSEY):

H.R. 5545. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. BACA:

H.R. 5546. A bill to amend the Elementary and Secondary Education Act of 1965 to provide States and high-need local educational agencies with flexibility in using Federal funds provided under such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BENISHEK:

H.R. 5547. A bill to suspend temporarily the duty on 4-AcetyltoLuene; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 5548. A bill to suspend temporarily the duty on 2,3-Dichloro-5,6-dicyano-1,4-benzoquinone; to the Committee on Ways and Means.

By Mr. BENISHEK:

H.R. 5549. A bill to suspend temporarily the duty on recombinant staphylococcal protein A (56kDa); to the Committee on Ways and Means.

By Mr. BILBRAY:

H.R. 5550. A bill to extend the temporary suspension of duty on liquid crystal display (LCD) panel assemblies; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5551. A bill to reduce temporarily the duty on golf club driver heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5552. A bill to suspend temporarily the duty on fairway wood heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5553. A bill to reduce temporarily the duty on golf club iron heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5554. A bill to reduce temporarily the duty on golf club putter heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5555. A bill to reduce temporarily the duty on golf wedge club heads; to the Committee on Ways and Means.

By Mr. BILBRAY (for himself and Mr. NEAL):

H.R. 5556. A bill to suspend temporarily the duty on hybrid golf club heads; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5557. A bill to reduce temporarily the rate of duty on certain girls' shorts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5558. A bill to reduce temporarily the rate of duty on certain girls' trousers and breeches; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5559. A bill to reduce temporarily the rate of duty on certain footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5560. A bill to suspend temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5561. A bill to suspend temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5562. A bill to reduce temporarily the rate of duty on certain sports footwear; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5563. A bill to reduce temporarily the rate of duty on certain boys' shirts; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 5564. A bill to suspend temporarily the rate of duty on certain footwear; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 5565. A bill to suspend temporarily the duty on mixtures containing Imidacloprid and Cyfluthrin or its β -Cyfluthrin isomer; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself, Mr. PIERLUISI, Ms. BORDALLO, Mr. SABLAN, and Mr. FALEOMAVAEGA):

H.R. 5566. A bill to amend title XIX of the Social Security Act to increase the Federal medical assistance percentage for the territories; to the Committee on Energy and Commerce.

By Mrs. CHRISTENSEN:

H.R. 5567. A bill to designate the facility of the United States Postal Service located at 4605 Tutu Park Mall in St. Thomas, United States Virgin Islands, as the "Kenneth Leslie Harmon Post Office"; to the Committee on Oversight and Government Reform.

By Mr. CLAY:

H.R. 5568. A bill to extend the temporary suspension of duty on p-cresidinesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5569. A bill to extend the temporary suspension of duty on N-ethyl-N-(3-sulfobenzyl)aniline (3-[(ethylphenylamino)methyl]-benzenesulfonic acid); to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5570. A bill to extend the temporary suspension of duty on synthetic indigo powder, (3H-indol-3-one, 2-(1,3-dihydro-3-oxo-2H-indol-2-ylidene)-1,2-dihydro-); to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5571. A bill to extend the temporary suspension of duty on 2-methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5572. A bill to extend the temporary suspension of duty on 2,4-

disulfobenzaldehyde; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5573. A bill to extend the temporary suspension of duty on 2-amino-5-sulfobenzoic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5574. A bill to extend the temporary suspension of duty on 2,5-bis[(1,3-dioxobutyl)amino]benzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5575. A bill to extend the temporary suspension of duty on Direct Yellow 119; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5576. A bill to extend the temporary suspension of duty on 2-amino-6-nitrophenol-4-sulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5577. A bill to extend the temporary suspension of duty on 4-[(4-aminophenyl)azo]benzenesulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5578. A bill to extend the temporary suspension of duty on Basic Yellow 40 chloride based; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5579. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5580. A bill to suspend temporarily the duty on synthetic and natural beta carotenes; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5581. A bill to suspend temporarily the duty on chlorophyllin; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5582. A bill to suspend temporarily the duty on Basic Red 51; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5583. A bill to suspend temporarily the duty on 2-Aminotoluene-5-sulfonic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5584. A bill to suspend temporarily the duty on 2,6-Xylidine; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5585. A bill to suspend temporarily the duty on 4-Aminobenzoic acid; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5586. A bill to suspend temporarily the duty on Solvent Violet 13; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5587. A bill to suspend temporarily the duty on Solvent Violet 11; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5588. A bill to suspend temporarily the duty on 2-Amino-3-cyano thiophene; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5589. A bill to suspend temporarily the duty on Disperse Yellow 241; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 5590. A bill to suspend temporarily the duty on Disperse Blue 359; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 5591. A bill to modify and extend the temporary reduction of duty on β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 5592. A bill to suspend temporarily the duty on mixtures containing β -cyfluthrin; to the Committee on Ways and Means.

By Mr. CONYERS:

H.R. 5593. A bill to provide a remedy for survivors and descendants of the victims of

the Tulsa, Oklahoma Race Riot of 1921; to the Committee on the Judiciary.

By Mr. ELLISON:

H.R. 5594. A bill to suspend temporarily the duty on plastic mesh for filters; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5595. A bill to suspend temporarily the duty on plastic mesh for filters (high flow); to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5596. A bill to extend the temporary suspension of duty on Perfluorobutanesulfonyl fluoride; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5597. A bill to extend the temporary suspension of duty on C1-3 Perfluoroalkyl perfluoromorpholine; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5598. A bill to extend the temporary suspension of duty on mixtures of C5-18 perfluorocarbon alkanes, perfluorocarbon amines, and/or perfluorocarbon ethers; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5599. A bill to extend the temporary suspension of duty on C5-8 Perfluorocarbonalkanes; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5600. A bill to suspend temporarily the rate of duty on Encapsulated Ascorbic Acid; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5601. A bill to suspend temporarily the rate of duty on Encapsulated Potassium Persulfate; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5602. A bill to suspend temporarily the rate of duty on Bisphenol A Bis(3-methacryloyloxypropyl)ether substituted dimethacrylate; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5603. A bill to suspend temporarily the rate of duty on Copoly(acrylic acid/itaconic acid); to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5604. A bill to suspend temporarily the rate of duty on certain polycrystalline fibers designed for use in pollution control devices for motor vehicles; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5605. A bill to suspend temporarily the rate of duty on certain catalytic converter mounting and thermal insulation mats; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5606. A bill to suspend temporarily the rate of duty on certain children's wallets; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5607. A bill to suspend temporarily the rate of duty on certain bamboo baskets; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5608. A bill to suspend temporarily the rate of duty on certain bamboo kitchen devices; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5609. A bill to suspend temporarily the duty on certain electric wine bottle openers; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5610. A bill to suspend temporarily the duty on certain coupon holders; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5611. A bill to suspend temporarily the duty on certain swimming pools; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5612. A bill to extend the temporary suspension of duty on certain plastic fittings

of perfluoroalkoxy; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5613. A bill to suspend temporarily the duty on cellular plastic sheets for nano-retention filters; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5614. A bill to suspend temporarily the duty on cellular plastic sheets for micron-retention filters; to the Committee on Ways and Means.

By Mr. HIMES (for himself and Mr. MURPHY of Connecticut):

H.R. 5615. A bill to amend title 4 of the United States Code to limit the extent to which States may tax the compensation earned by nonresident telecommuters; to the Committee on the Judiciary.

By Ms. JENKINS:

H.R. 5616. A bill to extend the temporary suspension of duty on certain turn or turned footwear with outer soles of leather and uppers of leather; to the Committee on Ways and Means.

By Ms. JENKINS:

H.R. 5617. A bill to extend the temporary reduction of duty on certain footwear with uppers of vegetable fibers; to the Committee on Ways and Means.

By Ms. JENKINS:

H.R. 5618. A bill to extend the temporary suspension of duty on certain work footwear for women; to the Committee on Ways and Means.

By Ms. JENKINS:

H.R. 5619. A bill to extend the temporary reduction of duty on certain footwear with uppers of vegetable fibers; to the Committee on Ways and Means.

By Mr. KIND:

H.R. 5620. A bill to authorize the Secretary of Defense to provide funding assistance to State training centers certified by the Federal Emergency Management Agency as capable of providing emergency response training; to the Committee on Armed Services.

By Mr. LATHAM:

H.R. 5621. A bill to suspend temporarily the duty on Fosamine; to the Committee on Ways and Means.

By Mr. LATHAM:

H.R. 5622. A bill to suspend temporarily the duty on Captan; to the Committee on Ways and Means.

By Mr. LATHAM:

H.R. 5623. A bill to suspend temporarily the duty on parts of gearing, gear boxes, and other speed changers; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS:

H.R. 5624. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, to amend title III of the Public Health Service Act to extend discounts under the 340B program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Connecticut:

H.R. 5625. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Commerce.

By Mr. MURPHY of Connecticut:

H.R. 5626. A bill to authorize the Secretary of the Interior to make grants to facilitate certain acquisitions of property for conservation purposes, and for other purposes; to the Committee on Natural Resources.

By Mr. PAUL:

H.R. 5627. A bill to extend the temporary suspension of duty on lutetium oxide; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 5628. A bill to extend the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 5629. A bill to extend the temporary suspension of duty on cerium sulfide pigments; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself, Mr. MCDERMOTT, Mr. BOUSTANY, and Mr. LEWIS of Georgia):

H.R. 5630. A bill to amend the Internal Revenue Code of 1986 to provide an increased penalty in certain cases of fraudulent understatement of a taxpayer's liability by a tax return preparer; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 5631. A bill to suspend temporarily the duty on certain rolling travel bags with a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 5632. A bill to suspend temporarily the duty on certain rolling travel bags without a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 5633. A bill to suspend temporarily the duty on certain rolling backpacks with a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 5634. A bill to suspend temporarily the duty on certain rolling backpacks without a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 5635. A bill to suspend temporarily the duty on certain rolling duffel bags with a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 5636. A bill to suspend temporarily the duty on certain rolling duffel bags without a removable backpack or daypack; to the Committee on Ways and Means.

By Mr. TOWNS:

H.R. 5637. A bill to extend the temporary suspension of duty on certain golf bags; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ:

H.R. 5638. A bill to direct the Secretary concerned to develop and implement policies and procedures to prevent and respond to hazing in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. GOSAR:

H.R. 5639. A bill to reduce temporarily the duty on Hexythiazox Technical; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 5640. A bill to extend the temporary suspension of duty on Pyridaben Technical; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 5641. A bill to suspend temporarily the duty on Eptam Technical; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 5642. A bill to suspend temporarily the duty on mixtures containing Fenazaquin; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 5643. A bill to suspend temporarily the duty on Imidan Technical; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 5644. A bill to suspend temporarily the duty on Zoxamide; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 5645. A bill to suspend temporarily the duty on mixtures containing Azadirachtin A; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan (for himself, Mrs. HARTZLER, Mrs. ELLMERS, Mr. BOREN, and Mrs. ROBY):

H.R. 5646. A bill to prohibit funds appropriated for the Department of Homeland Security from being used to pay for an abortion, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mrs. MALONEY, Ms. SPEIER, Mrs. DAVIS of California, Ms. FUDGE, Mr. GEORGE MILLER of California, Mr. HIGGINS, Mr. RANGEL, Mr. JACKSON of Illinois, Mr. GRIJALVA, Mr. ROTHMAN of New Jersey, Ms. LEE of California, Mr. MCDERMOTT, Mrs. CAPPS, Ms. DELAURO, Ms. NORTON, Mr. ENGEL, Ms. SCHAKOWSKY, Ms. HAHN, Mr. CONYERS, Mrs. LOWEY, Mrs. CHRISTENSEN, Ms. MOORE, Mr. FARR, Ms. CHU, Ms. RICHARDSON, Ms. MCCOLLUM, Mr. CROWLEY, Mr. PASCRELL, Mr. HINCHY, Ms. BROWN of Florida, Mr. MORAN, Mr. ACKERMAN, Mr. BOSWELL, Mr. OLVER, Mr. BRADY of Pennsylvania, Mr. CLARKE of Michigan, Ms. WOOLSEY, Mr. LEWIS of Georgia, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. BERMAN, Ms. WATERS, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. MARKEY, Ms. MATSUI, Ms. TSONGAS, Ms. CLARKE of New York, Mr. HINOJOSA, Mr. CARNAHAN, Mr. SHERMAN, Ms. DEGETTE, Ms. SUITON, Mr. LANGEVIN, Mr. BACA, Ms. PINGREE of Maine, Mr. SERRANO, Mr. ELLISON, Mr. KUCINICH, Ms. ESHOO, Mr. LARSEN of Washington, and Ms. SLAUGHTER):

H.R. 5647. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS (for himself and Mr. HARPER):

H.R. 5648. A bill to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting; to the Committee on Energy and Commerce.

By Mr. SCHILLING (for himself, Mr. OWENS, and Mr. MCINTYRE):

H.R. 5649. A bill to amend the Commodity Exchange Act to clarify the exemptions for captive finance companies from the definition of major swap participant and from the swap clearing requirement; to the Committee on Agriculture.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers

granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

[Omitted from the Record of May 7, 2012]

Ms. BONAMICI:

H.R. 5330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

[Submitted May 8, 2012]

By Mr. PASCRELL:

H.R. 5542.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LEWIS of Georgia:

H.R. 5543.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defense and general Welfare of the United States."

By Mr. CRAVAACK:

H.R. 5544.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. THOMPSON of California:

H.R. 5545.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18. The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BACA:

H.R. 5546.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BENISHEK:

H.R. 5547.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. BENISHEK:

H.R. 5548.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. BENISHEK:

H.R. 5549.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

The Congress shall have Power * * * To lay and collect Taxes, Duties, Imposts and Excises,

By Mr. BILBRAY:

H.R. 5550.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties,

Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BILBRAY:

H.R. 5551.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BILBRAY:

H.R. 5552.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BILBRAY:

H.R. 5553.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BILBRAY:

H.R. 5554.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BILBRAY:

H.R. 5555.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BILBRAY:

H.R. 5556.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 1 of the U.S. Constitution which reads that Congress has the power "To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BLUMENAUER:

H.R. 5557.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5558.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5559.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5560.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5561.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5562.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5563.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mr. BLUMENAUER:

H.R. 5564.

Congress has the power to enact this legislation pursuant to the following:

US Constitution, Article I, Section 8.

By Mrs. CAPITO:

H.R. 5565.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (power to lay and collect taxes, duties, impost, and excises)

Article I, Section 8, Clause 18 (necessary and proper clause)

By Mrs. CHRISTENSEN:

H.R. 5566.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution that grants Congress the authority to tax and spend for the general welfare.

By Mrs. CHRISTENSEN:

H.R. 5567.

Congress has the power to enact this legislation pursuant to the following:

"Article I, Section 8, Clause 7 of the Constitution, which provides: The Congress shall have Power To establish Post Offices and post Roads."

By Mr. CLAY:

H.R. 5568.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5569.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5570.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5571.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5572.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CLAY:

H.R. 5573.

Article 1, Section 8, Clause 1
 Article 1, Section 8, Clause 3
 By Mr. ELLISON:
 H.R. 5612.
 Congress has the power to enact this legislation pursuant to the following:
 Article 1, Section 8, Clause 1
 Article 1, Section 8, Clause 3
 By Mr. ELLISON:
 H.R. 5613.
 Congress has the power to enact this legislation pursuant to the following:
 Article 1, Section 8, Clause 1
 Article 1, Section 8, Clause 3
 By Mr. ELLISON:
 H.R. 5614.
 Congress has the power to enact this legislation pursuant to the following:
 Article 1, Section 8, Clause 1
 Article 1, Section 8, Clause 3
 By Mr. HIMES:
 H.R. 5615.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . ."
 By Ms. JENKINS:
 H.R. 5616.
 Congress has the power to enact this legislation pursuant to the following:
 pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
 By Ms. JENKINS:
 H.R. 5617.
 Congress has the power to enact this legislation pursuant to the following:
 Pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
 By Ms. JENKINS:
 H.R. 5618.
 Congress has the power to enact this legislation pursuant to the following:
 pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
 By Ms. JENKINS:
 H.R. 5619.
 Congress has the power to enact this legislation pursuant to the following:
 pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 3 of the United States Constitution.
 By Mr. KIND:
 H.R. 5620.
 Congress has the power to enact this legislation pursuant to the following:
 The constitutional authority on which this bill rests is the power of Congress "to provide for the common Defense", "to raise and support Armies", "to provide and maintain a Navy" and "to make Rules for the Government and Regulation of the land and naval Forces" as enumerated in Article I, section 8 of the United States Constitution.
 By Mr. LATHAM:
 H.R. 5621.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,
 By Mr. LATHAM:
 H.R. 5622.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,
 By Mr. LATHAM:
 H.R. 5623.
 Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises,
 By Mrs. McMORRIS RODGERS:
 H.R. 5624.
 Congress has the power to enact this legislation pursuant to the following:
 The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, clause 3 to regulate Commerce among the several States.
 By Mr. MURPHY of Connecticut:
 H.R. 5625.
 Congress has the power to enact this legislation pursuant to the following:
 Article 1, Section 8.
 By Mr. MURPHY of Connecticut:
 H.R. 5626.
 Congress has the power to enact this legislation pursuant to the following:
 Article 1, Section 8.
 By Mr. PAUL:
 H.R. 5627.
 Congress has the power to enact this legislation pursuant to the following:
 Constitutional Justification: A Bill To extend the temporary suspension of duty on lutetium oxide.
 Justification: This is authorized by Article I, Section 8 of the US Constitution.
 By Mr. PAUL:
 H.R. 5628.
 Congress has the power to enact this legislation pursuant to the following:
 Constitutional Justification: A Bill To extend the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and europium oxide.
 Justification: This is authorized by Article I, Section 8 of the US Constitution.
 By Mr. PAUL:
 H.R. 5629.
 Congress has the power to enact this legislation pursuant to the following:
 Constitutional Justification: A Bill To extend the temporary suspension of duty on cerium sulfide pigments.
 Justification: This is authorized by Article I, Section 8 of the US Constitution.
 By Mr. PAULSEN:
 H.R. 5630.
 Congress has the power to enact this legislation pursuant to the following:
 Article 1 Section 8.
 By Mr. POLIS:
 H.R. 5631.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8 of the United States Constitution
 By Mr. POLIS:
 H.R. 5632.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8 of the United States Constitution
 By Mr. POLIS:
 H.R. 5633.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8 of the United States Constitution
 By Mr. POLIS:
 H.R. 5634.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8 of the United States Constitution
 By Mr. POLIS:
 H.R. 5635.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8 of the United States Constitution
 By Mr. POLIS:
 H.R. 5636.
 Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution
 By Mr. TOWNS:
 H.R. 5637.
 Congress has the power to enact this legislation pursuant to the following:
 This bill is enacted under the constitutional authority of Article I, Section 8, Clause 1.
 By Ms. VELÁZQUEZ:
 H.R. 5638.
 Congress has the power to enact this legislation pursuant to the following:
 Article I, Section 8, Clause 14
 To make Rules for the Government and Regulation of the land and naval Forces.
 By Mr. GOSAR:
 H.R. 5639.
 Congress has the power to enact this legislation pursuant to the following:
 This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."
 By Mr. GOSAR:
 H.R. 5640.
 Congress has the power to enact this legislation pursuant to the following:
 This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."
 By Mr. GOSAR:
 H.R. 5641.
 Congress has the power to enact this legislation pursuant to the following:
 This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."
 By Mr. GOSAR:
 H.R. 5642.
 Congress has the power to enact this legislation pursuant to the following:
 This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."
 By Mr. GOSAR:
 H.R. 5643.
 Congress has the power to enact this legislation pursuant to the following:
 This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to regulate Commerce with foreign nations.
 By Mr. GOSAR:
 H.R. 5644.
 Congress has the power to enact this legislation pursuant to the following:
 This legislation is introduced under the authority of Article 1, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."

By Mr. GOSAR:

H.R. 5645.

Congress has the power to enact this legislation pursuant to the following:

This legislation is introduced under the authority of Article I, Section 8, Clause 1 of the U.S. Constitution, which grants Congress the power to "Lay and collect Taxes, Duties, Imposts and Excises"; and Article I, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to "regulate Commerce with foreign nations."

By Mr. HUIZENGA of Michigan:

H.R. 5646.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8, Clause 1 of the Constitution.

By Mr. NADLER:

H.R. 5647.

Congress has the power to enact this legislation pursuant to the following:

clauses 3 and 18 of section 8 of Article I of the Constitution and section 5 of Amendment XIV to the Constitution.

By Mr. OWENS:

H.R. 5648.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SCHILLING:

H.R. 5649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

ADDITIONAL SPONSORS

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

H.R. 157: Mrs. BLACK, Mr. BONNER, and Mr. CONAWAY.

H.R. 265: Mr. THOMPSON of Mississippi.

H.R. 300: Mr. CLEAVER, Mr. CONNOLLY of Virginia, and Mr. GUTIERREZ.

H.R. 469: Mr. DOYLE.

H.R. 555: Ms. WATERS.

H.R. 610: Mr. ROSKAM.

H.R. 719: Mr. TERRY.

H.R. 808: Mr. RANGEL.

H.R. 860: Mrs. NOEM, Ms. GRANGER, and Mr. HEINRICH.

H.R. 905: Mr. FLORES.

H.R. 930: Mr. OLVER, Mr. BACA, Mr. RANGEL, Mr. MCGOVERN, Mr. BRALEY of Iowa, and Mr. LARSEN of Washington.

H.R. 931: Mr. LANDRY and Mr. BACHUS.

H.R. 972: Mr. WESTMORELAND.

H.R. 1167: Mr. PENCE.

H.R. 1195: Mr. FARENTHOLD.

H.R. 1219: Ms. PINGREE of Maine, Mr. SCHILLING, Mr. MILLER of Florida, and Mr. FARENTHOLD.

H.R. 1236: Mr. CROWLEY.

H.R. 1265: Mr. RICHMOND and Mr. WOMACK.

H.R. 1310: Mr. JOHNSON of Ohio.

H.R. 1327: Mr. KINGSTON, Mr. HANNA, Mr. GUTHRIE, Mr. CLARKE of Michigan, and Mr. HECK.

H.R. 1397: Mr. AL GREEN of Texas.

H.R. 1402: Mr. PRICE of North Carolina.

H.R. 1404: Ms. WATERS.

H.R. 1416: Mr. LANCE and Ms. BONAMICI.

H.R. 1426: Mr. COFFMAN of Colorado and Mr. DEFazio.

H.R. 1474: Mr. LUETKEMEYER and Mr. JOHNSON of Ohio.

H.R. 1509: Mr. COFFMAN of Colorado.

H.R. 1546: Mr. ROGERS of Kentucky.

H.R. 1620: Mr. YOUNG of Alaska.

H.R. 1639: Mr. PASTOR of Arizona, Mr. BURTON of Indiana, and Mr. SCHWEIKERT.

H.R. 1685: Ms. HAHN.

H.R. 1700: Mr. JOHNSON of Ohio.

H.R. 1704: Mr. HOLT, Mr. ROTHMAN of New Jersey, and Mr. WHITFIELD.

H.R. 1733: Mr. DEFazio.

H.R. 1755: Mr. JOHNSON of Ohio.

H.R. 1842: Ms. CLARKE of New York.

H.R. 1936: Mr. HINOJOSA.

H.R. 1956: Mr. FARENTHOLD, Mr. OLSON, Mr. FINCHER, Mr. DUNCAN of Tennessee, Mr. BURGESS, Mr. ALEXANDER, and Mr. FITZPATRICK.

H.R. 2016: Mr. CICILLINE.

H.R. 2020: Mrs. DAVIS of California.

H.R. 2069: Mr. RENACCI.

H.R. 2077: Mr. JOHNSON of Ohio.

H.R. 2086: Mr. STIVERS.

H.R. 2104: Mr. BUCHSON, Mr. SHERMAN, Mr. MARKEY, and Mr. NEAL.

H.R. 2148: Mr. BENISHEK.

H.R. 2168: Mr. CONYERS.

H.R. 2182: Mrs. CHRISTENSEN.

H.R. 2194: Mr. TOWNS.

H.R. 2198: Mr. MCHENRY.

H.R. 2288: Mr. TIERNEY.

H.R. 2353: Mr. JOHNSON of Ohio.

H.R. 2457: Mr. RENACCI.

H.R. 2569: Mr. BUCHSON and Mr. GUTHRIE.

H.R. 2617: Ms. ROYBAL-ALLARD.

H.R. 2679: Ms. MATSUI.

H.R. 2697: Mr. JOHNSON of Ohio.

H.R. 2741: Mr. JOHNSON of Georgia.

H.R. 2787: Mr. HINOJOSA and Mr. DOYLE.

H.R. 2866: Mr. CHANDLER.

H.R. 2969: Mr. MARKEY, Ms. CHU, Mr. ACKERMAN, and Ms. HAHN.

H.R. 3000: Mr. SCOTT of South Carolina.

H.R. 3032: Mr. BRALEY of Iowa and Mr. SHUSTER.

H.R. 3059: Mr. HUIZENGA of Michigan.

H.R. 3066: Mr. STEARNS.

H.R. 3086: Mr. TONKO.

H.R. 3125: Mrs. CAPPS and Ms. BASS of California.

H.R. 3199: Mr. WESTMORELAND.

H.R. 3236: Mr. KISSELL and Mr. GIBSON.

H.R. 3252: Mr. GRIMM.

H.R. 3288: Mr. LARSEN of Washington.

H.R. 3324: Mr. CARNAHAN.

H.R. 3364: Ms. BALDWIN and Ms. ROYBAL-ALLARD.

H.R. 3367: Ms. SLAUGHTER.

H.R. 3395: Mr. PLATTS and Mr. BRADY of Pennsylvania.

H.R. 3418: Mr. MATHESON.

H.R. 3481: Mr. CRAWFORD.

H.R. 3487: Mr. TIPTON, Mr. PEARCE, Mr. MILLER of Florida, Mr. WALBERG, and Mrs. BONO MACK.

H.R. 3489: Mr. BARROW.

H.R. 3586: Mr. CRAVAACK.

H.R. 3591: Mr. RYAN of Ohio, Mr. HIGGINS, Mr. SCHRADER, and Mr. KING of New York.

H.R. 3596: Mr. WATT.

H.R. 3605: Mr. BERMAN and Mr. SHERMAN.

H.R. 3627: Mr. HANNA, Mr. GONZALEZ, Mr. RUPPERSBERGER, Mr. RUSH, and Mr. REHBURG.

H.R. 3634: Mr. JOHNSON of Ohio.

H.R. 3643: Mr. WALSH of Illinois.

H.R. 3665: Ms. WOOLSEY and Mr. MICHAUD.

H.R. 3670: Mr. SPUTZMAN.

H.R. 3785: Mr. POSEY.

H.R. 3808: Mr. KING of New York.

H.R. 3828: Mrs. BLACK.

H.R. 3831: Mr. ROTHMAN of New Jersey.

H.R. 3848: Mr. GRAVES of Missouri, Mr. MULVANEY, and Mr. NUNNELEE.

H.R. 3849: Mr. KLINE.

H.R. 3863: Mr. COLE.

H.R. 3895: Mr. HANNA.

H.R. 3905: Ms. KAPTUR.

H.R. 3914: Mr. TONKO.

H.R. 4005: Mr. POE of Texas.

H.R. 4057: Ms. PINGREE of Maine, Mr. HIGGINS, Mr. CASSIDY, and Mr. LIPINSKI.

H.R. 4066: Mr. NEAL.

H.R. 4087: Mr. PRICE of North Carolina and Mr. MCGOVERN.

H.R. 4091: Mr. STIVERS.

H.R. 4093: Mr. SCHWEIKERT, Ms. JENKINS, and Mr. CONAWAY.

H.R. 4104: Mr. HANNA, Mr. RUNYAN, Mr. MCCARTHY of California, Mr. JOHNSON of Ohio, Ms. RICHARDSON, Mr. DREIER, Mr. COBLE, Mr. BERG, Mr. SAM JOHNSON of Texas, Mr. CAMP, Mr. GOWDY, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mr. BARTLETT, Mrs. BONO MACK, Mr. BONNER, Mr. CARTER, Mrs. BLACKBURN, Mr. GERLACH, Mr. BARLETTA, Ms. KAPTUR, Mrs. SCHMIDT, and Mr. CHABOT.

H.R. 4124: Mr. KING of New York.

H.R. 4125: Mr. YOUNG of Florida.

H.R. 4128: Mr. HURT.

H.R. 4132: Mr. DEUTCH, Mr. HASTINGS of Florida, and Mr. PLATTS.

H.R. 4133: Mr. KINZINGER of Illinois, Mr. ISSA, Mr. BRALEY of Iowa, Mr. GRIFFITH of Virginia, Ms. HOCHUL, Mr. HUNTER, Mr. PALAZZO, Mr. PITTS, Mrs. ROBY, Mr. ROYCE, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. VELÁZQUEZ, Mr. NEUGEBAUER, Mr. LATHAM, and Mr. CUMMINGS.

H.R. 4134: Mr. ALEXANDER.

H.R. 4155: Mr. BENISHEK.

H.R. 4156: Mr. CASSIDY, Mr. KING of New York, Mr. FILNER, Mr. MCGOVERN, Mr. MULVANEY, Mr. TONKO, Mr. COBLE, Mr. WELCH, and Mr. DOYLE.

H.R. 4157: Mr. MCCOTTER, Mr. DUFFY, Mr. COSTA, Mr. MARINO, and Mr. CONAWAY.

H.R. 4160: Mr. SCOTT of South Carolina.

H.R. 4165: Mr. GUTIERREZ, Mr. GERLACH, Mr. JOHNSON of Georgia, and Mr. NUNES.

H.R. 4169: Mr. JOHNSON of Georgia.

H.R. 4192: Mr. MILLER of North Carolina, Mr. MEEKS, Ms. MATSUI, and Mr. RICHMOND.

H.R. 4199: Ms. CHU.

H.R. 4201: Mr. FLORES, Mr. GARAMENDI, and Mrs. BLACK.

H.R. 4212: Mr. BONNER.

H.R. 4215: Mr. BRALEY of Iowa, Ms. SCHAKOWSKY, and Mr. HINOJOSA.

H.R. 4229: Mr. TONKO, Mr. CRITZ, Mr. CARNAHAN, Mr. DINGELL, Mr. ROSKAM, Mr. RUPPERSBERGER, and Mr. JOHNSON of Ohio.

H.R. 4256: Mr. GOODLATTE.

H.R. 4268: Mr. PAUL.

H.R. 4271: Mr. CARNAHAN, Mr. CLARKE of Michigan, Ms. CHU, Mr. McDERMOTT, Ms. SCHAKOWSKY, Mr. QUIGLEY and Mr. CARNEY.

H.R. 4273: Mr. LANKFORD, Mr. BARROW, Mr. WHITFIELD, and Mr. POMPEO.

H.R. 4278: Mr. DENHAM, Mr. PETERSON, Mr. LUETKEMEYER, and Mr. LATHAM.

H.R. 4290: Mr. FILNER and Mr. CICILLINE.

H.R. 4292: Mr. HIGGINS, Mr. LYNCH, and Mr. RAHALL.

H.R. 4296: Mr. MCGOVERN, Mr. WITTMAN, and Mr. LATHAM.

H.R. 4302: Ms. HAHN.

H.R. 4322: Mr. TERRY and Mr. LATTA.

H.R. 4350: Mr. ACKERMAN, Mr. HONDA, Mr. HINCHEY, Mr. CAPUANO, Mr. CONNOLLY of Virginia, and Mr. CARSON of Indiana.

H.R. 4377: Mr. AMODEI.

H.R. 4405: Mr. HERGER and Mr. SCHOCK.

H.R. 4454: Mr. LATTA and Mr. DESJARLAIS.

H.R. 4470: Mrs. DAVIS of California, Mr. SERRANO, Ms. HAHN, Ms. WOOLSEY, and Mr. FILNER.

H.R. 4471: Mr. OLSON.

H.R. 4607: Mr. GRIFFIN of Arkansas.

H.R. 4631: Mr. LOEBACK, Mr. BURGESS, Mr. LANDRY, and Mr. LUETKEMEYER.

H.R. 4643: Mr. ROSKAM.

H.R. 4740: Mr. JONES.

H.R. 4970: Mr. TIPTON and Mr. TERRY.

H.R. 4972: Ms. BORDALLO, Mr. MORAN, Mr. GRIJALVA, and Ms. NORTON.

H.R. 4979: Ms. MOORE.

H.R. 4982: Mr. COLE.

H.R. 4983: Mr. BARLETTA.

H.R. 4984: Mr. BARLETTA.
 H.R. 4985: Mr. BARLETTA.
 H.R. 5050: Mr. TOWNS and Ms. PINGREE of Maine.
 H.R. 5195: Mr. MCGOVERN, Mr. REYES, Mrs. MALONEY, Ms. RICHARDSON, Mr. CONNOLLY of Virginia, and Mr. COSTELLO.
 H.R. 5284: Mr. BRALEY of Iowa.
 H.R. 5303: Mr. SIRES, Mr. JOHNSON of Ohio, Mr. ISRAEL, and Mr. HIGGINS.
 H.R. 5321: Mrs. BLACKBURN.
 H.R. 5331: Mrs. NAPOLITANO.
 H.R. 5512: Mr. CARNAHAN.
 H. J. Res. 90: Mr. BISHOP of Georgia and Ms. WOOLSEY.
 H. Con. Res. 87: Mr. CRAVAACK.
 H. Con. Res. 122: Mr. PITTS and Mr. BURTON of Indiana.
 H. Res. 220: Ms. RICHARDSON.
 H. Res. 298: Mr. GONZALEZ, Ms. NORTON, Ms. WASSERMAN SCHULTZ, and Mr. BARROW.
 H. Res. 490: Mr. ROONEY and Mr. SCHOCK.
 H. Res. 568: Mr. BRADY of Pennsylvania, Mr. HASTINGS of Washington, Mr. PETRI, Mr. QUAYLE, Ms. VELÁZQUEZ, Mr. GRIFFITH of Virginia, and Mr. HUNTER.
 H. Res. 589: Mr. HOLT.
 H. Res. 606: Mr. ROE of Tennessee.
 H. Res. 609: Mr. HIMES, Ms. SCHAKOWSKY, and Mr. WOLF.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5326

OFFERED BY: MR. POE OF TEXAS

AMENDMENT No. 14: At the end of the bill (before the short title), insert the following:
 SEC. _____. None of the funds made available in this Act may be used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey.

H.R. 5326

OFFERED BY: MRS. BLACK

AMENDMENT No. 15: At the end of the bill (before the short title), insert the following:
 SEC. _____. None of the funds made available by this Act may be used by the Attorney General to participate in any lawsuit that seeks to overturn, enjoin, or in any other way invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

H.R. 5326

OFFERED BY: MR. GOWDY

AMENDMENT No. 16: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to enforce section 221(a) of title 13, United States Code, with respect to the American Community Survey.

H.R. 5326

OFFERED BY: MR. GOWDY

AMENDMENT No. 16: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to enforce section 221 of title 13, United States Code, with respect to the American Community Survey.

H.R. 5326

OFFERED BY: MS. CLARKE OF NEW YORK

AMENDMENT No. 17: Page 6, line 18, after the dollar amount, insert “(increased by \$5,311,000)”.

Page 11, line 11, after the dollar amount, insert “(reduced by \$5,311,000)”.

H.R. 5326

OFFERED BY: MR. WALSH OF ILLINOIS

AMENDMENT No. 18: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading “Department of Justice—State and Local Law Enforcement Activities—Office of Justice Programs—State and Local Law Enforcement Assistance” may be made available to any State or local government that violates section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

H.R. 5326

OFFERED BY: MR. PETERS

AMENDMENT No. 19: Page 3, line 10, after the dollar amount, insert “(increased by \$9,000,000)”.

Page 65, line 1, after the dollar amount, insert “(reduced by \$17,000,000)”.

Page 76, line 16, after the first dollar amount, insert “(increased by \$1,790,000)”.

H.R. 5326

OFFERED BY: MR. GRIMM

AMENDMENT No. 20: Page 42, line 3, after the dollar amount, insert “(increased by \$18,000,000)”.

Page 42, line 12, after the dollar amount, insert “(increased by \$18,000,000)”.

Page 13, line 2, after the dollar amount, insert “(reduced by \$18,000,000)”.

Page 13, line 14, after the dollar amount, insert “(reduced by \$18,000,000)”.

Page 13, line 15, after the dollar amount, insert “(reduced by \$18,000,000)”.

H.R. 5326

OFFERED BY: MR. CICILLINE

AMENDMENT No. 21: Page 5, line 17, strike “grants” and insert “grants, including grants authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722)”.

H.R. 5326

OFFERED BY: MS. HANABUSA

AMENDMENT No. 22: Page 13, line 2, after the dollar amount insert “(increased by \$1,600,000)”.

Page 32, line 4, after the dollar amount insert “(reduced by \$1,900,000)”.

H.R. 5326

OFFERED BY: MRS. BLACK

AMENDMENT No. 23: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate—

(1) Oklahoma Taxpayer and Citizen Protection Act of 2007 (HB 1804), which became effective on November 1, 2007;

(2) Missouri House Bill 390, First Regular Session 2009, 9th General Assembly, which became effective on August 28, 2009;

(3) the Support Our Law Enforcement and Safe Neighborhoods Act (SB 1070), which was signed into law in Arizona on April 23, 2010;

(4) The Illegal Immigration Enforcement Act (HB 497), which was signed into law in Utah on March 15, 2011;

(5) Indiana Senate Enrolled Act No. 590, First Regular Session, 117th General Assembly (2011), which was signed into law on May 10, 2011;

(6) the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (HB 56), which was passed by the Alabama State legislature on June 9, 2011;

(7) South Carolina Act No. 69 (SB 20), which was signed into law on June 27, 2011;

(8) the Illegal Immigration Reform and Enforcement Act of 2011 (HB 87), which became effective in the State of Georgia on July 1, 2011; or

(9) an Act to amend the Indiana Code concerning education (HB 1402), which became effective in the State of Indiana on July 1, 2011.

H.R. 5326

OFFERED BY: MR. HUELSKAMP

AMENDMENT No. 24: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act, may be used in contravention of the Defense of Marriage Act (Public Law 104-199).

H.R. 5326

OFFERED BY: MR. HUELSKAMP

AMENDMENT No. 25: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act, may be used to oppose in court any provision of Public Law 104-199.

H.R. 5326

OFFERED BY: MR. DENHAM

AMENDMENT No. 26: At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement section 10011(b) of Public Law 111-11.

H.R. 5326

OFFERED BY: MR. DENHAM

AMENDMENT No. 27: At the end of the bill (before the spending reduction account) insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 541. None of the funds made available by this Act may be used to provide services from or for the Executive Office for United States Attorneys (including the offices of United States attorneys), the United States Marshals Service, or employees of the Department of Justice, to carry out activities located at a newly constructed Federal courthouse located on a site between Broadway, Hill, First, and Second Streets in Los Angeles, California.

H.R. 5326

OFFERED BY: MR. ENGEL

AMENDMENT No. 28: At the end of the bill (before the short title), insert the following:

SEC. 542. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

H.R. 5326

OFFERED BY: MR. JOHNSON OF GEORGIA

AMENDMENT No. 29: Page 65, line 1, insert “(reduced by \$26,000,000)” after the dollar amount.

Page 73, line 17, insert “(increased by \$7,143,000)” after the dollar amount.

H.R. 5326

OFFERED BY: MR. JONES

AMENDMENT No. 30: Page 101, after line 10, insert the following new section:

SEC. 542. None of the funds made available by this Act may be used by the National Oceanic and Atmospheric Administration for magicians or comedians.

H.R. 5326

OFFERED BY: MR. JONES

AMENDMENT No. 31: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to develop or approve a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

H.R. 5326

OFFERED BY: MR. GARDNER

AMENDMENT No. 32: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Commerce who uses amounts in the Fisheries Enforcement Asset Forfeiture Fund of the National Oceanic and Atmospheric Administration that consists of the sums described in section 311(e)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(e)(1)) for any purpose other than a purpose specifically authorized under such section.

H.R. 5326

OFFERED BY: MR. GARDNER

AMENDMENT No. 33: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to deduct from the pay of Federal employees amounts for the payment of dues for a labor organization.

H.R. 5326

OFFERED BY: MR. HUIZENGA OF MICHIGAN

AMENDMENT No. 34: Strike section 212.

H.R. 5326

OFFERED BY: MR. AUSTIN SCOTT OF GEORGIA

AMENDMENT No. 35: Page 74, lines 13 through 19, after each dollar amount, insert “(reduced to \$0)”.

Page 101, line 10, after the dollar amount, insert “(increased by \$328,000,000)”.

H.R. 5326

OFFERED BY: MR. CHAFFETZ

AMENDMENT No. 36: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for the purpose of implementing section 36.302(c)(9) of title 28, Code of Federal Regulations.

H.R. 5326

OFFERED BY: MR. DUNCAN OF SOUTH CAROLINA

AMENDMENT No. 37: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Depart-

ment of Justice or any other Federal agency to litigate the case *United States of America v. The State of South Carolina and Nikki R. Haley* (Civil Action No. 2:11-cv-02958-RMG), regarding Act No. 69, as enacted by the State of South Carolina on June 27, 2011.

H.R. 5326

OFFERED BY: MR. DUNCAN

AMENDMENT No. 38: At the end of the bill (and before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used to litigate against any of the several States on behalf of the National Labor Relations Board pertaining to secret ballot union elections.

H.R. 5326

OFFERED BY: MR. SOUTHERLAND

AMENDMENT No. 39: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to develop, approve, or implement a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) that are not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council.

H.R. 5326

OFFERED BY: MR. SCALISE

AMENDMENT No. 40: At the end of the bill (before the short title) insert the following:

SEC. 542. None of the funds made available by this Act may be used may be used to implement, administer, or enforce the Equal Employment Opportunity Commission (EEOC) Enforcement Guidance Number 915.002 concerning “Consideration of arrest and conviction records in employment decisions”.

H.R. 5326

OFFERED BY: MS. WILSON OF FLORIDA

AMENDMENT No. 41: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by title II of this Act shall be available to any State that has in effect laws or policies that provide immunity from criminal prosecution or civil action, rather than making a defense available, to an individual who was a participant in an event involving the use of lethal force.

H.R. 5326

OFFERED BY: MR. LANKFORD

AMENDMENT No. 42: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to administer the survey, conducted by the Secretary of Commerce, commonly referred to as the “American Community Survey”.

H.R. 5326

OFFERED BY: MR. SCHWEIKERT

AMENDMENT No. 43: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used by the Department of Justice to bring any action against any State for implementation of [a State law requiring voter identification].

H.R. 5326

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 44: At the end of the bill (before the short title), insert the following:

SEC. _____. The amounts otherwise provided by this Act for the Department of Justice are revised by reducing the amount made available for “Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses”, and increasing the amount made available for “Office of Justice Programs—State and Local Law Enforcement Assistance” (and the amount specified under such heading for DNA-related and forensic program activities and, within such specified amount, the amount further specified for section 2 of the DNA Analysis Backlog Elimination Act of 2000), by \$34,000,000.

H.R. 5326

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 45: At the end of the bill, before the short title, insert the following:

Section ____, Expressing the Sense of Congress that the Department of Justice Division of Civil Rights requires the appropriate funding to ensure that it can continue to serve its purpose especially at a time when there have been increases in the need for the Division to investigate, litigate and provided outreach to those whose civil rights have been violated.

Whereas, the Division of Civil Rights was created to enforce the Civil Rights Act.

Whereas, the Civil Rights Division is a vital resource to protect our civil rights. They investigate and litigate discrimination in lending and foreclosures.

Whereas, the need for strong federal enforcement has increased in recent years with the disproportionate targeting of minorities for subprime mortgages and other discriminatory practices.

Whereas, the Civil Rights Division enforces voting rights which is one of the most important areas of Civil Rights Division’s responsibilities.

Whereas, The Civil Rights Division review the thousands of submissions made each year by state and local jurisdictions seeking administrative preclearance for election-related changes as required by the Voting Rights Act.

Whereas, The Civil Rights Division has a duty to representing the Attorney General in these types of lawsuits, and to enforce the federal voting rights statutes that are aimed at guaranteeing American voters the opportunity to participate equally in fair and open elections free from discrimination.

Resolved, That it is the Sense of Congress that the Department of Justice, General Legal Services, under which the Division of Civil Liberties is funded should be funded at FY 10 levels.

H.R. 5326

OFFERED BY: MR. WEBSTER

AMENDMENT No. 46: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to conduct the survey, conducted by the Secretary of Commerce, commonly referred to as the “American Community Survey”.



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No. 64

Senate

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

O Lord, our refuge and strength, You have called our Senators to this place and time. May they be mindful of the responsibility to be faithful stewards of their vocation. Protect them in the hour of temptation so that they will exercise self-control and glorify You. Lord, use their talents and skills to strengthen our Nation and to bless the people of our world. Infuse them with such a spirit of gratitude that they will offer thanks to You by living according to Your will. Remind them that You are with them and will guide them.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A.

COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to the Stop Student Loan Interest Rate Hike Act. The time until noon will be divided between the two parties, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

At noon there will be a cloture vote on the motion to proceed to S. 2343, which is the Stop Student Loan Interest Rate Hike Act. Following that vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings.

MEASURES PLACED ON THE CALENDAR—H.R. 2050, H.R. 2240, H.R. 4628, AND H.R. 4849

Mr. REID. Mr. President, I understand there are four bills at the desk due for a second reading, and I would ask the Chair to move these forward.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

A bill (H.R. 2240) to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

A bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

A bill (H.R. 4849) to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

Mr. REID. Mr. President, I now object to further proceedings with respect to each of these bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

STUDENT LOAN INTEREST RATES

Mr. REID. Mr. President, over the last 2 weeks, Senate Republicans have repeatedly claimed they support efforts to keep interest rates low for Federal student loans. In fact, Presidential nominee Mr. Romney has said the same. There is only one way to prove this, and that is to end the needless filibuster of Democrats' plan to stop rates from doubling this summer.

Democrats have proposed legislation to freeze student loan interest rates at current levels for a year without adding a single penny to the deficit. Our plan adds no new taxes. I repeat, Mr. President: Our plan adds no new taxes. It would simply stop wealthy Americans from avoiding the taxes they already owe. Our legislation would prevent 7 million students from paying \$1,000 more over the life of each of their loans. Yet Republicans appear poised to filibuster this worthy measure. They are sending a clear message they would rather protect wealthy tax dodgers—and that is what they are—than help promising students achieve their dreams of higher education.

Republicans will try to explain away their "no" votes by claiming they oppose the way the legislation is paid for. They propose radical cuts to a preventive health care fund instead—a proposal they know we oppose.

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



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Mr. President, we have already cut that plan to the bare bones. We have used this on other programs to cut and we have done it in the right way. Any fluff that was in that program is gone. Some say we have cut far too much out of it.

The prevention fund is, as we speak, helping States fight chronic illnesses such as heart disease, cancer, stroke, and diabetes. These chronic diseases I have just mentioned are responsible for 7 out of 10 deaths in America today. Imagine, 7 out of 10 deaths are caused from heart disease, cancer, stroke, and diabetes. Yet Republicans want to use this program to pay for the student loan interest rate stabilization—a program that stops these diseases from going forward. It is a preventive program.

These diseases are responsible for three-quarters of the Nation's health care spending. So anything we can do to cut those back is the right thing to do. Common sense indicates we need to be treating those 26 million Americans with diabetes. Around America today there are 26 million people who are taking medicine for diabetes, and it is sad to say that includes a rapidly growing number of children. These 26 million people use up much of our health care delivery system, and diabetes increases the risk of developing other costly, life-threatening, chronic diseases such as heart disease, stroke, kidney failure, and many other maladies that come from simply having diabetes.

This prevention fund the Republicans want to use to pay for this stabilization program for student loans also pays for successful tobacco cessation programs that avert billions of health care costs to treat emphysema, heart disease, and cancer, among others. It finances immunizations for preventable childhood illnesses such as measles and whooping cough.

These diseases are back because there have been too few immunizations. Last year, measles reached a 15-year high in our country. After nearly being wiped out in the 1950s, whooping cough has resurfaced. There have been major articles—I read one—that are stunning. As a kid, I received a whooping cough shot. I hadn't heard of it, but it is back. This is a terrible disease that we now have in America. As I say, it has come back. It produces violent coughs that can go on for as much as 6 months. People can die as a result of coughing so hard. There has been a real bad outbreak of whooping cough in California, and the disease in America has reached its highest rate in 50 years. Yet the Republicans want to cut back on these immunizations. That is not a good idea.

These diseases I have talked about are completely preventable with the proper immunizations the prevention fund supports. Yet Republicans want to axe investments in preventive care that save the country money and save lives. We have already made cuts, as I

have indicated, difficult cuts to this program. We cannot afford to make more drastic cuts that would put Americans' health at risk.

While we do not support Republicans' plan to cut programs that combat diabetes, heart disease, or cancer, we are happy if they want a vote on some alternative. But let us get on this bill. Republicans need to stop filibustering our legislation—in this instance, the Stop Student Loan Interest Rate Hike Act. If they want some other way to pay for it, let us take a look at it. Let them offer it. The stakes are too high to let partisanship get in the way.

The average student graduates with \$25,000 in debt. These young people are running up these loans because they want to, because education is so important in our country. But too many young people are putting off buying a house, starting a family, or opening a business because they are saddled with this crushing student loan debt. We don't need to load that burden even more. Democrats are determined to protect millions of students from increasing interest rates—almost 30,000 in Nevada alone.

If Republicans truly share our goal, they will vote to advance this legislation today.

RECOGNITION OF THE MINORITY LEADER

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

ELECTION YEAR LEGISLATION

Mr. McCONNELL. Mr. President, it is not exactly a State secret that Senate Democrats have turned the floor into an extension of the Obama campaign over the past few months, and that what happens here these days has a lot more to do with what some political consultant out in Chicago thinks is good for the President's reelection than what the American people think would be good for the country as a whole.

Separation of powers notwithstanding, the Democrats' top message man recently admitted Senate Democrats and the White House are "attached at the hip," meaning, of course, the Senate has ceased to be a place where problems are resolved and has become instead a place where Democrats produce campaign material.

Today's vote on student loan rates is a perfect example of this cynical election year strategy in action. Rather than working with Republicans to help young people in this country weather the effects of the Obama economy, Democrats have sought to distract them from it. Never mind the fact that Democratic leaders supported the bill that will cause interest rates on certain college loans to spike on July 1. Never mind the fact that President Obama was so concerned about this issue when this legislation passed he

didn't even show up for the vote. Never mind the fact that Democrats have known this problem was coming for literally years but deliberately waited until 2 months before their temporary fix was due to expire to do anything about it.

Never mind any of that. What matters now for Democrats is they find a way to drive a wedge between Republicans and a constituency they are looking to court ahead of the November elections. That is what today's vote is all about for them.

For Republicans, well, we don't think young people should have to suffer any more than they already are as a result of this President's failure to turn the economy around. We just disagree we should pay for a fix by diverting \$6 billion from Medicare and raising taxes on the very businesses we are counting on to hire these young people.

But as I said, solving the problem isn't what this is about for Senate Democrats and the White House they are coordinating with. Finding a solution to this problem actually isn't difficult at all. What is difficult is getting Democrats to agree to it in an election year. For them, it is about putting the other party on the spot.

Look, Republicans have a solution to this problem. We have asked for a vote on it. Even Senator HARKIN, who opposes our approach, thinks we should at least get that vote. But following the President's lead, Senate Democratic leaders have decided to put the finger of blame instead on us instead of solving the problem—which, of course, is completely ridiculous.

Here we are nearly 3½ years into this President's first term, and he is still blaming his predecessor. He got nearly everything he wanted for 2 years. He borrowed and spent trillions. He took over the student loan industry. He took over health care. He imposed his regulations. It is his economy now. Yet he is still blaming others.

My view is, if you are going to ask the American people to take responsibility for their actions, pay their fair share, and play by the rules, it is time the President led by example and did the same.

Three months ago, the President told the American people that it is time to apply the same rules from top to bottom. The President said: No bailouts, no handouts, and no cop-out. An America built to last, he said, insists on responsibility from everybody. Yet day after day, week after week, what do we get from Democratic leaders in the Senate and from the President himself but more cop-outs.

Here is the real issue behind today's votes. Right now, more than half of college graduates cannot find a decent job. Close to half of them are back at home living with their parents. As a Wall Street Journal article from late last year put it: The U.S. labor market may be in a malaise, but young adults are in a crisis.

The real solution, of course: progrowth policies that make it easier

for U.S. businesses to hire. But in the short term, Republicans are ready to offer temporary relief, just as we did for working Americans early this year by extending the payroll tax holiday.

To pay for this fix, Republicans propose to end an ObamaCare slush fund that Democrats and the President himself have already drawn from to cover other expenses.

This is a pay-for Democrats and the President have already used.

This is perfectly reasonable. It is a solution to a problem both parties want to address. It passed the House with bipartisan support. If Democrats want to solve the problem, they should embrace it too or, at the very least, offer a bipartisan solution of their own. The White House has done neither.

The real enemy of recent college graduates is this President's economic policies. Until Democrats are willing to admit that, we will keep falling behind. And the real losers will be the young people we should be working together on a bipartisan basis to help.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2343, which the clerk will report by title.

The legislative clerk read as follows:

Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Washington.

Mrs. MURRAY. Mr. President, we are here today because unless Congress acts, the interest rate for many of our students—over 100,000 of them in my home State of Washington—is going to double in 55 days.

On July 1, the law we passed that held rates on federally subsidized Stafford loans to 3.4 percent will end, and rates are going to jump overnight to 6.8 percent. That is going to add \$1,000 to the cost of loans for these young people, and it is going to be another huge strain for students and families who are already fighting to afford college and still struggling in this tough economy.

This isn't an abstract issue for me. For me it is very personal. Pell grants

and student loans were what allowed my six brothers and sisters and me to go to college when my dad got sick and had to leave his job. They were what made college affordable for us, and they were what allowed each one of us to pursue careers and give back to our communities. Because our government was there for us, at a very tough time for us, those seven kids in my family grew up to be a firefighter, a lawyer, a computer programmer, a sports writer, a homemaker, a middle-school teacher, and a United States Senator—a pretty good investment by our country. And our family's story is not unique.

In fact, last week I went across my home State of Washington listening to student after student describe the real-life impacts this interest rate hike will have on their livelihood. The *Columbian*, a newspaper in Vancouver, Washington, wrote a story on the roundtable I held last week with local students. As the *Columbian* reported: the rate hike would impact students like Dora Hernandez, a first-generation college student at Washington State University in Vancouver. They reported that: Dora became a mother at the age of 18, 2 months after she graduated from high school. She worked two to three jobs at a time to support herself and her child. It was at one of those jobs working the concession stand on a college campus that inspired her to improve her own life by earning a postsecondary degree. She received some financial aid, but she will still have \$29,000 in student loans to pay back when she graduates this month, she told me, proudly standing right in front of that concession stand she used to work at. She has no job lined up yet. She said:

I was flabbergasted to find out how much student loan debt I've accrued. Honestly, I'm scared. I hope Congress finds a way to keep interest rates on student loans down for students like me.

The *Columbian* also reported the story of Diane Robinson, a 24-year-old single mom who told me she decided to enroll at Clark College after a divorce left her with absolutely nothing. She told me:

I would not be here without the loans. It would be impossible.

Through her tears, Diane told me that she was raised to repay her debts and worries about her looming student loan payments every single day. She said:

If there is an increase on student loan interest rates, it will compromise my quality of life. Repaying the debt I have accrued will be essential for me to have a happy future.

For millions of Americans, affordable college has been the ticket to the middle class. And for millions of small business owners, finding local workers with the education skills they need has been what has allowed them to expand and grow in our communities. We cannot afford to let that slip away. We can't allow access to college to become unattainable for so many of our families. As we all know, college costs are rising too quickly right now anyway.

In fact, since 1985, the cost of a college education has increased by 559 percent because States have had to cut back their support for higher education and operating costs have increased. Student loan debt has spiked, and for the first time in U.S. history, the national student debt burden has surpassed \$1 trillion. That is more than the total amount of credit card debt.

So the last thing our students right now need—the very last thing—is for interest rates on this critical loan program to double. We cannot afford to allow that to happen. At a time when mortgage rates are under 4 percent, we should be doing everything possible to keep rates low for students today. In fact, we should be investing in our future and trying to get more high school students to continue their education. We should not be doubling interest rates on a critical loan program that students count on. It does not make sense.

The Stop the Student Loan Interest Rate Hike Act that is before us is a commonsense measure that will prevent a rate hike on more than 7.4 million college students, and it pays for it by closing a tax loophole that allows certain wealthy professionals to dodge paying their fair share of taxes. So I hope we can move to this today.

I want to add, it is not just the students I talked about, Dora and Diane, who are speaking out against this rate hike. In fact, if our Republican colleagues do decide to block our ability to go to this bill today, I know that students all across our country are going to continue to make their voices heard about this—whether it is in person or in letters or on Twitter or on Facebook—and we will bring those stories right here to the Senate over and over until Republicans see that the students of America are not going to take no for an answer on this critical issue that will affect their lives far into the future.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I rise in support of the same legislation, and I appreciate the work of Senator MURRAY and Senator KLOBUCHAR.

I introduced this legislation with Senator HARKIN of Iowa and Senator REED of Rhode Island, and in the last couple of weeks I have been to the Cuyuga County Community College, a community college in Cleveland, Ohio State University, Wright State University near Dayton, and the University of Cincinnati. There were student bodies, student government people in both political parties there. There is virtually universal support among students for this legislation. We have no business letting the interest rate double. The vote that will take place in less than 1 hour gives us an opportunity to help students in a huge way.

The average Ohio graduate of a 4-year university has a \$27,000 student debt. If we are going to pile more

money on that debt by allowing the interest rate to go from 3.4 to 6.8 percent, it means that student is less likely to be able to buy a house, less likely to probably start a family, and less likely to be able to start a business. It saps wealth from our community. If we can keep this interest rate at 3.4 percent, it will pay dividends much more than the cost of this.

I would close by saying this was a bipartisan arrangement. Back in 2007, when Senator KLOBUCHAR and I were in our first year in the Senate, President Bush signed legislation brought forward and passed by a Democratic Senate and a Democratic House, with Republican support. So it had broad bipartisan support to lock in 3.4 percent for 5 years. Why are people making it partisan now?

The fact is we should pass this legislation today. We should pay for it in a way by closing these tax loopholes that are called the Newt Gingrich-John Edwards tax loopholes, where both of them—Newt Gingrich, a Republican, and John Edwards, a Democrat—in their private sector lives have legally been able to avoid tens of thousands of dollars in taxes. Lobbying firms, consulting firms, all have used this loophole. Governor Romney wanted to close this loophole when he was Governor of Massachusetts. It is something we should move forward on and put the partisanship aside and pass this. This is good for individual students, just like the GI bill after World War II was good for millions of individual students. Look what it did for our society as a whole. It made us a richer country, a more prosperous country, a more egalitarian country. What is not to like about that? That is why we should pass this legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise to speak in support of the Stop the Student Loan Interest Rate Hike Act.

I want to first acknowledge my colleague Senator BROWN of Ohio for his leadership. They have Ohio State, we have the University of Minnesota, and both of us have met with students from these States who have told us firsthand what they are experiencing every single day. I have talked to students at the University of Minnesota and Minnesota State in Mankato, where my father-in-law taught for many years, and they have told me about their own situations, where they may have five siblings and there is absolutely no way their parents, both of whom are working, can afford to send their kids to college without loans.

I have talked to a young woman in Mankato whose mom was helping with the tuition, and then suddenly her mom lost her job and she couldn't help anymore, parents who have gone out on disability who can no longer help anymore.

We have to ask ourselves as a country, when those things happen, when

you have a student who may be the first in their family to ever go to college, are we going to turn our back on them and say: No, we don't want you to go to college? Well, that is not going to work in our country. That is not going to work, because in Minnesota the numbers just came out, and up to 2018, of all the new jobs created, 70 percent are going to require some kind of post-secondary education. Half of them are going to require 1-year to 2-year degrees, the other half are going to require 4-year degrees or more. We know those facts. We know how we are going to be able to compete in this world, and that is by having educated workers. To do that, we cannot turn our back on the students who may be in a situation where they can work part time.

There was one girl I met at the University of Minnesota who was working a 50-hour paid job every week in addition to the classload, in addition to going to school. These students are working hard, and we must make sure they are able to complete their college and complete their degrees. College tuition and fees have been rising more rapidly than household income over the last two decades, and it is becoming more and more difficult for students and their families to afford these costs.

We know that student loan debt has reached record levels. College seniors owed an average of \$25,000 in student loan debt upon graduating in 2010, with a total loan debt reaching \$1 trillion. This is what we are dealing with.

I know when I had student loans I paid them off, and, Mr. President, you will be happy to know that I met my husband right after I had paid off my loans and he still owed over \$20,000 in student loans, but I married him anyway. I have had firsthand experience in what it is like to pay off these loans but never in these amounts our students today are facing. While it is normally good to be above average, my home State is, unfortunately, above average in student loan debt. We rank fourth in the Nation. The average Minnesota student graduates from college with more than \$29,000 in loan debt.

As college costs skyrocket and student loan debt climbs, we have to consider what this means for students today and what effect this will have on our future. At a time when our global economy demands more of our workforce, we must focus on the foundation of our future prosperity, and that is education, particularly in science, technology, engineering, and math. To advance in those fields, you need at least a 2-year degree or a 4-year degree. We know that. We must do more to expand higher education opportunities and make college affordable for our students. It is one of the best investments we can make in the long-term success for America. That is because education doesn't just pay off for students, it also pays off for our country in the form of a skilled workforce and a competitive economy.

We have seen this in my own State, where we are home to one of the best skilled, most educated workforces in the country. That is the reason we are first per capita for Fortune 500 companies. I can tell you it is not the weather. These companies did not elect to move to Minnesota and to stay in Minnesota because of our winters. They came in large part because of the educated workforce, because we had people who could do the jobs and create the inventions. At 3M, Minnesota Mining and Manufacturing, they have as many inventions as they have employees. They average one invention for each employee. That is a fact. Look at the numbers. Why is that? Because we have the educated workforce to fill those jobs.

We also know that students today, both those in college and those who are considering college, face many unexpected obstacles, including the pressure to pay for higher education. As I mentioned, when I visited students at the University of Minnesota and also Minnesota State at Mankato, I heard firsthand about their experiences and how hard they were working to get those degrees. These students face many hardships and many sacrifices, but they continue to move forward and they are determined to get their education. The reality is that students can work, save money, and be totally responsible about saving for and paying for college, but life can bring unexpected challenges, and students need help through access to low-interest loans. That is all we are talking about here, low-interest loans.

Interest rates on Stafford student loans are set to double from 3.4 percent to 6.8 percent on July 1 of this year. Unless Congress intervenes, 7 million students will see higher interest rates on their student loans—a dramatic increase in the interest rate that does not make sense at a time when the economy is still struggling to recover and students are facing ever higher college costs and young graduates are having a hard time finding jobs. I know how valuable these loans are to students, and that is why I am a cosponsor of the Student Loan Affordability Act, which would prevent the rate hike and ensure college remains affordable. That would affect this doubling of the interest rate for, in my State alone, 200,000 students. Think what we want those 200,000 students to do. We want those students to be out there inventing the next Post-it note for 3M. We want them out there inventing the next pace-maker. We want them out there inventing the next Google. That is what this is about. That is how our economy has run. We are a country that makes and invents products, makes them and exports them to the world. The only way we do that is with affordable education.

I have heard from hundreds of Minnesotans who say the costs are putting a strain on their families and making college seem out of reach. This is unacceptable, and we must act now.

I know this firsthand, as I explained, not only from what I have seen in my State, what I have seen in the inter-relationship between education and business, but in my own life. My grandpa was an iron ore miner. He worked 1,500 feet under the ground in the mines in north Minnesota. He never graduated from college. He never even graduated from high school. He saved money in a coffee can in the basement of their little house, this small house where they literally only had a shower in the basement. He saved money in that coffee can to send my dad and his brother to college. They were the first in that family of Slovenian immigrants—the first to go to college. They went to college. My uncle became an engineer living in Rochester, MN. My dad went to the 2-year junior college, got a degree from what is now Vermilion Community College, then went on to the University of Minnesota, got his journalism degree, joined the AP, and then went on to the Minneapolis Star and Tribune, where he became an award-winning journalist. He traveled the world. He got to interview everyone from Ginger Rogers to Mike Ditka to Ronald Reagan. That is my dad's life, and it all started because his parents believed in education but, most importantly, his country believed in education—the United States of America. That is what this issue is about. It is about progress, it is about families, and it is about moving this country forward.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, we just passed the deadline for students to decide where they are going to college this fall. This is one of the biggest financial decisions students will ever make. Nationally, student loan debt is over \$1 trillion. It is higher than credit card debt. Over 60 percent of the class of 2010 graduated with outstanding student loans, college graduates. In Minnesota we are fourth in the country for the level of debt college graduates take with them. It is \$29,000. This is hurting us as a nation in competition with other countries. It was not too many years ago that the United States was No. 1 in the world in the percentage of its adult population that had graduated from college. Now we are something like 16th. That is going to hurt us.

We have to do something about student debt. Behind every one of these statistics, there are stories. I had students from the board of MNSCU—it is a Minnesota organization of colleges and universities—in my office, and there must have been about 15 or 20 of them. I said to them: How many of you work at least 10 hours a week while going to school? All of them. How many of you work 20 hours a week? Most of them. How many of you work at least 30 hours a week while going to school? A lot of them. How many of you work 40 hours a week while going to school?

How many of you work full time while going to school? A few of them, a number of them. That is no way to go to school.

Time after time when I talk to kids, I hear their stories.

Mike Flannery is a graduate of Hennepin Technical College. He was forced to take out private student loans because Federal loans were not enough to pay for his college costs. He graduated from his associate's program with a total debt of \$34,750. Michael is now struggling to deal with this massive debt load, and he told me he will likely have to drop out of his summer coursework due to college costs. He currently owes \$45,250 and is still working toward his bachelor's degree.

No wonder it takes our students 6 years to graduate—or longer. It is now not really a question; you have to graduate from college or at least get a 2-year degree to get a good-paying job in this country. In the next 7 years, 70 percent of jobs in Minnesota will require some type of postsecondary credential. Yet right now only 40 percent of working-age Minnesotans have one.

If we are going to compete with other countries, we have to do something about this. What can we do? We have to get long-term costs under control. There is a lot to do there, but that is the long term. In the short term, at least we should do no harm. On July 1 Stafford loans, subsidized Stafford loans are set to double, from 3.4 to 6.8 percent. That is unconscionable.

This legislation was written in 2007, and that said it would double. If you look at interest rates, what they have done from 2007 to now, they have just shot down. This makes no sense whatsoever. This is going to affect over 7.5 million students nationwide, over 200,000 in Minnesota. If we fail to take action, this will cost every student in Minnesota about \$1,000 in increased loan costs over the life of the loans. That is real money.

We have an offset here we have tried to do. It is about S corporations. I don't want to get into the details of this. Basically what it is—let's say you have an S corp. You are a businessman, and at the end you take your salary and profits, and most honest businessmen pay taxes on all of that, including their withholding tax, their FICA. So you pay FICA on \$107,000, approximately, in withholding tax. That pays into Social Security and Medicare. That is what FICA is.

There are others who take advantage of a loophole. It is a loophole. It is legal. Let's say you are a businessman and you make \$300,000. Well, you pay yourself a salary of \$40,000 and you pay your FICA on that. Then at the end of the year you take out the profits. Now, these profits are not capital gains. They pocket the business's profits without paying payroll taxes. This is as clearly a loophole as anything that exists in our Tax Code. This is exactly the type of loophole that everyone, not just our friends on the other side of the

aisle but that we are talking about taking out of the Tax Code so that we can maybe not raise marginal rates as much or, on the other side, they say we can take out the loopholes and lower it. If you can't get rid of this loophole, there is no loophole you can get rid of. This is so obviously a wrongheaded loophole. That extra money they take at the end of the year, it is not considered capital gains, it is income. They pay the top rate on that income—it is above the top rate. This offset would affect only people making over \$250,000.

We need to pass this legislation. This is a loophole we need to close because it just makes sense. It is a loophole that I don't think anyone can really defend. I really don't. I would love to hear someone try to defend this one. Again, I have heard over and over that we just have to close some loopholes, these crazy loopholes. This is the one we need to do so our kids can have a manageable debt, so they are not paying exorbitant costs on their debt.

We have to be realistic about all of this, about what it takes to make it in this country. You need a college education or you need some postsecondary education. We have a skills gap in this country we need to close. Kids are borrowing and borrowing, and we are doing this generation a disservice. We have to look at reality.

I heard Mitt Romney the other day in Ohio. He said to kids: Look, take a chance on yourself. Borrow money from your parents to start a business.

That is not what is happening in this country. Kids cannot accumulate an average of \$29,000 in debt and still be able to borrow from their parents. If they could borrow from their parents, they wouldn't have an average of \$29,000 in debt; they would be borrowing from their parents.

The reality is we are putting a burden on our children that we should not be putting on them. We should close this loophole that there is no rhyme or reason for so these students can be paying a reasonable interest rate and not some exorbitant interest rate. This is just common sense.

I urge my colleagues on both sides of the aisle to vote for this bill and then we can move on to some other things.

Mr. LEAHY. Today the Senate will vote on a vital piece of legislation that I am proud to cosponsor, to prevent the rise in interest rates on need-based student loans. Without action, millions of students across the country will see their interest rates double on their subsidized Stafford loans on July 1. At the very least, these students deserve a debate on this vital pocketbook question that affects millions of young Americans and their families.

I have always strongly believed in the importance of a college education. I was the first in my family to have the opportunity to go to college. Every young person should have the chance to pursue higher education. Education is a path out of poverty, a road to personal growth, and an access ramp to

professional accomplishment and economic security. Everyone wins when access to education expands.

It should go without saying that student loan costs should not rise so high that students cannot repay. Yet in recent years, average college tuition rates have increased faster than inflation, far outpacing student financial aid. Since 1985, the cost of attending college has increased by 559 percent, and last schooyear alone, instate tuition and fees at public 4-year institutions averaged 8.3 percent higher than the previous year.

I hear from Vermonters constantly about their struggles to afford college and their concerns about student loan debt after they graduate. Skyrocketing tuition is making it increasingly difficult for families to afford higher education. Many students are forced to take on significant debt, and too often they are not able to complete college because of soaring costs. For those students who do go on to graduate, record student loan debt has made getting ahead in today's job market next to impossible for many students. Unfortunately, along with the pressure from student loan debt has come an increase in default rates among borrowers, which will affect a student's financial stability for decades.

Especially during these difficult economic times we need to be doing more to address the rising costs of higher education and the growing need for student financial aid. We have made significant investments in higher education and making college more affordable in recent years through historic investments in the Pell Grant Program, moving to a universal system of direct loans, and through the President's recent Executive order to reduce monthly payments for low-income borrowers. While these measures have certainly helped students, more must be done to ensure every American has access to a college education.

While there is agreement on the need to prevent the interest rate increase, division remains on the way to finance the yearlong extension. The House passed a bill largely along partisan lines that would fund the student loan measure by eliminating the Prevention and Public Health Fund, created under the affordable care act. Prevention funding is vitally important in helping to lower health care costs and improving the health of Americans through chronic disease screenings, tobacco education, and immunization programs. An estimated 15 percent of college seniors have chronic diseases and could benefit from this funding. We should not force on students a choice made by Congress, not by students, between disease prevention and lower interest rates.

The solution we offer is far better for students and for the Nation. The bill to which I hope we proceed today would prevent student loan interest rates from doubling by closing a loophole in the Tax Code. Right now, certain busi-

nesses can avoid paying employment taxes on their employees' paychecks. This measure would ensure that businesses employing individuals making over \$250,000 would be subject to the same Medicare and Social Security taxes every business must pay. This is a commonsense reform that we should all support.

Each opportunity for a young American to earn a college education is also an opportunity for the Nation's future. Our country's ability to compete in the global marketplace in the future depends on our children's ability to finance their education. This does not need to be a partisan issue and should be one where we can find widespread agreement.

We must not tell the 7.4 million students who rely on subsidized Stafford loans that their interest rates will double because protecting a tax loophole is more important than their ability to afford college. I urge every Senator to help us move ahead today to support our students, their futures, and our country's future.

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

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

Mr. HELLER. Mr. President, I rise in support of efforts to prevent an increase in the student loan rates.

For millions of Americans, education is the key to success and a better future for themselves and for their families. Workers with a bachelor's degree today earn about 70 percent more each year than those with only a high school diploma. We all want a better life for our children and for our grandchildren, and for many of them, a college education is part of achieving that goal.

However, higher education carries an increasingly substantial pricetag. One of my children has already completed her higher education, both my sons are currently in college, and my youngest is preparing for her posthigh school education. I know firsthand the financial strain on both the college students and their families.

The inflation-adjusted cost of college has almost tripled over the last 25 years, while median family income over the same period of time has risen only about 10 percent. Fees keep rising rapidly, soaring 8.3 percent last year at public universities and 4.5 percent at private institutions. In 2009, more than half of all public college graduates were in debt, with an average loan burden of nearly \$20,000. For private college graduates, the percentage and amount of debt is even greater. The loan burden itself is substantial, and the last thing graduates need to worry about is high interest rates on these loans.

I was proud to vote for the initial efforts to keep student loan interest rates low back when I was serving in the House in 2007. Now I am a proud cosponsor of the Interest Rate Reduction Act which has been offered by my friend, the Senator from Tennessee, Mr. ALEXANDER. This legislation prevents student loans from doubling from 3.4 percent to 6.8 percent, and I truly hope Congress will be able to come together with a bipartisan agreement soon to prevent this increase from going into effect on July 1.

While student loan rates should be addressed, I am even more worried about the overall economic climate facing college grads. Recent reports found that more than half the bachelor degree holders under the age of 25 last year, which was 1.5 million young Americans, were jobless or underemployed. Of the 1.5 million languishing in the job market, half were underemployed. These young would-be professionals are either unemployed and unable to start paying their loans or have a job that may only provide enough for them to barely scrape by paycheck to paycheck. Instead of becoming the workforce of the next generation, the majority of recent graduates are finding their personal lives and finances mired in this ailing economy. Parents who have been laid off or who have seen their savings diminish have not been able to help their children through their education as they may have planned or wanted to. Our children and grandchildren are paying the price for Washington's failure to lead our Nation out of this economic crisis.

Addressing student loan rates is important and we need to accomplish that work promptly, but our work for America's colleges students and recent graduates is far from over. Congress should be doing something every day to provide more stability and certainty for businesses so they will create jobs and hire these graduates. We need to pass a budget and review expiring tax provisions. We need to get bureaucratic redtape out of the way and let American job creators do what they do best. Let's not put off until tomorrow what we can do today to make sure good-paying jobs will be available for graduates who have worked so hard to provide for a better future and let's pass a bipartisan measure that keeps student interest rates low.

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

The ACTING PRESIDENT pro tempore. Will the Senator suspend his request?

Mr. HELLER. I will.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, I rise to speak about the issue that is currently under debate; that is, student loan interest rates.

For many students across this great country, the month of May marks the end of the school year and, for some, it

means graduating after years of hard work and moving on to another chapter in their life. Americans have always been people who celebrate hard work and the doors that hard work open for all of us.

Our country was founded on the promise that people could come here to find the opportunity to realize their dreams. So one of the most devastating consequences of the recent economy is that college students are beginning this new chapter in their lives when opportunities are harder and harder to come by. Sadly, today's college graduates are more likely to end up unemployed or underemployed and struggling with student loan debt at the same time. They are more likely to end up with those circumstances than they are to land their dream job.

Unfortunately, college costs have been increasing faster than the cost of living. Sixty-five percent of graduates who got a bachelor's degree in 2010 graduated with debt. So as our economy continues to lag, stopping interest rates on subsidized Stafford student loans from doubling could provide much needed relief. That is why I am a cosponsor of legislation introduced by my colleague LAMAR ALEXANDER which extends the current 3.4-percent interest rate for an additional year. It needs to be done.

It cannot be denied that access to education is imperative to ensuring a prosperous future for Nebraska's young people and for all Americans. It should be our goal to foster an economic atmosphere where jobs will flourish, our economy thrives, and opportunities abound for young people and, for that matter, for all Americans. That is why I am so disappointed that today we will vote on a bill that takes such a different approach to paying for the student loan interest rate extension.

The bill we will vote on taxes small businesses and raids funds that would otherwise go to shore up the Social Security and Medicare trust funds. Providing relief for students, protecting seniors' benefits, and fueling our Nation's job engine should not be mutually exclusive goals. We should not be pitting one sector of our population against another. Yet that is what we will do later on today.

This bill sacrifices one of those goals I just mentioned and puts another in jeopardy to achieve a third. I believe that is counterproductive. Why? In part because the future of our young people is so dependent on the availability of jobs in America.

This bill would raise taxes on job creators at a terrible time. The U.S. economy only grew by 1.7 percent in the last year, and our unemployment rate has been over 8 percent now for 39 consecutive months. Taxing job creators has a chilling effect on hiring. It isn't straightforward to promise students the American dream while making it harder for them to get a job—often the first step toward realizing their dreams.

The bill is also enormously unfair to seniors. By diverting tax revenues that would otherwise go to Social Security and Medicare, it ignores the warning flags we just received yet again about these programs. A recent trustees' report verifies that both these programs are on unsustainable paths. Medicare is projected to be insolvent by 2024 and Social Security by 2033—two dates that are well within sight. But instead of helping to strengthen these programs for the future, this bill spends the money elsewhere. The legislation ignores reality and, sadly, that has been all too familiar.

The health care law also siphoned funding from Medicare to the tune of \$½ trillion. This money was used to pay for new entitlements in the law, not to extend the life of Medicare. The law's supporters have sometimes claimed it somehow did both—that magically we could count the same dollar twice—but anyone who looked at that disagreed with it, and basic math tells us we can't save and spend the same dollar two times. That was just one of many budget gimmicks used to mask the true cost of the health care bill.

Student loans help shoulder the massive cost of the health care law as well. That law, interestingly enough, nationalized the student loan industry, generating \$60 billion over the decade, according to the Congressional Budget Office. But instead of using that money to address the doubling of student loan interest rates that was on the horizon, Congress and the President spent a portion of that money to help pay for the health care law—simply amazing. It is just one more example of a government that claims to know best when their only remedy is to rob from Peter to pay Paul. Sadly, the misguided government solution we will vote on today will be counterproductive for our job creators, for our economy, and for our Nation's job seekers, our soon-to-be graduates.

But don't take my word for it. There is a long list of organizations representing millions of employers and hard-working employees sounding an alarm over the tax increase being proposed in the bill we will vote on today. They are the people who build our homes, fix our air-conditioners, run the corner convenience store, own restaurants, print the flyers we distribute and the church bulletins we receive on Sunday. They all say the pay-for in this bill is bad policy. They don't buy the notion that it is a simple tax clarification. They identify it in plain English as a permanent payroll tax increase.

They go on to say in a letter to Senate leaders that a payroll tax increase should not be diverted from Medicare and Social Security to a temporary program. That letter, dated May 3, 2012, to Senators REID and MCCONNELL and signed by dozens of organizations is in my hand and was printed in yesterday's RECORD.

Senator ALEXANDER has proposed a good option that doesn't slap the job creators with a tax increase and doesn't divert funds that would otherwise go to Medicare and Social Security, and I support his proposal. I would also be open to supporting other pay-fors other than the irresponsible one we will face today. It is time to look for practical solutions that can actually pass the Senate and help the American people. Americans are getting sick and tired of election-year voting where we face legislation that we all know is designed to fail with this singular focus of generating good campaign talking points. While extending the student loan interest rate is important, a prosperous future depends on more than just that low interest rate. Young Americans would have greater prospects for the future in an economy that generated jobs and its growing income. The budgets would be less drained if the price of gas and health insurance didn't continue to escalate, and they would have more stability down the road if their future wasn't threatened by strained entitlement programs and a Federal debt that is now larger than the entire Nation's economy.

Lately, instead of solving these problems, legislation simply looks for yet another scapegoat, another political gotcha, a bill that is designed to fail to get a 30-second spot. Here in the Senate we should not be in the scapegoat- or gotcha-finding business. We should be in the solution-finding business. That is why I am proud to cosponsor Senator ALEXANDER's legislation that does the right thing for our country's students. This bill provides relief for students during a difficult economic time, and it uses money from a fund created from the health care law to pay for the extension. Identical language has already passed in the House, and it is here for the Senate to consider.

The President has already signed legislation into law using this very health care fund as an offset. The President even included cuts to this fund in his own deficit-reduction proposal. But now, when it is politically expedient to oppose those cuts, he has conveniently changed his mind. Well, these flip-flops don't go unnoticed by the American people.

I hope we can consider Senator ALEXANDER's legislation soon and the President will reconsider his threat to veto it. There has been a lot of finger pointing on this issue, but in reality everybody agrees interest rates on the Stafford loan should not double when the economy is struggling. The only disagreement is over how to pay for the relief. It is unfortunate that an area with so little disagreement has yet again morphed into a political football.

Sadly, with this being a Presidential election year, I fear there will be more of this political gamesmanship. But I stand ready to work with anyone interested in solving the problem.

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

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORKER. Mr. President, I rise today to talk about the student lending program that I understand we may be voting on a little bit later today. I want to first say, like my colleague, I have talked with a number of students in Tennessee and people who used to be students in college who have a tremendous amount of loan obligation they have to deal with. Our hearts go out to folks whose careers start with a large amount of debt, and we hear lots of stories about the size of this debt.

So I want to start by saying that I certainly empathize with much of what is happening in the student lending program as it relates to the recipients on the one hand. On the other hand, as it relates to how we deal with this issue, which also relates to these young people—I mean, at the end of the day, these massive deficits we are piling up are also going to be an obligation to them in one form or another. I want to speak to that for one moment.

First of all, I want to say that my friend from Tennessee, the senior Senator, has done as good a job as any of laying out what is driving tuition costs in the first place. The reason students are having to borrow so much money to go to college these days is due to what we have done in Washington. What I mean by that is if we look at the Medicaid Programs in West Virginia or Tennessee, what we have seen over the course of the last couple of decades is that Medicaid costs have been rising dramatically in our own States. Because State governments are forced to fund these huge Medicaid costs, they don't have the same resources available to fund public higher education.

So what is happening is these State governments, which are compelled by us, by the way, to fund these Medicaid Programs—let me make a point. Most people realize that with the passage of the health care bill a couple of years ago, we are going to have upwards of 25 million more Americans across this country on Medicaid. That was the largest part of the health care expansion that took place.

In my own State of Tennessee they have already projected over a 5-year period that it is going to cost them over \$1 billion to fund what this Congress mandated as it relates to health care just a few years ago. That is \$1 billion that is not going to be available for higher education. So when we campaign around the country and talk about wanting to deal with student lending, I think we ought to be looking at Congress because Congress is actually the one driving the exorbitant tuition rates in the first place by these

mandates that we are placing on State governments. It is kind of appalling.

As a matter of fact, in our own State, at a time when Medicaid costs rose 15 percent, in order to make our State's budget balance the State legislature invested 15 percent less in higher education. Again, what is happening is young people—such as the ones who are sitting in front of me—are having to pay exorbitant tuition costs because the States around our country are not able to invest in higher education. Therefore, it is being sloughed off on the backs of students as they enter college.

Let's talk about the loan program itself. First of all, a loan program that charges 6.8 percent, which is what the program is getting ready to do, loans money to all comers—in other words, everybody who comes to get a loan—and there is no collateral in place. It is not like a home mortgage where there is collateral. There is no downpayment. As we know, these loans don't begin to be repaid until years down the road. The U.S. Government is not even breaking even at 6.8 percent. So this whole notion that this student lending program—again, as part of the health care bill—was going to create \$50 billion or \$60 billion to fund a new health care entitlement was wrong in the first place. With the interest rate at 6.8 percent there is no way taxpayers are coming out even. It is not possible.

As a matter of fact, CBO issued a report in March that said if they used fair accounting standards at the 6.8 percent level, the Federal Government was actually subsidizing student loans by 12 percent. So this whole notion of saying, well, the U.S. Government's borrowing costs is low, and therefore we ought to be making loans at 3.4 percent—by the way, I would love for us to be able to offer rates as low as we can to students. But the fact is we are already losing money at the 6.8-percent level. There is no way, with no money down, no collateral, payments being made down the road, taking all comers, and default rates that will exist that we could possibly be coming out at 6.8 percent. I think CBO has clearly stated that by virtue of the report that came out in March.

Let me come up with a third point. What we are getting ready to do is to discuss a bill that spends \$6 billion of our taxpayer money, and Congress is considering spending the \$6 billion in this 1 year to give students who apply—futuristically, by the way. This has nothing to do with students who are already in college today and have student lending. But for this 1 year, for loan originations to student lending, we are going to keep the rate at 3.4 percent, which is going to cost an additional \$6 billion this year.

So what is Congress considering? Congress is considering paying for that \$6 billion over the next 10 years. So instead of saying we are going to spend \$6 billion and do what most Americans have to do on a daily basis—if we are

going to spend a dollar this year, we have to save a dollar someplace else—what is Congress considering? Spreading the cost over the next 10 years. What is that going to do? Accumulate additional tremendous debt. What is that going to do for the students who are now seeking these loans? Candidly, it piles up additional money they are going to have to pay back.

Let me close by saying this: I know this is campaign season. I know candidates on both sides of the aisle are around college campuses in this country talking to students about their future. What I find unbelievable—and I think these students, by the way, are a lot brighter than people give them credit for as they are campaigning around on college campuses. But, basically, I think these students understand that as politicians are going around trying to offer them deals, they understand that at the same time Washington is piling up tremendous amounts of debt on these students, and not only are they going to have their student loans to repay, but they are going to have all of the trillions and trillions of dollars of debt that Congress is adding on in order to curry favor with citizens of all walks of life in our Nation. That is what happened in Western democracies. We are seeing it play out right now in Europe.

But what I think these students are quickly figuring out is that we are really not giving them anything. Basically, we are taking with the other hand. I think the numbers will carry this out. If, in fact, we do deal with this pending student lending program over the course of the next 6 weeks—and my guess is we may well do that—I hope we will be honest with these college students and at least pay for this expenditure by not spending money on something else so we are not, in essence, giving them something today but taking away something much bigger from them over the long haul.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. 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. REED. Mr. President, the vote we will take today will affect millions of Americans. If we do not enact legislation before July 1 of this year, approximately 7.4 million students will see the interest rate on their student loans double.

Nearly 200 student government leaders, representing more than 2.5 million college students across the Nation, have asked us to come up with a bipartisan solution to keep the interest rate from doubling this July.

Hundreds of thousands of students, parents, educators, and concerned citizens have called and written to their

Senators and Representatives with a simple message: Don't double the rate.

For them, student loan debt is not a trivial matter. It is a matter of going to school, and it is a matter, ultimately, of the jobs they take and their ability to pay off those loans during their working life.

Without action, students will pay, on average, an additional \$1,000 for every year they have to take student loans, if we let this rate double.

Two-thirds of the class of 2010 graduated owing student loans, with an average debt of over \$25,000. They are walking out of school with a degree and a huge debt. If we do not fix this problem, beginning today, that debt will be larger for their successes in the years ahead.

Student loan debt collectively has passed the \$1 trillion mark—exceeding credit card debt. In fact, there are some who speculate this is the new bubble that is coming upon our economy. This is a serious issue.

The good news is that there seems to be for at least the principle of preventing this increase—an emerging bipartisan consensus that we should not allow the rate to double. The bad news is that my colleagues on the other side have chosen to use the student loan interest rate as another opportunity to attack health care. They have proposed to pay for the extension by cutting funds to the Prevention and Public Health Fund, reducing access to immunizations and services that seek to prevent cancer, diabetes, heart disease, to name a few.

The President has already said he would veto this attempt to pit health care against education—health care, which benefits all, but particularly benefits those low-income and middle-income American families and, of course, these education programs that are a lifeline and a mainstay for middle-income Americans.

The other aspect of attacking this prevention fund is, in the long term, if we are ever going to get our hands around the cost of health care in this country—and both sides recognize this is one of the critical obstacles we face in the future—we have to have better prevention. It is difficult to understand how people can say: Let's not do prevention, but we have to cut health care costs. If we could have an effective prevention program, we could, indeed, over years, and with increasing success, reduce or at least begin to flatten that proverbial health care cost curve.

It is interesting to note, the other side is proposing to use health care to pay for this proposal to help middle-income families, but they do not always insist on paying for everything they want to do. They will, frankly—and, I think, eagerly—extend the Bush tax cuts without any pay-for. The House recently passed the so-called Small Business Tax Cut Act with no offsets. And that costs \$46 billion—nearly enough to pay for the student loan interest rate at 3.4 percent permanently.

Following this logic, students and their families across the country are probably wondering: Well, why isn't the risk of doubling their interest rate treated the same way as benefiting the wealthiest Americans through tax cuts and businesses through tax cuts? Don't they count as much? Shouldn't they count as much?

We propose to pay for this 1-year extension by closing an egregious loophole in the Tax Code that has enabled certain high-wage earners to avoid paying their fair share into Social Security and Medicare by misclassifying their wages as profits through subchapter S corporations. It is a very small subset of corporations that are doing this, and our proposal is targeted.

This is not the small manufacturing plant that is organized as a subchapter S corporation or the pharmacy or the lumber dealer. These are consultants, these are high-paid attorneys, these are professionals who have chosen to put between themselves and their company or their partnership in another entity purely for the purpose of minimizing their payroll tax exposure. That is a loophole that should be cut regardless of other measures we are considering.

Essentially, this is a very small group of people, as I said. In order to be subject to this proposal, you would have to have 75 percent or more of your gross revenues from professional services. This does not apply to the manufacturer or the merchant. It is lawyers, accountants, lobbyists, and similarly positioned individuals. And it is further restricted to only those who earn more than \$250,000 filing jointly. So this is not the struggling underpaid professional. These are people who are doing reasonably well in this very complicated and competitive society.

According to the Joint Committee on Taxation, in 2009 about 15 percent of all S corporations were service businesses as defined in this bill. Yet this small subset is responsible for billions of dollars in lost revenue to Medicare and Social Security.

In a 2009 report, the Government Accountability Office found that in the 2003 and 2004 tax years, individuals used this loophole to underreport over \$23 billion in wage income.

This is a loophole that should be closed. I hope my colleagues on the other side of the aisle will take a serious look at it and join us in supporting this bill.

We have 54 days to prevent the interest rate from doubling on subsidized student loans. We have no time to waste.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, in a little over a half an hour we will have a vote on whether we are even going to proceed to the bill that will keep interest rates on our subsidized Stafford

loans at 3.4 percent for the next year or whether they will go up double on July 1.

This is just a vote on going to the bill. For the life of me, I cannot understand why the Republicans do not even want to go to the bill. Well, perhaps they are afraid if the vote really comes down to the bill itself and the, quote, offset, that maybe some of my friends on the other side of the aisle will think that students may be a little bit more important than a few wealthy people in this country who are not paying their fair share of taxes. But they are going to hide behind this motion to proceed. So that is what the vote is at noon. Are we going to even go to the bill so we can debate it, offer amendments, vote it up or down? Republicans do not even want to go there. They do not even want to proceed to the bill.

They have clouded it up in a lot of rhetoric about offsets and how we are going to pay for this. It comes down to a choice. We have a serious offer, a serious offer, a serious offer, one which is widely recognized as a terrible loophole. By closing that loophole—which affects a microcosm of individuals in this country—we are able to pay for keeping the interest rate at 3.4 percent for another year.

My friends on the other side of the aisle say, well, they want to keep the 3.4-percent interest rate, but they want to pay for it by eliminating—eliminating—killing the Prevention and Public Health Fund that goes to help make sure our kids do not get diabetes, to make sure we fight obesity, that we cut down on smoking in this country, that we make sure kids get their vaccinations—all the things that go to save us money in health care. That is the prevention fund. They want to take that money away from there. They want to end that program. That is their offset.

Well, if that is what they want, fine. But let's get to the bill. If they want to offer that as an offset, fine, we will vote on it. But they do not even want to go to the bill. Their priorities are not the students. Their priorities are protecting a small class of individuals in this country who use the Tax Code to avoid paying their fair share of Social Security and Medicare taxes.

We have heard all about: job creators, job creators; oh, we Democrats are going after these job creators. Well, the offset we have only affects subchapter S corporations, and only subchapter S corporations that have three or less stockholders—three or less. These are usually family members. They do not create any jobs—three or less. If you have five or ten or more, you are not covered by this; only if you have three or less, and only—only—if you have more than \$250,000 a year in income. It is very narrowly drawn, very narrowly drawn. But the Joint Tax Committee scores this saying that over 10 years, by closing this loophole, we put \$6 billion into the Medicare trust fund and \$3 billion into the Social

Security trust fund. So there is \$9 billion there of money where people using this loophole—a few people using this loophole—are able to escape paying their share of Medicare and Social Security taxes.

We are saying, let's close that loophole. Let's use those savings, put them into the Medicare and Social Security trust funds. Under the scoring system here, any revenue that is raised or mandatory cuts go to offset any increases in mandatory spending. Well, that is kind of budget jargon around this place. All it means is, by closing this loophole, we are able to do two important things: one, put more money into the Social Security and Medicare trust funds, and keep the interest rate for students at 3.4 percent for another year. Not a bad deal. I think a very good deal. But my friends on the other side are not going to go there. They want to kill the Prevention and Public Health Fund.

Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The majority has 8 minutes remaining.

Mr. HARKIN. Mr. President, I yield the floor at this time and reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I can understand the Senator from Iowa's concern about the reduction of the prevention and public health fund, which he put in the health care bill. I know he has a longstanding interest in that subject.

But let's be clear about this. It is not just Republicans who think that fund isn't the best use of taxpayer money; it is almost all the Democrats on that side of the aisle. In February, the Middle Class Tax Relief and Job Creation Act was passed. It was voted on in the Senate, and every Democrat except six voted to take \$5 billion out of the prevention and public health fund we are talking about to pay for it. It is not only the Democrats on that side who have supported taking from the fund, it is the President of the United States.

President Obama, in his Fiscal Year 2013 budget proposal, proposed taking \$4 billion away from the fund, and then in his 2011 deficit reduction package, he proposed taking \$3.5 billion from the fund. So it is a bipartisan proposal. We are a government that is borrowing 40 cents of every \$1 we spend. If we are going to spend some money, we have to save some money, at the very least.

What we are proposing on the Republican side is the same goal the Democrats have, the same goal that both President Obama and Governor Romney have, which is to take this 3.4-percent interest rate for new subsidized loans, for 40 percent of students who take out loans, and extend it at that rate for another year, while we also take a look at what the long-term prospects could be. We agree on that. We agree that 3.4 percent ought to continue to be the rate on new loans for

another year. The President agrees. Governor Romney agrees.

We don't agree with Senator REID's proposal on how to pay for it. We have suggested paying for it by reducing spending in the health care law and reducing it in a way that all but six Democratic Senators have supported or at least from the fund they have supported reducing before and from the fund the President has supported reducing before.

Why are we suggesting saving from the health care law? There is a reason for that. It is because those who passed the health care law are overcharging students on student loans in order to help pay for it. Here is why I say that. The government is borrowing money, according to the CBO and the way it scores student loan spending today, at 2.8 percent and loaning it to students at 6.8 percent. The truth is, that 6.8 percent is a pretty good interest rate for a student who is maybe unemployed today. My colleague from Tennessee, Senator CORKER, was here talking about that earlier. There might be other ways of looking at this spending differently. But the way the Congressional Budget Office scores this spending today, it says the government is borrowing money at 2.8 percent and loaning it at 6.8 percent and that the government is making, in effect, a profit—that is my word—because the CBO says that based on the amount of money the government is receiving from the student loans, it makes a profit or a savings of \$61 billion over 10 years.

What did our friends on the other side do with that \$61 billion? The Senator from Iowa very carefully explained that yesterday. They spent it—all except \$10 billion, which they used for deficit reduction. They could not keep their hands off it. They spent \$8.7 billion of that excess money from student loans to help pay for the health care law.

We are saying that if we are looking for money to keep the interest rate at 3.4 percent, if we are trying to help students, why don't we give back to the students the money we are taking from them to pay for the health care law. We are overcharging students, according to the way the CBO looks at the loans, by \$8.7 billion to help pay for the health care law. We propose in our bill to freeze the rate at 3.4 percent, give the students back the money we are overcharging them, and use the excess money—over \$6 billion—to reduce the deficit, which we need to do at a time when we are borrowing 40 cents of every \$1 we spend.

That is what the Interest Rate Reduction Act I have proposed does. It freezes it at 3.4 percent and gives back to students the money the government is overcharging them on student loans to pay for it. That is the same bill the House of Representatives passed. If we can get a vote on that here and pass it in the Senate, we can send it to the President, and he could go around the

country saying he has worked with the Congress and has produced a way to help students save money.

The President needs to also say a couple more things. It is not much money—\$7 a month on average student loans. But this is the political season, and students need to be aware of that. I have talked about tuition going up and student loans going up. But if we do what we have agreed we should do, what the House has already voted to do, and freeze this interest rate on 40 percent of new student loans at 3.4 percent for 1 year, it saves the average student on the average loan \$7 a month. That is for 10 years. It adds up eventually to \$830, but it is \$7 a month. We should talk about the rest of the story too.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 14 minutes.

Mr. ALEXANDER. I thank the Chair. The rest of the story is about why tuition is going up. As a result, why are loans going up? There are several reasons. The main reason, which every college president and every Governor knows—and the Presiding Officer who was the Governor of West Virginia—college tuition is rising at public universities and community colleges across the country, where three out of four of our students go, is because of Federal Medicaid mandates on States that are soaking up dollars that would otherwise go to the University of West Virginia, the University of Tennessee, the University of Iowa, and other public institutions. Every college President knows that and every Governor knows that. That didn't just start 3 years ago. That was going on when I was Governor 25 or 30 years ago. I even came to Washington and said to President Reagan: You take all of Medicaid and we will take all of kindergarten through the 12th grade education. We want out of this situation every year of having to use State dollars to fund one-third or whatever you think we ought to be paying for Medicaid.

If we had made that swap 30 years ago, if the Federal Government had taken over all of Medicaid and the States had taken over all of kindergarten through the 12th grade education, the States would have come out about \$4.5 billion ahead. If we made it today, if the Federal Government took all of Medicaid and the States took all of elementary and secondary education, the States would have \$92 billion extra to spend. Where would it go?

I know that a lot of it would go to education—maybe most of it—especially to higher education and to public universities. The reason students are fasting and striking in California, when tuition is going up, is because California has reduced spending to its public universities by \$1 billion since 2008. What the students don't seem to know is that the reason California has had to reduce spending to its public universities is because Washington has insisted that California, Tennessee, West

Virginia, Iowa, and every other State increase their share of spending on Medicaid, and that soaks up the money that would otherwise go to public universities and community colleges.

In my own State, last year, Medicaid spending was up 16 percent and higher education spending was down 15 percent. What was the result? Up went tuition 8 percent and up went student loans. So it is a good thing, I suppose, that Democrats and Republicans and Governor Romney and President Obama have all agreed that for 1 year we want to freeze the rate on new subsidized Stafford student loans at 3.4 percent and save the average students who get those new loans \$7 a month.

What students and families who are struggling to pay for college need to know is that until we repeal this health care law or until we repeal these Medicaid mandates on States, those college tuition rates will be going through the roof. The Kaiser Family Foundation says States, which now spend about 1 out of every 4 State tax dollars on Medicaid, will see a 29-percent increase on average in the next year as the health care law goes into effect. Where do you suppose that 29 percent increase will come from? It will come from the State budgets. The Governor will sit there and choose primarily between spending for community colleges and universities. More of it will go to Medicaid and less to community colleges and universities. So their quality will go down and their tuition will go up. The students will be fasting in California and they will be thinking it is their legislators in California who are the problem, while it is really the legislators in Washington, DC who are the problem because they are the ones imposing the Medicaid mandates on states.

I have tried to be fair in saying this problem is not an invention of President Obama's and of the new health care law; this has been a trend for 25 or 30 years. But President Obama and the new health care law have made this problem worse. This debate, while it may save students \$7 a month in interest payments and while we think the fairest way to do it is to take the money we are overcharging them and give it back to them, this debate at least highlights the issue I hope I hear the President and Governor Romney talk about this fall, which is about who is responsible for rising college tuition and student loan debt.

I believe the main person and main group responsible are those who insist on continuing Medicaid mandates on States that soak up the dollars that should be going to public colleges and universities.

I yield the floor and reserve the rest of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, how much time do we have?

The PRESIDING OFFICER. Eight minutes. The other side has 9 minutes.

Mr. HARKIN. Mr. President, I always enjoy engaging in good debate with my friend from Tennessee. He is a very thoughtful Senator, a very thoughtful member of our Committee too, and a good friend. Having been a former Secretary of Education, he has a depth and wellspring of knowledge about education, and I respect that greatly.

We obviously see things a little bit differently, but that is the nature of the animal here. I say to my friend that without getting into a point-by-point rebuttal, I wish to make it clear the President did put in his budget taking some money out of the prevention fund. I assume my friend knows I was not much in favor of that proposal. Then it was used later on to extend the unemployment insurance and also the payroll tax cut until the end of this year. That money was used for that. I was not very supportive of that. I thought we should have taken the money from elsewhere. At least the President has said that is it, no more. We will take a nick out of that prevention fund but no more. That is why he issued a statement of administration policy saying he would veto this bill if it had any cuts to the Prevention and Public Health Fund.

I used the analogy a while ago that the cut the President proposed, which was supported on our side, to extend the payroll tax cuts to the end of the year, I likened that to taking a couple pints of blood—we can take a couple pints of blood and still get our health back and go on. The proposal of my friend from Tennessee takes all our blood or all the prevention fund money. When we do that, we are dead. That is the analogy I have used. They took a couple pints of blood, which I was opposed to, but the prevention fund is still alive and healthy and is doing its job. It is going to do even more of its job in the future, as long as we don't take any more money out of it, and the President has said he will not do that.

I wanted to make that clear. That happened one time; no more. Even though Senators supported it on our side—and there were people who supported that on our side—they have said no more; we are not taking more out of that fund.

Lastly, I cannot help but also talk about this \$61 billion the Senator from Tennessee keeps talking about. As I said yesterday, he is right in one way; that we did spend it. The question is, What did we spend it on? Well, as I said, \$36 billion went to increased Pell grants. I don't think my friend from Tennessee would want to cut Pell grants. I think he is a pretty good supporter of Pell grants. That is where \$36 billion of that went. And \$750 million went to the College Access Challenge Grant Program, \$2.55 billion went to historically Black colleges and universities, and \$2 billion went for community colleges. So my friend may be right. Maybe we could reduce those interest rates a little bit. But what that money is being used for is basically students.

Now, I will be honest about this. Ten billion dollars went for decreasing the deficit. I don't think my friend from Tennessee would be opposed to that. And \$9.2 billion went to other health care programs, including requiring dependent coverage in the health care bill. In other words, how many students now are covered under their parents' policies until they are age 26? They didn't have that before. Now they have it. So some of this money was used to invest in that or community health care centers. Yes, we did do that by providing some of the money from that—\$9.2 billion of that—for some specific types of items in that health care bill.

Lastly, Mr. President, I just have to ask a question. Are we having a health care debate here or an education debate? I thought we were talking about education. We are talking about whether student loan interest rates on subsidized Stafford loans are going to double on July 1. Now it has morphed into some kind of big health care debate.

I have heard it said that the other side wants to keep the interest rates at 3.4-percent for a year. OK, fine. The question is, How do we pay for it? That is really the question. We have offered in good faith, I believe, a serious proposal: closing the loophole that affects a very small sliver of people in this country who are using this sort of a fog surrounding Subchapter S corporations to escape paying their fair share of Medicare and Social Security taxes.

Yesterday, someone on the other side said: Well, we can audit them. We can do IRS audits.

The IRS only audits one-half of 1 percent of subchapter S corporation filings. So if there is kind of a fog out there and I get to decide as a taxpayer, as a subchapter S corporation, whether I get paid or whether it is dividends, what am I going to say? Dividends. Because my odds are 95.5 percent that they are never going to audit me—95.5 percent. Those are pretty good odds.

That is why the Joint Tax Committee said that by closing this loophole—by closing this loophole—we save over \$9 billion, put into the Social Security fund and Medicare fund, and at the same time be able to keep the interest rate for students at 3.4 percent. That is a serious offer. The offer from the other side is not serious. They want to kill the prevention fund. That is not serious at all, but that is where they are coming from.

Well, I say let's have a vote. Let's at least move the bill. That is what the vote is at noon, is moving the bill, getting it out there so we can have a debate on the bill and how we pay for it. Obviously, my friends on the other side of the aisle don't even want to bring up the bill. They do not want to bring it up. They are going to vote against cloture, against bringing up the bill to even discuss it and vote on it.

Mr. President, I will close by urging all Senators to support the cloture motion so that we can get to the bill and

students and their families will know that we are serious about this and that on July 1 their interest rates are not going to double on our middle-class families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I appreciate the comments and the courtesies of the chairman of the Committee on Health, Education, Labor and Pensions, and I recognize his leadership and his interest in these subjects.

The Senator asked the question: who connected health care to student loans? It was the Democrats who connected health care to student loans. Think about this. Here we were debating a new health care law a few years ago, and what happened? The Democrats—the majority—said: While we are at it, while we are supposedly fixing health care, we are going to take over the entire student loan program. We are going to take Arnie Duncan, who is a terrific Secretary of Education, and we are going to make him banker of the year, banker of the century, and we will put him in charge of making more than \$100 billion in new loans every year to students all over America.

So as a part of the health care law, they got rid of the student loan program, most of which was handled by people you would expect to be making loans—that is, banks—and put it all in the government. They did that on the theory that the banks were making too much money.

It reminds me of people who think that if it can be found in the Yellow Pages, the government ought to be doing it. Autos, student loans—just put it all in the government.

So if we are going to do that, if we are going to connect the two, student loans and banks—and then the Congressional Budget Office comes along and says: Well, OK, if the government takes over the student loan program, it will save \$61 billion, that \$61 billion ought to go to the students who are getting the loans. That is my view. That is our view. And the Congressional Budget Office estimates that if we applied that \$61 billion savings to student loans, we could have reduced the interest rates to about 5.3 percent and save the average student \$2,200 over 10 years.

So it wasn't anybody on this side of the aisle who suggested during the health care debate that we ought to suddenly say: While we are at it, let's take over the student loan program.

All we are saying today is this: We agree with President Obama, we agree with Governor Romney, and we agree with the House of Representatives that the interest rate for new subsidized Stafford student loans should stay at 3.4 percent for the next 12 months. That will save the average student about \$7 a month in interest payments. The only difference we have is how we propose to pay for it. The Democrats

want to raise taxes on people and small businesses who are creating jobs while we are still in the midst of the greatest recession since the Great Depression. We say that since the government is borrowing money at 2.8 percent and loaning it to students at 6.8 percent and since the Congressional Budget Office said there was a savings of \$61 billion when the Federal Government took over the student loan program and that \$8.7 billion of the savings went to pay for the health care law, we ought to take the money the government is overcharging students and use it to pay for keeping this rate lower for another year. That is what we Republicans are saying and is where we have a difference in opinion with the other side.

So I hope my colleagues will vote no on the motion to proceed. We have a different proposal that we believe is superior and is the same as the one that passed the House. We would like a chance to offer the Interest Rate Reduction Act and give the students the benefit of our proposal, which will give the overcharged money back to them. We would like to have a vote on that.

Therefore, I recommend that we keep the rate at 3.4 percent; that we use the money we recognize as the savings we are taking from students, by overcharging them for student loans, as the best way to pay for it. Hopefully, the majority leader will allow us to consider the Interest Rate Reduction Act that we have proposed.

I thank the Chair, and I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the following cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 365, S. 2343, the Stop the Student Loan Interest Rate Hike Act of 2012.

Harry Reid, Jack Reed, Sheldon Whitehouse, Jeff Merkley, Charles E. Schumer, Kay R. Hagan, Jeanne Shaheen, Robert P. Casey, Jr., Kent Conrad, Sherrod Brown, John F. Kerry, Dianne Feinstein, Mary L. Landrieu, Barbara Boxer, Patty Murray, Bernard Sanders, Barbara A. Mikulski, Richard J. Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Ms. SNOWE (when her name was called). Present.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Indiana (Mr. LUGAR).

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

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—52

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Rockefeller
Blumenthal	Klobuchar	Sanders
Boxer	Kohl	Schumer
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Conrad	Manchin	Warner
Coons	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Mikulski
Franken	Mikulski	Wyden
Gillibrand	Murray	

NAYS—45

Alexander	DeMint	McConnell
Ayotte	Enzi	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Brown (MA)	Heller	Reid
Burr	Hoeben	Risch
Chambliss	Hutchison	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker

ANSWERED "PRESENT"—1

Snowe

NOT VOTING—2

Kirk Lugar

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 45. One Senator announcing present. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

RECESS

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

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise to express deep disappointment in the

vote that just took place a few hours ago where our Republican colleagues voted to filibuster our efforts to make sure student loans in this country do not double from 3.4 percent to 6.8 percent in July.

I think everybody understands that young people in our country today, in the midst of this terrible recession, are facing extraordinary challenges. They are paying three to four times as much as their parents paid for a college education regardless of whether they attend a private or public college. When they receive their diplomas, they have no guarantee, given the state of the economy today, that they are going to be able to get a job and earn the income to pay off those debts.

Given the challenges college students are facing today, the least we can do is to keep student loan interest rates at a low rate for another year. The interest rate on subsidized Stafford loans has been steadily reduced since Congress passed the College Cost Reduction and Access Act of 2007. But if Congress does nothing, interest rates on subsidized Stafford loans are set to double from 3.4 percent to 6.8 percent on July 1, 2012.

When we talk about Stafford loans, we are talking about loans for students from low- and moderate-income backgrounds. Subsidized Stafford loans are need based and targeted to students who otherwise might not be able to attend college. Nearly one-third of undergraduates have benefited from these low-interest Federal loans. If the interest rate doubles this year, the rate hike will impact up to 9 million students, and we must not allow that to happen.

Among the students who will be impacted are 19,000 young people from the State of Vermont. In my State nearly 70 percent of college graduates are carrying student loan debt—70 percent. On average that debt is \$30,000, which puts Vermont at the sixth highest student loan debt load in the country.

Everybody understands that in order to get ahead in the economy today, it is very important that one has a college degree. The cost of college education is soaring. In the State of Vermont—and I have talked to many of these young people in my State and throughout this country—students are leaving college deeply in debt. Nineteen thousand students in the State of Vermont are on Stafford loans. If interest rates double from 3.4 to 6.8 percent, it will make their current situations, which are very difficult, much worse.

So I hope our Republican colleagues will end their filibuster. I hope we can get back to work as soon as possible in passing a bill which will maintain Stafford loan rates at 3.4 percent.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from California.

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

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

Mrs. BOXER. I ask unanimous consent that the time from 2:15 until 5:15 be equally divided and controlled between the two leaders or their designees and that all quorum calls during that period also be equally divided.

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

Mrs. BOXER. Mr. President, before I speak about the details of the impact of not helping students in this difficult economic climate with student loans that they can afford, I wish to say that I was stunned that my Republican friends refused to give us a vote to proceed to the issue.

I think every student in America should turn their focus on this Chamber because the Republican Party made it impossible for us to lower the student loan rates today. They made it impossible. This is going to mean thousands of dollars over the life of a student's loans. So while the Republicans are calling for major tax cuts for billionaires and millionaires of \$100,000, \$200,000 a year in cuts, they don't have the heart to help middle-class students get a break on their interest rates for higher education. I find it appalling.

If anyone wants to know the difference between the parties, start with this. Whom do we fight for when we are here? We all say we are for the next generation. We all have the speeches—oh, they are terrific; they are beautiful—each party. But when push comes to shove, who is voting to help our students get an interest rate they can afford so they are not shackled to a high interest rate at a time of historic low interest rates? Democrats are on their side. All we have to do is look at the vote today if nothing else. One does not have to understand any more than the Republicans blocked us from debating the importance of lowering interest on student loans.

So I will be back to put in the record individual stories from my constituents. But let's wake up, America. Parents, wake up. Students, wake up. The Democrats proved today that we are on your side. The Republicans proved they are not. Period. That vote says it all. It is not complicated. They will make it complicated. They will talk about procedure and this and that. The bottom line is the bottom line. The Republicans voted not to allow us to vote on ways and methods to lower interest rates for our students. So don't be fooled. We will hear speeches on why they voted no, and they will come up with things. The bottom line is they wouldn't even let us debate this issue. I am stunned. I assumed we would be on this bill.

So when Americans look at the Senate floor and don't see much activity except for a few of us coming to speak, and they thought today was the day we were going to vote to lower interest

rates on student loans, wake up to reality. It is called a filibuster. We were stopped by the Republicans once again, just as they have stopped us time and time again. They come to the floor with every reason one can imagine.

We have news. We have two independent scholars who wrote a very important paper. They are nonpartisan. What they said in this paper is that they used to think it was both sides that were stopping progress. Now we know it is one side. It is the Republican side. Today is yet another example. I hope everyone within the sound of my voice—and we will hear stories about what is happening, and I hope people will write us all and e-mail us with their stories and tell us what it means to them to have to spend thousands more unnecessarily on student loans. Give us the stories. Let us tell the stories.

I hope Americans will send us those stories, and I hope we will send a message to those who voted to filibuster this very important legislation today that they are not on the side of the American people. They are not on the side of working families. They are not on the side of the middle class. They are not on the side of economic progress. They are not on the side of economic growth.

I thank the President for the time, and I yield the time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Wow. That was interesting. I remember when the Senator who just spoke before me, before we left for our district work period, was praising the Republicans for working with her—one Republican specifically—and about how appreciative she was for working together and taking the time in a bipartisan manner to move forward on a very important piece of legislation that she was spearheading. We didn't filibuster that. We didn't filibuster the postal bill or the Violence Against Women Act or the crowdfunding bill or the insider trading bill. But all of a sudden we are filibustering now.

The bottom line is we want to have the opportunity to have an alternative proposal and to have a full and fair debate. I think the American people are smart. I know the American people are smarter than that.

I stand before my colleagues today to reference that most students and parents know in July the fixed interest rates on subsidized government student loans are set to double. That was very eloquently pointed out just now. But let's be clear. The vast majority of the Members of this body want to prevent that from happening. I think that is a no-brainer.

Unfortunately, today we voted on a bill that is not bipartisan. It is very clear it is not bipartisan to raise taxes on subchapter S corporations, which are the people who are doing some of the very serious job creation in this country. It is not going to pass the

House, and it is not going to pass muster with the American people. It was not negotiated in good faith, and it has no chance of passing in the House of Representatives, as I said.

Once again, we are preparing for an unnecessary political battle. That is kind of what happens. We have a rough spot with a political battle, then we do two or three things that are good. Then we get stuck again, and then we do two or three things that are really good. It is unnecessary. We need to work in good faith and negotiate a compromise instead.

A 100-percent Democratic bill isn't going to pass, I say to my colleagues. A 100-percent Republican bill isn't going to pass. It needs to be a bipartisan, bicameral bill that the President will sign. That is how we passed some of the most important pieces of legislation dealing with ethics on the insider trading bill that I was proud to sponsor with Senator GILLIBRAND in a bipartisan manner. We got it through and out of this Chamber and passed and signed by the President in record time.

We just passed the postal bill, the Violence Against Women Act, the crowd-funding, the jobs package. We need to work in the same manner on this matter.

With so many recent graduates unemployed or underemployed, Members of Congress need to work together to keep the interest rates where they are currently. Rather than wasting time trying to blame the other side, let's try to build some bridges as we did before we left—or I thought we had done. I was looking forward to coming back after the week off and getting right back at it and working on important things such as cybersecurity and the student loan issue.

So let's allow people of good faith to figure out how to solve these very real problems. That is why today, as I have referenced to many of my colleagues in our weekly caucuses and through e-mail, I am offering a bill that would extend the 3.4-percent rate for another year, without raising taxes, as is being proposed, or cutting sacred programs, which is also being proposed.

My bill, the Subsidized Stafford Loan Reduced Interest Rate Extension Act, would extend the subsidized rate for a year. To pay for it, I suggest using a noncontroversial option: reducing Federal improper payments.

We have all heard about the amazing amount of waste that goes on just by paying people who are dead who should not be getting their payments and also paying other entities that have either already been paid or are being improperly paid. It is millions and—sorry, billions and billions of dollars.

The bill establishes a government-wide "Do Not Pay List," and requires new audit pilot programs across Federal agencies to provide more tools to battle back and make sure we can recapture those moneys.

Let me give a few examples of the improper payments so the folks up

there in the gallery listening and those who are watching on TV can kind of reference it. These are payments I hear about working as the ranking member of the Subcommittee on Federal Financial Management—a committee where Senator CARPER and I have been diligently working in a bipartisan manner, once again, to try to solve problems.

Medicaid, which is the primary source of health coverage for over 50 million Americans, made an estimated \$21.9 billion of our tax dollars in improper payments in 2011. The Federal-State Unemployment Insurance programs made an estimated \$13.7 billion in improper payments in 2011.

SSI made an estimated \$4.6 billion in improper payments in 2011.

I think, if I am not mistaken, we are looking for \$6 billion to pay for this student loan extension. I just referenced almost \$38 billion, \$39 billion. We need \$6 billion. That is it.

We spend over \$1 billion in payments that are sent to dead people, as I said. Mr. President, \$1 billion we pay. Can you believe that? We pay \$1 billion to people who are dead. There are billions in payments that are sent to the wrong recipient, billions in incorrect amounts sent to the right recipients, and billions in payments where documentation is missing and where the recipient is not using the funds for the intended purpose.

All we have to do is be marginally successful—just marginally successful—to recover the \$6 billion we need to pay for this very important student loan program. When government is so wasteful, raising taxes should not always be the first thing we look at.

How about reestablishing the trust with the American taxpayers—the people who are listening in the gallery and on TV. Why is it every single time we are going to raise taxes on one particular group or another? This time we are going after the small business owners, the subchapter S corporation owners.

I am not saying my bill is the only answer. But it does provide a neutral starting point for both sides to come together in a truly bipartisan manner, as we have done before, to find a solution with which we can all live. I am willing to work with my colleagues, and I am willing to consider all options that will allow us to move forward. If we fail to act, we will burden our students who are going to college with an extra \$1,000 in student loan interest—just because we could not find a compromise. Pretty simple.

The student loan situation, as we are all discussing and has been discussed throughout this country through various media outlets and the like—and they are focusing more and more and more on this issue, which I think is critical—we need to start a national conversation about addressing the primary issue affecting families with kids in college: the cost of annual tuition, room and board.

Between 2000 and 2010, the cost of tuition, room and board rose 36 percent,

and that is after adjusting for inflation. That means students are now paying one-third more for the same education they would have gotten 10 years ago. Looking at previous decades shows a similar trend: From 1990 to 2000, the increase was 26 percent; from 1980 to 1990, it was 37 percent.

Why are students paying so much more for the same education? As we know, it is a huge problem for families.

While tuition is skyrocketing, there is still a total lack of transparency when it comes to schools' financial decisions. If the recent reports of outrageous administrator and faculty compensation packages are any indication, it would seem students and parents—students and parents—are funding administrators' and faculty members' million-dollar salaries.

Instead of being surprised by every new exposé of outrageous pay packages, I propose increasing transparency by requiring schools to post their financial disclosures online, right in front, right on their Web sites, so everyone can see them. This would not be hard to do. In fact, the IRS already requires nonprofit institutions of higher education to file the IRS Form 990 yearly, which includes disclosure of the compensation packages for the highest paid employees. It also provides a financial snapshot of schools' finances and also how schools choose to spend tuition dollars.

Making the information available so easily online will increase transparency and allow students and parents and the general public to check the schools' spending decisions—way before they make headline news. On the outrageous pay issues, sunlight may help begin to solve the spending problem associated with the high cost of education.

No one disputes the importance of a college education, but we are setting our students up for failure by giving them above-market student loans and not requiring our schools to be transparent about their financial operations.

So my suggestion is, let's work together. Let's not fail our students. It is time we finally focused the Federal Government on how we can set our students up for success instead of failure.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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. HARKIN. Mr. President, here we are with an empty Senate Chamber, while families across the country are wondering whether they are going to have to come up with more money to pay higher interest rates on student loans beginning July 1. It is going to happen unless we take action.

We have tried to take action, but, frankly, my friends on the other side, the Republicans, won't even let us go to the bill. We had our vote almost 3 hours ago. We recessed for our party conferences, as we do every Tuesday. Here we sit, without being able to even proceed to the bill because the Republicans voted against closing down debate and moving to the bill and offering amendments and having an up-or-down vote.

The pattern is all too familiar, as we know, over the last few years: more and more filibusters, more and more cloture motions to end the debate. It is unfair to families and students all over America.

Here I address my comments to students. They are the ones who are trying to get a higher education, because they know that is the pathway, the gateway to middle-class America. Young people today know that the jobs of the future will require a higher education. They understand that. So many are scrambling to put together resources to pay for college. We had a young woman this morning, Clarise McCants, who spoke with us. She is the first in her family to go to college. She is from Philadelphia, and she goes to Howard University. She comes from a very poor background and a poor family. She relies on Pell grants, a work-study program, and summer work jobs, plus her subsidized loans. If I am not mistaken, she has somewhere in the neighborhood of \$13,000 or \$15,000 right now in debt. The last thing Clarise McCants needs is to have an additional \$1,000 a year put on her student loan interest. That is what will happen on July 1, unless we act here. It is unfair to her and to millions of students all over the country that we sit here and do nothing, while they wonder whether they are going to have to pay more in interest charges on July 1. It is unfair.

We have on our side a solid proposal to keep the interest rates down for the next year at 3.4 percent, where they are now, rather than having them double to 6.8 percent. To do that, to pay for it, we have proposed that we close a glaring loophole in the Tax Code that applies only to subchapter S corporations. A lot of people say, what does that gobbledygook mean? A subchapter S corporation is for very small corporations. Compared to the giant corporations you normally think of, they are very small. Within that small universe of subchapter S corporations, as they are called, there is even a smaller universe. That small universe is comprised of professionals such as lawyers and accountants, people who give advice and do their own work, and they form a small corporation.

Because of the fog that surrounds whether someone is paid a salary or is paid from dividends, many people who form these subchapter S corporations are not paying their fair share of Social Security and Medicare taxes. We have proposed that we draw a bright line so that people know whether they

are getting paid a salary or wages, or whether it is coming out of dividends. The Joint Tax Committee says this will raise for us \$9 billion over the next several years. That is enough to help us pay for keeping the interest rates low. Our proposal is three things: closing the tax loophole, it puts more money into the Medicare and Social Security trust funds, and third, it helps us keep interest rates low for students in this country.

You would think that would be a no-brainer. I think most people would say that is kind of a no-brainer. But our friends on the Republican side refuse to let us even bring the bill up for debate and a vote. My Republican friends have suggested a different way of paying for this. They want to protect those few people in the subchapter S corporations—very wealthy people—from paying those taxes. They have suggested—the Republicans—that instead we take all the money to pay for keeping interest rates low out of the Prevention and Public Health Trust Fund—it is known as the prevention fund—which is in the Affordable Care Act. Again, that would drain all the money out. It would completely eliminate the program.

I suggest that people look at today's headline in USA Today this morning. It says that 42 percent of the adult population by 2030 is expected to be obese. Out of that, one out of four will be severely obese. The same report was also in the Washington Post this morning. The study predicts that 42 percent of Americans will be obese by 2030, which will shorten life, and they will incur large medical expenses. In fact, if obesity stays at its current level and doesn't increase, the savings and projected health care costs will be considerable—about \$550 billion, $\frac{1}{2}$ trillion. That is what the prevention fund is doing. It is out there working every day—it has only been in existence a couple years now—putting things in place to prevent people from being obese, to prevent kids from getting the adult onset of diabetes at 10, 11, and 12 years of age. In 1980, only 15 percent of Americans were obese. Today, it is about 34 percent.

What if we had in place in the 1980s, 1990s, and in the last decade the prevention fund that we have, which does all of the things necessary to help people make healthy choices and lead healthy lives and not become obese? Think of the savings we would have in our health care system today if we had a prevention fund like that in 1980, and rather than having 34 percent obese people in America today, we had 15 or 16 percent. Well, projecting that forward to 2030, if we don't act now, 42 percent will be obese. Again, it will cost us \$550 billion in the next 20 years.

Preventing this, which we know we can do—we have evidence-based proof that certain interventions and programs work. Not only does it keep obesity down, but diabetes and heart disease, and related illnesses will be lessened, thus saving us even more money.

The prevention fund is what the Republicans want to kill, eliminate. I think that is disappointing and disturbing, after all that we know and have seen in the past on prevention and public health and what we can do to prevent illness, obesity, and diabetes in children, to say we are not going to put the resources forward to prevent that.

We know that for every dollar we invest in prevention, we are reaping anywhere from \$3 to \$10, or more, in the first couple years. Here we are at an impasse again. Once again, the Senate is at an impasse because we cannot move to a bill. We can't amend it, vote on it, or debate it—other than talking about it right now as I am doing. The Republicans refuse to let us even get to the bill.

We will continue to tell the American people what is at stake here and what the differences are. These are policy differences. The American people should know what those policy differences are. The Republicans say they want to keep the student interest rate at 3.4 percent. We say we do, too. Well, OK, what is the difference? The policy difference is in how we pay for it, how we pay to make sure we keep the interest rates low.

I think the logical thing would be to have the bill come to the Senate floor and offer amendments. If the Republicans want to offer an amendment to take the money out of the prevention fund and kill and eliminate the fund, let them do it, and we will vote on it; we will see if we have the votes to do that. They can debate it if they want, and we will be glad to debate and discuss closing this tax loophole on subchapter S corporations. I think that would be a healthy debate and a policy difference that the American people should see, and they can decide between the two sources of how we are going to pay for this.

We are going to continue to talk about this because I think the American people should know what is at stake here in this filibuster that we have in front of us right now. I know my friends on the other side say that President Obama wanted to take some money out of the prevention fund. Well, that did happen, in order to extend for 1 year the unemployment insurance provisions and also the payroll tax cut this year. They seem to think that since we have already taken some money out of the prevention fund, we can kill the whole thing.

My analogy this morning was that it is one thing to take a couple pints of blood, but it is another to take all your blood. So they took some nicks out of the prevention fund, which I didn't support, but the fund is still healthy, alive, and doing its job. It could do more if it had more money. Nonetheless, it is still there doing its job.

The Republicans are saying drain all the blood out and kill the whole thing. I don't think the American people want to go there. It seems to me that it doesn't make common sense that we

would pit the health of the American people—and women's health especially, children's health, and the elderly, who are benefitting right now from this prevention fund. There are immunizations, childhood checkups, and provisions that go out into communities for healthier living in our communities. There is better nutrition for our kids in schools, fresh fruits and vegetables, and more physical activity. That is all in the prevention fund. That is what they want to do away with. It is too bad that they are trying to pit the health of women and children and the future against students. That is not right.

As I have said many times—and keep saying—I have heard from the other side that we are going after job creators. If we raise the taxes, you see, on subchapter S corporations—if we close that loophole, we are hurting job creators. First of all, the provisions in our bill on subchapter S only affect a corporation with three or fewer stockholders—hardly job creators. I mean, if somebody wants to start a corporation with 5, 10, 15, 20, that is different. This doesn't touch them. It only touches someone who has less than three shareholders, if their income is over \$250,000 a year as a joint filer, and if they are a subchapter S corporation.

Some say: Well, you know, they can get audited. I had an example I used the other day of a person who was claiming he didn't have to pay Social Security and Medicare taxes because he wasn't a subchapter S corporation. The individual was pretty ingenious. He had set up a subchapter S corporation, and he contributed—donated—his time.

In exchange he got dividend payments—profits—from this subchapter S, as did his wife and his child. There were three—he, his wife, and child, and he did not pay Social Security taxes. Well, he happened to get audited, and the Justice Department took him to court, to Tax Court, and the Tax Court found out he really was being paid. He was making a salary, an income, and he had to pay Social Security taxes on that.

Well, when I used that example, my friends on the Republican side said: Well, that is just it. All we have to do is just audit them, and we don't have to close this loophole. I had to point out that only ½ of 1 percent of all filings of subchapter S corporations are ever audited. So if someone is out there and there is not a bright line as to whether they are salaried or are getting dividends—it is kind of a fog out there—why wouldn't they err on the side of saying: I don't have to pay those taxes because the odds are 99.5 to 1 they will never get audited. Those are pretty good odds—99.5 percent of the time no one is ever audited. If they are audited, they get a slap on the wrist, pay a little fine, and move on.

So what our bill does is to provide certainty. It provides certainty to subchapter S corporations that if they fall

on this side of the line, they are salaried, if they have less than three shareholders. If they fall on the other side, they can get dividends, and that way they don't have to pay Social Security and Medicare taxes. Quite frankly, I think that would be in the best interest of everyone, including the subchapter S corporations.

Mr. President, I ask unanimous consent to have printed in the RECORD the article that appeared in the Washington Post this morning by David Brown—the study that predicts 42 percent of Americans will be obese in 2030.

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

[From The Washington Post, May 7, 2012]
STUDY PREDICTS 42 PERCENT OF AMERICANS
WILL BE OBESE IN 2030
(By David Brown)

In 2030, 42 percent of American adults will be obese, and about one-quarter of that group will be severely obese, a condition that shortens life and incurs large medical expenses, a new study predicts.

This view into the future is less ominous than one published four years ago that predicted that 51 percent of the population would be obese in 2030. Nevertheless, the trend foretells a huge drag on the health and economic welfare of the United States.

"If we don't do anything, this is going to really hinder any efforts to contain future health-care costs," Justin G. Trogon, an economist and one of the authors of the projection, told experts Monday at the start of the two-day "Weight of the Nation" conference in Washington.

However, if obesity stays at its current prevalence—34 percent of adults—and does not increase, the savings in projected health-care costs will be considerable, about \$550 billion, the authors said. The most recent evidence, in fact, suggests that obesity rates are plateauing.

"Regardless which is correct, we still have a very serious problem," William H. Dietz, head of the Centers for Disease Control and Prevention's obesity program, said of the scenarios.

Obesity related ailments—diabetes, heart disease, kidney failure—consume at least 9 percent of health-care spending in the United States. Some researchers believe the cost may be twice that estimate. Total health spending is about \$2.6 trillion a year.

The new study, published in the American Journal of Preventive Medicine, used obesity prevalence data from 1990 through 2008 to extrapolate future trends. The information came from the Behavioral Risk Factor Surveillance System, a federally funded telephone survey. People underestimate their weight when asked on the phone; that fact was compensated for in the mathematical model.

The researchers also incorporated variables, measured in each state, that affect obesity rates. These included the price of gasoline, which discourages walking when it is low; access to the Internet (and other technologies), which encourages sedentary behavior as it increases; and restaurants per 10,000 people, which increases eating out and weight gain when the number goes up.

In 2030, 42 percent of people are projected to be obese, and 11 percent severely obese. Obesity is a body mass index (BMI) of 30 or more, which is 186 pounds for someone 5 feet, 6 inches tall. Severe obesity is a BMI of 40 or more—248 pounds for someone that height.

Cynthia L. Ogden, an epidemiologist at the CDC, told the conference that, in general,

obesity rates changed little in the 1960s and 1970s, rose steeply in the 1980s and 1990s, and have been leveling off in the past decade.

For men, obesity prevalence doubled but has changed little in the past eight years, with no difference between blacks, whites and Mexican Americans (which are the three groups for which there are good data). For white women, the obesity prevalence has not changed in 12 years. It has risen slightly in black women and Mexican American women, although that increase mostly occurred early in that 12-year period.

There are some exceptions to this general picture of stability.

Obesity is rising in higher-income men. Severe obesity is increasing in both sexes. It was 6.2 percent in women in 1999 and 8.1 percent in 2010. For men, it was 3.1 percent in 1999 and 4.4 percent in 2010.

Eric A. Finkelstein, a researcher at Duke University who led the new study, said that just in the past 50 years has it been possible for millions of people to be both sufficiently inactive and to have access to enough food to become severely obese.

"The world has changed in ways that allow people to be that overweight," he said.

The reason for the plateauing of the obesity prevalence is uncertain. It almost certainly reflects many factors, including an approach to a natural limit of the epidemic and the success of efforts to fight it by encouraging exercise and educating people about better eating habits.

Mr. HARKIN. Mr. President, I hope the Republicans will talk among themselves. I hope they will listen to the students and their families who don't want to be hung out there this week and next week and on and on and on not knowing whether they are going to have to pay higher interest rates on their student loans. Let's have cloture. Let's bring up the bill, and then let's vote on it. If they have amendments, fine, we will vote on them. But at least let's move the bill.

Mr. President, with that, I yield the floor, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

EPA RULES AND REGULATIONS

Mr. BARRASSO. Mr. President, I would like to spend a little time today talking about what has become known across the country as the Obama economy. This administration, after nearly 4 years, has failed to get this country and to get our economy moving again. Even worse, as I look at it, this administration seems to be taking steps that appear to be methodically and deliberately sabotaging certain parts of our Nation's economy. They are doing this in sectors of the economy that, apparently, to me, they just don't like. And they are doing it by issuing thousands and thousands of pages of redtape on the very people in this country who have successfully created jobs for Americans in the past.

This administration has finalized 1,330 rules that have been deemed economically significant. They have proposed over 1,300 additional economically significant rules. So what does this mean, the words “economically significant”? Well, those are rules that have an annual impact on the economy of \$100 million or more.

Fifty-seven coal-fired powerplants have already announced their closure because of the cumulative effect of these rules on just this one industry. The EPA is proposing regulations on whole sectors of the economy, whether it is issuing new storm water regulations for existing buildings to requiring costly Clean Water Act permits. They are doing this for ditches on family farms.

Thousands of American jobs have already been lost, and others are on the chopping block due to these rules. These are not new laws that have been passed but are rules coming from this administration. Each time the EPA claims the benefits of the rules vastly outweigh the costs. The costs are real in terms of real dollars to the economy, but the benefits are unknown. The administration claims the benefits are in so-called “saved future health care costs.” That is how they define it, “saved future health care costs.”

The EPA and this administration have a history of understating the costs and of overstating, in my opinion, the benefits. The EPA’s math on the benefits and the costs of their rules is not even close to being accurate. This has been verified in testimony before the Senate Environment and Public Works Committee, on which I serve as a member.

The EPA rules that set new burdensome limits on emission of pollutants, such as carbon dioxide, mercury, and sulfur dioxide, can have serious costs to plants and factories that then have to update their facilities with costly equipment or simply close to be under the new standard, and these are new standards—not the old standards but new standards.

Those reductions yield few quantifiable benefits to the economy. That is not me saying that, it is the EPA’s own models. They admit the reductions yield very few quantifiable benefits to the economy. The costs are usually significant to the businesses in terms of actual expenses, as well as to the public in terms of people looking for jobs and in terms of jobs that are lost.

The EPA knows no one would buy into their rules with such high pricetags. So in order to inflate the so-called “benefits” of their rules, the EPA says: As a result of having less emissions from plants and factories, there must also be reductions in particulate matter, or dust, at the same time. They then make the inaccurate conclusion that reductions in dust will somehow yield billions of dollars in health benefits because folks will have healthier lungs and visit the doctor fewer times.

These reductions in dust are often in areas where the dust level today is already well within public health safety standards that are set by the EPA. So the folks aren’t actually getting sick in those areas anyway. So if people aren’t already getting sick in the areas where the EPA is trying to regulate the air, then how is it they can claim they are going to save billions of dollars in fewer visits to the hospital by reducing dust levels even further than today’s safe levels?

What we know now is the EPA is cooking the books. At the same time, they are missing the real public health threat they, themselves, the EPA, is making worse; that is, the public health threat from high unemployment. I recently released a report entitled “Red Tape Making Americans Sick—A New Report on the Health Impacts of High Unemployment.” Let me repeat that: “Red Tape Making Americans Sick—A New Report on the Health Impacts of High Unemployment. Studies Show EPA Rules Cost Americans Their Jobs and Their Health.”

This is a report submitted by the Subcommittee on Clean Air and Nuclear Safety by the minority subcommittee staff.

I ask unanimous consent to have printed in the RECORD the Key Findings and Recommendations and the Executive Summary of this report.

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

RED TAPE MAKING AMERICANS SICK—A NEW REPORT ON THE HEALTH IMPACTS OF HIGH UNEMPLOYMENT

STUDIES SHOW EPA RULES COST AMERICANS THEIR JOBS AND THEIR HEALTH

Minority Subcommittee Staff Report; Subcommittee on Clean Air and Nuclear Safety—Senator John Barrasso, M.D., Ranking Member, March 2012.

EPA RED TAPE INCREASES UNEMPLOYMENT WHILE WORSENING PUBLIC HEALTH

KEY FINDINGS AND RECOMMENDATIONS

Congressional testimony and scientific research reveals that unemployment from Environmental Protection Agency (EPA) regulations: increases the likelihood of hospital visits, illnesses, and premature deaths in communities due to joblessness; raises healthcare costs, raising questions about the claimed health savings of EPA’s regulations; hurts children’s health and family well-being.

EPA claims of health benefits from current and future Clean Air Act regulations are misleading and incomplete. The agency must adequately examine the negative health implications of unemployment into their cost-benefit analysis before making health benefit claims to the public and Congress.

The Full Senate Environment and Public Works Committee and the Subcommittee on Clean Air and Nuclear Safety should conduct additional hearings to responsibly investigate the health implications of higher unemployment as a result of federal regulations.

EXECUTIVE SUMMARY

President Obama’s Administration continues to claim that new EPA Clean Air Act regulations for ozone, greenhouse gases, elec-

tric utilities, domestic oil and gas producers, and manufacturers deliver significant economic benefits. Specifically, the agency says that these regulations will yield billions of dollars in benefits for the U.S. economy in the form of fewer premature deaths, sick days, hospital visits, cases of bronchitis, and heart attacks.

Mr. BARRASSO. Mr. President, this is a comprehensive report, and it contains expert testimony before the Senate Environment and Public Works Committee from the best scientific medical research, from institutions such as Johns Hopkins, Yale University, and others. This key medical research and testimony on the impact of unemployment on public health is irrefutable.

The report concludes that high unemployment increases the likelihood of hospital visits, illnesses, and of premature death in communities. That is high unemployment; high unemployment raises health care costs, raising further questions about the claimed health savings of the EPA’s regulations. High unemployment also hurts children’s health and family well-being.

On June 15, 2011, Dr. Harvey Brenner of Johns Hopkins University testified before the Senate Environment and Public Works Committee. Here is what he said:

The unemployment rate is well established as a risk factor for elevated illness and mortality rates in epidemiological studies performed since the early 1980s.

So this has been a well-known fact now for over 30 years. Continuing the quote:

In addition to influences on mental disorder, suicide and alcohol abuse and alcoholism, unemployment is also an important risk factor in cardiovascular disease and overall decreases in life expectancy.

I speak as a physician, someone who has practiced medicine in Wyoming, taking care of Wyoming families for a quarter of a century, and I can assure you this is perfectly in keeping with my experience in my years of practicing medicine.

Yale researcher Dr. William T. Gallo’s paper on the impact of late-career job loss reports:

Results suggest that the true costs of late career unemployment exceed financial deprivation, and include substantial health consequences.

“Substantial health consequences.” He goes on to say:

Physicians who treat individuals who lose jobs as they near retirement should consider the loss of employment a potential risk factor for adverse vascular health changes.

What does that mean? Well, it means a stroke, high blood pressure, or heart disease. These are all major killers, major things that result in disability and long-term health problems, increasing the cost of care.

Let’s look now at the impact of joblessness on children. The National Center for Health Statistics concluded:

Children in poor families were four times as likely to be in fair or poor health as children in families that were not poor.

I have seen firsthand how economic challenges affect Americans' health and their quality of life. In my medical opinion, this country faces a worsening health threat from unemployment, with well over 30 months of unemployment rates over 8 percent.

I have urged the EPA to seriously consider the impacts of these rules and the new rules they continue to come out with and how they have a bad impact on families—on pregnant women, on children, on the elderly. The EPA has not looked at the serious health impacts their rules result in. The EPA continues to hide behind computer models—not real people—that churn out inflated, fictitious so-called “benefits of health.”

The time to get serious about public health is now. In fact, there was a USA Today article published Monday of last week, and I brought a copy along because it was very disturbing. On the front page of USA Today, Monday, April 30, 2012, the police are tying domestic violence to the economy. The headline reads: “Domestic violence rises in sluggish economy, police report.” The article states:

Police are encountering more domestic violence related to the sluggish economy, a national survey of law enforcement agencies finds.

These are law enforcement agencies across the country, their national survey. The article quotes Camden, NJ, police chief Scott Thompson, who stated it is “impossible” to separate the economy from the domestic turmoil in the city where unemployment is 19 percent. Camden police chief Scott Thompson went on to say:

When stresses in the home increase because of unemployment and other hardships, domestic violence increases. We see it on the street.

So these types of reports of increased domestic violence due to unemployment are not just being reported in Camden, NJ.

The article cites Chuck Wexler, executive director of the Washington-based law enforcement think tank, who expressed serious concerns with the rising violence. He said:

You are dealing with households in which people have lost jobs or are in fear of losing their jobs. This is an added stress that can push people to the breaking point.

I agree. It is certainly what I saw as well in my days of medical training and medical practice.

The health crisis from unemployment under this administration is getting worse.

On May 4, 2012, the Christian Science Monitor, in their article on the unemployment rate, said:

While the economy added 115,000 net jobs in April, some 350,000 Americans gave up looking for work.

So for every one new job that was added, three people gave up looking for work. That has the effect of reducing the unemployment rate because, by the Federal Government's way of calculating it, those people no longer count

as part of the labor force. As a result, the share of Americans who are part of the labor force—either working or actively looking for work—has reached a 30-year low. You can add those numbers and look at those and say “350,000 people” and put that to the list of folks who are now at risk for serious health impacts due to the Obama economy.

If we want to make Americans healthy, we need to get Americans back to work. We need to get the EPA out of the business of making folks unemployed across this country. Each new job is a job that will put food on the table for struggling families and help keep medical costs under control. New jobs will keep thousands of Americans out of the doctor's office and on the playground. Creating jobs will keep those nearing retirement from paying for more prescription drugs so they can spend more time and money on their grandchildren. Creating jobs will ensure that the next generation will be healthier than the last.

Let's work together to improve public health by reducing this administration's redtape that is putting so many Americans out of work. The health and happiness of the American people depends upon it.

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

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

EXPORT-IMPORT BANK

Mr. DEMINT. Mr. President, I wish to make a few comments about free markets, free enterprise, and the role of government, particularly as it relates to the Export-Import Bank.

When people ask me if I am pro-business or pro-labor, I say I am neither. I am pro-freedom. Freedom is the only political principle that cannot be bent to serve special interests. Remember how 7-Up used to call itself the un-cola? Well, freedom is the un-special interest.

Freedom, protected by the Constitution and the rule of law, works for everyone. It allows everyone—left or right, young or old, rich or poor—to make their own choices according to their own values.

Government's job shouldn't be to tilt the field for one team or another but to guarantee a level playing field for everyone. That is why I am against forcing workers to join unions. I am against congressional earmarks for favored groups, government bailouts for Wall Street, and energy subsidies, both for oil companies and for green energy companies.

Let's look at recent events surrounding the Boeing Company, one of South Carolina's most important employers. As a South Carolinian, as an American, and as a guy who likes cool

airplanes, I love Boeing. When Boeing's home State labor union ganged up with President Barack Obama's National Labor Relations Board to try to sue Boeing for building a new factory in north Charleston, I strongly supported Boeing's freedom to build factories wherever they please. More recently, dust has been kicked up over the extension of the Export-Import Bank, a Federal program that subsidizes American businesses' exports. Because Boeing receives export-import subsidies and because I favor winding down the Ex-Im Bank instead of increasing its budget, some asked if I went from being pro-Boeing to anti-Boeing. Neither. I am just being pro-freedom.

In both cases, my guiding principle is the same: liberty. Freedom isn't perfect, but it is fair. And any time government hands out favors, they are being unfair to someone. When Washington picks winners and losers, in the end taxpayers always lose, and the Ex-Im Bank is no exception. The Ex-Im Bank started out decades ago with a lending cap of \$5 million to help American companies sell into a global economy that barely existed. Today, the cap has ballooned to \$100 billion in a booming global economy. And what have the American people gotten for their money? They have gotten \$10 million in loans benefiting the now bankrupt Solyndra, millions of dollars in loans to another solar company to sell solar panels to itself in another country, and \$600 million in loans to Enron projects before Ken Lay went to prison—all this after Ex-Im has already sought its own \$3 billion taxpayer bailout.

This isn't a criticism of an agency or an administration but of government subsidies in the first place. When government stays out of markets, businesses focus on their customers; quality improves, prices fall, and everyone wins. When government steps in, businesses turn their attention from their customers to their Congressmen and hire influence peddlers instead of innovators. Competition sags, the pace of innovation slows, prices rise, and product quality suffers.

Defenders say the Ex-Im Bank is needed because Europe subsidizes their exports, but Europe says the same about our Export-Import Bank. We are in a bidding war with other countries for the biggest subsidies. Still, exporters say the cost of doing business in America is too high to compete. I agree. We have the highest corporate tax rate in the world, so let's cut taxes. Let's reform our insane \$1.75 trillion per year regulatory state. Let's reform education and liberate our children from failing schools and create a better prepared workforce for the future. Let's repeal the government takeover of health care and put an end to predatory lawsuits filed against innocent businesses. In short, let's fix the rules of our game to make all of our exports competitive rather than rigging them for one company or product at a time.

Our policies should make the United States the best place in the world to buy, sell, farm, manufacture, patent, invent, invest, innovate, and educate—for everyone in every industry.

Look at what today's ad hoc economic policymaking has done to America—where a collection of narrow special interests vies for the favoritism of discredited politicians while we mount unsustainable debt onto the backs of our children and grandchildren. That is what I am against. What I am for is a level playing field, a set of clear rules that guarantee the freedom of entrepreneurs to make and sell what they want, and the freedom of customers to buy what they want.

I am not for big business or big labor. I am for big freedom for everyone.

Thank you, Mr. President. I yield the floor and note the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Madam President, I rise to address the motion to proceed we are currently debating. Essentially, this is a motion to proceed to a bill that would sustain the 3.4-percent interest rate on Stafford student loans.

Earlier, we had a vote to attempt to conclude the debate over whether we should get to the bill. That has to have a supermajority of 60 under the rules of the Senate and we didn't have that supermajority. My colleagues across the aisle voted against debating whether to sustain the 3.4 percent on student loans or, to put it differently, they voted to block this effort and preserve the 6.8 percent as the rate we will go to shortly if we don't address this legislation.

I certainly think students at every institution in Oregon would be appalled the Senate isn't willing to hold a debate over the doubling of the cost of student loans. This has a tremendously powerful impact on the affordability of education across America. We are at a point in the history of the world where our nations are interconnected. We have a global knowledge economy. The nations that prepare their children well not only will have the best future for those individual children, but they will have the best economy down the road.

What is the impact of doubling the cost of student loans? Certainly, for many students it means they will not complete their education. They are facing diminished job prospects, they are facing expensive tuition, and there are only so many part-time jobs they can take while still attempting to complete their coursework. At some point they will say the burden is too heavy—the debt burden is too heavy—the hurdles are too high. Then we all lose. Our

children will lose the opportunity to fulfill their potential to pursue their dreams and our economy loses because we are not the best prepared around the world.

Indeed, today, across America we are becoming the first generation of parents whose children are getting less education than we got. I would like to see that debated on the floor of the Senate. I would like to hear a Senator stand and say they are proud of the fact that America is failing its children. I would like to hear that defended because I certainly have a different view. I have a view that in terms of the opportunity for our children and the success of our economy, we have to address the issue of the affordability of college tuition.

The folks who can capture this issue the best are students themselves, so I have come to the floor to read a letter from one of the students in my home State who is making the case that we should debate this issue, that we should address affordable college. Here is what he has to say:

Senator Jeff Merkley, my name is Mario Parker-Milligan. I'm the student body president at Lane Community College in Eugene, Oregon. My job as president gives me many opportunities to discuss issues that students find important to them and often I find myself lobbying or advocating for issues that don't directly affect me. Today that is different.

Today, I find myself seeing a federal and statewide disinvestment in higher education institutions across the nation and dramatically here in Oregon. At the same time, more and more students are needing need-based aid while it too is being diminished. Students are graduating from college but our debt loads are increasing and we are finding fewer jobs upon graduation. With all of these other barriers—low federal and state investment pricing students out of tuition, low financial aid leads to high student debt, and few jobs upon graduation—the prospect of having Stafford Loans' interest rates doubling is a haunting thought. Students are continuing to pay more and get less for our education.

Today, the average student is graduating with twenty-five thousand dollars of loan debt. I have over eighteen thousand dollars of loan debt today. An interest rate of six point eight percent on top of thousands of dollars we owe in this economy doesn't seem smart either. I am not close to being done with my education and am fearful to continue to take out loans when I think of how long it will take to pay it back. Students rely heavily on student loans in order to complete college in a timely manner, otherwise many of us are forced to work 2-3 jobs while attempting to go to college full time, which usually results in prolonged stays and more debt.

As a member of the board of directors for both the Oregon Student Association (OSA) and the United States Student Association (USSA), both associations working to break down barriers to higher education, I hear stories of students that are having to choose whether or not they put food on the table or keep lights on at home. Affordability is a leading barrier to a quality education and raising interest rates will only continue to price students out of an education. Please vote to maintain the Stafford Loan interest rates at 3.4%. Don't Double Our Debt. Sincerely, Mario Parker-Milligan—of Eugene, OR.

I think Mario does voice the concerns of hundreds of thousands of students across America who are working hard to complete their coursework to pursue their dream—to gain the skills to provide both a purpose in life, a life mission, if you will, and a stable financial foundation. The prospect of coming out of college with debts that come close to a mortgage on a home is indeed daunting.

I must say, I view this through the lens of my own experience as a child of a working family. My father was a millwright and then a mechanic, and no one in my family had ever gone to college. I was the first, and the prospect of debt was a consideration that worried my family with this unfamiliar course that I was undertaking. I feel very fortunate that in the end the combination of work-study, affordable loans, and scholarship meant that I graduated from my undergraduate education without the heavy debt burden—a very modest burden—not the very heavy burden students are bearing today. That indeed gave me the range of options to pursue in life that I might not have had if I had to immediately find a job that would help me pay back those very high loans that students are facing. And those are the students who complete their education. So many more will find that they only make it partway through because the debt becomes too high. So I am disturbed—very disturbed—that the Senate body, once known as the world's greatest deliberative body, voted today not to debate this issue, not to take it up.

My colleagues may be voicing their concern about the specific aspects of the bill. I would say to them that they should come to the floor and offer amendments and we should debate those amendments. But let's not fail the students of America. I believe the majority leader has reserved the right for reconsideration, and that in a matter of a few days we might well have another vote on this topic. I would ask my colleagues to reconsider, to end their filibuster aimed at preventing us from keeping the 3.4-percent interest on Stafford loans—that they would reconsider and say, yes, there is a responsibility to debate this issue.

It shouldn't just be on Stafford loans in that we also certainly have a big challenge maintaining Pell grants and keeping those grants competitive with the rising tuition. We should debate other strategies about how to make our investment in higher education more efficient. Maybe all those debates don't have to happen on this bill; maybe this bill should be restricted to Stafford loans. But for this body to reject the notion of debating an issue central to the success of our university students, the success of our children, and the success of our economy is just wrong. Let's change that vote. Let's get on to this bill in due course in a short amount of time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Madam President, I am speaking today on the need to Stop the Student Loan Interest Rate Hike Act of 2012.

It is obvious how hard it is to pay for college these days. It is not just hard for poor people—and we have some programs that help poor people out at the Federal level, Pell grants in particular, and that is a good thing. But you can be making well above the Pell grant allowance level, well above the income that you need for a Pell grant, and have a difficult time paying for college.

College is extremely expensive. The average private college cost a year is over \$30,000, and the average public cost has gone way up. With all the cutbacks at all the Federal, State, and local levels, it is about \$17,000. If you figure that if you are an average family anywhere in America making \$65,000 or \$70,000, \$17,000 a year after you pay your taxes and pay your mortgage and pay for the necessities of life is a heck of a lot of money. Wisely, the Federal Government has provided some loans. A few years ago, under the leadership of Senator Kennedy, we decided to have the Federal Government pay for those loans because when the banks did it, it ended up being far more expensive than it had to be. Those loans were originally 6.8 percent around when the banks did it. They went down and down, and they settled to a nice level of 3.4 percent.

Now 3.4 percent is still interest. Particularly these days it is not such a low rate of interest given that the cost of money is quite low, but it is a lot better than 6.8 percent. But, unfortunately, the law that Senator Kennedy shepherded and many of us voted for and President Bush signed—I believe it was in 2007—expires come July 1.

What will that mean? That will mean millions of students throughout America will pay a lot more interest on the loans that are a necessity for going to college.

We all know how important college is. We all know these days the statistics show that the unemployment rate among college grads is one-third that of high school grads. We know that at your income level, you make thousands of dollars more each year if you have a college degree. There was a recent study that even showed you live longer if you got to college. I don't know what the correlation was, but it was a broad-based study. It was trumpeted in many of our leading newspapers. So a college degree is very important, and one of the ways we measure America versus other countries in terms of our future is what is the percentage of our kids who get a college degree. Unfortun-

nately, that has been declining. We used to be first. Now I don't think we are even tenth, and it is declining because of the cost of college. So a high interest rate on top of the basic cost—\$17,000, \$36,000, whatever—is bad for students, bad for their families, and, frankly, bad for America.

In New York, my State, 423,000 college students would pay \$341 million more in loan payments if we didn't pass this legislation.

I would say one other thing, and that is that this affects almost all college students. You say, Well, I started college last year and I am at 3.4. You are at 3.4 for your freshman year if you are a freshman in college. But when you go to your sophomore year and renew your loans July 1, you are going right up to 6.8 percent. So it affects everybody in college except—luckily for them—the senior class that is graduating this year.

It will also affect the new class of freshmen who are coming in, and I would bet many of them are watching this debate and deciding whether they can go to college or they can go to the college of their choice—one that they deserve to go to because of their grades and record and accomplishments—based on this bill. And so, wisely, Senator JACK REED and Senator TOM HARKIN and Senator SHERROD BROWN have put in legislation that would keep the rate at 3.4 percent.

When they first did this—and President Obama has been fully supportive and he has talked about this at length on campuses throughout America and in other places throughout America. When they put it in, amazingly enough most of our Republican colleagues, in places such as the Club for Growth and American Enterprise Institute, said: We are against it. Let the students pay 6.8 percent. That was sort of the 21st century analog of Marie Antoinette saying, Let them eat cake, because in these days college is much more of a necessity than it ever used to be, even for jobs like machine welder or auto mechanic. These days, our cars are filled with computers and you often need some college education, at least a 2-year college education, to be proficient in skills that maybe 40 years ago you just needed a wrench for. So it was amazing to me that so many of our colleagues on the other side of the aisle said they were against keeping the rate at 3.4 percent.

They began to get a lot of flak, I am sure, from families across the country. So they decided they couldn't be against it, per se, and so in the House they actually—and the President was making a lot of hay with this and scoring a lot of points. So over in the House they then decided, Okay, we can't say we are against this. Of course, we all want to pay for it, and so we will propose a bill that pays for it by cutting preventive services in health care.

There are two points about that. One, our preventive services in health care

are needed, whether it is child immunization, whether it is diabetes prevention—the fastest growing disease around—whether it is mammograms which wouldn't start this year but would start next year as a result of the prevention money—prevention is vital to keeping health care costs down and keeping America healthy. To say the only way we will give you student loans is to take away preventive health care is akin to telling a family: Your little grandson cannot get immunizations if you want your children to be able to pay for their college. It does not make sense and everyone knew it.

The second point is everyone knew it at the time. I don't think there was a person in this town who thought that paying for it by cutting prevention would have a chance in this body. But, frankly, I think that is what some of my colleagues in the other body wanted. Their MO for the last year and a half has been obstruct without fingerprints. In other words, they want to obstruct everything. They want the government to be a mess. They want people to be unhappy so they will change things in the election.

But they know, if they are caught obstructing, it is not going to work out too well for them. In the first half of this year, I have to give them credit, they carried out this strategy of obstruction without fingerprints quite well. Part of it is because the media likes to say “on the one hand, on the other hand.” There is a very good article, tangential to this, by Norm Ornstein at the American Enterprise Institute and Thomas Mann, a senior fellow at the Brookings Institution, one from a conservative group and one a more liberal group, which basically laid this out.

In the second half of the last year and now this year their little strategy of obstructing without fingerprints is not working. It didn't work on the debt ceiling. It didn't work on the payroll tax cut. It didn't work on the highway bill. It didn't work on the postal bill, and, “gloriosky,” we are passing legislation because they can no longer obstruct without fingerprints. Faced with the choice of being caught obstructing or not obstructing, they stopped obstructing. Good for America. Good for bipartisanship. If it was good for them on the other side, fine.

On this one, they are back to their old ways because they put in this pay-for they know cannot pass. What was the pay-for we put in? We thought it would pass. We thought it had bipartisan support. It was one of the things considered in various groups in committees, bipartisan, on how to pay for the deficit. I think this was considered in the August group of last year.

What we say is simply this. If you are a partnership—a big law firm, accounting firm—there are some of them, a small number, not most, most did it the right way, but they want to avoid the payroll tax. How do they do it? They say we are giving our partners

dividends as opposed to salaries, and they do not pay a payroll tax, the payroll tax we all pay up to the first hundred-and-some-odd thousand dollars of salary.

That seems reasonable and fair. It was a loophole. It was called a loophole when John Edwards was caught doing it in his law firm, by Rush Limbaugh, by others as well—many conservatives. They called it a loophole that ought to be closed. I wish I had the language.

I will ask unanimous consent to add to the RECORD the language of several leading conservative commentators and gurus about what a loophole this was.

Anyway, we put this in and we thought they would accept it. Of course, to our surprise last night not a single Republican voted to move forward and debate this bill. We will let them put their pay-for on the floor to substitute for ours. They are not even willing to do that. Leader REID said this over and over. I just heard him say it at 2:15 when we had a little gathering by the Ohio Clock.

We are here on the floor tonight, and I see the Senator from Ohio and the Senator from Maryland—we are here on the floor tonight to ask families and students throughout America to let their Senators know they want this legislation passed and they want the games to stop.

On my Facebook page, and on the Facebook page of many of my colleagues, is a description of the bill, of what people need to do. We ask people to send us, on our Facebook pages, their stories—why they need it, why it is so important to them. Senator JEFF MERKLEY already read a letter from a student from Oregon. Senator STABENOW got over 70 responses already of students from Michigan. We also hope they let our colleagues on the other side of the aisle know how important it is they vote for this bill.

The bottom line is simple. This should be a no-brainer. If there were ever an example of Washington tying itself in a knot, this is the issue. If our colleagues on the other side of the aisle have other pay-fors, we will take a look at them—but make them real. Make them truly subject to bipartisan compromise as opposed to something they know we cannot accept.

I heard the Senator from Massachusetts, Mr. BROWN, introduced something, but the CBO scored it as not bringing in any money. We have all agreed we should not increase the deficit to do this and we should find a way to pay for it. Our preferred way is closing a loophole that everyone admits is abusive and a way to get around the payroll tax. But we are willing to sit and listen to other suggestions from the other side of the aisle so we can help our college students.

The bottom line is we have to pass this bill. It is an extremely important bill for the future of our country because every time a young man or a young woman deserves to go to a col-

lege of their choice and doesn't go, goes to a different one that less suits their needs because they cannot afford it, they lose, their family loses, and America loses. Let's stop the games. Let's come together. Let's pass this bill, and let's make sure students of this and future generations are able to afford the college education that is so important to a better future for their lives.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Ohio.

Mr. BROWN of Ohio. I ask unanimous consent the time from 5:15 to 7 p.m. be equally divided and controlled between the two leaders or their designees and that all quorum calls during that period also be equally divided.

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

Mr. BROWN of Ohio. Mr. President, I wish to follow up on Senator SCHUMER's call to action, if you will, because it appears that things that used to be bipartisan, whether it was the debt ceiling or the Transportation bill or a whole host of other things, has become far too partisan. Back in 2007, the Republican President and Democrats in the House and Senate and Republicans in the House and Senate—but Democratic majorities—froze interest rates for college loans, subsidized Stafford student loans at 3.4 percent for 5 years. All we want to do is we want to continue this. We want to continue it by closing a tax loophole. One political party that does not seem very enthusiastic about freezing these rates anyway seems to be standing in the way. I think the only way this is going to change is if students all over the country come and tell their stories.

They can come to my Web site, tell their stories about school financing and how difficult it has been for them. They can come to brown.senate.gov/collegeloanstories and tell us their stories.

This past week, I have been to a community college in Cleveland and I have been to Ohio State University in Columbus, Wright State University near Dayton, and the University of Cincinnati and heard many of these stories. I invite students around Ohio—we are asking for them to tell their personal stories. I think, in the end, personal stories will convince my colleagues they should not make this partisan. They should not stand in the way. They should work with us so we can freeze this student loan interest rate at 3.4 percent because I think it will matter.

In my State—and I know the Commonwealth of Pennsylvania, the State of the Presiding Officer, is not much different than that—the average 4-year student in Ohio who graduates has a \$27,000 accumulated debt for their 4 years of college. That means those students will have more difficulty—probably will not be able to buy a home or probably will have to delay it, delay getting married or starting a business. I think it is very immoral for us to pile

more debt on top of what they already have. If we want to build a prosperous society the way we did with the GI bill—the GI bill provided individual opportunity for millions of students in the 1940s and 1950s, young men and women returning from the war, and it not only helped those millions of students but lifted the country as a whole and created a more vibrant society because we helped so many individuals with the GI bill in those days. This is comparable to that—men and women who want to go to St. Clair Community College or want to go to the Mansfield Campus at Ohio State or want to go to Hiram College or Ohio University in Athens. They want to go to school. We cannot load this much debt onto them.

As we put this on our Web site, we expect students to write in and tell their stories. I know they will. We have five stories. I will share a couple of these for today and save a couple more.

Bonnie of Elyria, a mother and teacher, writes:

I would really like to be able to send my three boys to college. As a public school teacher, I have worked hard to instill in my students the idea of continuing education. However, my own children will most likely have to take out student loans to pursue a college education.

Our teachers are not so well paid that they can afford to pay these tuition bills themselves, obviously.

With soaring tuition rates, my children will graduate college with more debt than me or my husband had after graduating from college more than 35 years ago.

This is not a good way to start a career or a life on their own.

This woman gets it. She was a teacher in Ohio. She knew there was sort of an assault on her profession from the Governor and the legislature last year when they tried to take away collective bargaining rights. We know teachers do not make a lot of money, and if their children are to go to school, even less-expensive schools, they so often need to take out student loans. We don't want to raise their interest rates.

Katie, from Marion, writes—Marion is a community just north and west of Columbus.

I urge you to vote against raising Stafford loan rates. I live with my fiance, who is also attending college full time, and our household brings in less than \$35,000 a year. I am working part time in order to attend college full time. With college tuition and expenses being so expensive, adding in the normal cost of living, it is a struggle to make ends meet every month.

I understand and respect the legislative process and, unlike many people I know, I still have faith it can be effective. I know that compromises have to be made for change to occur.

However, I am worried that by the time everyone is on the same page, the Government will have either taken so long to come up with a solution or cut funding so much, that the average American can no longer afford to pursue a college degree.

... I hope that if nothing else, you take away from this that there are Ohioans in this for the long run. We will not accept anything less than what we deserve, and education is not negotiable.

The last one I will read is by RaShya, of Toledo.

I am a second year law student at the University of Minnesota law school. I am a native of Toledo, OH and received my BA in political science with honors and an MBA in finance from the University of Toledo."

I am the product of a single-parent home and a first-generation college graduate. My mother is a cancer survivor and my father was shot and killed when I was ten. I am the eldest of three children.

My education has been a miracle of sorts and allowed me to change the circumstances of my environment.

It was only possible through scholarship money and federal loans. I am deeply saddened by the rate hikes that loom in July of this year.

Making education less accessible hurts others that grew up in circumstances similar to mine. This economy requires a good college education but the promise of employment is still uncertain.

Raising loan rates hurts students. Please vote to extend the rate cuts that threaten to expire this July.

Those three letters so speak for themselves where students just want an opportunity. They are not asking for welfare or a handout, they just want to keep interest rates low so they can go to college without such a huge, onerous, burdensome debt they will never get out from under it. Why would we do this to this generation? My wife was the first in her family to go to college. Her dad carried a union card, worked at the illuminating company. Her mother was a home care worker who went back to work when Connie started college to try to help them pay—and she graduated.

She had very little help from her family financially because she was the eldest of four children. She got low-interest loans, and she graduated with only a couple thousand dollars of debt from Kent State University.

Those days seem to be behind us. We should at least aim for that kind of situation today where young people get a better chance, more of a fighting chance when they come out of school.

I urge my colleagues to listen to these stories and to read some of them and to vote accordingly when we bring this bill back to the floor. Today there was a vote, and more than 40 of our colleagues said: We are not even going to allow this bill on the floor to debate. That is pretty unconscionable to me when we hear the stories of these young people.

Mr. President, I yield the floor and note 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. 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. DURBIN. Mr. President, what is the pending order of business?

The PRESIDING OFFICER. The Senate is in divided time until 7 p.m.

Mr. DURBIN. Is it in morning business or are we on an issue?

The PRESIDING OFFICER. We are on the motion to proceed.

Mr. DURBIN. I thank the Chair.

Mr. President, we voted at noon today on whether we were going to start the debate on the student loan interest rate bill.

For those who are following it, the largest Federal loan to college students, the Stafford loan, has a current interest rate of 3.4 percent. That interest rate expires on July 1 and doubles to 6.8 percent, meaning any students taking out a loan after that date will pay twice as much in interest.

The practical impact of that is fairly clear: If you were to borrow \$20,000 to go to college through a Federal Stafford loan and paid 3.4 percent on that \$20,000, you would find that you were paying \$4,000 less than you would pay if you were at 6.8 percent. So it adds roughly 20 percent to the cost of that student's loan over the life of repayment. That is a significant expense.

Most of us are aware, or should be, that students across America are going more deeply and deeply into debt to go to college. Average college indebtedness: \$24,000. But an average does not tell the story because if you have one hand over a flame and one hand in a freezer, on average you have to feel just fine. But in this case, students are going much more deeply into debt than \$24,000, and the interest rate on the loan is significant.

So it would seem this is a pushover. Who disagrees with this idea that lessening the burden on students in college is good for our country—because more students will seek higher education—good for the student—less of a burden when they graduate—good for their families—because many of them co-signed on these loans?

In fact, this is one of those rare issues where both President Obama and Governor Romney agree: Don't let the interest rate go up from 3.4 percent to 6.8 percent. So today we resumed the motion to proceed, which literally means, if adopted, we would begin debate on the student loan interest rate bill to keep it at 3.4 percent and not let it double July 1.

We heard from both sides of the aisle that everyone agreed we had to do this. It sounded pretty easy. Then the vote was called. At the end of the vote, not one single Republican Senator had voted to proceed to the debate on the bill—not one. One Senator, Ms. SNOWE, voted present. Every other Republican Senator who was present voted no.

How did this become a partisan issue? We have President Obama and Governor Romney agreeing, most Americans agreeing we do not want the cost of student loans to go up, and it fell flat on its face on the Senate floor at noon today. Not a single Republican would vote for it.

I don't understand it. They say, well, we don't like the way you pay for it. It costs \$6 billion to lower the interest rate that we would otherwise collect. We pay for it by changing the Tax

Code, closing a tax loophole primarily used by accountants and attorneys under subchapter S corporations to avoid paying their regular income tax on their income. They get through this S corporation what are called income dividends and they don't pay the regular income tax rate or the withholding tax that ordinary income is subject to. I think closing that loophole is reasonable. It produces \$6 billion and pays for the student loan interest rate to stay down. I can accept that.

Some on the Republican side say, no, that is a tax increase. They—many of them—have categorically said we will never, ever, never vote for a tax increase, no matter what it is. So they walked away from the student loan bill. They say they have a better way to do it. Senator REID came to the floor and said, fine, we will call the bill and you can offer your way to do it. Pay for it a different way. Let's bring it up for debate. Let both sides debate it and let's vote on it, and then let's move forward. No, they would not accept that. They all voted against proceeding to the bill.

For anybody who is following what is going on here, this is what is known as a filibuster. The Senate is infamous for them now. We filibuster everything, even bills that are bipartisan, which everybody agrees on. No, we are going to drag this out hour after weary hour, eating up the time of the Senate, and people will be asking for a cable refund because nothing is happening on the C-SPAN channel because they are watching a filibuster. Not much happens. Yes, Members such as I will come from time to time to give a speech and explain what is going on, but nothing substantive is going on. We are not considering the bill.

Sadly, what we are failing to do is going to affect a lot of innocent people; 7.4 million students will be affected if we don't change this interest rate—365,000 in my State of Illinois. These Stafford loans, Federal Government loans, are mainly directed toward families in lower income situations, so that students can borrow money to get through school.

Let me confess my conflict here. I would not be standing here today without government loans. I borrowed money from the Federal Government to go to college and to law school under the National Education Act and then paid it back; otherwise, I could not have gone to school; I couldn't have afforded it. These loans are needed across the board. We know it from personal experience.

In 2007 and 2008, 30 percent of all undergraduates took out federally subsidized Stafford loans—about 1 out of 3. The average was about \$3,400 a loan 4 or 5 years ago. This year, it is up to 8 million students. As I mentioned, 365,000-plus borrowers in my State, and, as I mentioned, failure to reduce that interest rate will add to the cost of the loan they have to pay back. These borrowers, 7.4 million students, including

1.5 million African-American borrowers and over 986,000 Hispanic borrowers, will face this new penalty, this loan increase. It is clear to me that we should be spending time here dealing with this.

I learned it firsthand when I went home last week and visited campuses. In Chicago, I went to DePaul. Downstate, I went to Bradley University in Peoria. In Decatur, I went to Millikin University. In each place, students came forward to explain what they were facing in terms of student loans. I will enter into the RECORD the experiences they shared with me.

One of them was Amy. Amy goes to DePaul University in Chicago and is an art major. Her sister Michelle came to join us at the press conference. Here is Amy's situation. Amy comes from a working family who cannot help her pay, so she works and borrows to try to get through school. She is an art major. Her student loan indebtedness at the end of June will be, for 4 years, \$80,000. But she says that a bachelor's in art is not good enough and thinks she needs a master's. She thinks it will be another \$60,000 she needs to borrow. I said: That is \$140,000, young lady, and you are 25 or 26 years old. She will be borrowing not only the government loan but way beyond that into private loans. The government loan is 3.4 percent. The private loans for students in school range from 8 to 18 percent—much like credit card debt, they are so expensive.

This young lady thinks she is doing the right thing. She was told go to school, get an education, and follow her dream. Her dream is at the end of a very long, expensive road and \$140,000 in debt. Michelle, her sister, decided she wanted to be a teacher and teach grade school. She looked at the indebtedness she would have to incur and decided to move back home to Indiana and go to the local public college and try to get as many credits as she could at a low price, and perhaps finish at DePaul when it is time. She thought: If my debt is too much, I would not be able to teach or make enough money to pay my loan back. That is a real-life story of two sisters who are doing the right thing and are facing student loan debt.

How could we explain that we are going to raise the interest rate on either one of them? At this point paying back their student loans will make it virtually impossible for Amy, who could be \$80,000 to \$140,000 in debt, and how is Michelle going to be the teacher we want her to be?

At Bradley University in Peoria, a student named Rose told me that if the interest rate on her loans doubled, which will happen if the filibuster continues by the Republicans, she might have to move in with her parents after graduation or make sacrifices in order to make her loan payments. Rose estimates that increasing interest rates will cost about \$4,000, because she plans on graduating with about \$20,000 in debt.

I also met Deshawn from Alton, IL, a freshman majoring in economics and political science at Bradley. He wants to be an international lawyer some day. He is a first-generation college student, and he realizes that without student loans he doesn't have a chance to realize his dream.

What is the difference of opinion here about how to pay for these decreases in the interest rate from 6.8 to 3.4? As I mentioned, we would close the tax loophole on subchapter S corporations, which are used by accountants and attorneys to avoid paying the ordinary income tax and withholding.

There is another proposal out of the House that I think is really bad. They say we should pay for keeping student loans affordable by reducing preventive health care programs. We have a fund that we have created that pays for, among other things, preventive care, childhood immunizations. So if the money is taken out of that fund, fewer American children will be receiving the vaccines and the inoculations which we want for all of our kids to keep them safe. Is it important that kids receive these vaccinations? I think it is very important.

Senator REID said at a press conference here that the incidence of a return of whooping cough—most people thought that was long gone—in the United States is at the highest level in 50 years, and the incidence of the return of measles in this country is at the highest level in 15 years. Childhood immunizations are important to keep our kids healthy and safe.

There is also money in this prevention fund, which the House Republicans want to cut out, calling it a slush fund, to be used for diabetes prevention. You cannot pick up a newspaper or a magazine without reading about the incidence of obesity, the growing number of overweight children, and the increasing incidence of diabetes among our children. In fact, forms of diabetes that used to be confined to adults in America are now being found in children in America. They have to be treated with pretty powerful drugs to overcome this disease of diabetes.

The House Republicans say let us reduce the amount of money we are using for public education and treatment to reduce the incidence of diabetes and instead spend it on student loans. What a Faustian bargain that is. It is a bargain with the devil. We are going to put at risk children when it comes to immunizations and diabetes, in order to help grown children, young adults, pay their student loans.

Is that what it has come to? We are so determined to not touch the Tax Code and the loopholes in it that we are going to risk the health of our children or the cost of a college education for our kids as well?

I think the approach in the House is not defensible. I hope that at the end of the day we can make sure we do this in a responsible way.

FOR-PROFIT SCHOOLS

Mr. President, I want to mention 2 other things quickly. One of the real problems with debt in this country relates to for-profit schools. Go to Yahoo or Google, put in "college and university" and step back. What is about to hit you is an avalanche of ads for for-profit schools. I don't need to recount the names on the floor. Everybody knows them. These are the schools that are advertising constantly: Come to our school. They run ads on television. One, I think, tells the story and shows a lovely young lady in a robe and pajamas, who has her laptop on her bed and says: You know, you can go to college in your pajamas now. I am going to XYZ for-profit school getting my college degree.

Here is what is happening: These for-profit schools are inundating the Internet and recruiting young people who otherwise might not go to college, many of them, and 10 percent—here are three numbers—of kids graduating from high school end up in these for-profit schools. So what the for-profit schools are looking for is young people who are in lower income family categories because they qualify for the most Federal assistance—Pell grants and Federal student loans. Ten percent of the students at the for-profit schools and 25 percent of all Federal aid for education goes to these schools—more than 2½ times, based on the number of students, the amount you might imagine.

Hang on, it gets more challenging. Almost half of the student loan defaults in America come from for-profit schools. Why? The kids get too deeply in debt and end up dropping out because the debt is overwhelming or they finish and get a worthless diploma and cannot find a job. That is the story. So the student debt in traditional schools, public universities, private, not-for-profit universities, is one thing; on the for-profit side that debt is mounting, particularly through private student loans.

Here is the kicker, and you know this, Mr. President, because you studied this issue too. Student loans are the only private loans in America not dischargeable in bankruptcy. What it means is that you are carrying it for a lifetime. You will carry it until you pay. That young lady \$140,000 in debt could not have a clue what she has done to the rest of her life by getting that deeply in debt. I have students contacting me with over \$100,000 in debt for a 4-year education, and they find out the diploma is worthless. There is one school, Westwood College, which operates out of Denver, CO, and has a campus in Chicago. They are under investigation now by our State attorney general. Too many young people have been watching too many crime shows, and Westwood College knows it. They call them and say how would you like a bachelor's degree in law enforcement. Maybe they are watching "Hawaii 5-0" and "CSI" and they like that stuff. Good, come on out.

I will tell you a story of one student. She went to Westwood College and it took 5 years to get a bachelor's degree in law enforcement. She took that diploma to the police departments and sheriffs' departments around the Cook County area, and they said: That is not a real college. We don't recognize that as a real diploma.

There she was with a worthless diploma and in debt \$80,000 for a student loan. Now she is living in her parents' basement. She can't borrow another nickel to go to a real college, and she owes, obviously, \$80,000 and is struggling with two jobs to try to pay it off.

There is another part of the story that we should not ignore. Many of these schools, particularly the for-profit schools, realize that hooking the kids into this loan is not enough, so they have the parents cosign. Sometimes the grandparents cosign. Six weeks ago, the New York Times ran a story of a woman who had her Social Security check garnished because she owed on a student loan. It wasn't hers, it was her granddaughter's loan. She cosigned, and her granddaughter defaulted, and now the grandmother has her Social Security check being docked because she owes on the loan. This is a horrible situation. It will be a worse situation if the interest rate on July 1 doubles.

So we have this Republican filibuster against bringing down the interest rate on student loans, and yet we now have an empty floor. Whoever thought it was a good idea for us not to debate and not to vote on this interest rate increase is long gone. They are not even here. I think that is the real unfairness of the filibuster. If a Senator or Senators stop the business of the Senate and say we can't even take up the bill or consider an amendment, then I think they owe it to the Senate to be here and explain their point of view.

I hope that tomorrow, when the dawn of a new day breaks and the Senate opens, some Republicans will come to the floor and explain this filibuster on college student loans. It is unfair to the students and to the families of our country. People definitely need a college education—many of them do—in order to succeed in life. Some need training. Even those who need skilled training may end up at a community college or taking a course that requires a loan to get through.

I hope the Republicans who started this filibuster, who said we cannot even take up, consider, or debate the student loan interest rate issue, will be here tomorrow to explain why, to explain why they think this is not worth the time of the Senate to debate. Until then, we will just languish in this filibuster.

THE DREAM ACT

Mr. DURBIN. Mr. President, it was 11 years ago that I introduced a bill called the DREAM Act. Just this last week, I was back in Chicago to attend a fundraising dinner for a group I really respect. It is called the Merit music pro-

gram. About 20 years ago, when a lady passed away, she left a legacy to the Merit music program, and the legacy said that the money she was leaving and any money that was raised should go into the public schools of the city of Chicago to offer young people a free musical instrument and music lessons if they were interested.

This program has been an amazing success. It turns out it has created an avenue and opportunity many young people never dreamed of having, and some of them have talents that are incredible. I was there at their dinner last week when the violinists came in—kids from all over the public schools of Chicago—and they did a magnificent job. They feel so good about themselves. They develop a talent, and they have a 100-percent college placement rate from the Merit music program. There is a linkage there. I know the Senator from Colorado, who has taken over as our Presiding Officer, knows this, as he was an educator in the city of Denver. Many of these kids for the first time realize that they are worth something, that they can do something and do it well. And it is that confidence and pride that not only takes them through the experience of playing music but the experience of life and the experience of the classroom. It makes a big difference in their lives.

Eleven years ago I got a call from the director of the program, Duffy Adelson. Duffy was there last week. Duffy is a wonderful woman who has committed her life to the Merit music program. She said: I have an issue. One of the students at the Merit music program is an amazing young girl who plays concert piano. She has been accepted at major music schools, including the Manhattan school of Music in New York. She is Korean. Her mother, when she was filling out the application for the Manhattan school of Music, came to the box that said "citizenship, nationality."

The girl turned to her mother—her name is Teresa Lee—and said: USA, right?

Her mom said: No. You see, I brought you here when you were 2 years old on a visitor's visa and I never filed any papers. Your dad is a citizen, I am a citizen, and your brother and sister, who were born here, are citizens, but we don't know what your status is.

The daughter said: What are we going to do?

She said: We will call DURBIN.

Well, first they called the Merit music program, and then Merit called me, and my staff found out that the law was clear. This young girl, who has spent 16 years in the United States, has to leave the United States for 10 years and then reapply to come back. She must leave for 10 years. That is the law. I thought to myself, the mom didn't file the papers. Mom did something wrong. Why would we not let this young woman do something right?

So when I was drafting the DREAM Act, I said: If you graduate high school

and you have no serious problems when it comes to convictions or moral issues and you either complete service in the military or 2 years in college, we will put you on a path—a long path—toward becoming legal and becoming a citizen. That is the DREAM Act.

The DREAM Act has been here for 11 years. I have tried to pass it on the floor repeatedly. I can get 50-plus votes—I did the last time I called it—but the Senate has this magic number of 60, a supermajority. It has even passed the House of Representatives. But I have never been able to put 60 votes together here.

Over the years, the support from the other side of the aisle has been decreasing. As it decreases, it gets more difficult. Over the years, as well, a lot of people have stepped up and spoken on behalf of this DREAM Act. Colin Powell said: We would love to have these young people in our military. Secretaries of Defense, such as Secretary Gates, said the same thing. President Obama was a cosponsor of the bill. These are young talented people who can make a difference. But before I tell you the story of one of them here, I want to tell you the end of the story of Teresa Lee.

Teresa Lee attended the Manhattan school of Music and majored in concert piano. She met and married a young man who was an American citizen, and that made her legal in America. And she played at Carnegie Hall. How about that? Eleven years ago our government's law said she had to leave the country for 10 years. Instead, she came to the Manhattan School of Music, made it through, and has made a success of her life. There were a couple of people who stepped up and made sure that success was a reality in Chicago, and they were with the Merit music program. They had literally underwritten her college education because she couldn't qualify for any help—no Federal loans or grants, nothing—because she wasn't a citizen of the United States. This is a perfect example of a talent that would have been lost or wasted if she hadn't had good circumstances and if we don't have the DREAM Act for others who face the same thing.

Let me tell another story about Ayded Reyes. This is a photo of Ayded Reyes. She is a runner. I learned about her from an article on ESPN.com. Ayded was brought to the United States from Mexico when she was 2 years old. She grew up in San Diego, CA. In high school, she was an honors student who played three sports and was an active volunteer in her community. Among other activities, Ayded volunteered at the Children's Hospital and Sherman Heights Community Center, where she tutored students and worked with the elderly. She was also a member of the National Honor Society and graduated from high school with a 3.98 grade point average. This Senator wishes he could have had an average like that.

Ayded was accepted at the University of California at San Diego, but she was unable to attend for financial reasons. Because she does not have legal status in the United States, Ayded is ineligible for Federal student loans or any other Federal aid. Instead, she attends Southwestern Community College, where she has flourished as a student athlete. She maintains a 3.50 grade point average, and her dream is to become an obstetrician. She has also become the top-ranked women's junior college cross-country runner in the State of California. Among other awards, she has been given Athlete of the Year at Southwestern College and Pacific Coast Athletic Conference Track and Field Athlete of the Year. Ayded has been offered athletic scholarships by more than a dozen top 4-year colleges, but she can't accept them because she is subject to deportation. She is not here legally.

I have spoken to other students who have similar challenges, whose dreams can't be fulfilled unless we give them a chance. Just recently, I heard about a student who didn't know which way to turn, didn't know if the DREAM Act would ever pass, and applied for a visa to take his college education and go to work in Canada. The Canadians welcomed him. We need talent like that in Canada, they said. So they took him and we deported him. Are we a better nation for that? Who got the best of that bargain? A person who was educated in the United States, succeeded in the United States, and dreamed of being an American citizen is now living in Canada. To me, that is not the kind of thing we need to see in our country.

As I said, just because the parents made the mistake, got something wrong, these young people should be given a chance to do something right.

I am going to continue to work on passing the DREAM Act, and I hope I can appeal across the aisle to Republicans as well. Why is this a partisan issue? Don't we all believe we shouldn't punish a young person for the crimes or sins of their adult parent? That is what is at work here. It is a basic question of justice. These young people, such as Ayded, grew up in America pledging allegiance to the flag, believing this was their home. All they want is a chance to make their home—the home of their dreams—a better place.

I hope my colleagues will take the time to meet some of the DREAMers. That is what they call themselves now. They have Web sites. They have stepped out into the light of day to introduce themselves to America. That is our only hope for this passing, where people come to meet these young people and realize what amazing people they are. I think they will understand that giving them a chance is only fair, it is totally American, and it is something we should do as soon as possible.

Mr. President, at this point I yield the floor and I suggest the absence of a quorum.

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

Ms. STABENOW. Mr. President, I rise to express deep concern on behalf of families and students all across Michigan who are very upset at the vote earlier today where we did not get enough votes—the supermajority needed to be able to get beyond the filibuster that is going on on the floor by colleagues on the other side of the aisle, and therefore we can't actually get to the vote on the bill that would lower or maintain the lower student loan interest rates for students all across America and certainly in Michigan.

We know what will happen July 1 if we can't get beyond this. We actually have a majority of Members, 53 Members. I am very proud that all of our Members on this side of the aisle voted, in fact, to support the effort to maintain the low student loan interest rate. We didn't have the supermajority because it takes bipartisan votes to be able to get there and overcome the filibuster on the other side of the aisle. But we have enough votes, and we just want to vote. We have enough votes to be able to pass this bill, the Stop the Student Loan Interest Rate Hike Act. We have enough votes, and we just need to have the opportunity to be able to vote.

What does this mean for middle-class families and students in Michigan and all across the country? We are at a time when middle-class families are struggling to make ends meet and no more so than in Michigan, where we have gone through the deepest recession for the last decade of anyplace in the country. We need to be making college more affordable for Michigan students and students across America and their parents, not less affordable. We ought to be doing what will actually add to what we have done to support lower interest rates, more access to student loans, not taking that away, which is what is happening right now on the floor of the Senate because of the filibuster.

Higher education costs are already rising. Michigan students are graduating with mountains of student debt while high school graduates are being priced out of the opportunity to be able to go to college. In fact, the average Michigan student is graduating with over \$25,000 in student debt. That is a heck of a place to start when you come out of college and you are looking for a job and trying to get started in a professional life or trying to continue your professional life and at the same time support your family. That is a lot of money. And we should not be adding to that, because we are talking about additional debt on top of that \$25,000 average if, in fact, we can't pass this bill.

We have right now more than 300,000 Michigan students—those who have borrowed money because they believe in themselves, they believe in the future, and they want to get the skills and the degrees they need to be able to go into the workplace, to be successful for themselves and their families—300,000 students who are going to see their Stafford student loan interest rate double if we don't pass this bill.

We need a sense of urgency, like every single family feels right now that finds themselves burdened by loans. They made the decision, and we have been supportive of that, making loans available and lowering the interest rate over the last several years so more people can go to college and be able to get the skills they need and be able to be successful in the workplace. We should be continuing to support that and doing even more to help them lower the cost, not allowing the student loan interest rate to double come July 1.

Folks in Michigan are scratching their heads right now. Let me share stories I have received. I have received a lot of input, a lot of stories from people not only throughout today but before today, but certainly folks who watched the vote this afternoon are horrified at what this means personally to them, for their children or for their families. We have received a number of e-mails to our office, and I am very thankful to people who are sharing their stories. I would like to share just a few of them on the floor of the Senate.

Liz from Traverse City wrote:

PLEASE, please don't let them raise the interest rates on student loans. I have two sons at MSU and I'm a single mom. I work a full time and 2 part-time jobs and they work, and without the Federal loans they wouldn't be able to go to college—even with the full MET I worked on all their lives.

So she put money into a Michigan program to be able to save money and put money aside. But this is somebody who is working one job and two part-time jobs on top of her full-time job, and her sons are working, and they still have student loans to be able to piece it together to be able to go to college.

She said:

Please help—our 3 person family is working very hard to get through school.

And I would suggest that they are. And, Liz, thank you for caring about your sons and working as hard as you are working.

We need to make sure we don't add costs to Liz and her two sons in July. On top of everything they are doing to be able to create an opportunity for those two sons to be able to go to college, to be able to have a better life and a future for themselves, we shouldn't be adding costs to them.

Lars from Ann Arbor wrote:

As a student at the University of Michigan, I find it hard to keep up with current events, but I try in earnest, and this is an issue that affects me more than most others

at this time. I'm footing the bill for my college education largely myself, as my mother and father—a high school art teacher and GM retiree, respectively—do what they can to help in the short term. I'd like you to work on behalf of keeping the interest rates lower.

So Lars is going to the University of Michigan—a great university—and he is footing most of his college bill himself. His mom, a teacher, and his dad, a GM retiree, are doing what they can to help, but he has to have student loans. Why on Earth would we be adding to his costs come July when he is working very hard, with the support of his family, to be able to create a great life with a great education from a great university?

Kasondra from Grand Blanc wrote:

I am not what they consider a 'typical' student. I am a single mom of two obtaining my bachelor's degree in Social Work. As a student and as a mother, I am attempting to lift myself and my family out of poverty by doing the right thing, getting a college education. While it has been tough and there are days I wished I could give up, I am pursuing my dream, and I will be graduating with honors in one year. If the rate increase happens, I cannot afford paying back my student loans while raising two children. Please, do not let the interest rate expire on July 1.

Kasondra, congratulations for all you are doing as a single mom of two, as you said, lifting your family out of poverty. We in Michigan are a tough bunch. We don't give up. But I know how hard it can be trying to hold it all together during these times, and I want to thank you for doing that. And you are absolutely right, it would really be outrageous to see the interest rate on your loans when you are graduating next year with honors—congratulations for that. But to be able to know that you are going to at least have the interest rate on your loans continue as they have been I know would be a relief and a help to you.

Angelica from Ypsilanti wrote:

My name is Angelica, I am a 40 year old mother of three who has returned to school to finally get my degree. I have recently been accepted at Eastern Michigan University and am starting classes in June. Without affordable student loans I would not be able to attend school. I want to make a positive difference. Getting my degree will give me and my family a better standard of living and get out of the terrible cycle of poverty. This bill is critical to making the dream of higher education a reality for Americans and ensuring our workforce is prepared to compete in a 21st century global economy.

Angelica, again, congratulations. As a mom of three, 40 years old, making the decision to go back to school, getting accepted, creating a plan for how you are going to be able to use student loans and be able to hold it all together financially as you are moving forward, it is really outrageous to think that there is a filibuster going on right now to stop us from voting on something that would help you.

We have the votes. This is not about whether we have the votes to maintain the low interest rate. We have the votes. We are being blocked procedurally from getting to the vote, and

that is something that is very hard for me to understand.

Michael in Mount Pleasant wrote:

I am a student at Central Michigan University studying Information Technology and I am also putting myself through school by whatever means possible. The amount of student loan debt I will have to pay after a 4-year degree casts a looming shadow. We are always taught to look toward the future and to jump at any opportunity that presents itself as an opportunity to better oneself. We as students are now looking at a future filled with uncertainty. Please do whatever it takes to do what you know is right, and save our future from an impending financial defeat.

Well, Michael, again working very hard, has a path, knows what he wants to do, puts a plan in place, like most students and most families, to figure out how he is going to be able to pay it both now in terms of the costs and paying back the student loans. And if we can't get a vote on this bill, we are pulling the rug out from under Michael.

Jennifer in Michigan wrote:

For me, it means I'll be very unlikely to finish grad school. We say the US (especially Michigan) needs to invest in technology, yet they want to do things like this that will result in an uneducated society.

Jennifer, I am with you. This makes absolutely no sense whatsoever, at a time when we know we have to outeducate and outinnovate to be able to outcompete in a global economy. Doing things that add costs for middle-class families, working families, to add costs for loans? You are bearing the brunt. You are getting a loan. You are believing in yourself and your future. We ought to be doing everything we can to support that, not adding more costs.

That is unfortunately what will happen if we cannot get beyond this filibuster on the floor of the Senate, to have a real vote, a final vote. We have the votes. We are just being blocked from getting to the vote by the procedures of the Senate.

Kathryn in Michigan:

When I heard the interest for student loans is going to double, my heart sank. How is this even possible? My daughter is 21 years old, a psychology major at Western Michigan University.

That is another great university in Michigan.

I am so very proud of her as any parent would be. With interest rates set to double, how can these students possibly even begin to think of paying these loans back? All this does is discourage kids from going to college at all and once again only the privileged will be allowed to succeed. Please once again we need your help. There has to be a light at the end of this dark tunnel for these kids and for our nation.

"There has to be a light at the end of this dark tunnel for these kids and for our nation." I could not agree more. We have to make sure the light they see is not from an oncoming train. We have to make sure the light they see is actually their way through the tunnel of debt that comes with college loans, and out into a future that is brighter

for themselves, for their families. That is the hope, that is the promise of college education.

We have a responsibility to make sure we are doing everything possible to support the hopes and dreams, the hard work, the sacrifice that is going on in college after college, in home after home, where people are making tough decisions in order to give their kids a brighter future.

I was proud to help author the legislation in 2007 that cut the interest rate to where it is now, 3.4 percent. I was pleased to help lead the effort as well to reform the student loan program and expand college access. Those were good things to do—not bad things, good things. People have benefited. Three hundred thousand people in Michigan right now have benefited from that opportunity, the commitment we made to support young people, people going back to college, to have a brighter future through a college education.

Now is not the time to turn that around. The Stop The Student Loan Interest Rate Hike Act is commonsense legislation. It does not add a dime to the deficit. It is fully paid for. It is something that needs to get done now so that there is certainty for families across Michigan and across the country. Education really is the road to opportunity in this great country and Michigan is home to world-class universities and community colleges. They are conducting cutting-edge high-tech research to help transform the economy. Our schools serve to open doors and create opportunities for thousands and thousands of graduates every year.

I am always honored when I have the opportunity to speak at a graduation, as I have done this year, and to see the pride and relief on the faces of students who have worked so hard—and their parents, their pride and the commitment they make to their children. I know how that feels as a parent sitting in the audience as your kids graduate and walk across that stage with their diploma.

This is ingrained in us as Americans. It is the foundation of who we are, to create an opportunity for people to go to school K-12 and then be able to have a chance to go on to college so they can have the best shot at success. That is what we have had as a foundation in terms of our values as a country. This is not the time to turn it back. We need to be making it easier, not harder, for students to achieve a college education which greatly improves their chances of getting a good-paying job and being successful in life.

We are at a moment where we had a vote today where it was very clear we have enough votes to pass this bill, to make sure that student loan rates do not double. We have enough votes to pass it. We just do not have support from across the aisle, we do not have the bipartisan votes we need to get to a supermajority to stop the filibuster. That is what is going on right now. We

need to vote. Folks do not have to agree with it. They can vote no on the final bill. Let us vote. On behalf of the people we represent, let us vote on the bill. On behalf of 300,000 students and their families in Michigan, on behalf of hundreds of thousands of others who are looking for the opportunity to go to college, to be able to work hard and take all the risks that come with that to be able to have a better life, I ask we simply allow a vote. Let us vote on this bill.

It is time to get on and let people know we get it, we understand what families are going through, we understand the squeeze middle-class families are going through on every front right now, and we will make sure that access to college, a higher education, is not just there for the wealthy and connected but that it is available to everybody because we are a stronger country because of that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. 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

Ms. STABENOW. 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.

20TH ANNIVERSARY OF NEVADA'S HISPANIC MUSEUM

Mr. REID. Mr. President, I rise today to recognize and honor the Hispanic Museum of Nevada—Museo Hispano de Nevada—for its 20 years of service to our community.

For the last two decades, Museo Hispano de Nevada has been guided by its mission: “dedicated to promote awareness, education and resources of the diverse Hispanic cultures and traditions to enhance intercultural understanding among community members.” This institution has played a critical role in educating Nevadans about the diversity of Latino heritage and promoting pride and cultural understanding.

The Museo Hispano de Nevada has sponsored numerous field trips and workshops, shedding light on the different cultural traditions of the Latino population and enabling future generations to learn about their heritage through historic artifacts and art exhibits. These programs and activities have served as learning tools for educating our community about the diversity in my home State of Nevada, where 26 percent of the population is Latino, accounting for 46 percent of growth in the Silver State.

As someone who has directly witnessed the importance of having a museum dedicated to preserving the history and telling the stories of Latinos in my home State, I am proud to be an original cosponsor of the Smithsonian American Latino Museum Act, S. 1868. It is my hope that a museum illuminating the richness of the Latino culture and history, as well as the numerous contributions Hispanics have made to the United States, will be built in our Nation's Capital in the near future.

I would also like to recognize Lynnette Sawyer, executive director of the museum, for her outstanding leadership and commitment to the museum. I extend a warm felt thanks to the staff and countless individuals who have worked over the years to make this great institution a resource for all Nevadans. Please join me in congratulating the Hispanic Museum of Nevada for 20 years of great work honoring the rich diversity among Hispanics and their many contributions to our great State. I wish the Museo Hispano de Nevada continued success in their future endeavors.

TRIBUTE TO RUBEN CURTIS “R.C.” WALKER

Mr. McCONNELL. Mr. President, I rise today in honor of a man who has always been ready and willing to answer the call of distress in his hometown of London, KY, in Laurel County: Mr. Ruben Curtis Walker, better known by what everyone typically calls him, “R.C.” He has served as a member of numerous first-response teams for the local people of his community for almost 60 years.

A life-long passion for service in the rescue field began for R.C. in 1952, when he joined the London Fire Department. He has maintained some kind of position there, whether volunteer or paid, ever since. R.C. has a deep desire to extend a helping hand to those in need. He enjoyed his job and he enjoyed the work he was doing for his community so much, in fact, that in 1962 Fire Chief Gilmore Phelps noticed his display of passion and asked him to start the first-ever Laurel County fire department. R.C. took on the challenge and met it with flying colors. He went on to run an excellent fire department for 18½ years before finally stepping down as chief.

Having always been active in his community and anxious to help out, R.C. didn't just devote his time to the new County Fire Department; he was involved across the board in the service arena. He was deputy coroner, then eventually coroner in 1966, the same year that he ran for county sheriff. He opened the Bowling-Walker funeral home in 1965. He has also been deputy sheriff in Laurel County, and the county jailer from 1989 to 1993.

However diverse the life of R.C. Walker was, he did not stray far from the fire department. His first love was

fire and rescue, and that is where he is most at home. Although he does not fight fires with the department today, he does still participate in other activities with the firemen, many of whom refer to him as ‘Pap.’

Mr. Walker is not only a devoted public servant, but also a beloved family man. Aside from firefighter, he holds a few other titles—like husband, father, and grandfather. He and his wife of 25 years, Marie, have four children, Eddie, Steven, Stewart, and Deborah Greenwall. R.C. is dearly cherished by all who know him. I can say with certainty that his family, the boys at the fire department, and the local citizens of Laurel County feel safe knowing a man as honest and caring as Ruben Curtis Walker is watching out for them.

I ask my colleagues in the United States Senate to join me in commemorating Mr. Ruben Curtis Walker for the great many contributions he has to his local community.

There was recently an article printed in the Sentinel-Echo: Silver Edition, a Laurel County, KY local newspaper magazine, which highlighted the countless accomplishments of R.C. Walker throughout his colorful life. I ask unanimous consent the article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD as follows:

[From the Sentinel-Echo: Silver Edition,
November 2011]
HE'S DONE IT ALL
(By Carol Mills)

He has been a first responder in many ways—firefighter, rescue worker, sheriff's deputy, coroner, and jailer.

Ruben Curtis “R.C.” Walker joined the London Fire Department in 1952, and has been a volunteer fireman for the city or county most of his life.

He has also been with the London-Laurel County Rescue Squad most of the time.

“I've really enjoyed being a firefighter. I've always been helpful on the rescue squad whether I was with the city or county. I remember rescuing this fellow out of an electric line. When they were clearing the bottom out to put the new sanitation system in, I got a call from the funeral home they found somebody they thought was dead down there. He was putting a new blade on a bulldozer and he swung his boom around and he got it into 6,900 volts of electricity. I jumped in the truck and pulled it away from the electric line. The door was open on the truck, so I took a running go and jumped in. He was passing in and out, but he wasn't dead.”

Back then, the funeral homes transported patients to the hospital because the ambulance service was established on Jan. 1, 1977.

“It's just wonderful that I could be of help to somebody. I've been through a lot of situations. I devoted the biggest majority of my life to fire and rescue. My son, Steven, is a sergeant in the state police and my son, Stewart, is chief of the city police.

“Gilmore Phelps was chief in 1952, and he talked me into joining the fire department with them,” Walker recalled. “I was working around a florist and a grocery store here in town, Acton's Grocery, here on Main Street. I was with the city in '54 when I starting working at House Funeral Home on East Fourth Street.”

In 1958, Walker left House Funeral Home, but he was still with the city fire department. He started working with Laurel Funeral Home on South Main Street where the Laurel Judicial Center is now.

"There used to be a big home there and we used it," he recalled. "And I sold cars for a while. In the meantime, while I was at Laurel Funeral Home, they talked me into starting the county fire department."

Walker was appointed the first Laurel County fire chief when the department was organized in 1962, a position now held by Tommy Johnston. Walker was chief for 18-and-a-half years before stepping down after getting injured.

In the meantime in 1965, he opened the Bowling-Walker Funeral Home on Dixie Street where the London-Laurel County Farmers Market is now. He sold out his part in the funeral business after he had back surgery.

While at Bowling-Walker, he was a deputy coroner and, when he ran for sheriff in 1966, he was the coroner. He has been a deputy with the Laurel County Sheriff's Office, too.

"That's why my boys picked up the police business."

He then ran for Laurel County Sheriff in 1970.

"I won the nominee on the Republican (ticket) out of 14 and then the Democrats beat me in the fall," Walker recalled. "I then went back to House Funeral Home in 1973 and worked until '80. In 1982, I went to work for Laurel Funeral Home, which had moved to (Ky.) 192 on the hill behind the school, Laurel County High."

Walker was Laurel County jailer from 1989 until 1993. When he was elected, he came back to the London Fire Department and has been there ever since.

Walker has been married to his wife, Marie, for 25 years and he has another son, Eddie, who lives in Texas, and a daughter, Deborah Greenwall, an attorney in Louisville.

"I've got a good relationship with the children and grandbabies," Marie Walker said.

Now at 77, Walker does not actively fight fires, but continues to participate in any of the department's other activities.

"I don't do much. They kind of take care of me. Some of them call me 'Pap.'"

ASIAN-PACIFIC AMERICAN HERITAGE MONTH 2012

Mrs. FEINSTEIN. Mr. President, I rise today to honor the Asian and Pacific Islander community in the United States and celebrate the tremendous contribution these Americans have made to our Nation.

There are an estimated 17.3 million residents of Asian descent in our country and 5.6 million Asian-Pacific Americans living in California. I am proud that our State has the largest Asian population in the country.

California also boasts the highest number of Asian-owned businesses at 508,969, and the U.S. Armed Forces has more than 265,000 Asian-American veterans.

In 1977, Senators DANIEL INOUE and Spark Matsunaga of Hawaii introduced a resolution in the Senate and President Jimmy Carter signed a joint resolution officially establishing Asian-Pacific American Heritage Week to honor the first Japanese immigrants to the United States and the Chinese individuals who worked on the Trans-

continental Railroad. In 1992, May was officially designated Asian-Pacific American Heritage Month.

This year's Asian-Pacific American Heritage Month theme, "Striving for Excellence in Leadership, Diversity and Inclusion," is embodied in the accomplishments of numerous Asian-Pacific Americans.

In Congress, my colleagues, Senators DANIEL INOUE and DANIEL AKAKA, are joined by California Representatives JUDY CHU, MIKE HONDA, and DORIS MATSUI as examples of good public servants.

A number of California cities are led by Asian-Pacific Americans, including: Mayor Ling-Ling Chang of Diamond Bar, Mayor Edwin Lee of my hometown of San Francisco, Mayor Jean Quan of Oakland, Mayor Richard Sun of San Marino, Mayor Jeremy Yamaguchi of Placentia, and Mayor Vincent Yu of Temple City.

Additionally, it is appropriate to acknowledge the outstanding contributions of Asian-Pacific Americans who sit on the bench in California.

Judge Edward M. Chen just finished his first year as a U.S. district court judge in San Francisco.

Associate Justice Goodwin Liu was recently appointed to the Supreme Court of California.

Judge Jacqueline H. Nguyen has served with distinction as the first Vietnamese-American Federal judge since 2009, and was nominated to the Ninth Circuit Court of Appeals in 2011. She has won confirmation to the Ninth Circuit, which makes her the first Asian-American female Federal appellate judge in the Nation.

Public service is by no means the only area in which Asian-Pacific Americans have made great strides forward.

National Basketball Association phenomenon Jeremy Lin, a California native, has provided inspiration well beyond the Asian-Pacific American community. From young children to adults, the Harvard-educated athlete has proven to millions that no dream is too big to achieve.

Asian-Pacific American Heritage Month is particularly relevant in 2012, as we recognize the 70th anniversary of the Japanese-American relocation during World War II, under Executive Order 9066.

I remember this shameful page in our history. As a young girl, my father took me to the Tanforan Racetrack, near San Francisco, which was a staging point for Japanese Americans en route to more permanent detention centers. Seeing the barbed wire, and the men, women, and children housed in horse stables and small buildings on the infield of the racetrack was an experience I will never forget.

It is important that our Nation acknowledge mistakes, no matter how far in the past. I am proud to have cosponsored and voted in support of a resolution expressing congressional regret for decades of legislation targeting Chinese people for physical and political

exclusion, as well as reaffirming the commitment of the Senate to preserve civil rights and constitutional protection of all Asian-Pacific Americans.

The future of the Asian-Pacific American community is bright, and I have no doubt it will see many triumphs in the years ahead. Today, it is my honor to recognize the ongoing determination, ambition, and success of Asian-Pacific Americans during Asian-Pacific American Heritage Month.

TAIWAN'S PRESIDENTIAL INAUGURATION

Mr. WYDEN. Mr. President, on May 20 the world will see an encouraging sight. On that day, President Ma Ying-jeou of the Republic of China will be sworn in for a second term on the island of Taiwan. I was so pleased to see yet another free, fair, democratic election take place on January 14. I want to take a moment to wish President Ma and the people of Taiwan success and prosperity as their young democracy continues to flourish and serve as an example for other countries in the region.

The difference in governance can be striking when Taiwan is compared to some of its neighbors in the region. Taiwan's experiment with democracy is less than two decades old, but it has demonstrated spectacular progress, holding direct democratic elections in every Presidential election since 1996. The people of Taiwan vigorously exercise their right to vote—three out of every four Taiwanese citizens voted in the January elections—and they feel empowered to petition their government, voice their grievances, peacefully assemble, and, in general, enjoy many of the political freedoms that Americans hold dear.

Taiwan is an important economic partner of the United States and is a robust and growing market for American exports. Just last month, as chair of the Senate Finance Subcommittee on International Trade, I held a hearing on agricultural export opportunities to Asia. As Asia continues to experience impressive economic growth, it is important to remember that Taiwan is the sixth largest destination for American agricultural exports. More can be done to improve bilateral trade between our two countries though, and I hope President Ma and his colleagues in the Legislative Yuan will move quickly to resolve the outstanding issues surrounding American beef imports.

President Ma made good progress in his first 4 years in improving cross-strait relations and has worked hard to promote peace and prosperity in the region. I commend both sides' work in developing and signing the Economic Cooperation Framework Agreement between the People's Republic of China and the Republic of China. I am confident that President Ma will continue to work to ensure cross-strait stability and cultivate an environment free from intimidation.

The people of Taiwan have much to be proud of as they celebrate the inauguration of President Ma. The relationship between the people of the United States and the people of Taiwan is based on shared values and common interests. I look forward to seeing Taiwan grow and prosper, and want the Taiwanese people to know that they have an unshakeable ally in the United States as they continue forward as a young democracy.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. MARTHA SMITH

• Mr. CARDIN. Mr. President, today I wish to recognize the accomplishments of Martha Smith, Ph.D., who is retiring as president of Anne Arundel Community College, AACC, in Anne Arundel County, MD. For 18 years, Dr. Smith has been the visionary and driving force behind many of the accomplishments of AACC. Her tireless dedication and unwavering enthusiasm have been instrumental in bringing extraordinary educational opportunities to the students of AACC. Under her leadership, AACC has grown to meet the needs of students and employers in Anne Arundel County and throughout the State of Maryland. The college has focused on high-growth industries and opportunities presented by the base realignment and closure, BRAC, process. As a result, its enrollment has increased from 40,000 to 53,000 students and the number of degree and certificate programs has nearly doubled. The campus locations have grown to include Glen Burnie and Arundel Mills, as well as nine new buildings.

Dr. Smith has led AACC's growth and success by keeping her finger on the pulse of workforce trends, student goals, and employer needs. This year, she announced nine new associate's degree programs in fields such as juvenile justice and early childhood education. Under her leadership, AACC opened the Centers for Cyber and Professional Training and Applied Learning and Technology and introduced a new degree in information systems security, evincing the increased demand for highly trained cyber security professionals. In response to the growing needs of Maryland's health care and tourism industries, Dr. Smith has overseen the expansion of the physician assistant certificate program and she cut the ribbon on AACC's new Hospitality, Culinary Arts and Tourism Institute.

Dr. Smith's considerable expertise and leadership in the areas of workforce development and education has enabled her to serve in many leadership roles with local, State, and national organizations. As a passionate advocate for high-quality, affordable education for all students who want to pursue higher education, her role on national community college and workforce investment boards has been instrumental in building partnerships

and making changes that have strengthened the community college system and enabled more students to be successful. During Dr. Smith's tenure, AACC has garnered numerous awards and honors, including Community College of the Year from the National Alliance for Business.

I ask my colleagues to join me in congratulating Dr. Smith on her 18 years of accomplishments as president of Anne Arundel Community College, in thanking her for her inspired leadership and public service, and in wishing her well in her retirement.●

RECOGNIZING SACO & BIDDEFORD SAVINGS INSTITUTION

• Ms. SNOWE. Mr. President, it is my privilege and honor to recognize and commend Saco & Biddeford Savings Institution, the oldest bank in Maine, which this month celebrates its milestone 185th anniversary.

Saco & Biddeford Savings Institution, located in Saco, ME, opened its doors on May 23, 1827. It is hard to believe, but at that time—7 years after Maine was granted Statehood—relatively few banks existed in the United States and none in Maine. However, in February of 1827, 48 citizens of Saco changed this path by appealing to the State legislature for a banking charter. Since that time, this community bank has taken remarkable strides and made breakthrough achievements, including opening the first branch of any bank in Maine. Further, in 1922, it began encouraging Maine's youth to save and learn the value of fiscal responsibility when it started the first school savings program in the State's history.

Whether a customer is interested in personal banking, obtaining a mortgage, or even starting or investing in a small business, Saco and Biddeford Savings offers a broad array of services and products. Today, this bank has expanded beyond Saco and includes locations in Biddeford, Old Orchard Beach, Scarborough, South Portland, and Westbrook. As the eleventh largest Maine-based community bank for total assets, it continues to grow, recently announcing total assets of over \$759 million. Notably, Saco & Biddeford Savings continues to be a leader in the community, employing 165 individuals, and was named by Best Companies Group in 2011 as one of the "Best Places to Work in Maine."

As is evidenced by their remarkable success for nearly two centuries, this financial institution is highly regarded for its impeccable customer service and outstanding charitable contributions. In 2011 alone, Saco & Biddeford Savings donated nearly \$350,000 to local charities. Already, in 2012, this community bank has donated to 14 local food pantries and meal programs and assisted with the Project Heat Telethon which ultimately raised \$223,550 to assist Maine families with fuel costs. Saco & Biddeford Savings' generosity to the community demonstrates why South-

ern Maine has embraced this organization for 185 years.

Throughout our Nation's great history, we have experienced tremendous highs and lows, particularly in our financial sector. While this has presented unique challenges to banking establishments, Saco & Biddeford Savings Institution's ability to thrive and prosper for 185 years is a monumental achievement. I am proud to extend my congratulations to everyone at Saco & Biddeford Savings Institution on their 185th anniversary. I offer my best wishes for their continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 298. An act to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423. An act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

H.R. 2079. An act to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213. An act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Luka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244. An act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660. An act to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2767. An act to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 3004. An act to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246. An act to designate the facility of the United States Postal Service located

at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247. An act to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248. An act to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

The enrolled bills were subsequently signed by the President pro tempore (Mr. INOUE).

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4097. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1302. An act to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 105. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

H. Con. Res. 106. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 117. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

H. Con. Res. 118. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 44. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2050. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 2240. An act to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

H.R. 4628. An act to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

H.R. 4849. An act to direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5959. A communication from the Deputy Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Specification for 15kV and 25kV Primary Underground Power Cable" (7 CFR Part 1728) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5960. 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 D Airspace; Cocoa Beach, FL" ((RIN2120-AA66) (Docket No. FAA-2012-0099)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5961. 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; Columbia, SC" ((RIN2120-AA66) (Docket No. FAA-2011-1196)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5962. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Area Navigation (RNAV) Routes; Seattle, WA" ((RIN2120-AA66) (Docket No. FAA-2011-1358)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5963. A communication from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Value Engineering" (RIN2125-AF40) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5964. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC-5965. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2011 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC-5966. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Amendment to Agency Rules of Practice" (RIN2126-AB38) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5967. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) Turbofan Engines" (RIN2120-AA64) (Docket No. FAA-2006-25738) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5968. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Mooney Aviation Company, Inc. (Mooney) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0275)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5969. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0272)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5970. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0288)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5971. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0273)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5972. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1225)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5973. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1224)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5974. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0355)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5975. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DG Flugzeugbau GmbH Sailplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1342)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5976. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Division Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2011-1194)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5977. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney (PW) Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2011-1176)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5978. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1090)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5979. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1414)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5980. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2007-27223)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5981. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1324)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5982. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0913)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5983. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-1113)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5984. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0025)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5985. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2007-0109)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5986. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model BD-100-1A10 (Challenger 300) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1064)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5987. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2009-0908)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5988. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1060)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5989. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0858)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5990. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0723)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5991. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0296)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5992. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0331)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5993. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0303)) received during adjournment of the Senate in the Office of the President of the Senate on April 30, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5994. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Railroad Workplace Safety; Adjacent-Track On-Track Safety for Roadway Workers" ((RIN2130-AB96) received in the Office of the President of the Senate on April 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC-5995. A communication from the Principal Deputy General Counsel, Office of the General Counsel, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the Bureau of Consumer Financial Protection" ((RIN3209-AA15) (Docket No. CFPB-2012-0016)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5996. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Further Definition of 'Swap Dealer,' 'Security-Based Swap Dealer,' 'Major Swap Participant,' 'Major Security-Based Swap Participant' and 'Eligible Contract Participant'" ((RIN3235-AK65) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5997. A communication from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania Regulatory Program" (Docket No. PA-155-FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the

Committee on Energy and Natural Resources.

EC-5998. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Iowa Regulatory Program" (Docket No. IA-016-FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Energy and Natural Resources.

EC-5999. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oklahoma Regulatory Program" (Docket No. OK-033-FOR) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Energy and Natural Resources.

EC-6000. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the authorization of the Minnesota River, Marsh Lake Ecosystem Restoration project; to the Committee on Environment and Public Works.

EC-6001. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application, Review, and Reporting Process for Waivers for State Innovation" (RIN1505-AC30) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Finance.

EC-6002. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communiqué" and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement"; to the Committee on Foreign Relations.

EC-6003. A communication from the Acting Executive Secretary, U.S. Agency for International Development (USAID), a report relative to a vacancy in the position of Assistant Administrator, Bureau for Africa, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2012; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-87. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to reconsider the recommendations of the 2012 United States Air Force Structure Change Report and to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard as previously committed; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 215

Whereas, The Michigan Air National Guard, being the air force militia of the state, has a long and proud history with the state of Michigan and the city of Battle Creek; and

Whereas, The Battle Creek Air National Guard Base is currently home to the 110th Airlift Wing of the Air National Guard, which currently hosts a flying mission of C-21 passenger aircraft, and the 110th Air Operations Group, which provides critical support to the 17th Air Force, or United States Air Forces Africa; and

Whereas, The units of the 110th Airlift Wing of the Air National Guard have had a history in Battle Creek, Michigan, since 1947; and

Whereas, The 110th Airlift Wing is a tremendous source of civic pride in the greater Battle Creek area, as it has been one of the most decorated Air National Guard units in the nation, receiving the Air Force Outstanding Unit Award in 1992, 1998, 2000, 2004, and 2011, an honor bestowed on fewer than 10 percent of Air Force units annually; and

Whereas, The citizens of Battle Creek have, over the years, committed unmatched support for the Air National Guard in Battle Creek, including in 1984 by a 4 to 1 majority when voters pledged to extend the runway from 7,003 to 10,003 feet to meet the needs of the Air National Guard, in 2006 when the city's economic development authority purchased 74 acres of residentially zoned, vacant property to preclude encroachment, and when Battle Creek proactively contributed resources and sought matching funds for the construction of a new air traffic control tower to address line of sight issues and construct a parallel runway to enhance safety; and

Whereas, The defense industry, including the Battle Creek Air National Guard Base, the Hart-Dole-Inouye Federal Center, and the Fort Custer Army National Guard Base, is integral to the local community, and its components are vital, both as symbols of civic pride and as cornerstones of the local economy; and

Whereas, The defense industry is vital to the economy of the city of Battle Creek, with approximately 3,000 local jobs tied to defense; and

Whereas, The Battle Creek Air National Guard Base contributes \$22.2 million in total wages and salaries and a total of \$26 million in gross regional product to Calhoun County; and

Whereas, More than \$22 million in taxpayer funding has been invested in the Battle Creek Air National Guard Base from 2001 to 2011, \$16.7 million of which represents the federal share and \$5.2 million of which was invested by the state of Michigan. The 110th Airlift Wing has been the recipient of \$477 million in operational funding from 2001 to 2011, including military construction, personnel, and operations and maintenance; and

Whereas, The existing infrastructure and trained personnel at the Battle Creek Air National Guard base are ideally suited to support the C-27J, and the Battle Creek Air National Guard base is second to no other location in the nation for C-27J mission support; and

Whereas, C-27J aircraft based in Southwest Michigan, due to its central location, will provide superior response capabilities in FEMA Region 5 and the region served by the 51st Civil Support Team; and

Whereas, Locating an MQ-1/9 RSO element at the Battle Creek Air National Guard Base instead of the previously committed C-27J aircraft would result in a loss of approximately 70 jobs with the 110th Airlift Wing; and

Whereas, Delivering neither the four C-27J aircraft or an MQ-1/9 RSO element to the Battle Creek Air National Guard Base would result in significant harm to the economy of the city of Battle Creek, as well as jeopardizing the significant investments made by the citizens of Michigan and the United States by making the Battle Creek Air National Guard Base vulnerable to future Base Closure and Realignment Commission (BRAC) recommendations; and

Whereas, The Battle Creek Air National Guard Base has already been targeted for closure by the BRAC Commission. In 2005, as a result of recommendations by the BRAC

Commission, the Battle Creek Air National Guard Base lost 161 jobs and a squadron of A-10 Thunderbolt II aircraft was reassigned to Selfridge Air National Guard Base. The BRAC Commission also considered the closure of the Hart-Dole-Inouye Federal Center in Battle Creek, which houses integral elements of the Defense Logistics Agency of the United States Department of Defense; and

Whereas, The loss of employment positions with the 110th Airlift Wing at the Battle Creek Air National Guard Base would have a significant impact on the local economy; and

Whereas, Any negative impacts on the Battle Creek Air National Guard Base would also have other serious consequences, including potential ramifications for other organizations that utilize W.K. Kellogg Airport, including the Western Michigan University College of Aviation; and

Whereas, The Michigan House of Representatives has already urged the United States Department of Defense to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard in Battle Creek; and

Whereas, Any negative impact on the 110th Airlift Wing of the Air National Guard at the Battle Creek Air National Guard Base will have immeasurable consequences for the city of Battle Creek and the state of Michigan, both in terms of economic ramifications, as well as in terms of community pride and disaster readiness; Now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to reconsider the recommendations of the 2012 United States Air Force Structure Change Report and to deliver no fewer than four C-27J aircraft to the 110th Airlift Wing of the Air National Guard as previously committed or, in the event that such aircraft are not currently available, to deliver an MQ-1/9 RSO element to the Battle Creek Air National Guard Base until such time as no fewer than four C-27J aircraft become available, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, United States Secretary of Defense, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-88. A memorial adopted by the Legislature of the State of Florida urging Congress to repeal the Sarbanes-Oxley Act of 2002; to the Committee on Banking, Housing, and Urban Affairs.

SENATE MEMORIAL NO. 1822

Whereas, the Sarbanes-Oxley Act was enacted on July 30, 2002, in Pub. L. No. 107-204, and

Whereas, the stated purpose of the act is "to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws . . .," and

Whereas, this federal legislation was passed with the best of corrective intentions after the discovery of corporate fraud and accounting scandals that cost investors and retirees billions of dollars, and

Whereas, the Sarbanes-Oxley Act, in spite of the good intentions that motivated its passage, has created an extremely complex maze of federal regulations that are costly and damaging to public companies and diminish the companies' ability to compete against foreign financial entities that are not subject to its regulations, and

Whereas, the costs that businesses must bear to comply with the extensive provisions of the Sarbanes-Oxley Act are unnecessary and crippling, disproportionately affecting smaller businesses, and

Whereas, financial market scholars have observed that the Sarbanes-Oxley Act has produced the unfortunate consequence of discouraging American businesses from listing with New York stock exchanges and listing instead in England where the markets and stock exchanges are less heavily regulated, and

Whereas, the Sarbanes-Oxley Act is a very costly example of Federal Government intrusion that imposes unnecessary regulatory costs on American businesses and interferes with basic free market principles, and

Whereas, instead of preventing fraud and ensuring transparency, the extensive regulations created by the Sarbanes-Oxley Act have thwarted the creation of new public companies, driven business away from domestic stock markets, and cost the industrial sector billions of dollars: Now therefore, be it

Resolved, by the Legislature of the State of Florida, That the Congress of the United States is urged to repeal the Sarbanes-Oxley Act of 2002 to remove the damaging obstacles that the act has created for American public companies and replace it with reasonable non-intrusive measures to protect investors; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM-89. A memorial adopted by the Legislature of the State of Florida urging Congress to pass H.R. 2918, the Taiwan Policy Act of 2011; to the Committee on Foreign Relations.

SENATE MEMORIAL NO. 1486

Whereas, H.R. 2918, the Taiwan Policy Act of 2011, was introduced on September 14, 2011, and is currently pending before the 112th Congress, and

Whereas, H.R. 2918 seeks to encourage and strengthen the commercial, cultural, and other interests between the people of the United States and Taiwan, as set forth in the Taiwan Relations Act which was enacted in 1979 (Public Law 96-8; 22 U.S.C. ss. 3301 et seq.) and which has served for 33 years as the foundation of United States-Taiwan relations, and

Whereas, we are reminded that the Taiwan Relations Act has functioned to ensure peace and stability in the Western Pacific and that it continues to be a priority of the United States to maintain that international stability, and

Whereas, this nation must be vigilant to encourage the secure future of Taiwan and must do all that is within our ability to encourage the military self-defense capabilities of Taiwan, and

Whereas, economically, Taiwan is the ninth largest trading partner with the United States and that trade translated into approximately \$57 billion in 2010, and

Whereas, both nations realize that it is in the best economic interests of the United States and in the national security interests of Taiwan that these two nations continue to cultivate the intricate ties between them: Now therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States is urged to pass H.R. 2918, the "Taiwan Policy Act of 2011," in recognition that the passage of the act is a necessary step toward nurturing and maintaining the diverse interests that bind the people of the United States and the people of Taiwan; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United

States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COONS:

S. 2839. A bill to extend the temporary suspension of duty on 2-amino-4-methoxy-6-methyl-1,3,5-triazine; to the Committee on Finance.

By Mr. COONS:

S. 2840. A bill to extend the temporary suspension of duty on 2-methyl-4-methoxy-6-methylamino-1,3,5-triazine; to the Committee on Finance.

By Mr. SCHUMER:

S. 2841. A bill to suspend temporarily the duty on certain PCBTF with antioxidant; to the Committee on Finance.

By Mr. SCHUMER:

S. 2842. A bill to suspend temporarily the duty on certain PCBTF with acid acceptor; to the Committee on Finance.

By Mr. SCHUMER:

S. 2843. A bill to suspend temporarily the duty on certain PCBTF; to the Committee on Finance.

By Mr. SCHUMER:

S. 2844. A bill to suspend temporarily the duty on certain PCBTF with corrosion inhibitor; to the Committee on Finance.

By Mr. SCHUMER:

S. 2845. A bill to suspend temporarily the duty on metal screw type bases designed for high intensity discharge (HID) lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2846. A bill to suspend temporarily the duty on preformed iodide pellets or powder composed of iodides of dysprosium, thallium sodium, holmium, thulium and calcium; to the Committee on Finance.

By Mr. SCHUMER:

S. 2847. A bill to suspend temporarily the duty on polycrystalline alumina tubes and shaped bodies designed for high intensity discharge (HID) lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2848. A bill to suspend temporarily the duty on cermets for ceramic discharge lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2849. A bill to suspend temporarily the duty on frit rings composed of dysprosium oxide, dysprosium monosilicate, and mullite; to the Committee on Finance.

By Mr. SCHUMER:

S. 2850. A bill to suspend temporarily the duty on ceramic bases designed for high intensity discharge (HID) lamps, with metal locking pins to allow passage of an electrical current; to the Committee on Finance.

By Mr. SCHUMER:

S. 2851. A bill to suspend temporarily the duty on polycrystalline alumina discharge tubes prefilled with metal halide salts and designated for high intensity discharge (HID) lamps; to the Committee on Finance.

By Mr. SCHUMER:

S. 2852. A bill to suspend temporarily the duty on certain PCBTF with antistatic; to the Committee on Finance.

By Mr. PRYOR:

S. 2853. A bill to extend the temporary suspension of duty on Ipcnazole; to the Committee on Finance.

By Mr. PRYOR:

S. 2854. A bill to extend the temporary suspension of duty on triacetone; to the Committee on Finance.

By Mr. PRYOR:

S. 2855. A bill to extend the temporary suspension of duty on Bifenazate; to the Committee on Finance.

By Mr. PRYOR:

S. 2856. A bill to extend the temporary suspension of duty on Butralin; to the Committee on Finance.

By Mr. PRYOR:

S. 2857. A bill to extend the temporary suspension of duty on Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride); to the Committee on Finance.

By Mr. PRYOR:

S. 2858. A bill to suspend temporarily the duty on paraquat dichloride and inerts; to the Committee on Finance.

By Mr. PRYOR:

S. 2859. A bill to extend the temporary suspension of duty on Pentaerythritol tetrakis[3-(dodecylthio)propionate] (CAS No. 29598-76-3); to the Committee on Finance.

By Mr. PRYOR:

S. 2860. A bill to suspend temporarily the duty on 4,4'-methylene bis(2-chloroaniline); to the Committee on Finance.

By Mr. PRYOR:

S. 2861. A bill to suspend temporarily the duty on 2,2'-(2-methylpropylidene) bis(4,6-dimethylphenol); to the Committee on Finance.

By Mr. PRYOR:

S. 2862. A bill to suspend temporarily the duty on Daminozide; to the Committee on Finance.

By Mr. PRYOR:

S. 2863. A bill to suspend temporarily the duty on 4,4'-butylidenebis[3-methyl 6 tert butylphenol]; to the Committee on Finance.

By Mr. PRYOR:

S. 2864. A bill to suspend temporarily the duty on 2,2'-methylenebis[4 methyl 6 tert butylphenol]; to the Committee on Finance.

By Mr. PRYOR:

S. 2865. A bill to suspend temporarily the duty on bis(2,3-dibromopropyl ether) of Tetrabromobisphenol A; to the Committee on Finance.

By Mr. PRYOR:

S. 2866. A bill to suspend temporarily the duty on 4,4'-thiobis[2-(1,1-dimethylethyl)-5-methyl-phenol]; to the Committee on Finance.

By Mr. PRYOR:

S. 2867. A bill to suspend temporarily the duty on 2,5-bis(1,1-dimethylpropyl)-1,4-benzenediol; to the Committee on Finance.

By Mr. PRYOR:

S. 2868. A bill to extend the temporary suspension of duty on Phosphoric acid, tris(2-ethylhexyl) ester; to the Committee on Finance.

By Mr. PRYOR:

S. 2869. A bill to extend the temporary suspension of duty on N,NN-Hexane-1,6-diybis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionamide) (CAS No. 23128-74-7); to the Committee on Finance.

By Mr. PRYOR:

S. 2870. A bill to extend the temporary suspension of duty on 2-(4-Tert-butylphenoxy)cyclohexylprop-2-ynyl sulfite (Propargite) (CAS No. 2312-35-8); to the Committee on Finance.

By Mr. PRYOR:

S. 2871. A bill to extend the temporary suspension of duty on etridiazole; to the Committee on Finance.

By Mr. BAUCUS:

S. 2872. A bill to extend the temporary reduction of duty on certain golf bag bodies; to the Committee on Finance.

By Mr. BAUCUS:

S. 2873. A bill to suspend temporarily the duty on 3-trifluoromethyl-4-nitrophenol; to the Committee on Finance.

By Mr. BAUCUS:

S. 2874. A bill to suspend temporarily the duty on fabrics of man-made fibers consisting of one or two layers of expanded poly-

tetrafluoroethylene sheeting layered between an outer knit fabric wholly of nylon and another outer woven fabric containing by weight 65 percent or more of micro fiber polyester; to the Committee on Finance.

By Mr. BAUCUS:

S. 2875. A bill to suspend temporarily the duty on diaper pads with an outer layer of water-resistant laminated knitted fabric of polyester and with other fabric layers of either blends of hemp and cotton or polyester microfleece; to the Committee on Finance.

By Mr. BAUCUS:

S. 2876. A bill to suspend temporarily the duty on diaper pads with an outer layer of water-resistant laminated knitted fabric of polyester and with a layer or layers of certified organic cotton; to the Committee on Finance.

By Mr. BAUCUS:

S. 2877. A bill to suspend temporarily the duty on diaper pads with an outer layer of water-resistant laminated knitted fabric of polyester with an inner layer or layers of certified organic cotton; to the Committee on Finance.

By Mr. BAUCUS:

S. 2878. A bill to suspend temporarily the duty on diaper shells each having a water-resistant outer layer of laminated knitted fabric of polyester and a lining of mesh fabric wholly of polyester; to the Committee on Finance.

By Mr. BAUCUS:

S. 2879. A bill to renew the temporary suspension of duty on vulcanized rubber felt-bottom boots for actual use in fishing waders; to the Committee on Finance.

By Mr. BAUCUS:

S. 2880. A bill to extend the temporary suspension of duty on vulcanized rubber lug bottom boots for actual use in fishing waders; to the Committee on Finance.

By Mr. BAUCUS:

S. 2881. A bill to suspend temporarily the duty on certain glass snow globes; to the Committee on Finance.

By Mr. BAUCUS:

S. 2882. A bill to suspend temporarily the duty on certain acrylic snow globes; to the Committee on Finance.

By Mr. BAUCUS:

S. 2883. A bill to renew the temporary suspension of duty on certain footwear consisting of an outer sole affixed to an incomplete or unfinished upper; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. WHITEHOUSE, and Mr. BROWN of Ohio):

S. 2884. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mrs. HUTCHISON, Mr. CORNYN, Mr. PRYOR, and Mr. BOOZMAN):

S. 2885. A bill to amend title 10, United States Code, to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack perpetrated within the United States; to the Committee on Armed Services.

By Mr. MENENDEZ:

S. 2886. A bill to suspend temporarily the duty on 3-amino-1,2-propanediol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2887. A bill to reduce temporarily the duty on Trilon MGD; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2888. A bill to reduce temporarily the duty on Tinopal; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2889. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in containers holding 3.4 kg or less; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2890. A bill to extend the temporary suspension of duty on pepperoncini, prepared or preserved otherwise than by vinegar or acetic acid, not frozen; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2891. A bill to extend temporary reduction of duty on pepperoncini, prepared or preserved by vinegar; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2892. A bill to extend the temporary suspension of duty on capers, prepared or preserved by vinegar or acetic acid, in immediate containers holding more than 3.4 kg; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2893. A bill to provide for the reliquidation of certain entries of top-of-the-stove stainless steel cooking ware from the Republic of Korea between January 1, 1999 and January 22, 2003, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2894. A bill to suspend temporarily the duty on butane, 1-chloro; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2895. A bill to suspend temporarily the duty on 1,3,5-triazine, 2,4,6-tris(2-propenyloxy)-; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2896. A bill to suspend temporarily the duty on hexane, 1,6-dichloro-; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2897. A bill to provide for the reliquidation of certain entries of orange juice from Brazil, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2898. A bill to suspend temporarily the duty on cyasorb 2908; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2899. A bill to suspend temporarily the duty on HAS; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2900. A bill to suspend temporarily the duty on bis-phenol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2901. A bill to suspend temporarily the duty on cyasorb 3346; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2902. A bill to suspend temporarily the duty on cyasorb 1164; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2903. A bill to suspend temporarily the duty on 2-ethylhexyl salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2904. A bill to extend the temporary suspension of duty on 2-phenylbenzimidazole-5-sulfonic acid; to the Committee on Finance.

By Mr. CONRAD:

S. 2905. A bill to reduce temporarily the duty on mixtures of Paraquat technical and Emetic PP796; to the Committee on Finance.

By Mr. CONRAD:

S. 2906. A bill to extend and modify the temporary suspension of duty on Propiconazole; to the Committee on Finance.

By Mr. CONRAD:

S. 2907. A bill to extend and modify the temporary suspension of duty on difenoconazole; to the Committee on Finance.

By Mr. CONRAD:

S. 2908. A bill to extend the temporary suspension of duty on cyprodinil; to the Committee on Finance.

By Mr. MERKLEY:

S. 2909. A bill to require closing costs to be paid by the enterprises with respect to cer-

tain refinanced mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEVIN:

S. 2910. A bill to suspend temporarily the duty on certain fuel injection pumps; to the Committee on Finance.

By Mr. LEVIN:

S. 2911. A bill to suspend temporarily the duty on certain pistons for marine propulsion engines; to the Committee on Finance.

By Mr. LEVIN:

S. 2912. A bill to suspend temporarily the duty on certain fuel injectors; to the Committee on Finance.

By Mr. LEVIN:

S. 2913. A bill to suspend temporarily the duty on certain plain shaft sputter bearings; to the Committee on Finance.

By Mr. LEVIN:

S. 2914. A bill to suspend temporarily the duty on certain forged steel crankshafts; to the Committee on Finance.

By Mr. LEVIN:

S. 2915. A bill to suspend temporarily the duty on certain cast-iron engine crankcases for marine propulsion engines; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2916. A bill to extend the temporary suspension of duty on methyl salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2917. A bill to extend the temporary suspension of duty on Propiconazole; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2918. A bill to extend the temporary suspension of duty on mixtures of Imazalil and application adjuvants; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2919. A bill to renew the temporary suspension of duty on 2-(2'-hydroxy-5'-methacrylyloxyethylphenyl)-2-Hbenzotriazole; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2920. A bill to renew the temporary suspension of duty on Tralopyril; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2921. A bill to suspend temporarily the duty on Canagliflozin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2922. A bill to suspend temporarily the duty on Imazalil in bulk active form as the active ingredient in fungicides for citrus fruit; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2923. A bill to suspend temporarily the duty on mixtures of Propiconazole and 3-iodo-propynol butylcarbamate and application adjuvants; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2924. A bill to renew the temporary suspension of duty on Pyrimethanil; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2925. A bill to suspend temporarily the duty on polymer, caprolactone-diethylene glycol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2926. A bill to suspend temporarily the duty on carbonic acid, dimethyl ester, polymer with 1,6-hexanediol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2927. A bill to extend the temporary suspension of duty on E-caprolactoneneopentylglycol copolymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2928. A bill to suspend temporarily the duty on helvetolide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2929. A bill to suspend temporarily the duty on hirvenal; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2930. A bill to extend the temporary suspension of duty on dodecahydro-3a,6,6,9a-tetramethylnaphtho(2,1-b) furan; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2931. A bill to suspend temporarily the duty on damascenone; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2932. A bill to suspend temporarily the duty on Muscenone Delta; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2933. A bill to suspend temporarily the duty on N510; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2934. A bill to renew the temporary suspension of duty on certain viscose rayon yarn; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2935. A bill to renew the temporary suspension of duty on certain twisted yarn of viscose rayon; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2936. A bill to provide for the reliquidation of certain entries of industrial nitrocellulose from the United Kingdom; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2937. A bill to suspend temporarily the rate of duty on extract of licorice; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2938. A bill to suspend temporarily the rate of duty on certain licorice extract derivatives; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2939. A bill to extend the temporary suspension of duty on *e*-caprolactone-2-ethyl-2-(hydroxymethyl)-1,3-propanediol polymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2940. A bill to suspend temporarily the duty on poly(2,2'-bis(4-cyanatophenyl)propane); to the Committee on Finance.

By Mr. MENENDEZ:

S. 2941. A bill to suspend temporarily the duty on neon, compressed; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2942. A bill to extend the temporary suspension of duty on cerium sulfide pigments; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2943. A bill to extend the temporary suspension of duty on lutetium oxide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2944. A bill to extend the temporary suspension of duty on mixtures of coprecipitates of yttrium phosphate and cerium phosphate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2945. A bill to extend the temporary suspension of duty on mixtures of coprecipitates of yttrium oxide and europium oxide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2946. A bill to provide for the reliquidation of certain entries of high-density, fiberboard-core laminate wall and floor panels, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2947. A bill to provide for the reliquidation of certain entries of polyester fleece sheet sets entered on or after January 29, 2009, and on or before October 27, 2009; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2948. A bill to extend the temporary reduction of duty on Aspirin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2949. A bill to provide for the liquidation or reliquidation of certain entries of digital still image video cameras; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2950. A bill to extend the temporary suspension of duty on Methidathion; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2951. A bill to extend the temporary suspension of duty on Paclitaxel; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2952. A bill to suspend temporarily the duty on certain power converter panels specifically designed for wind turbine generators; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2953. A bill to suspend temporarily the duty on certain bamboo kitchen devices; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2954. A bill to suspend temporarily the duty on certain bamboo baskets; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2955. A bill to extend the temporary suspension of duty on mixtures of cyhalothrin (cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-, cyano(3-phenoxyphenyl)methyl ester, [1a(S*), 3a(z)]-(+)-); to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2956. A bill to suspend temporarily the duty on certain plastic children's wallets; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2957. A bill to suspend temporarily the duty on certain coupon holders; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2958. A bill to suspend temporarily the duty on certain electric wine bottle openers; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2959. A bill to suspend temporarily the duty on certain inflatable swimming pools; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2960. A bill to suspend temporarily the duty on Profenofos; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 2961. A bill to suspend temporarily the duty on certain switchgear assemblies and panel boards specifically designed for wind turbine generators; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2962. A bill to suspend temporarily the duty on Dragasantol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2963. A bill to suspend temporarily the duty on Cyclogalbanat; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2964. A bill to suspend temporarily the duty on Citronitile; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2965. A bill to suspend temporarily the duty on Amberwood F; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2966. A bill to suspend temporarily the duty on Allyl Hetoate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2967. A bill to extend the temporary suspension of duty on Frescolat MGA; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2968. A bill to extend the temporary suspension of duty on Frescolat ML; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2969. A bill to suspend temporarily the duty on Hydrolite 6; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2970. A bill to suspend temporarily the duty on Menthol-D; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2971. A bill to extend the temporary suspension of duty on neo heliopian hydro; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2972. A bill to extend the temporary suspension of duty on Allyl Cyclo Hexyl Propionate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2973. A bill to suspend temporarily the duty on Allyl Caproate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2974. A bill to suspend temporarily the duty on 3-Methylbenzyl Chloride; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2975. A bill to extend the temporary suspension of duty on methyl cinnamate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2976. A bill to suspend temporarily the duty on Ethyl Salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2977. A bill to extend the temporary suspension of duty on 1,1,2,2-tetrafluoroethene, oxidized, polymerized; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2978. A bill to extend the temporary suspension of duty on 9, 10-Anthracenedione, 2-(1,1-dimethylpropyl)- (CAS No. 32588-54-8) and 9,10-anthracenedione, 2-(1,2-dimethylpropyl)-; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2979. A bill to suspend temporarily the duty on 1,2-propanediol, 3-(diethylamino)-, polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, propylene glycol and reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene, 2-ethyl-1-hexanol-blocked, acetates (salts); to the Committee on Finance.

By Mr. MENENDEZ:

S. 2980. A bill to suspend temporarily the duty on 4,4' dichlorodiphenylsulfone; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2981. A bill to suspend temporarily the duty on diphosphoric acid, polymers with ethoxylated reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2982. A bill to suspend temporarily the duty on Neononyl Acetate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2983. A bill to suspend temporarily the duty on Phenylethyl Isobutyrate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2984. A bill to extend the temporary suspension of duty on trimethyl cyclo hexanol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2985. A bill to extend the temporary suspension of duty on ethene, tetrafluoro, oxidized, polymerized reduced, methyl esters, reduced, ethoxylated; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2986. A bill to extend the temporary suspension of duty on certain magnesium peroxide; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2987. A bill to suspend temporarily the duty on phosphonic acid, maleic anhydride

sodium salt complex; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2988. A bill to suspend temporarily the duty on tetrakis(hydroxymethyl) phosphonium sulfate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2989. A bill to extend the temporary suspension of duty on oxiranemethanol, polymers with reduced methyl esters of reduced polymerized oxidized tetrafluoroethylene; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2990. A bill to suspend temporarily the duty on mixtures of N-[2-(2-oxoimidazolidine-1-yl)ethyl]-2-methylacrylamide, methacrylic acid, aminoethyl ethylene urea and hydroquinone; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2991. A bill to extend the temporary suspension of duty on methoxycarbonyl-terminated perfluorinated polyoxymethylene-polyoxyethylene; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2992. A bill to extend the temporary suspension of duty on 1-propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized, reduced hydrolyzed; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2993. A bill to extend the temporary suspension of duty on 1-propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2994. A bill to extend the temporary suspension of duty on diaminodecane; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2995. A bill to extend the temporary suspension of duty on PHBA; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2996. A bill to extend the temporary suspension of duty on thymol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2997. A bill to extend the temporary suspension of duty on majantol; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2998. A bill to extend the temporary suspension of duty on hydrolite 5; to the Committee on Finance.

By Mr. MENENDEZ:

S. 2999. A bill to extend the temporary suspension of duty on methyl salicylate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3000. A bill to extend the temporary suspension of duty on allyl isosulfocyanate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3001. A bill to extend the temporary suspension of duty on Agrumex; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3002. A bill to extend the temporary suspension of duty on Anisic Aldehyde; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3003. A bill to extend the temporary suspension of duty on vinylidene chloride-methyl methacrylate-acrylonitrile copolymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3004. A bill to extend the temporary suspension of duty on propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl polymers with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane and reduced methyl esters of reduced polymerized, oxidized tetrafluoroethylene, compounds with trimethylamine; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3005. A bill to suspend temporarily the duty on ethene, 1 chloro-1,2,2-trifluoro; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3006. A bill to suspend temporarily the duty on vinylidene fluoride-trifluoroethylene copolymer; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3007. A bill to suspend temporarily the duty on 1,1,2,2-tetrafluoroethylene, oxidized, polymerized, reduced; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3008. A bill to reduce temporarily the duty on product mixtures containing Clothianidin and Bacillus Firmus; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3009. A bill to extend the temporary suspension of duty on Mesosulfuron-methyl; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3010. A bill to extend the temporary suspension of duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3011. A bill to suspend temporarily the duty on dimethyl hydrogen phosphite; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3012. A bill to reduce temporarily the duty on product mixtures containing Fenoxaprop, Pyrasulfotole, Bromoxynil Octanoate, Bromoxynil Heptanoate, and Mefenpyr; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3013. A bill to suspend temporarily the duty on mixtures of phosphonium, tetrakis(hydroxymethyl)-, chloride, polymer with urea, phosphonium, tetrakis(hydroxymethyl)-, chloride, form-aldehyde; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3014. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3015. A bill to extend and modify the temporary suspension of duty on Clothianidin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3016. A bill to extend and modify the temporary reduction of duty on Triadimefon; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3017. A bill to extend the temporary suspension of duty on Spiromesifen; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3018. A bill to extend the temporary suspension of duty on 2-chlorobenzyl chloride; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3019. A bill to suspend temporarily the duty on propoxycarbazono-sodium; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3020. A bill to extend the temporary suspension of duty on Permethrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3021. A bill to extend the temporary suspension of duty on 4-chlorobenzaldehyde; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3022. A bill to reduce temporarily the duty on product mixtures containing Fenoxaprop, Pyrasulfotole, Bromoxynil Octanoate, Bromoxynil Heptanoate, and Mefenpyr-diethyl; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3023. A bill to suspend temporarily the duty on B-Cyfluthrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3024. A bill to extend the temporary suspension of duty on Cyfluthrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3025. A bill to extend and modify the temporary reduction of duty on B-Cyfluthrin; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3026. A bill to extend the temporary suspension of duty on Propoxur; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3027. A bill to extend and modify the temporary reduction of duty on monocarboxylic fatty acids derived from palm oil; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3028. A bill to extend the temporary suspension of duty on D-Mannose; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3029. A bill to extend the temporary suspension of duty on ion-exchange resins consisting of copolymers of acrylic acid and diethylene glycol divinyl ether; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3030. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3031. A bill to extend the temporary suspension of duty on dimethyl malonate; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. COBURN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KIRK, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. VITTER):

S. Res. 447. A resolution congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 13th annual National Charter Schools Week, to be held May 6 through May 12, 2012; considered and agreed to.

By Mr. LEE (for himself, Mr. PAUL, and Mr. DEMINT):

S. Con. Res. 44. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; placed on the calendar.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Ms. COLLINS) were added as co-sponsors of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Nebraska

(Mr. NELSON) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 1166

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1166, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims of family members, and for other purposes.

S. 1251

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1270

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1270, a bill to prohibit the export from the United States of certain electronic waste, and for other purposes.

S. 1299

At the request of Mr. MORAN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) 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. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan

(Ms. STABENOW) 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. 1703

At the request of Mr. PRYOR, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 1703, a bill to amend the Department of Energy Organization Act to require a Quadrennial Energy Review, and for other purposes.

S. 1796

At the request of Mr. PRYOR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 1863

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1863, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1878

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1878, a bill to assist low-income individuals in obtaining recommended dental care.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1881

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1881, a bill to establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and conserving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

S. 1984

At the request of Mr. KERRY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 1990

At the request of Mr. LIEBERMAN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 1993

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2123

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2123, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 2165

At the request of Mrs. BOXER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2205

At the request of Mr. MORAN, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Nevada (Mr. HELLER), the Senator from Florida (Mr. RUBIO) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2224

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2224, a bill to require the President to report to Congress on issues related to Syria.

S. 2233

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2233, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States.

S. 2241

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2241, a bill to ensure that veterans have the information and protections they require to make informed decisions regarding use of Post-9/11 Educational Assistance, and for other purposes.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2288

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2288, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2342

At the request of Mr. TESTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2342, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 2343

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2344

At the request of Mr. VITTER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2344, a bill to extend the National Flood Insurance Program until December 31, 2012.

S. 2346

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2346, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 2366

At the request of Mr. ALEXANDER, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2366, a bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

S. 2368

At the request of Mr. ENZI, his name was added as a cosponsor of S. 2368, a bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2554

At the request of Mr. LEAHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2554, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 38

At the request of Mr. GRAHAM, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S.J. Res. 38, a joint resolution disapproving a rule submitted by the Department of Labor relating to the certification of nonimmigrant workers in temporary or seasonal non-agricultural employment.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

At the request of Mr. THUNE, his name was added as a cosponsor of S. Res. 380, *supra*.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 447—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 13TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK, TO BE HELD MAY 6 THROUGH MAY 12, 2012

Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. COBURN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. HUTCHISON, Mr. KIRK, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 447

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas, in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas, as of the date of approval of this resolution, 5,275 charter schools are serving more than 2,000,000 children;

Whereas in fiscal year 2011 and the 18 previous fiscal years, Congress has provided a total of more than \$3,000,000,000 in financial assistance to the charter school movement through grants for planning, startup, implementation, dissemination, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools; and

Whereas the 13th annual National Charter Schools Week is scheduled to be held May 6 through May 12, 2012; Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 13th annual National Charter Schools Week, a week-long celebration to be held May 6 through May 12, 2012, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

SENATE CONCURRENT RESOLUTION 44—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2014 THROUGH 2022

Mr. LEE (for himself, Mr. PAUL, and Mr. DEMINT) submitted the following

concurrent resolution; which was placed on the calendar:

S. CON. RES. 44

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) **DECLARATION.**—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2014 through 2022.

(b) **TABLE OF CONTENTS.**—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 2013.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
 Sec. 102. Social Security.
 Sec. 103. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-reduction reserve fund for the sale of unused or vacant federal properties.
 Sec. 202. Deficit-reduction reserve fund for selling excess federal land.
 Sec. 203. Deficit-reduction reserve fund for the repeal of davis-bacon prevailing wage laws.
 Sec. 204. Deficit-reduction reserve fund for the reduction of purchasing and maintaining federal vehicles.
 Sec. 205. Deficit-reduction reserve fund for the sale of financial assets purchased through the troubled asset relief program.
 Sec. 206. Reserve fund for the repeal of the 2010 health care laws.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits for fiscal years 2013 through 2022, program integrity initiatives, and other adjustments.
 Sec. 302. Point of order against advance appropriations.
 Sec. 303. Emergency legislation.
 Sec. 304. Adjustments for the extension of certain current policies.

Subtitle B—Other Provisions

Sec. 311. Oversight of government performance.
 Sec. 312. Application and effect of changes in allocations and aggregates.
 Sec. 313. Adjustments to reflect changes in concepts and definitions.

TITLE IV—RECONCILIATION

Sec. 401. Reconciliation in the Senate.

TITLE V—CONGRESSIONAL POLICY CHANGES

Sec. 501. Policy statement on social security.
 Sec. 502. Policy statement on medicare.
 Sec. 503. Policy statement on medicaid.
 Sec. 504. Policy statement on tax reform.
 Sec. 505. Policy statement on government asset sales.
 Sec. 506. Policy on repealing Obamacare.

TITLE VI—SENSE OF CONGRESS

Sec. 601. Regulatory reform.
 Sec. 602. Rescind unspent or unobligated balances after 36 months.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$1,961,929,000,000.
 Fiscal year 2014: \$2,144,992,000,000.
 Fiscal year 2015: \$2,376,945,000,000.
 Fiscal year 2016: \$2,558,632,000,000.
 Fiscal year 2017: \$2,715,114,000,000.
 Fiscal year 2018: \$2,846,304,000,000.
 Fiscal year 2019: \$2,984,528,000,000.
 Fiscal year 2020: \$3,135,231,000,000.
 Fiscal year 2021: \$3,292,091,000,000.
 Fiscal year 2022: \$3,453,764,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: \$308,529,000,000.
 Fiscal year 2014: \$409,619,000,000.
 Fiscal year 2015: \$441,979,000,000.
 Fiscal year 2016: \$460,171,000,000.
 Fiscal year 2017: \$483,239,000,000.
 Fiscal year 2018: \$511,287,000,000.
 Fiscal year 2019: \$541,052,000,000.
 Fiscal year 2020: \$579,382,000,000.
 Fiscal year 2021: \$621,407,000,000.
 Fiscal year 2022: \$667,810,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,269,496,000,000.
 Fiscal year 2014: \$3,224,788,000,000.
 Fiscal year 2015: \$3,346,856,000,000.
 Fiscal year 2016: \$3,398,941,000,000.
 Fiscal year 2017: \$3,556,922,000,000.
 Fiscal year 2018: \$3,726,387,000,000.
 Fiscal year 2019: \$3,934,486,000,000.
 Fiscal year 2020: \$4,100,004,000,000.
 Fiscal year 2021: \$4,248,159,000,000.
 Fiscal year 2022: \$4,411,172,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$3,311,724,000,000.
 Fiscal year 2014: \$3,266,962,000,000.
 Fiscal year 2015: \$3,365,480,000,000.
 Fiscal year 2016: \$3,407,980,000,000.
 Fiscal year 2017: \$3,552,489,000,000.
 Fiscal year 2018: \$3,716,960,000,000.
 Fiscal year 2019: \$3,916,975,000,000.
 Fiscal year 2020: \$4,080,281,000,000.
 Fiscal year 2021: \$4,218,719,000,000.
 Fiscal year 2022: \$4,378,447,000,000.

(4) **DEFICITS.**—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2013: \$651,795,000,000.
 Fiscal year 2014: \$394,970,000,000.
 Fiscal year 2015: \$218,535,000,000.
 Fiscal year 2016: \$30,347,000,000.
 Fiscal year 2017: \$30,624,000,000.
 Fiscal year 2018: \$43,345,000,000.
 Fiscal year 2019: \$25,554,000,000.
 Fiscal year 2020: \$58,950,000,000.
 Fiscal year 2021: \$122,373,000,000.
 Fiscal year 2022: \$171,316,000,000.

(5) **PUBLIC DEBT.**—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2013: \$16,687,208,000,000.
 Fiscal year 2014: \$17,282,608,000,000.
 Fiscal year 2015: \$17,705,767,000,000.
 Fiscal year 2016: \$17,971,116,000,000.
 Fiscal year 2017: \$18,223,074,000,000.
 Fiscal year 2018: \$18,473,929,000,000.
 Fiscal year 2019: \$18,727,530,000,000.
 Fiscal year 2020: \$18,933,497,000,000.
 Fiscal year 2021: \$19,058,907,000,000.
 Fiscal year 2022: \$19,106,426,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$11,856,466,000,000.
 Fiscal year 2014: \$12,353,582,000,000.
 Fiscal year 2015: \$12,668,280,000,000.

Fiscal year 2016: \$12,794,224,000,000.
 Fiscal year 2017: \$12,858,947,000,000.
 Fiscal year 2018: \$12,900,730,000,000.
 Fiscal year 2019: \$12,953,800,000,000.
 Fiscal year 2020: \$12,970,225,000,000.
 Fiscal year 2021: \$12,919,109,000,000.
 Fiscal year 2022: \$12,819,071,000,000.

SEC. 102. SOCIAL SECURITY.

(a) **SOCIAL SECURITY REVENUES.**—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$675,120,000,000.
 Fiscal year 2014: \$731,427,000,000.
 Fiscal year 2015: \$772,640,000,000.
 Fiscal year 2016: \$821,698,000,000.
 Fiscal year 2017: \$872,014,000,000.
 Fiscal year 2018: \$919,303,000,000.
 Fiscal year 2019: \$965,008,000,000.
 Fiscal year 2020: \$1,010,593,000,000.
 Fiscal year 2021: \$1,055,547,000,000.
 Fiscal year 2022: \$1,102,093,000,000.

(b) **SOCIAL SECURITY OUTLAYS.**—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2013: \$720,436,000,000.
 Fiscal year 2014: \$758,457,000,000.
 Fiscal year 2015: \$797,609,000,000.
 Fiscal year 2016: \$839,879,000,000.
 Fiscal year 2017: \$887,426,000,000.
 Fiscal year 2018: \$939,147,000,000.
 Fiscal year 2019: \$995,537,000,000.
 Fiscal year 2020: \$1,032,447,000,000.
 Fiscal year 2021: \$1,093,921,000,000.
 Fiscal year 2022: \$1,153,017,000,000.

(c) **SOCIAL SECURITY ADMINISTRATIVE EXPENSES.**—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2013:
 (A) New budget authority, \$5,539,000,000.
 (B) Outlays, \$5,543,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$5,701,000,000.
 (B) Outlays, \$5,709,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$5,868,000,000.
 (B) Outlays, \$5,842,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$6,047,000,000.
 (B) Outlays, \$6,019,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$6,231,000,000.
 (B) Outlays, \$6,201,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$6,434,000,000.
 (B) Outlays, \$6,402,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$6,651,000,000.
 (B) Outlays, \$6,617,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$6,867,000,000.
 (B) Outlays, \$6,832,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$7,088,000,000.
 (B) Outlays, \$7,052,000,000.
 Fiscal year 2022:
 (A) New budget authority, \$7,320,000,000.
 (B) Outlays, \$7,283,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2022 for each major functional category are:

(1) **National Defense (050):**
 Fiscal year 2013:
 (A) New budget authority, \$696,600,000,000.

(B) Outlays, \$713,500,000,000.
Fiscal year 2014:
(A) New budget authority, \$699,900,000,000.
(B) Outlays, \$713,900,000,000.
Fiscal year 2015:
(A) New budget authority, \$724,900,000,000.
(B) Outlays, \$732,100,000,000.
Fiscal year 2016:
(A) New budget authority, \$749,500,000,000.
(B) Outlays, \$749,500,000,000.
Fiscal year 2017:
(A) New budget authority, \$766,700,000,000.
(B) Outlays, \$759,100,000,000.
Fiscal year 2018:
(A) New budget authority, \$784,800,000,000.
(B) Outlays, \$777,100,000,000.
Fiscal year 2019:
(A) New budget authority, \$812,700,000,000.
(B) Outlays, \$796,700,000,000.
Fiscal year 2020:
(A) New budget authority, \$835,600,000,000.
(B) Outlays, \$819,800,000,000.
Fiscal year 2021:
(A) New budget authority, \$857,900,000,000.
(B) Outlays, \$841,500,000,000.
Fiscal year 2022:
(A) New budget authority, \$881,100,000,000.
(B) Outlays, \$864,300,000,000.
(2) International Affairs (150):
Fiscal year 2013:
(A) New budget authority, \$38,024,000,000.
(B) Outlays, \$41,175,000,000.
Fiscal year 2014:
(A) New budget authority, \$36,214,000,000.
(B) Outlays, \$41,078,000,000.
Fiscal year 2015:
(A) New budget authority, \$32,615,000,000.
(B) Outlays, \$37,851,000,000.
Fiscal year 2016:
(A) New budget authority, \$34,605,000,000.
(B) Outlays, \$39,104,000,000.
Fiscal year 2017:
(A) New budget authority, \$36,288,000,000.
(B) Outlays, \$39,950,000,000.
Fiscal year 2018:
(A) New budget authority, \$36,754,000,000.
(B) Outlays, \$39,928,000,000.
Fiscal year 2019:
(A) New budget authority, \$38,239,000,000.
(B) Outlays, \$41,199,000,000.
Fiscal year 2020:
(A) New budget authority, \$39,017,000,000.
(B) Outlays, \$42,036,000,000.
Fiscal year 2021:
(A) New budget authority, \$39,856,000,000.
(B) Outlays, \$42,873,000,000.
Fiscal year 2022:
(A) New budget authority, \$40,168,000,000.
(B) Outlays, \$43,043,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2013:
(A) New budget authority, \$11,390,000,000.
(B) Outlays, \$11,875,000,000.
Fiscal year 2014:
(A) New budget authority, \$10,781,000,000.
(B) Outlays, \$10,925,000,000.
Fiscal year 2015:
(A) New budget authority, \$10,190,000,000.
(B) Outlays, \$10,175,000,000.
Fiscal year 2016:
(A) New budget authority, \$10,043,000,000.
(B) Outlays, \$9,984,000,000.
Fiscal year 2017:
(A) New budget authority, \$10,281,000,000.
(B) Outlays, \$10,200,000,000.
Fiscal year 2018:
(A) New budget authority, \$10,953,000,000.
(B) Outlays, \$10,850,000,000.
Fiscal year 2019:
(A) New budget authority, \$11,201,000,000.
(B) Outlays, \$11,075,000,000.
Fiscal year 2020:
(A) New budget authority, \$10,976,000,000.
(B) Outlays, \$10,848,000,000.
Fiscal year 2021:
(A) New budget authority, \$11,231,000,000.
(B) Outlays, \$11,064,000,000.
Fiscal year 2022:
(A) New budget authority, \$11,044,000,000.
(B) Outlays, \$10,879,000,000.
(4) Energy (270):
Fiscal year 2013:
(A) New budget authority, \$1,924,000,000.
(B) Outlays, \$8,075,000,000.
Fiscal year 2014:
(A) New budget authority, \$1,765,000,000.
(B) Outlays, \$4,807,000,000.
Fiscal year 2015:
(A) New budget authority, \$934,000,000.
(B) Outlays, \$2,035,000,000.
Fiscal year 2016:
(A) New budget authority, \$1,043,000,000.
(B) Outlays, \$2,080,000,000.
Fiscal year 2017:
(A) New budget authority, \$1,260,000,000.
(B) Outlays, \$2,125,000,000.
Fiscal year 2018:
(A) New budget authority, \$1,292,000,000.
(B) Outlays, \$2,170,000,000.
Fiscal year 2019:
(A) New budget authority, \$1,323,000,000.
(B) Outlays, \$2,215,000,000.
Fiscal year 2020:
(A) New budget authority, \$1,081,000,000.
(B) Outlays, \$1,808,000,000.
Fiscal year 2021:
(A) New budget authority, \$1,105,000,000.
(B) Outlays, \$1,844,000,000.
Fiscal year 2022:
(A) New budget authority, \$1,138,000,000.
(B) Outlays, \$1,892,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2013:
(A) New budget authority, \$24,988,000,000.
(B) Outlays, \$28,975,000,000.
Fiscal year 2014:
(A) New budget authority, \$23,662,000,000.
(B) Outlays, \$27,094,000,000.
Fiscal year 2015:
(A) New budget authority, \$20,775,000,000.
(B) Outlays, \$24,013,000,000.
Fiscal year 2016:
(A) New budget authority, \$22,093,000,000.
(B) Outlays, \$24,128,000,000.
Fiscal year 2017:
(A) New budget authority, \$23,753,000,000.
(B) Outlays, \$25,075,000,000.
Fiscal year 2018:
(A) New budget authority, \$25,130,000,000.
(B) Outlays, \$25,172,000,000.
Fiscal year 2019:
(A) New budget authority, \$26,291,000,000.
(B) Outlays, \$26,137,000,000.
Fiscal year 2020:
(A) New budget authority, \$26,460,000,000.
(B) Outlays, \$26,216,000,000.
Fiscal year 2021:
(A) New budget authority, \$27,487,000,000.
(B) Outlays, \$27,199,000,000.
Fiscal year 2022:
(A) New budget authority, \$27,265,000,000.
(B) Outlays, \$26,961,000,000.
(6) Agriculture (350):
Fiscal year 2013:
(A) New budget authority, \$9,822,000,000.
(B) Outlays, \$9,775,000,000.
Fiscal year 2014:
(A) New budget authority, \$9,390,000,000.
(B) Outlays, \$9,357,000,000.
Fiscal year 2015:
(A) New budget authority, \$8,666,000,000.
(B) Outlays, \$8,620,000,000.
Fiscal year 2016:
(A) New budget authority, \$8,760,000,000.
(B) Outlays, \$8,710,000,000.
Fiscal year 2017:
(A) New budget authority, \$8,423,000,000.
(B) Outlays, \$8,375,000,000.
Fiscal year 2018:
(A) New budget authority, \$8,506,000,000.
(B) Outlays, \$8,456,000,000.
Fiscal year 2019:
(A) New budget authority, \$8,588,000,000.
(B) Outlays, \$8,537,000,000.
Fiscal year 2020:
(A) New budget authority, \$8,671,000,000.
(B) Outlays, \$8,618,000,000.
Fiscal year 2021:
(A) New budget authority, \$9,687,000,000.
(B) Outlays, \$9,621,000,000.
Fiscal year 2022:
(A) New budget authority, \$9,822,000,000.
(B) Outlays, \$9,753,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2013:
(A) New budget authority, \$13,261,000,000.
(B) Outlays, \$950,000,000.
Fiscal year 2014:
(A) New budget authority, \$1,068,000,000.
(B) Outlays, \$874,000,000.
Fiscal year 2015:
(A) New budget authority, \$3,900,000,000.
(B) Outlays, \$814,000,000.
Fiscal year 2016:
(A) New budget authority, \$5,351,000,000.
(B) Outlays, \$832,000,000.
Fiscal year 2017:
(A) New budget authority, \$7,049,000,000.
(B) Outlays, \$2,125,000,000.
Fiscal year 2018:
(A) New budget authority, \$6,172,000,000.
(B) Outlays, \$2,170,000,000.
Fiscal year 2019:
(A) New budget authority, \$9,910,000,000.
(B) Outlays, \$3,101,000,000.
Fiscal year 2020:
(A) New budget authority, \$9,579,000,000.
(B) Outlays, \$3,164,000,000.
Fiscal year 2021:
(A) New budget authority, \$2,999,000,000.
(B) Outlays, \$3,227,000,000.
Fiscal year 2022:
(A) New budget authority, \$1,185,000,000.
(B) Outlays, \$2,838,000,000.
(8) Transportation (400):
Fiscal year 2013:
(A) New budget authority, \$17,078,000,000.
(B) Outlays, \$27,075,000,000.
Fiscal year 2014:
(A) New budget authority, \$6,958,000,000.
(B) Outlays, \$18,791,000,000.
Fiscal year 2015:
(A) New budget authority, \$8,203,000,000.
(B) Outlays, \$19,129,000,000.
Fiscal year 2016:
(A) New budget authority, \$8,169,000,000.
(B) Outlays, \$19,136,000,000.
Fiscal year 2017:
(A) New budget authority, \$8,275,000,000.
(B) Outlays, \$19,125,000,000.
Fiscal year 2018:
(A) New budget authority, \$8,439,000,000.
(B) Outlays, \$19,096,000,000.
Fiscal year 2019:
(A) New budget authority, \$8,657,000,000.
(B) Outlays, \$19,049,000,000.
Fiscal year 2020:
(A) New budget authority, \$9,401,000,000.
(B) Outlays, \$20,792,000,000.
Fiscal year 2021:
(A) New budget authority, \$10,926,000,000.
(B) Outlays, \$22,128,000,000.
Fiscal year 2022:
(A) New budget authority, \$9,793,000,000.
(B) Outlays, \$22,231,000,000.
(9) Community and Regional Development (450):
Fiscal year 2013:
(A) New budget authority, \$10,459,000,000.
(B) Outlays, \$19,000,000,000.
Fiscal year 2014:
(A) New budget authority, \$8,265,000,000.
(B) Outlays, \$17,043,000,000.
Fiscal year 2015:
(A) New budget authority, \$8,348,000,000.
(B) Outlays, \$13,838,000,000.
Fiscal year 2016:
(A) New budget authority, \$10,611,000,000.
(B) Outlays, \$14,144,000,000.
Fiscal year 2017:
(A) New budget authority, \$12,652,000,000.
(B) Outlays, \$14,875,000,000.

- Fiscal year 2018:
 - (A) New budget authority, \$14,022,000,000.
 - (B) Outlays, \$15,190,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$14,349,000,000.
 - (B) Outlays, \$15,062,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$14,365,000,000.
 - (B) Outlays, \$14,916,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$15,547,000,000.
 - (B) Outlays, \$16,135,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$15,512,000,000.
 - (B) Outlays, \$16,082,000,000.
- (10) Education, Training, Employment, and Social Services (500):
 - Fiscal year 2013:
 - (A) New budget authority, \$56,341,000,000.
 - (B) Outlays, \$57,875,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$52,978,000,000.
 - (B) Outlays, \$53,499,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$50,710,000,000.
 - (B) Outlays, \$50,180,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$54,699,000,000.
 - (B) Outlays, \$54,080,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$56,797,000,000.
 - (B) Outlays, \$56,100,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$57,622,000,000.
 - (B) Outlays, \$56,854,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$58,400,000,000.
 - (B) Outlays, \$57,590,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$59,907,000,000.
 - (B) Outlays, \$59,059,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$60,799,000,000.
 - (B) Outlays, \$59,930,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$60,885,000,000.
 - (B) Outlays, \$60,071,000,000.
- (11) Health (550):
 - Fiscal year 2013:
 - (A) New budget authority, \$353,800,000,000.
 - (B) Outlays, \$348,000,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$337,591,000,000.
 - (B) Outlays, \$326,887,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$351,655,000,000.
 - (B) Outlays, \$330,821,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$361,046,000,000.
 - (B) Outlays, \$340,432,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$374,026,000,000.
 - (B) Outlays, \$349,175,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$385,327,000,000.
 - (B) Outlays, \$360,180,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$399,456,000,000.
 - (B) Outlays, \$371,797,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$413,929,000,000.
 - (B) Outlays, \$383,778,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$443,416,000,000.
 - (B) Outlays, \$411,012,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$472,571,000,000.
 - (B) Outlays, \$438,342,000,000.
- (12) Medicare (570):
 - Fiscal year 2013:
 - (A) New budget authority, \$585,288,000,000.
 - (B) Outlays, \$585,220,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$617,452,000,000.
 - (B) Outlays, \$617,414,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$650,316,000,000.
 - (B) Outlays, \$650,265,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$624,673,000,000.
 - (B) Outlays, \$624,626,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$623,319,000,000.
 - (B) Outlays, \$623,271,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$625,754,000,000.
 - (B) Outlays, \$625,706,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$653,437,000,000.
 - (B) Outlays, \$653,384,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$665,758,000,000.
 - (B) Outlays, \$665,702,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$632,639,000,000.
 - (B) Outlays, \$632,583,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$663,152,000,000.
 - (B) Outlays, \$663,095,000,000.
- (13) Income Security (600):
 - Fiscal year 2013:
 - (A) New budget authority, \$458,510,000,000.
 - (B) Outlays, \$462,945,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$388,595,000,000.
 - (B) Outlays, \$391,402,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$382,123,000,000.
 - (B) Outlays, \$383,981,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$384,516,000,000.
 - (B) Outlays, \$385,762,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$385,722,000,000.
 - (B) Outlays, \$386,070,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$394,436,000,000.
 - (B) Outlays, \$394,212,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$400,998,000,000.
 - (B) Outlays, \$400,516,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$416,931,000,000.
 - (B) Outlays, \$416,354,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$405,108,000,000.
 - (B) Outlays, \$404,451,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$417,175,000,000.
 - (B) Outlays, \$416,541,000,000.
- (14) Social Security (650):
 - Fiscal year 2013:
 - (A) New budget authority, \$53,216,000,000.
 - (B) Outlays, \$53,296,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$31,892,000,000.
 - (B) Outlays, \$32,002,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$35,135,000,000.
 - (B) Outlays, \$35,210,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$38,953,000,000.
 - (B) Outlays, \$38,991,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$43,140,000,000.
 - (B) Outlays, \$43,140,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$47,590,000,000.
 - (B) Outlays, \$47,590,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$52,429,000,000.
 - (B) Outlays, \$52,429,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$57,425,000,000.
 - (B) Outlays, \$57,425,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$62,604,000,000.
 - (B) Outlays, \$62,604,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$68,079,000,000.
 - (B) Outlays, \$68,079,000,000.
- (15) Veterans Benefits and Services (700):
 - Fiscal year 2013:
 - (A) New budget authority, \$119,099,000,000.
 - (B) Outlays, \$119,750,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$121,154,000,000.
 - (B) Outlays, \$121,456,000,000.
- Fiscal year 2015:
 - (A) New budget authority, \$123,497,000,000.
 - (B) Outlays, \$123,506,000,000.
- Fiscal year 2016:
 - (A) New budget authority, \$131,075,000,000.
 - (B) Outlays, \$130,702,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$128,369,000,000.
 - (B) Outlays, \$127,870,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$127,819,000,000.
 - (B) Outlays, \$127,274,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$134,992,000,000.
 - (B) Outlays, \$134,425,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$139,848,000,000.
 - (B) Outlays, \$139,274,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$142,925,000,000.
 - (B) Outlays, \$142,327,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$142,670,000,000.
 - (B) Outlays, \$142,079,000,000.
- (16) Administration of Justice (750):
 - Fiscal year 2013:
 - (A) New budget authority, \$47,182,000,000.
 - (B) Outlays, \$48,925,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$45,833,000,000.
 - (B) Outlays, \$48,070,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$45,232,000,000.
 - (B) Outlays, \$46,805,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$46,682,000,000.
 - (B) Outlays, \$47,840,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$47,921,000,000.
 - (B) Outlays, \$48,875,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$48,995,000,000.
 - (B) Outlays, \$49,910,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$50,069,000,000.
 - (B) Outlays, \$50,945,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$51,208,000,000.
 - (B) Outlays, \$51,980,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$52,229,000,000.
 - (B) Outlays, \$53,015,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$52,207,000,000.
 - (B) Outlays, \$52,976,000,000.
- (17) General Government (800):
 - Fiscal year 2013:
 - (A) New budget authority, \$17,292,000,000.
 - (B) Outlays, \$19,000,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$18,113,000,000.
 - (B) Outlays, \$18,791,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$17,574,000,000.
 - (B) Outlays, \$17,908,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$17,752,000,000.
 - (B) Outlays, \$17,888,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$19,100,000,000.
 - (B) Outlays, \$19,125,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$19,082,000,000.
 - (B) Outlays, \$19,096,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$19,466,000,000.
 - (B) Outlays, \$19,049,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$20,345,000,000.
 - (B) Outlays, \$19,888,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$20,278,000,000.
 - (B) Outlays, \$19,823,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$20,320,000,000.
 - (B) Outlays, \$19,866,000,000.

(18) Net Interest (900):
Fiscal year 2013:
(A) New budget authority, \$226,273,000,000.
(B) Outlays, \$226,273,000,000.
Fiscal year 2014:
(A) New budget authority, \$241,665,000,000.
(B) Outlays, \$241,665,000,000.
Fiscal year 2015:
(A) New budget authority, \$278,158,000,000.
(B) Outlays, \$278,158,000,000.
Fiscal year 2016:
(A) New budget authority, \$329,553,000,000.
(B) Outlays, \$329,553,000,000.
Fiscal year 2017:
(A) New budget authority, \$377,828,000,000.
(B) Outlays, \$377,828,000,000.
Fiscal year 2018:
(A) New budget authority, \$419,849,000,000.
(B) Outlays, \$419,849,000,000.
Fiscal year 2019:
(A) New budget authority, \$456,458,000,000.
(B) Outlays, \$456,458,000,000.
Fiscal year 2020:
(A) New budget authority, \$483,401,000,000.
(B) Outlays, \$483,401,000,000.
Fiscal year 2021:
(A) New budget authority, \$497,066,000,000.
(B) Outlays, \$497,066,000,000.
Fiscal year 2022:
(A) New budget authority, \$508,481,000,000.
(B) Outlays, \$508,481,000,000.
(19) Allowances (920):
Fiscal year 2013:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2014:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2015:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2016:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2017:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2018:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2019:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2020:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2021:
(A) New budget authority, \$0.
(B) Outlays, \$0.
Fiscal year 2022:
(A) New budget authority, \$0.
(B) Outlays, \$0.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2013:
(A) New budget authority, \$138,200,000,000.
(B) Outlays, \$138,200,000,000.
Fiscal year 2014:
(A) New budget authority, \$152,800,000,000.
(B) Outlays, \$152,800,000,000.
Fiscal year 2015:
(A) New budget authority, \$160,700,000,000.
(B) Outlays, \$160,700,000,000.
Fiscal year 2016:
(A) New budget authority, \$230,400,000,000.
(B) Outlays, \$230,400,000,000.
Fiscal year 2017:
(A) New budget authority, \$204,200,000,000.
(B) Outlays, \$204,200,000,000.
Fiscal year 2018:
(A) New budget authority, \$175,400,000,000.
(B) Outlays, \$175,400,000,000.
Fiscal year 2019:
(A) New budget authority, \$145,800,000,000.
(B) Outlays, \$145,800,000,000.
Fiscal year 2020:
(A) New budget authority, \$119,800,000,000.
(B) Outlays, \$119,800,000,000.
Fiscal year 2021:

(A) New budget authority, \$71,000,000,000.
(B) Outlays, \$71,000,000,000.
Fiscal year 2022:
(A) New budget authority, \$74,000,000,000.
(B) Outlays, \$74,000,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the Federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or con-

ference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 206. RESERVE FUND FOR THE REPEAL OF THE 2010 HEALTH CARE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for 1 or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by repealing the Patient Protection and Affordable Care Act of 2010. The Chairman may also make adjustments to the Senate's pay as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2013 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term “discretionary spending limit” means—

(1) for fiscal year 2013, \$1,093,000,000,000 in new budget authority and \$1,181,000,000,000 in outlays;

(2) for fiscal year 2014, \$1,030,000,000,000 in new budget authority and \$1,143,000,000,000 in outlays;

(3) for fiscal year 2015, \$1,061,000,000,000 in new budget authority and \$1,130,000,000,000 in outlays;

(4) for fiscal year 2016, \$1,106,000,000,000 in new budget authority and \$1,156,000,000,000 in outlays;

(5) for fiscal year 2017, \$1,140,000,000,000 in new budget authority and \$1,174,000,000,000 in outlays;

(6) for fiscal year 2018, \$1,171,000,000,000 in new budget authority and \$1,201,000,000,000 in outlays;

(7) for fiscal year 2019, \$1,210,000,000,000 in new budget authority and \$1,230,000,000,000 in outlays;

(8) for fiscal year 2020, \$1,240,000,000,000 in new budget authority and \$1,261,000,000,000 in outlays;

(9) for fiscal year 2021, \$1,276,000,000,000 in new budget authority and \$1,292,000,000,000 in outlays; and

(10) for fiscal year 2022, \$1,299,000,000,000 in new budget authority and \$1,323,000,000,000 in outlays; as adjusted in conformance with the adjustment procedures in subsection (c).

(c) **ADJUSTMENTS IN THE SENATE.**—After the reporting of a bill or joint resolution relating to any matter described in subsection (a)(2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(1) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(2) following any adjustment under paragraph (1), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) **DEFINITION.**—In this section, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) **AUTHORITY TO DESIGNATE.**—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) **EXEMPTION OF EMERGENCY PROVISIONS.**—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) **DESIGNATIONS.**—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) **DEFINITIONS.**—In this section, the terms “direct spending”, “receipts”, and “appro-

priations for discretionary accounts” mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) **POINT OF ORDER.**—

(1) **IN GENERAL.**—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) **SUPERMAJORITY WAIVER AND APPEALS.**—

(A) **WAIVER.**—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) **APPEALS.**—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) **DEFINITION OF AN EMERGENCY DESIGNATION.**—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) **FORM OF THE POINT OF ORDER.**—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) **CONFERENCE REPORTS.**—When the Senate is considering a conference report on, or an amendment between the Senate and the House of Representatives in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be 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 of Representatives 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 of Representatives amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. 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.

(f) **CRITERIA.**—

(1) **IN GENERAL.**—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) **UNFORESEEN.**—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) **INAPPLICABILITY.**—In the Senate, section 403 of S. Con. Res. 13 (111th Congress),

the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) **ADJUSTMENT.**—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains 1 or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) **COVERED POINTS OF ORDER.**—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) **QUALIFYING LEGISLATION.**—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139); and

(2) amend the Internal Revenue Code of 1986, that may establish a single, flat tax rate as necessary to conform with the annual revenue levels specified herein consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010.

(d) **DEFINITION.**—For the purposes of this section, the terms “budgetary effects” or “effects” mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) **SUNSET.**—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse, or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the High Risk list reports of the Government Accountability Office's. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the Senate of the United States. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$457,000,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$563,000,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$2,652,000,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,432,000,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula starting in 2013 to smoothly phase down so that starting with workers born after 1985, it will reach a flat benefit of \$1,200 in 2012 dollars indexed

between 2012 and the year in question by the increase in average wages.

(2) Effective 2013, reduce benefits on a progressive basis for single beneficiaries with incomes over \$55,000 and married couples with incomes over \$110,000 so that individuals and married couples who file taxes jointly, with more than \$110,000 and \$165,000, respectively, in non-Social Security income will receive no benefit.

(3) From 2013 to 2022, the normal retirement age will rise to 68 for workers born in or after 1959. After 2031, the normal retirement age will be indexed to longevity, adding about 1 month every 2 years according to current projections.

(4) The normal retirement age will be increased by 4 months per year starting with individuals born in 1954 and stopping when it reaches age 68 for individuals born in or after 1959.

(5) From 2013 to 2031, the early retirement age rises to 65 for workers born in or after 1964. After 2031, the early retirement age will be indexed to longevity, adding about 1 month every 2 years according to current projections.

(6) The early eligibility age will be increased by 3 months per year starting with individuals born in 1953 and stopping when it reaches age 65 for individuals born in or after 1964.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) In 2017, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs overseen by a separate independent agency.

(2) Preserves the traditional Medicare FFS option administered by HHS.

(3) For each region, the base Federal premium support would be initially set at 88 percent of the average of 3 lowest bids.

(4) Provides for enhanced risk adjustment to ensure continuity in coverage and market stability.

(5) Raises the age of eligibility gradually over 10 years, increasing from 65 to 68, resulting in a 3.6 month increase per year and subsequently increased or decreased based on longevity.

(6) The Federal based premium support amount would be reduced or phase out for upper income seniors and increased for lower income seniors.

SEC. 503. POLICY STATEMENT ON MEDICAID.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure fiscal sustainability at the Federal level while protecting the most vulnerable and promoting beneficiary independence as follows:

(1) Medicaid is reformed to provide direct Federal premium support for low-income, nondisabled, nonelderly individuals.

(2) The Federal Government would provide at least \$2,000 for an individual and at least \$3,500 in premium support for a family and up to \$9,000 for the lowest income families.

(3) Current Federal Medicaid funding for acute and long-term care services provided to the disabled and elderly (dual eligibles) would be converted into a fixed payment to the States adjusted on a per capita basis for medical inflation.

(4) States would be permitted to design and manage more appropriate care and service delivery to the disabled and elderly populations remaining in the program.

SEC. 504. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction shall enact legislation to ensure the adoption of a new tax system that replaces all existing taxes collected by the Federal Government including but not limited to income, payroll, gift and estate taxes, and excises except those dedicated to specific Trust Funds, with a new flat tax featuring a consumed-income tax base structure that is economically neutral with respect to saving and investment, reduces tax complexity, and provides for a globally competitive single tax rate as follows:

(1) The new tax will have a single flat tax rate consistent with and sufficient to collect the annual revenue levels specified herein. The individual tax code shall include no deductions, exemptions, exclusions, or credits except as follows:

(A) A deduction for charitable contributions to institutions qualifying as charitable organizations under current law.

(B) An elective deduction for home mortgage interest subject to the condition that if and only if the borrower elects the deduction the lender would then owe tax on all resulting income.

(C) A deduction for higher education tuition and fees.

(D) A standard deduction for seniors equal to the sum of the flat Social Security benefit amount plus the value of the Medicare defined contributions.

(E) An exclusion for seniors of up to \$10,000 in wage and salary income.

(F) The current law Earned Income Credit.

(G) A \$3,500 nonrefundable tax credit for families (\$2,000 for individuals) to purchase health insurance. The new individual tax would tax all income and other proceeds used for consumption and exclude all saving.

(2) The business tax code shall apply the same rate as the individual tax code, and shall levy tax on total revenue from the domestic sale of goods and services less purchases of goods and services from other firms less wages, salaries, and related employee costs. All credits currently applicable to business income would be repealed except the Alternative Simplified Credit for research and development expenditures.

(3) Individuals and businesses would be subject to taxation solely on income generated within the United States. A border tax adjustment system would be developed in consultation with the World Trade Organization to neutralize tax differences for goods and services entering and leaving the United States proper.

(4) Tax reform shall be enacted with due care through transition provisions to avoid insofar as possible retroactive tax increases or decreases arising from the accrued tax consequences of decisions made under current tax law.

SEC. 505. POLICY STATEMENT ON GOVERNMENT ASSET SALES.

(a) FINDINGS.—The Senate finds the following:

(1) The Federal Government owns and controls vast assets, including huge swaths of commercial land, especially in the West; power generation facilities; valuable portions of the electromagnetic spectrum; underutilized buildings; and financial assets.

(2) Control of these numerous and varied assets is 1 key expression of a government much too large and intrusive.

(3) Given the Federal Government's excessive spending, which has driven trillion-dollar-plus deficits for 4 straight years, and generated debt burdens that are stifling present-day economic growth and threatening the Nation's future prosperity.

(4) Divesting itself of these assets would make an important contribution to reducing Government's debt and interest costs.

(b) **POLICY ON ASSET SALES.**—It is the policy of this budget resolution that the House and Senate shall each develop a package of asset sales and transfers of government activities to the private sector. These proposals, which are to yield revenues or savings of at least \$260,000,000,000 through fiscal year 2028, shall be submitted to the respective chambers for enactment in fiscal year 2013.

(c) **ASSUMPTIONS REGARDING ASSET SALES.**—The assets in the package must include, though not be limited to, the following:

(1) Land administered by the Bureau of Land Management and the Department of Agriculture.

(2) Federal buildings and other real estate.

(3) Mineral rights.

(4) Electromagnetic spectrum.

(5) Facilities administered by the Power Marketing Administrations and by the Tennessee Valley Authority.

(6) Federal loans and other financial assets.

(7) Amtrak.

(d) **ASSUMPTIONS REGARDING TRANSFER OF GOVERNMENT ACTIVITIES.**—Transfers of government activities to the private must include, though not be limited to, the following:

(1) The Neighborhood Reinvestment Corporation.

(2) The Government Printing Office.

(3) The Architect of the Capitol.

(4) The Bureau of Reclamation.

SEC. 506. POLICY ON REPEALING OBAMACARE.

(a) **FINDINGS.**—The Senate finds the following:

(1) The quality of United States health care, as well as the stability of the nation's economy and the Federal budget, depend on solving the genuine cost and delivery challenges in the health sector.

(2) But the pervasive government intrusiveness and \$1,390,000,000,000 cost of Obamacare are precisely the wrong prescription for problems that have developed from faulty government policy, particularly on the part of the Federal Government.

(3) Obamacare will generate fewer choices, less access, and greater dependence on the Government for health care, while increasing taxes, regulation and mandates on individuals and businesses.

(4) A majority of Americans continue to oppose this one-size-fits-all "remedy," a Government takeover of one sixth of the economy that was rammed through Congress despite a clear lack of consensus.

(b) **POLICY ON OBAMACARE.**—It is the policy of this budget resolution that Congress should repeal Obamacare and develop a fresh strategy built on a patient-centered, market-based solution.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) **APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.**—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) **ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).**—It shall be the policy of Congress to vote on the Regulation from the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater

than \$100 million in economic aggregate may not be implemented as law unless Congress gives their consent by voting on the rule.

(3) **SUNSET ALL REGULATIONS.**—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless re-promulgated by Congress.

(4) **PROCESS REFORM.**—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily required regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) **INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.**—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

SEC. 602. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

It is the sense of Congress that—

(1) any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months;

(2) revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution; and

(3) for purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Subcommittee on Primary Health and Aging of the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, May 15, 2012 at 10 a.m. in SD-430 Dirksen Senate Office Building to conduct a hearing entitled "The High Cost of High Prices for HIV/AIDS Drugs and the Prize Fund Alternative."

For further information regarding this hearing, please contact the subcommittee on (202) 224-5480.

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 Wednesday, May 16, 2012 at 10 a.m. in SD-430 Dirksen Senate Office Building to conduct a hearing entitled "Identifying Opportunities for Health Care Delivery System Reform: Lessons from the Front Line."

For further information regarding this meeting, please contact the committee on (202) 224-7675.

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 Thursday, May 17, 2012 at 10 a.m. in SD-G50 Dirksen Senate Office Building to conduct a hearing entitled "Beyond Seclusion and Restraint: Creating Positive Learning Environments for All Students."

For further information regarding this meeting, please contact the committee on (202) 228-3453.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on May 17, 2012 in room SD-628 of the Dirksen Senate Office Building at 2:15 p.m. to conduct a hearing entitled "Fulfilling the Federal Trust Responsibility: The Foundation of the Government-to-Government Relationship."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 8, 2012, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HARKIN. 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 May 8, 2012, at 10 a.m., to conduct a hearing entitled "Expanding Refinancing Opportunities to Improve the Housing Market."

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

COMMITTEE ON FINANCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 8, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 8, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON AIRLAND

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on May 8, 2012, at 3 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Joe Mahoney, a fellow in Senator BINGAMAN's office, be granted the privilege of the floor during consideration of today's bill.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Marissa Wizig of my staff be granted floor privileges for the duration of today's session.

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

WHISTLEBLOWER PROTECTION
ENHANCEMENT ACT OF 2012

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 358, S. 743.

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

The assistant legislative clerk read as follows:

A bill (S. 743) to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the special counsel, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

[Omit the parts printed in boldface brackets and insert the part printed in italic]

S. 743

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Whistleblower Protection Enhancement Act of [2011] 2012".

TITLE I—PROTECTION OF CERTAIN DISCLOSURES OF INFORMATION BY FEDERAL EMPLOYEES

SEC. 101. CLARIFICATION OF DISCLOSURES COVERED.

(a) IN GENERAL.—Section 2302(b)(8) of title 5, United States Code, is amended—

(1) in subparagraph (A)(i), by striking "a violation" and inserting "any violation"; and

(2) in subparagraph (B)(i), by striking "a violation" and inserting "any violation (other than a violation of this section)".

(b) PROHIBITED PERSONNEL PRACTICES UNDER SECTION 2302(b)(9).—

(1) TECHNICAL AND CONFORMING AMENDMENTS.—Title 5, United States Code, is amended in subsections (a)(3), (b)(4)(A), and (b)(4)(B)(i) of section 1214, in subsections (a), (e)(1), and (i) of section 1221, and in subsection (a)(2)(C)(i) of section 2302, by inserting "or section 2302(b)(9) (A)(i), (B), (C), or (D)" after "section 2302(b)(8)" or "(b)(8)" each place it appears.

(2) OTHER REFERENCES.—(A) Title 5, United States Code, is amended in subsection (b)(4)(B)(i) of section 1214 and in subsection (e)(1) of section 1221, by inserting "or pro-

TECTED activity" after "disclosure" each place it appears.

(B) Section 2302(b)(9) of title 5, United States Code, is amended—

(i) by striking subparagraph (A) and inserting the following:

"(A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation—

"(i) with regard to remedying a violation of paragraph (8); or

"(ii) other than with regard to remedying a violation of paragraph (8) [any other law, rule, or regulation];"; and

(ii) in subparagraph (B), by inserting "(i) or (ii)" after "subparagraph (A)".

(C) Section 2302 of title 5, United States Code, is amended by adding at the end the following:

"(f)(1) A disclosure shall not be excluded from subsection (b)(8) because—

"(A) the disclosure was made to a person, including a supervisor, who participated in an activity that the employee or applicant reasonably believed to be covered by subsection (b)(8)(A)(ii);

"(B) the disclosure revealed information that had been previously disclosed;

"(C) of the employee's or applicant's motive for making the disclosure;

"(D) the disclosure was not made in writing;

"(E) the disclosure was made while the employee was off duty; or

"(F) of the amount of time which has passed since the occurrence of the events described in the disclosure.

"(2) If a disclosure is made during the normal course of duties of an employee, the disclosure shall not be excluded from subsection (b)(8) if any employee who has authority to take, direct others to take, recommend, or approve any personnel action with respect to the employee making the disclosure, took, failed to take, or threatened to take or fail to take a personnel action with respect to that employee in reprisal for the disclosure."

SEC. 102. DEFINITIONAL AMENDMENTS.

Section 2302(a)(2) of title 5, United States Code, is amended—

(1) in subparagraph (B)(ii), by striking "and" and the end;

(2) in subparagraph (C)(iii), by striking the period at the end and inserting "; and"; and (3) by adding at the end the following:

"(D) 'disclosure' means a formal or informal communication or transmission, but does not include a communication concerning policy decisions that lawfully exercise discretionary authority unless the employee or applicant providing the disclosure reasonably believes that the disclosure evidences—

"(i) any violation of any law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

"(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety."

SEC. 103. REBUTTABLE PRESUMPTION.

Section 2302(b) of title 5, United States Code, is amended by amending the matter following paragraph (12) to read as follows:

"This subsection shall not be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who discloses information to Congress. For purposes of paragraph (8), (i) any presumption relating to the performance of a duty by an employee whose conduct is the subject of a disclosure as defined under subsection (a)(2)(D) may be rebutted by substantial evidence, and (ii) [For purposes of paragraph (8),] a determination as to whether an employee or applicant rea-

sonably believes that such employee or applicant has disclosed information that evidences any violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety shall be made by determining whether a disinterested observer with knowledge of the essential facts known to and readily ascertainable by the employee or applicant could reasonably conclude that the actions of the Government evidence such violations, mismanagement, waste, abuse, or danger."

SEC. 104. PERSONNEL ACTIONS AND PROHIBITED PERSONNEL PRACTICES.

(a) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(1) in clause (x), by striking "and" after the semicolon; and

(2) by redesignating clause (xi) as clause (xii) and inserting after clause (x) the following:

"(xi) the implementation or enforcement of any nondisclosure policy, form, or agreement; and"

(b) PROHIBITED PERSONNEL PRACTICE.—

(1) IN GENERAL.—Section 2302(b) of title 5, United States Code, is amended—

(A) in paragraph (11), by striking "or" at the end;

(B) in paragraph (12), by striking the period and inserting "; or"; and

(C) by inserting after paragraph (12) the following:

"(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statement: 'These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 13526 (75 Fed. Reg. 707; relating to classified national security information), or any successor thereto; Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosures that could compromise national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Control Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling.'"

(2) NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE DATE OF ENACTMENT.—A nondisclosure policy, form, or agreement that was in effect before the date of enactment of this Act, but that does not contain the statement required under section 2302(b)(13) of title 5, United States Code, (as added by this Act) for implementation or enforcement—

[(A) may be enforced with regard to a current employee if the agency gives such employee notice of the statement; and

[(B) may continue to be enforced after the effective date of this Act with regard to a former employee if the agency posts notice of the statement on the agency website for the 1-year period following that effective date.]

“(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statement: ‘These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.’”.

(2) **AGENCY WEBSITES.**—Agencies making use of any nondisclosure policy, form, or agreement shall also post the statement required under section 2302(b)(13) of title 5, United States Code, (as added by this Act) on the agency website, accompanied by the specific list of controlling Executive orders and statutory provisions.

(3) **NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE EFFECTIVE DATE.**—With respect to a nondisclosure policy, form, or agreement that was in effect before the effective date of this Act, but that does not contain the statement required under section 2302(b)(13) of title 5, United States Code, (as added by this Act) for implementation or enforcement—

(A) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement with regard to a current employee if the agency gives such employee notice of the statement; and

(B) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement after the effective date of this Act with regard to a former employee if the agency complies with paragraph (2).

(C) **RETALIATORY INVESTIGATIONS.**—

(1) **AGENCY INVESTIGATION.**—Section 1214 of title 5, United States Code, is amended by adding at the end the following:

“(h) Any corrective action ordered under this section to correct a prohibited personnel practice may include fees, costs, or damages reasonably incurred due to an agency investigation of the employee, if such investigation was commenced, expanded, or extended in retaliation for the disclosure or protected activity that formed the basis of the corrective action.”.

(2) **DAMAGES.**—Section 1221(g) of title 5, United States Code, is amended by adding at the end the following:

“(4) Any corrective action ordered under this section to correct a prohibited personnel practice may include fees, costs, or damages reasonably incurred due to an agency investigation of the employee, if such investigation was commenced, expanded, or extended in retaliation for the disclosure or protected activity that formed the basis of the corrective action.”.

SEC. 105. EXCLUSION OF AGENCIES BY THE PRESIDENT.

Section 2302(a)(2)(C) of title 5, United States Code, is amended by striking clause (ii) and inserting the following:

“(ii)(I) the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

“(II) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counterintelligence activities, provided that the determination be made prior to a personnel action; or”.

SEC. 106. DISCIPLINARY ACTION.

Section 1215(a)(3) of title 5, United States Code, is amended to read as follows:

“(3)(A) A final order of the Board may impose—

“(i) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

“(ii) an assessment of a civil penalty not to exceed \$1,000; or

“(iii) any combination of disciplinary actions described under clause (i) and an assessment described under clause (ii).

“(B) In any case brought under paragraph (1) in which the Board finds that an employee has committed a prohibited personnel practice under section 2302(b)(8), or 2302(b)(9) (A)(i), (B), (C), or (D), the Board may impose disciplinary action if the Board finds that the activity protected under section 2302(b)(8), or 2302(b)(9) (A)(i), (B), (C), or (D) was a significant motivating factor, even if other factors also motivated the decision, for the employee’s decision to take, fail to take, or threaten to take or fail to take a personnel action, unless that employee demonstrates, by preponderance of evidence, that the employee would have taken, failed to take, or threatened to take or fail to take the same personnel action, in the absence of such protected activity.”.

SEC. 107. REMEDIES.

(a) **ATTORNEY FEES.**—Section 1204(m)(1) of title 5, United States Code, is amended by striking “agency involved” and inserting “agency where the prevailing party was employed or had applied for employment at the time of the events giving rise to the case”.

(b) **DAMAGES.**—Sections 1214(g)(2) and 1221(g)(1)(A)(ii) of title 5, United States Code, are amended by striking all after “travel expenses,” and inserting “any other reasonable and foreseeable consequential damages, and compensatory damages (including interest, reasonable expert witness fees, and costs).” each place it appears.

SEC. 108. JUDICIAL REVIEW.

(a) **IN GENERAL.**—Section 7703(b) of title 5, United States Code, is amended by striking the matter preceding paragraph (2) and inserting the following:

“(b)(1)(A) Except as provided in subparagraph (B) and paragraph (2) of this subsection, a petition to review a final order or final decision of the Board shall be filed in the United States Court of Appeals for the Federal Circuit. Notwithstanding any other provision of law, any petition for review shall be filed within 60 days after the Board issues notice of the final order or decision of the Board.

“(B) During the 5-year period beginning on the effective date of the Whistleblower Protection Enhancement Act of [2011] 2012, a petition to review a final order or final decision of the Board that raises no challenge to the Board’s disposition of allegations of a prohibited personnel practice described in section 2302(b) other than practices described in section 2302(b)(8), or 2302(b)(9) (A)(i), (B), (C), or (D) shall be filed in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under paragraph (2).”.

(b) **REVIEW OBTAINED BY OFFICE OF PERSONNEL MANAGEMENT.**—Section 7703(d) of title 5, United States Code, is amended to read as follows:

“(d)(1) Except as provided under paragraph (2), this paragraph shall apply to any review obtained by the Director of the Office of Personnel Management. The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the Board issues notice of the final order or deci-

sion of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit if the Director determines, in the discretion of the Director, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board’s decision will have a substantial impact on a civil service law, rule, regulation, or policy directive. If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the Court of Appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.

“(2) During the 5-year period beginning on the effective date of the Whistleblower Protection Enhancement Act of [2011] 2012, this paragraph shall apply to any review obtained by the Director of the Office of Personnel Management that raises no challenge to the Board’s disposition of allegations of a prohibited personnel practice described in section 2302(b) other than practices described in section 2302(b)(8), or 2302(b)(9) (A)(i), (B), (C), or (D). The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the Board issues notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under subsection (b)(2) if the Director determines, in the discretion of the Director, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board’s decision will have a substantial impact on a civil service law, rule, regulation, or policy directive. If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the court of appeals. The granting of the petition for judicial review shall be at the discretion of the court of appeals.”.

SEC. 109. PROHIBITED PERSONNEL PRACTICES AFFECTING THE TRANSPORTATION SECURITY ADMINISTRATION.

(a) **IN GENERAL.**—Chapter 23 of title 5, United States Code, is amended—

(1) by redesignating sections 2304 and 2305 as sections 2305 and 2306, respectively; and

(2) by inserting after section 2303 the following:

“§ 2304. Prohibited personnel practices affecting the Transportation Security Administration

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, any individual holding or applying for a position within the Transportation Security Administration shall be covered by—

“(1) the provisions of section 2302(b) (1), (8), and (9);

“(2) any provision of law implementing section 2302(b) (1), (8), or (9) by providing any right or remedy available to an employee or applicant for employment in the civil service; and

“(3) any rule or regulation prescribed under any provision of law referred to in paragraph (1) or (2).

“(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect any rights, apart from those described in subsection (a), to which an individual described in subsection (a) might otherwise be entitled under law.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 23 of title 5, United States Code, is amended by striking the items relating to sections 2304 and 2305, respectively, and by inserting the following:

“2304. Prohibited personnel practices affecting the Transportation Security Administration.

“2305. Responsibility of the Government Accountability Office.

“2306. Coordination with certain other provisions of law.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this section.

SEC. 110. DISCLOSURE OF CENSORSHIP RELATED TO RESEARCH, ANALYSIS, OR TECHNICAL INFORMATION.

(a) **DEFINITIONS.**—In this subsection—

(1) the term “agency” has the meaning given under section 2302(a)(2)(C) of title 5, United States Code;

(2) the term “applicant” means an applicant for a covered position;

(3) the term “censorship related to research, analysis, or technical information” means any effort to distort, misrepresent, or suppress research, analysis, or technical information;

(4) the term “covered position” has the meaning given under section 2302(a)(2)(B) of title 5, United States Code;

(5) the term “employee” means an employee in a covered position in an agency; and

(6) the term “disclosure” has the meaning given under section 2302(a)(2)(D) of title 5, United States Code.

(b) **PROTECTED DISCLOSURE.**—

(1) **IN GENERAL.**—Any disclosure of information by an employee or applicant for employment that the employee or applicant reasonably believes is evidence of censorship related to research, analysis, or technical information—

(A) shall come within the protections of section 2302(b)(8)(A) of title 5, United States Code, if—

(i) the employee or applicant reasonably believes that the censorship related to research, analysis, or technical information is or will cause—

(I) any violation of law, rule, or regulation, and occurs during the conscientious carrying out of official duties; or

(II) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(ii) such disclosure is not specifically prohibited by law or such information is not specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs; and

(B) shall come within the protections of section 2302(b)(8)(B) of title 5, United States Code, if—

(i) the employee or applicant reasonably believes that the censorship related to research, analysis, or technical information is or will cause—

(I) any violation of law, rule, or regulation, and occurs during the conscientious carrying out of official duties; or

(II) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(ii) the disclosure is made to the Special Counsel, or to the Inspector General of an

agency or another person designated by the head of the agency to receive such disclosures, consistent with the protection of sources and methods.

(2) **DISCLOSURES NOT EXCLUDED.**—A disclosure shall not be excluded from paragraph (1) for any reason described under section 2302(f)(1) or (2) of title 5, United States Code.

(3) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to imply any limitation on the protections of employees and applicants afforded by any other provision of law, including protections with respect to any disclosure of information believed to be evidence of censorship related to research, analysis, or technical information.

SEC. 111. CLARIFICATION OF WHISTLEBLOWER RIGHTS FOR CRITICAL INFRASTRUCTURE INFORMATION.

Section 214(c) of the Homeland Security Act of 2002 (6 U.S.C. 133(c)) is amended by adding at the end the following: “For purposes of this section a permissible use of independently obtained information includes the disclosure of such information under section 2302(b)(8) of title 5, United States Code.”.

SEC. 112. ADVISING EMPLOYEES OF RIGHTS.

Section 2302(c) of title 5, United States Code, is amended by inserting “, including how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures” after “chapter 12 of this title”.

SEC. 113. SPECIAL COUNSEL AMICUS CURIAE APPEARANCE.

Section 1212 of title 5, United States Code, is amended by adding at the end the following:

“(h)(1) The Special Counsel is authorized to appear as amicus curiae in any action brought in a court of the United States related to [any civil action brought in connection with] section 2302(b) (8) or (9), or as otherwise authorized by law. In any such action, the Special Counsel is authorized to present the views of the Special Counsel with respect to compliance with section 2302(b) (8) or (9) and the impact court decisions would have on the enforcement of such provisions of law.

“(2) A court of the United States shall grant the application of the Special Counsel to appear in any such action for the purposes described under subsection (a).”.

SEC. 114. SCOPE OF DUE PROCESS.

(a) **SPECIAL COUNSEL.**—Section 1214(b)(4)(B)(ii) of title 5, United States Code, is amended by inserting “, after a finding that a protected disclosure was a contributing factor,” after “ordered if”.

(b) **INDIVIDUAL ACTION.**—Section 1221(e)(2) of title 5, United States Code, is amended by inserting “, after a finding that a protected disclosure was a contributing factor,” after “ordered if”.

SEC. 115. NONDISCLOSURE POLICIES, FORMS, AND AGREEMENTS.

[(a) **IN GENERAL.**—

[(1) **REQUIREMENT.**—Each agreement in Standard Forms 312 and 414 of the Government and any other nondisclosure policy, form, or agreement of the Government shall contain the following statement: “These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 13526 (75 Fed. Reg. 707; relating to classified national security information), or any successor thereto; Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto; section 7211 of title 5,

United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling.”.

[(2) **ENFORCEABILITY.**—

[(A) **IN GENERAL.**—Any nondisclosure policy, form, or agreement described under paragraph (1) that does not contain the statement required under paragraph (1) may not be implemented or enforced to the extent such policy, form, or agreement is inconsistent with that statement.

[(B) **NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE DATE OF ENACTMENT.**—A nondisclosure policy, form, or agreement that was in effect before the date of enactment of this Act, but that does not contain the statement required under paragraph (1)—

[(i) may be enforced with regard to a current employee if the agency gives such employee notice of the statement; and

[(ii) may continue to be enforced after the effective date of this Act with regard to a former employee if the agency posts notice of the statement on the agency website for the 1-year period following that effective date.]

[(a) **IN GENERAL.**—

[(1) **REQUIREMENT.**—Each agreement in Standard Forms 312 and 414 of the Government and any other nondisclosure policy, form, or agreement of the Government shall contain the following statement: “These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.”.

[(2) **AGENCY WEBSITES.**—Agencies making use of any nondisclosure policy, form, or agreement shall also post the statement required under paragraph (1) on the agency website, accompanied by the specific list of controlling Executive orders and statutory provisions.

[(3) **ENFORCEABILITY.**—

[(A) **IN GENERAL.**—Any nondisclosure policy, form, or agreement described under paragraph (1) that does not contain the statement required under paragraph (1) may not be implemented or enforced to the extent such policy, form, or agreement is inconsistent with that statement.

[(B) **NONDISCLOSURE POLICY, FORM, OR AGREEMENT IN EFFECT BEFORE THE EFFECTIVE DATE.**—With respect to a nondisclosure policy, form, or agreement that was in effect before the effective date of this Act, but that does not contain the statement required under paragraph (1) for implementation or enforcement—

[(i) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement

with regard to a current employee if the agency gives such employee notice of the statement; and

(ii) it shall not be a prohibited personnel practice to enforce that policy, form, or agreement after the effective date of this Act with regard to a former employee if the agency complies with paragraph (2).

(b) PERSONS OTHER THAN GOVERNMENT EMPLOYEES.—Notwithstanding subsection (a), a nondisclosure policy, form, or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such policy, form, or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure policy, form, or agreement shall also make it clear that such forms do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law, consistent with the protection of sources and methods.

SEC. 116. REPORTING REQUIREMENTS.

(a) GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) REPORT.—Not later than [40 months] 48 months after the date of enactment of this Act, the Comptroller General shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the implementation of this title.

(2) CONTENTS.—The report under this paragraph shall include—

(A) an analysis of any changes in the number of cases filed with the United States Merit Systems Protection Board alleging violations of section 2302(b) (8) or (9) of title 5, United States Code, since the effective date of this Act;

(B) the outcome of the cases described under subparagraph (A), including whether or not the United States Merit Systems Protection Board, the Federal Circuit Court of Appeals, or any other court determined the allegations to be frivolous or malicious;

(C) an analysis of the outcome of cases described under subparagraph (A) that were decided by a United States District Court and the impact the process has on the Merit Systems Protection Board and the Federal court system; and

(D) any other matter as determined by the Comptroller General.

(b) MERIT SYSTEMS PROTECTION BOARD.—

(1) IN GENERAL.—Each report submitted annually by the Merit Systems Protection Board under section 1116 of title 31, United States Code, shall, with respect to the period covered by such report, include as an addendum the following:

(A) Information relating to the outcome of cases decided during the applicable year of the report in which violations of section 2302(b) (8) or (9) (A)(i), (B)(i), (C), or (D) of title 5, United States Code, were alleged.

(B) The number of such cases filed in the regional and field offices, the number of petitions for review filed in such cases, and the outcomes of such cases.

(2) FIRST REPORT.—The first report described under paragraph (1) submitted after the date of enactment of this Act shall include an addendum required under that subparagraph that covers the period beginning on [January 1, 2009 through] the effective date of this Act and ending at the end of the fiscal year [2009] in which such effective date occurs.

SEC. 117. ALTERNATIVE REVIEW.

(a) IN GENERAL.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(k)(1) In this subsection, the term ‘appropriate United States district court’, as used with respect to an alleged prohibited personnel practice, means the United States district court for the judicial district in which—

“(A) the prohibited personnel practice is alleged to have been committed; or

“(B) the employee, former employee, or applicant for employment allegedly affected by such practice resides.

“(2)(A) An employee, former employee, or applicant for employment in any case to which paragraph (3) or (4) applies may file an action at law or equity for de novo review in the appropriate United States district court in accordance with this subsection.

“(B) Upon initiation of any action under subparagraph (A), the Board shall stay any other claims of such employee, former employee, or applicant pending before the Board at that time which arise out of the same set of operative facts. Such claims shall be stayed pending completion of the action filed under subparagraph (A) before the appropriate United States district court and any associated appellate review.

“(3) This paragraph applies in any case in which—

“(A) an employee, former employee, or applicant for employment—

“(i) seeks corrective action from the Merit Systems Protection Board under section 1221(a) based on an alleged prohibited personnel practice described in section 2302(b) (8) or (9) (A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542; or

“(ii) files an appeal under section 7701(a) alleging as an affirmative defense the commission of a prohibited personnel practice described in section 2302(b) (8) or (9) (A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542;

“(B) no final order or decision is issued by the Board within 270 days after the date on which a request for that corrective action or appeal has been duly submitted, unless the Board determines that the employee, former employee, or applicant for employment engaged in conduct intended to delay the issuance of a final order or decision by the Board; and

“(C) such employee, former employee, or applicant provides written notice to the Board of filing an action under this subsection before the filing of that action.

“(4) This paragraph applies in any case in which—

“(A) an employee, former employee, or applicant for employment—

“(i) seeks corrective action from the Merit Systems Protection Board under section 1221(a) based on an alleged prohibited personnel practice described in section 2302(b) (8) or (9) (A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542; or

“(ii) files an appeal under section 7701(a) [(1)] alleging as an affirmative defense the commission of a prohibited personnel practice described in section 2302(b) (8) or (9) (A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542;

“(B)(i) within 30 days after the date on which the request for corrective action or appeal was duly submitted, such employee, former employee, or applicant for employment files a motion requesting a certification consistent with subparagraph (C) to the Board, any administrative law judge appointed by the Board under section 3105 of

this title and assigned to the case, or any employee of the Board designated by the Board and assigned to the case; and

“(ii) such employee has not previously filed a motion under clause (i) related to that request for corrective action or that appeal; and

“(C) the Board, any administrative law judge appointed by the Board under section 3105 of this title and assigned to the case, or any employee of the Board designated by the Board and assigned to the case certifies that—

“(i) under the standards [standard] applicable to the review of motions to dismiss under rule 12(b)(6) of the Federal Rules of Civil Procedure, including rule 12(d), the request for corrective action or the appeal (including any allegations made with the motion under subparagraph (B)) would not be subject to dismissal; and

“(ii)(I) the Board is not likely to dispose of the case within 270 days after the date on which [a] the request for [that] corrective action or the appeal has been duly submitted; or

“(II) the case—

“(aa) consists of multiple claims;

“(bb) requires complex or extensive discovery;

“(cc) arises out of the same set of operative facts as any civil action against the Government filed by the employee, former employee, or applicant pending in a Federal court; or

“(dd) involves a novel question of law.

“(5) The Board shall grant or deny any motion requesting a certification described under paragraph (4)(ii) within 90 days after the submission of such motion and the Board may not issue a decision on the merits of a request for corrective action within 15 days after granting or denying a motion requesting certification.

“(6)(A) Any decision of the Board, any administrative law judge appointed by the Board under section 3105 of this title and assigned to the case, or any employee of the Board designated by the Board and assigned to the case to grant or deny a certification described under paragraph (4)(ii) shall be reviewed on appeal of a final order or decision of the Board under section 7703 only if—

“(i) a motion requesting a certification was denied; and

“(ii) the reviewing court vacates the decision of the Board on the merits of the claim under the standards set forth in section 7703(c).

“(B) The decision to deny the certification shall be overturned by the reviewing court, and an order granting certification shall be issued by the reviewing court, if such decision is found to be arbitrary, capricious, or an abuse of discretion.

“(C) The reviewing court’s decision shall not be considered evidence of any determination by the Board, any administrative law judge appointed by the Board under section 3105 of this title, or any employee of the Board designated by the Board on the merits of the underlying allegations during the course of any action at law or equity for de novo review in the appropriate United States district court in accordance with this subsection.

“(7) In any action filed under this subsection—

“(A) the district court shall have jurisdiction without regard to the amount in controversy;

“(B) at the request of either party, such action shall be tried by the court with a jury;

“(C) the court—

“(i) subject to clause (iii), shall apply the standards set forth in subsection (e); and

“(ii) may award any relief which the court considers appropriate under subsection (g), except—

“(I) relief for compensatory damages may not exceed \$300,000; and

“(II) relief may not include punitive damages; and

“(iii) notwithstanding subsection (e)(2), may not order relief if the agency demonstrates by a preponderance of the evidence that the agency would have taken the same personnel action in the absence of such disclosure; and

“(D) the Special Counsel may not represent the employee, former employee, or applicant for employment.

“(8) An appeal from a final decision of a district court in an action under this subsection shall be taken to the Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction.

“(9) This subsection applies with respect to any appeal, petition, or other request for corrective action duly submitted to the Board, whether under section 1214(b)(2), the preceding provisions of this section, section 7513(d), section 7701, or any otherwise applicable provisions of law, rule, or regulation.”.

(b) SUNSET.—

(1) IN GENERAL.—Except as provided under paragraph (2), the amendments made by this section shall cease to have effect 5 years after the effective date of this Act.

(2) PENDING CLAIMS.—The amendments made by this section shall continue to apply with respect to any claim pending before the Board on the last day of the 5-year period described under paragraph (1).

SEC. 118. MERIT SYSTEMS PROTECTION BOARD SUMMARY JUDGMENT.

(a) IN GENERAL.—Section 1204(b) of title 5, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following:

“(3) With respect to a request for corrective action based on an alleged prohibited personnel practice described in section 2302(b) (8) or (9) (A)(i), (B), (C), or (D) for which the associated personnel action is an action covered under section 7512 or 7542, the Board, any administrative law judge appointed by the Board under section 3105 of this title, or any employee of the Board designated by the Board may, with respect to any party, grant a motion for summary judgment when the Board or the administrative law judge determines that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.”.

(b) SUNSET.—

(1) IN GENERAL.—Except as provided under paragraph (2), the amendments made by this section shall cease to have effect 5 years after the effective date of this Act.

(2) PENDING CLAIMS.—The amendments made by this section shall continue to apply with respect to any claim pending before the Board on the last day of the 5-year period described under paragraph (1).

SEC. 119. DISCLOSURES OF CLASSIFIED INFORMATION.

(a) PROHIBITED PERSONNEL PRACTICES.—Section 2302(b)(8) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking “or” after the semicolon;

(2) in subparagraph (B), by adding “or” after the semicolon; and

(3) by adding at the end the following:

“(C) any communication that complies with subsection (a)(1), (d), [or] and (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);”.

(b) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

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

“(D) An employee of any agency, as that term is defined under section 2302(a)(2)(C) of title 5, United States Code, who intends to report to Congress a complaint or information with respect to an urgent concern may report the complaint or information to the Inspector General (or designee) of the agency [of] at which that employee is employed.”;

(2) in subsection (c), by striking “intelligence committees” and inserting “appropriate committees”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “either or both of the intelligence committees” and inserting “any of the appropriate committees”; and

(B) in paragraphs (2) and (3), by striking “intelligence committees” each place that term appears and inserting “appropriate committees”;

(4) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “intelligence”; and

(ii) in subparagraph (B), by inserting “or an activity involving classified information” after “an intelligence activity”; and

(B) by striking paragraph (2), and inserting the following:

“(2) The term ‘appropriate committees’ means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, except that with respect to disclosures made by employees described in subsection (a)(1)(D), the term ‘appropriate committees’ means the committees of appropriate jurisdiction.”.

SEC. 120. WHISTLEBLOWER PROTECTION OMBUDSMAN.

(a) IN GENERAL.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking subsection (d) and inserting the following:

“(d)(1) Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service—

“(A) appoint an Assistant Inspector General for Auditing who shall have the responsibility for supervising the performance of auditing activities relating to programs and operations of the establishment;

“(B) appoint an Assistant Inspector General for Investigations who shall have the responsibility for supervising the performance of investigative activities relating to such programs and operations; and

“(C) designate a Whistleblower Protection Ombudsman who shall educate agency employees—

“(i) about prohibitions on retaliation for protected disclosures; and

“(ii) who have made or are contemplating making a protected disclosure about the rights and remedies against retaliation for protected disclosures.

“(2) The Whistleblower Protection Ombudsman shall not act as a legal representative, agent, or advocate of the employee or former employee.

“(3) For the purposes of this section, the requirement of the designation of a Whistleblower Protection Ombudsman under paragraph (1)(C) shall not apply to—

“(A) any agency that is an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))); or

“(B) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counterintelligence activities.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 8D(j) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking “section 3(d)(1)” and inserting “section 3(d)(1)(A)”;

(2) by striking “section 3(d)(2)” and inserting “section 3(d)(1)(B)”.

(c) SUNSET.—

(1) IN GENERAL.—The amendments made by this section shall cease to have effect on the date that is 5 years after the date of enactment of this Act.

(2) RETURN TO PRIOR AUTHORITY.—Upon the date described in paragraph (1), section 3(d) and section 8D(j) of the Inspector General Act of 1978 (5 U.S.C. App.) shall read as such sections read on the day before the date of enactment of this Act.

TITLE II—INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTIONS

SEC. 201. PROTECTION OF INTELLIGENCE COMMUNITY WHISTLEBLOWERS.

(a) IN GENERAL.—Chapter 23 of title 5, United States Code, is amended by inserting after section 2303 the following:

“§ 2303A. Prohibited personnel practices in the intelligence community

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ means an executive department or independent establishment, as defined under sections 101 and 104, that contains an intelligence community element, except the Federal Bureau of Investigation;

“(2) the term ‘intelligence community element’—

“(A) means—

“(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

“(ii) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

“(B) does not include the Federal Bureau of Investigation; and

“(3) the term ‘personnel action’ means any action described in clauses (i) through (x) of section 2302(a)(2)(A) with respect to an employee in a position in an intelligence community element (other than a position of a confidential, policy-determining, policy-making, or policy-advocating character).

“(b) IN GENERAL.—Any employee of an agency who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of an intelligence community element as a reprisal for a disclosure of information by the employee to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose), or to the head of the employing agency (or an employee designated by the head of that agency for such purpose), which the employee reasonably believes evidences—

“(1) a violation of any law, rule, or regulation, except for an alleged violation that occurs during the conscientious carrying out of official duties; or

“(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

“(c) ENFORCEMENT.—The President shall provide for the enforcement of this section in a manner consistent with applicable provisions of sections 1214 and 1221.

“(d) EXISTING RIGHTS PRESERVED.—Nothing in this section shall be construed to—

“(1) preempt or preclude any employee, or applicant for employment, at the Federal Bureau of Investigation from exercising

rights currently provided under any other law, rule, or regulation, including section 2303;

“(2) repeal section 2303; or

“(3) provide the President or Director of National Intelligence the authority to revise regulations related to section 2303, codified in part 27 of the Code of Federal Regulations.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by inserting after the item relating to section 2303 the following:

“2303A. Prohibited personnel practices in the intelligence community.”

SEC. 202. REVIEW OF SECURITY CLEARANCE OR ACCESS DETERMINATIONS.

(a) IN GENERAL.—Section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b(b)) is amended—

(1) in the matter preceding paragraph (1), by striking “Not” and inserting “Except as otherwise provided, not”;

(2) in paragraph (5), by striking “and” after the semicolon;

(3) in paragraph (6), by striking the period at the end and inserting “; and”;

(4) by inserting after paragraph (6) the following:

“(7) not later than 180 days after the date of enactment of the Whistleblower Protection Enhancement Act of 2011—

“(A) developing policies and procedures that permit, to the extent practicable, individuals who [challenge] in good faith *appeal* a determination to suspend or revoke a security clearance or access to classified information to retain their government employment status while such challenge is pending; and

“(B) developing and implementing uniform and consistent policies and procedures to ensure proper protections during the process for denying, suspending, or revoking a security clearance or access to classified information, including the provision of a right to appeal such a denial, suspension, or revocation, except that there shall be no appeal of an agency’s suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts no longer than 1 year or the head of the agency certifies that a longer suspension is needed before a final decision on denial or revocation to prevent imminent harm to the national security.

“Any limitation period applicable to an agency appeal under paragraph (7) shall be tolled until the head of the agency (or in the case of any component of the Department of Defense, the Secretary of Defense) determines, with the concurrence of the Director of National Intelligence, that the policies and procedures described in paragraph (7) have been established for the agency or the Director of National Intelligence promulgates the policies and procedures under paragraph (7). The policies and procedures for appeals developed under paragraph (7) shall be comparable to the policies and procedures pertaining to prohibited personnel practices defined under section 2302(b)(8) of title 5, United States Code, and provide—

“(A) for an independent and impartial fact-finder;

“(B) for notice and the opportunity to be heard, including the opportunity to present relevant evidence, including witness testimony;

“(C) that the employee or former employee may be represented by counsel;

“(D) that the employee or former employee has a right to a decision based on the record developed during the appeal;

“(E) that not more than 180 days shall pass from the filing of the appeal to the report of

the impartial fact-finder to the agency head or the designee of the agency head, unless—

“(i) the employee and the agency concerned agree to an extension; or

“(ii) the impartial fact-finder determines in writing that a greater period of time is required in the interest of fairness or national security;

“(F) for the use of information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs in a manner consistent with the interests of national security, including *ex parte* submissions if the agency determines that the interests of national security so warrant; and

“(G) that the employee or former employee shall have no right to compel the production of information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, except evidence necessary to establish that the employee made the disclosure or communication such employee alleges was protected by subparagraphs (A), (B), and (C) of subsection (j)(1).”

(b) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b) is amended by adding at the end the following:

“(j) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—

“(1) IN GENERAL.—Agency personnel with authority over personnel security clearance or access determinations shall not take or fail to take, or threaten to take or fail to take, any action with respect to any employee’s security clearance or access determination because of—

“(A) any disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose) or the head of the employing agency (or employee designated by the head of that agency for such purpose) by an employee that the employee reasonably believes evidences—

“(i) a violation of any law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

“(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

“(B) any disclosure to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee reasonably believes evidences—

“(i) a violation of any law, rule, or regulation[, and occurs during the conscientious carrying out of official duties]; or

“(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

“(C) any communication that complies with—

“(i) subsection (a)(1), (d), [or] and (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);

“(ii) subsection (d)(5)(A), (D), [or] and (G) of section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q); or

“(iii) subsection (k)(5)(A), (D), [or] and (G), of section 103H of the National Security Act of 1947 (50 U.S.C. 403-3h);

“(D) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation;

“(E) testifying for or otherwise lawfully assisting any individual in the exercise of any right referred to in subparagraph (D); or

“(F) cooperating with or disclosing information to the Inspector General of an agency, in accordance with applicable provisions

of law in connection with an audit, inspection, or investigation conducted by the Inspector General,

if the actions described under subparagraphs (D) through (F) do not result in the employee or applicant unlawfully disclosing information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs.

“(2) RULE OF CONSTRUCTION.—Consistent with the protection of sources and methods, nothing in paragraph (1) shall be construed to authorize the withholding of information from the Congress or the taking of any personnel action against an employee who discloses information to the Congress.

“(3) DISCLOSURES.—

“(A) IN GENERAL.—A disclosure shall not be excluded from paragraph (1) because—

“(i) the disclosure was made to a person, including a supervisor, who participated in an activity that the employee reasonably believed to be covered by paragraph (1)(A)(ii);

“(ii) the disclosure revealed information that had been previously disclosed;

“(iii) of the employee’s motive for making the disclosure;

“(iv) the disclosure was not made in writing;

“(v) the disclosure was made while the employee was off duty; or

“(vi) of the amount of time which has passed since the occurrence of the events described in the disclosure.

“(B) REPRISALS.—If a disclosure is made during the normal course of duties of an employee, the disclosure shall not be excluded from paragraph (1) if any employee who has authority to take, direct others to take, recommend, or approve any personnel action with respect to the employee making the disclosure, took, failed to take, or threatened to take or fail to take a personnel action with respect to that employee in reprisal for the disclosure.

“(4) AGENCY ADJUDICATION.—

“(A) REMEDIAL PROCEDURE.—An employee or former employee who believes that he or she has been subjected to a reprisal prohibited by paragraph (1) of this subsection may, within 90 days after the issuance of notice of such decision, appeal that decision within the agency of that employee or former employee through proceedings authorized by paragraph (7) of subsection (a), except that there shall be no appeal of an agency’s suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts not longer than 1 year (or a longer period in accordance with a certification made under subsection (b)(7)).

“(B) CORRECTIVE ACTION.—If, in the course of proceedings authorized under subparagraph (A), it is determined that the adverse security clearance or access determination violated paragraph (1) of this subsection, the agency shall take specific corrective action to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the violation not occurred. Such corrective action shall include reasonable attorney’s fees and any other reasonable costs incurred, and may include back pay and related benefits, travel expenses, and compensatory damages not to exceed \$300,000.

“(C) CONTRIBUTING FACTOR.—In determining whether the adverse security clearance or access determination violated paragraph (1) of this subsection, the agency shall find that paragraph (1) of this subsection was

violated if a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual, unless the agency demonstrates by a preponderance of the evidence that it would have taken the same action in the absence of such disclosure, giving the utmost deference to the agency's assessment of the particular threat to the national security interests of the United States in the instant matter.

“(5) APPELLATE REVIEW OF SECURITY CLEARANCE ACCESS DETERMINATIONS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

“(A) DEFINITION.—In this paragraph, the term ‘Board’ means the appellate review board established under section 204 of the Whistleblower Protection Enhancement Act of [2011] 2012.

“(B) APPEAL.—Within 60 days after receiving notice of an adverse final agency determination under a proceeding under paragraph (4), an employee or former employee may appeal that determination to the Board.

“(C) POLICIES AND PROCEDURES.—The Board, in consultation with the Attorney General, Director of National Intelligence, and the Secretary of Defense, shall develop and implement policies and procedures for adjudicating the appeals authorized by subparagraph (B). The Director of National Intelligence and Secretary of Defense shall jointly approve any rules, regulations, or guidance issued by the Board concerning the procedures for the use or handling of classified information.

“(D) REVIEW.—The Board's review shall be on the complete agency record, which shall be made available to the Board. The Board may not hear witnesses or admit additional evidence. Any portions of the record that were submitted *ex parte* during the agency proceedings shall be submitted *ex parte* to the Board.

“(E) FURTHER FACT-FINDING OR IMPROPER DENIAL.—If the Board concludes that further fact-finding is necessary or finds that the agency improperly denied the employee or former employee the opportunity to present evidence that, if admitted, would have a substantial likelihood of altering the outcome, the Board shall remand the matter to the agency from which it originated for additional proceedings in accordance with the rules of procedure issued by the Board.

“(F) DE NOVO DETERMINATION.—The Board shall make a *de novo* determination, based on the entire record and under the standards specified in paragraph (4), of whether the employee or former employee received an adverse security clearance or access determination in violation of paragraph (1). In considering the record, the Board may weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact. In doing so, the Board may consider the prior fact-finder's opportunity to see and hear the witnesses.

“(G) ADVERSE SECURITY CLEARANCE OR ACCESS DETERMINATION.—If the Board finds that the adverse security clearance or access determination violated paragraph (1), it shall then separately determine whether reinstating the security clearance or access determination is clearly consistent with the interests of national security, with any doubt resolved in favor of national security, under Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information) or any successor thereto (including any adjudicative guidelines promulgated under such orders) or any subsequent Executive order, regulation, or policy concerning access to classified information.

“(H) REMEDIES.—

“(i) CORRECTIVE ACTION.—If the Board finds that the adverse security clearance or access determination violated paragraph (1), it

shall order the agency head to take specific corrective action to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the violation not occurred. Such corrective action shall include reasonable attorney's fees and any other reasonable costs incurred, and may include back pay and related benefits, travel expenses, and compensatory damages not to exceed \$300,000. The Board may recommend, but may not order, reinstatement or hiring of a former employee. The Board may order that the former employee be treated as though the employee were transferring from the most recent position held when seeking other positions within the executive branch. Any corrective action shall not include the reinstating of any security clearance or access determination. The agency head shall take the actions so ordered within 90 days, unless the Director of National Intelligence, the Secretary of Energy, or the Secretary of Defense, in the case of any component of the Department of Defense, determines that doing so would endanger national security.

“(ii) RECOMMENDED ACTION.—If the Board finds that reinstating the employee or former employee's security clearance or access determination is clearly consistent with the interests of national security, it shall recommend such action to the head of the entity selected under subsection (b) and the head of the affected agency.

“(I) CONGRESSIONAL NOTIFICATION.—

“(i) ORDERS.—Consistent with the protection of sources and methods, at the time the Board issues an order, the Chairperson of the Board shall notify—

“(I) the Committee on Homeland Security and Government Affairs of the Senate;

“(II) the Select Committee on Intelligence of the Senate;

“(III) the Committee on Oversight and Government Reform of the House of Representatives;

“(IV) the Permanent Select Committee on Intelligence of the House of Representatives; and

“(V) the committees of the Senate and the House of Representatives that have jurisdiction over the employing agency, including in the case of a final order or decision of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, or the National Reconnaissance Office, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

“(ii) RECOMMENDATIONS.—If the agency head and the head of the entity selected under subsection (b) do not follow the Board's recommendation to reinstate a clearance, the head of the entity selected under subsection (b) shall notify the committees described in subclauses (I) through (V) of clause (i).

“(6) JUDICIAL REVIEW.—Nothing in this section shall be construed to permit or require judicial review of any—

“(A) agency action under this section; or

“(B) action of the appellate review board established under section 204 of the Whistleblower Protection Enhancement Act of [2011] 2012.

“(7) PRIVATE CAUSE OF ACTION.—Nothing in this section shall be construed to permit, authorize, or require a private cause of action to challenge the merits of a security clearance determination.”

(c) ACCESS DETERMINATION DEFINED.—Section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b(a)) is amended by adding at the end the following:

“(9) The term ‘access determination’ means the [process for determining] *determination regarding whether an employee—*

“(A) is eligible for access to classified information in accordance with Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry); and

“(B) possesses a need to know under that Order.”

(d) RULE OF CONSTRUCTION.—Nothing in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b), as amended by this Act, shall be construed to require the repeal or replacement of agency appeal procedures implementing Executive Order 12968 (60 Fed. Reg. 40245; relating to classified national security information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry), or any successor thereto, that meet the requirements of section 3001(b)(7) of such Act, as so amended.

SEC. 203. REVISIONS RELATING TO THE INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTION ACT.

(a) IN GENERAL.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) by inserting “(1)” after “(b)”;

(B) by adding at the end the following:

“(2) If the head of an establishment determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the head of the establishment, the head of the establishment shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence *and, if the establishment is within the Department of Defense, to the Secretary of Defense.* In such a case, the requirements of this section for the head of the establishment apply to [the recipient] *each recipient of the Inspector General's transmission.* [The Director of National Intelligence] *Each recipient of the Inspector General's transmission shall consult with the members of the appellate review board established under section 204 of the Whistleblower Protection Enhancement [Review] Act of [2011] 2012 regarding all transmissions under this paragraph.”;*

(2) by designating subsection (h) as subsection (i); and

(3) by inserting after subsection (g), the following:

“(h) An individual who has submitted a complaint or information to an Inspector General under this section may notify any member of Congress or congressional staff member of the fact that such individual has made a submission to that particular Inspector General, and of the date on which such submission was made.”

(b) CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q) is amended—

(1) in subparagraph (B)—

(A) by inserting “(j)” after “(B)”;

(B) by adding at the end the following:

“(ii) If the Director determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the Director, the Director shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence. In such a case, the requirements of this subsection for the Director apply to the [recipient of the Inspector General's submission; and] *Director of National Intelligence.*

The Director of National Intelligence shall consult with the members of the appellate review board established under section 204 of the Whistleblower Protection Enhancement Act of 2012 regarding all transmissions under this clause.”; and

(2) by adding at the end the following:

“(H) An individual who has submitted a complaint or information to the Inspector General under this section may notify any member of Congress or congressional staff member of the fact that such individual has made a submission to the Inspector General, and of the date on which such submission was made.”.

SEC. 204. REGULATIONS; REPORTING REQUIREMENTS; NONAPPLICABILITY TO CERTAIN TERMINATIONS.

(a) DEFINITIONS.—In this section—

(1) the term “congressional oversight committees” means—

(A) the Committee on Homeland Security and Government Affairs of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on Oversight and Government Reform of the House of Representatives; and

(D) the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the term “intelligence community element”—

(A) means—

(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

(ii) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

(B) does not include the Federal Bureau of Investigation.

(b) REGULATIONS.—

(1) IN GENERAL.—[The] In consultation with the Secretary of Defense, the Director of National Intelligence shall prescribe regulations to ensure that a personnel action shall not be taken against an employee of an intelligence community element as a reprisal for any disclosure of information described in section 2303A(b) of title 5, United States Code, as added by this Act.

(2) APPELLATE REVIEW BOARD.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Attorney General, and the heads of appropriate agencies, shall establish an appellate review board that is broadly representative of affected Departments and agencies and is made up of individuals with expertise in merit systems principles and national security issues—

(A) to hear whistleblower appeals related to security clearance access determinations described in section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b), as added by this Act; and

[(B) that shall include a subpanel that reflects the composition of the intelligence committee, which shall be composed of intelligence community elements and inspectors general from intelligence community elements, for the purpose of hearing cases that arise in elements of the intelligence community.]

(B) that shall include a subpanel that reflects the composition of the intelligence community, which shall—

(i) be composed of intelligence community elements and inspectors general from intelligence

community elements, for the purpose of hearing cases that arise in elements of the intelligence community; and

(ii) include the Inspector General of the Intelligence Community and the Inspector General of the Department of Defense.

(c) REPORT ON THE STATUS OF IMPLEMENTATION OF REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Director of National Intelligence shall submit a report on the status of the implementation of the regulations promulgated under subsection (b) to the congressional oversight committees.

(d) NONAPPLICABILITY TO CERTAIN TERMINATIONS.—Section 2303A of title 5, United States Code, as added by this Act, and section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b), as amended by this Act, shall not apply [to adverse security clearance or access determinations] if the affected employee is concurrently terminated under—

(1) section 1609 of title 10, United States Code;

(2) the authority of the Director of National Intelligence under section 102A(m) of the National Security Act of 1947 (50 U.S.C. 403-1(m)), if—

(A) the Director personally summarily terminates the individual; and

(B) the Director—

(i) determines the termination to be in the interest of the United States;

(ii) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security; and

(iii) not later than 5 days after such termination, notifies the congressional oversight committees of the termination;

(3) the authority of the Director of the Central Intelligence Agency under section 104A(e) of the National Security Act of 1947 (50 U.S.C. 403-4a(e)), if—

(A) the Director personally summarily terminates the individual; and

(B) the Director—

(i) determines the termination to be in the interest of the United States;

(ii) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security; and

(iii) not later than 5 days after such termination, notifies the congressional oversight committees of the termination; or

(4) section 7532 of title 5, United States Code, if—

(A) the agency head personally terminates the individual; and

(B) the agency head—

(i) determines the termination to be in the interest of the United States;

(ii) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security; and

(iii) not later than 5 days after such termination, notifies the congressional oversight committees of the termination.

TITLE III—SAVINGS CLAUSE; EFFECTIVE DATE

SEC. 301. SAVINGS CLAUSE.

Nothing in this Act shall be construed to imply any limitation on any protections afforded by any other provision of law to employees and applicants.

SEC. 302. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of enactment of this Act.

Ms. STABENOW. I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, 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 bill, (S. 743), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

BRIAN A. TERRY BORDER PATROL STATION

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 390, H.R. 2668.

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

The assistant legislative clerk read as follows:

A bill (H.R. 2668) to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the “Brian A. Terry Border Patrol Station.”

There being no objection, the Senate proceeded to consider the bill.

Mr. LEVIN. I am pleased that the Senate will pass the Brian Terry Memorial Act today, and that it has the overwhelming support of my colleagues.

Agent Terry, a native of Flat Rock, MI, dedicated his life to public service and the protection of our country and its citizens. He served honorably in the U.S. Marine Corps and continued his service as a police officer with the cities of Ecorse and Lincoln Park in Michigan prior to joining the U.S. Border Patrol. He was a member of the 699th Session of the Border Patrol Academy assigned to the Naco Border Patrol Station within the Tucson Sector. Tragically, in December 2010, while on patrol 14 miles north of the U.S.-Mexico border, Agent Terry was shot and killed during an armed confrontation with suspected criminals.

Agent Terry gave everything in the defense of our country. As we sit here today, thousands of agents are putting their lives on the line to secure our borders and protect our Nation. Agent Terry exemplified that courage and heroism, and we honor him today with this legislation that will designate the station of the U.S. Border Patrol located at 2136 South Naco Highway in Bisbee, AZ, as the Brian A. Terry Border Patrol Station.

I thank my colleagues for their support of this worthy tribute to Agent Terry.

Ms. STABENOW. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The bill (H.R. 2668) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING CHARTER SCHOOLS ACROSS THE UNITED STATES

Ms. STABENOW. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 447, submitted early today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 447) congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 13th annual National Charter Schools Week, to be held May 6 through May 12, 2012.

There being no objection, the Senate proceeded to consider the resolution.

Ms. STABENOW. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 447) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 447

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas, in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas, as of the date of approval of this resolution, 5,275 charter schools are serving more than 2,000,000 children;

Whereas in fiscal year 2011 and the 18 previous fiscal years, Congress has provided a total of more than \$3,000,000,000 in financial assistance to the charter school movement through grants for planning, startup, implementation, dissemination, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement account-

ability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools; and

Whereas the 13th annual National Charter Schools Week is scheduled to be held May 6 through May 12, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 13th annual National Charter Schools Week, a week-long celebration to be held May 6 through May 12, 2012, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

ORDERS FOR WEDNESDAY, MAY 9, 2012

Ms. STABENOW. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, May 9, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and that the majority leader be recognized.

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

Ms. STABENOW. 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. Without objection, it is so ordered.

PROGRAM

Ms. STABENOW. Mr. President, it is the majority leader's intention to resume the motion to proceed to S. 2343, the Stop the Student Loan Interest Rate Hike Act, upon convening tomor-

row. We expect to equally divide the first hour, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. STABENOW. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Wednesday, May 9, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARIA LOPEZ DE LEON, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016, VICE JAMES BALLINGER, TERM EXPIRED.

EMIL J. KANG, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018, VICE BENJAMIN DONENBERG, TERM EXPIRING.

NUCLEAR REGULATORY COMMISSION

KRISTINE L. SVINICKI, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2017. (RE-APPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. DUBIE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. BOBBY V. PAGE

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. WILLIAM R. PHILLIPS II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL LESLIE J. CARROLL
BRIGADIER GENERAL BRYAN R. KELLY
BRIGADIER GENERAL PETER S. LENNON
BRIGADIER GENERAL GARY A. MEDVIGY
BRIGADIER GENERAL DAVID W. PUSTER
BRIGADIER GENERAL MEGAN P. TATU
BRIGADIER GENERAL DANIEL L. YORK
BRIGADIER GENERAL JAMES V. YOUNG, JR.

To be brigadier general

COLONEL DOUGLAS F. ANDERSON
COLONEL DANNY C. BALDWIN
COLONEL WILLIAM P. BARRIAGE
COLONEL LEANNE P. BURCH
COLONEL MITCHELL R. CHITWOOD
COLONEL STEPHEN K. CURDA
COLONEL ARLAN M. DEBLIECK
COLONEL CHRIS R. GENTRY
COLONEL NORMAN B. GREEN
COLONEL LEWIS G. IRWIN
COLONEL PHILLIP S. JOLLY
COLONEL ROBERT A. KARMAZIN
COLONEL TROY D. KOK
COLONEL WILLIAM S. LEE
COLONEL TAMMY S. SMITH
COLONEL MICHAEL S. TUOMEY

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 vice admiral

REAR ADM. THOMAS H. COPEMAN III

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. RICHARD W. HUNT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. PAUL A. SOHL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN F. KIRBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRIAN B. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRUCE F. LOVELESS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRIAN K. ANTONIO

CAPT. LUTHER B. FULLER III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

- CAPTAIN JOHN D. ALEXANDER
- CAPTAIN BRET C. BATCHELDER
- CAPTAIN RONALD A. BOXALL
- CAPTAIN ROBERT P. BURKE
- CAPTAIN DAVID J. HAHN
- CAPTAIN ALEXANDER L. KRONGARD
- CAPTAIN ANDREW L. LEWIS
- CAPTAIN BRUCE H. LINDSEY
- CAPTAIN DEE L. MEWBOURNE
- CAPTAIN JOHN P. NEAGLEY
- CAPTAIN PARTICK A. PIERCEY
- CAPTAIN MARKHAM K. RICH
- CAPTAIN CHARLES A. RICHARD
- CAPTAIN CYNTHIA M. THEBAUD
- CAPTAIN BRAD WILLIAMSON
- CAPTAIN RICKY L. WILLIAMSON

EXTENSIONS OF REMARKS

INTEREST RATE REDUCTION ACT

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Mr. DINGELL. Mr. Speaker, as we continue to recover economically, we must ensure that students can afford a higher education. In 2007, as we were dealing with the worst of the recession, I voted in favor of legislation to reduce interest rates on Stafford loans from 6.8 to 3.4 percent. On July 31, interest rates will go back to 6.8 percent if Congress does not act.

There are nearly 48,000 students attending a university or college in my district who have a Stafford subsidized student loan. Those loans total over \$212 million. Doubling the interest rate will add an unnecessary burden on those students as they graduate and enter the workforce. For each year that Congress does not act to keep rates at 3.4 percent, students add an additional \$1000 in debt over the life of their loans. It may prevent them from starting a family, buying a home, or getting a new car. We must do everything we can to help as they get started.

The cost of the student loan bill is \$6 billion. Unfortunately, Republicans have chosen to pay for it by repealing the Prevention and Public Health Fund included in the Affordable Care Act that invests in innovative programs, practices and treatments to prevent cancer, heart disease, diabetes, and programs particularly important to women's health. We should not have to choose how we are going to invest in our country's future; how do you decide to cut investments in the education for the workforce of tomorrow versus the health of that very same workforce?

I support the Democratic alternative negotiated between the White House and Congressional Democrats that pays for the student loan interest rate by closing a corporate tax loophole. I hope that the House leadership will allow a vote on this commonsense alternative so students and their families aren't left paying for higher interest rates to go to school. Republicans know that their proposal cannot be supported by Democrats. They don't seem to know that by not finding a compromise, they are playing politics with students, families, and the future of our country.

REVEREND PATRICK J. GENELLO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise today with a heavy heart as people in my hometown of Hazleton, Pennsylvania, mourn the loss of a beloved spiritual leader, the Rev. Patrick J. Genello.

Father Pat, as he was known to the parishioners of Holy Rosary Parish, passed away unexpectedly, leaving a hole in the hearts of those who worshipped inside his church for the past 17 years.

A son of the late Joseph and Arline Piazza Genello, Father Pat was born in Scranton on May 15, 1957. He received his early education at William Prescott School and graduated from Scranton Central High School. In 1975, Father Pat attended St. Pius X Seminary, and graduated from the University of Scranton in 1979 with a Bachelor of Arts degree in theology and philosophy. He completed his studies for the priesthood at St. John's Seminary in Brighton, Massachusetts, where he received a Master of Divinity degree in May 1983. He served his diaconate ministry at St. John the Evangelist Parish, Honesdale, from May 14, 1983, until his ordination. His Eminence, the late John Cardinal O'Connor, D.D. and Ph.D., who at the time was bishop of Scranton, ordained Father Pat into the priesthood on November 5, 1983, in St. Peter's Cathedral, Scranton.

After his ordination, Father Pat received a degree in counseling from Marywood University.

Father Pat first served as assistant pastor of Most Precious Blood Parish, Hazleton; then at St. Lucy's Parish, Scranton. He was appointed director of religious formation at Bishop Hannan High School, Scranton, on September 5, 1989. Father Pat was appointed pastor of Holy Rosary Parish in Hazleton on June 30, 1995, and that is where he remained until his death.

In addition to his parochial duties, Father Pat was a dedicated student of Holy Scripture. He accompanied the late Rev. Robert J. Barone, S.T.D., and served as the videographer on many trips to the Holy Land and Middle East. He and Father Barone, with the help of the Diocese of Scranton's Catholic Television, produced the very popular "The World of Saint Paul" television series.

Father Pat played a substantial role in the Greater Hazleton community. He hosted dinners for the United Way at Thanksgiving and at Christmas in the parish hall. He served as chaplain for the Hazleton Fire Department. He was the driving force in establishing a September 11, 2001, memorial on the parish grounds, and he conducted an annual service marking the event.

As an avid New York Yankees fan, Father Pat would often conduct a post-game analysis of the game with his parishioners and friends. An accomplished musician specializing in the guitar, he loved music of all kinds.

Father Pat remained close with members of his family, especially his niece, Maria, and nephew, Michael.

Mr. SPEAKER, today, the Rev. Patrick J. Genello's entire family—both his biological family and his spiritual family—is shocked by his sudden passing. The Greater Hazleton area will miss his pastoral leadership, his religious knowledge, and his community spirit.

HONORING RANDY SATER FOR HIS EXCEPTIONAL POLICE CAREER

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today to congratulate Deputy Police Chief for the Village of Bloomingdale, Randy Sater, on his exceptional career.

Randy began his career of service and commitment to the Village of Bloomingdale in 1982. During his time of service, Randy has led in many different capacities. He served early on as a Detective and was later promoted to Sergeant. After nearly four years as Sergeant, Randy was assigned as Watch Commander. Most recently, he was promoted to Deputy Chief of Operations. Through his commitment to a wide array of leadership posts, Randy has demonstrated great integrity.

From his start in the police force, Randy has been an active member of the community and has taken important leadership roles. Since 1994, Randy has served as Neighborhood Watch Coordinator. He has also worked with the youth in the community through the Character Counts Coalition. Since its inception in 1998, Randy has served on the Board of Directors of the Coalition and as Chair of the Coalition for a number of those years. The Character Counts Coalition works to uphold six pillars of character: trustworthiness, respect, responsibility, fairness, caring, and citizenship. Without a doubt, Randy has carried out these six pillars of character in his own life. Valuing the safety and well-being of those in his community, he has also taken leadership as a B.A.S.S.E.T. (Beverage Alcohol Sellers and Servers Training) instructor since 2005. It is evident that Randy's involvements and reach has positively impacted the lives of many.

Mr. Speaker and Distinguished Colleagues, please join me in recognizing Deputy Chief Randy Sater on his successful career.

IN HONOR OF PRESIDENT MA YING-JEUO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ENGEL. Mr. Speaker, I would like to congratulate Taiwanese President Ma Ying-jeou on his reelection, and on his second inauguration, which takes place on May 20, 2012. This is a great achievement for President Ma, and for Taiwan—a country that held only its fifth direct Presidential election since it began doing so in 1996.

I take pride in the fact that Taiwan, an ally of the United States, is serving as a beacon for democracy in Southeast Asia. Through his term, President Ma has maintained strong ties

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

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

with countries in the region, including a constructive relationship with China, and has continued the democratic traditions which have allowed Taiwan to prosper. I call on my colleagues to join me in congratulating President Ma, and wishing him the best of luck as he undertakes four more years as the leader of Taiwan.

TRIBUTE TO JAMES GIBSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a good friend, who is being honored on May 12, 2012 by his church Rock Hill Baptist Church for his lifetime of service to the community. Mr. James Gibson, a youthful 89-year-old, is a stalwart of the community in Saluda, South Carolina, and is very deserving of this recognition.

James Gibson was the third of six children born to Eddie and Mae Bell Dozier Gibson. He attended the historic Cane Brake school, which was one of the first Rosenwald schools in South Carolina.

Upon graduation, Mr. Gibson joined the U.S. Marine Corps and served in World War II. When he left the military, he continued to serve his country by joining the Civil Service. After 30 years, he retired from Fort Jackson in Columbia, South Carolina. In retirement, he has enjoyed watching the Bible Channel and reading his Bible. He gardens and enjoys walks as well.

Mr. Gibson is a dedicated member of the community. He was a Shriner for more than 40 years, and a member of the C.C. Johnson Consistory for over four decades. He is Past Worshipful Master (PWM) of Peerless Lodge #214 and PWP of Peerless Chapter #335 OES. Mr. Gibson is a 33rd degree Mason and a member of the United Supreme Council.

He is also extremely dedicated to Rock Hill Baptist Church. He has served as Adult Sunday School Teacher, Chairman of Trustees, and was Chairman of the Deacon Board for 25 years.

He married Annie Barnes Gibson in 1947. The couple have three children and two granddaughters.

Mr. Speaker, I ask you to join me in congratulating James Gibson on this great honor. He has served his country and Saluda County with distinction. It is fitting that his contributions are being recognized by his fellow citizens for all that he has done to give back to the community.

RECOGNIZING THE 20TH ANNIVERSARY OF THE UNIQUE RATIFICATION OF THE 27TH AMENDMENT TO THE UNITED STATES CONSTITUTION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MARCHANT. Mr. Speaker, I rise to call attention to an important milestone in American constitutional history. This month, May

2012, marks the 20th anniversary of the unusual ratification of the 27th Amendment to the Constitution of the United States, which provides quite simply that any change in the level of compensation which Members of Congress receive from the United States Treasury must take effect until an election of Representatives shall have intervened.

This particular constitutional amendment (sometimes referred to as the "Madison Amendment") underwent the most unorthodox path to ratification of any amendment ever successfully incorporated into the Federal Constitution thus far in our Nation's history. This amendment was originally proposed by Congress on September 25, 1798 but, despite the obvious wisdom of the amendment's purpose, it was not fully approved by enough State legislatures until 202 years later. When lawmakers in more than the required 38 states provided their approvals in May 1992, the 27th Amendment to the U.S. Constitution was finally ratified.

Altering the United States Constitution was never meant to be an easy task. The Founding Fathers wisely composed Article V of the Constitution—which sets forth the process for amending it—in such a manner as to make changes in the document difficult to accomplish without a clear consensus. However, so strong was the common-sense appeal of what we know today as the 27th Amendment that State legislators of diverse political philosophy were able to agree in a bipartisan fashion that such a provision correctly belonged in the U.S. Constitution. As a former member of the Texas House of Representatives back in the late 1980s, I was privileged to have played a direct role myself in the 27th Amendment's idiosyncratic route to ratification. On May 25, 1989, I proudly cast a final "aye" vote on House Joint Resolution No. 6 by which the 71st Texas Legislature endorsed this sound and prudent one-sentence addition to America's highest legal document.

Now, two decades after its ratification was duly achieved, it is appropriate to reflect upon the lesson which the 27th Amendment has taught America, not only about the constitutional amendment process itself, but also about citizen action in influencing the law-making process. To that end, I respectfully request that a June 1, 1992 article from *People* magazine be included in the record at the conclusion of my remarks. The focus of this article is a gentleman named Gregory Watson, whom I had the pleasure to know during my tenure at the State Capitol in Austin while he was employed by a few of my colleagues in the Texas Legislature.

Mr. Speaker, we in the Congress debate every now and then about various proposed additions that some of us advocate to the Federal Constitution. The extraordinary ratification of its 27th Amendment furnishes to us ample evidence that, while perhaps rather time-consuming, it remains worthy of our attention, and merits utilization of our resources, to continue discussion about needed refinements to our Nation's great charter.

[From *People* magazine, June 1, 1992]

THE MAN WHO WOULD NOT QUIT

A TENACIOUS TEXAN WINS HIS 10-YEAR FIGHT FOR A NEW CONSTITUTIONAL AMENDMENT

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

It only took 202 years, but last week United States Archivist Don Wilson officially certified that the U.S. Constitution has a new amendment. Given the current hostility to Congress, the new measure captured the mood of a fed-up electorate. It prevents Congress from giving itself pay raises retroactively or in mid-term, which it has done from time to time. Despite the new amendment's popularity, it would probably never have become law if 30-year-old Gregory Watson, an obscure administrative assistant to a Texas state legislator, had been a less persistent man. Ten years ago, while a student at the University of Texas-Austin, he began a one-man campaign to enact the Twenty-seventh Amendment. His reason? He got a C on a term paper.

The paper, for a government class, argued that the amendment could—and should—be passed. At the time, the proposal, originally drafted by James Madison in 1789, had been ratified by only eight states, six of them during the 18th century. Watson says his professor felt the amendment was a legal dead letter, even though it had no time limit, and gave him the low mark. "I was very disgusted," he says "but undaunted."

He ran his campaign the old-fashioned way—by mail, writing to legislators in states that had yet to pass the amendment. He spent \$6,000—all of it his own money. He refused all outside help. "I wanted to do it by myself," he says. "I wanted to prove that one person could do it alone."

Prove it, he did. On May 7, Michigan became the 38th—and deciding—state to OK the amendment, which had to be ratified by three-quarters of the states in order to take effect. Later that same day New Jersey voted its approval, and on May 12, Illinois joined in. Watson, who is single, was jubilant. "I wanted to show the American people what can be done if they just put forth a little elbow grease," he says. "You can wield a great deal of power, and one person can still make a difference in this country."

IN HONOR OF MARTIN AND WENDY MAYER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ENGEL. Mr. Speaker, to watch Parents of the Year, Martin and Wendy Mayer is to suggest a concept described by a valet of Britain's royal family. "Working for aristocracy," he said, "is like being a swan. On the surface, you must look like you're gliding effortlessly, but underneath, you're paddling like crazy." The Mayers' chesed for our Mamleches Cohanim looks easy, but their earnest sharing and resolving the tzoros of others is deliberate and thorough. The catering company provides the perfect venue for their unassuming communal service as they take care of many food needs for organizations and individuals behind the scenes, always seeing the world through the eyes of others. Professionally, the sensitivity and attentiveness at Menagerie Caterers has earned its reputation as the premier caterer in the greater metro area, from the smallest simchas to large, gala affairs.

Midos like this come from hard work. Martin absorbed the essence of his East Side neighborhood—no shtick, no embellishments, just pure ehrlিকেit and yashrus. He's the capable friend and reliable confidant that everyone needs. As part of East Side's Hatzolah, Martin

had the zechus of regularly attending to Rav Moshe Feinstein zt"l, imbibing from his lofty midos. Martin's own parents, z"l, and their courageous strength also deeply affected his life. Joining together from opposite sides of concentration camp fences, Staff Sergeant Herman (Hanoch) Mayer of the US Army Air Corps won medals and citations as a WWII hero who helped liberate the camps. With his own money, he bought medicine, food, and blankets for survivors, even transporting one woman to a hospital for immediate care. Martin's mother, Mrs. Freida (Elizabeth) Mayer survived Auschwitz and Birkenau on less than substandard rations, because she gave of her food to her weaker sister who also survived. Her intense care for her family continued, as she raised her children with unbounded love, often carrying hot lunches to them in school.

Martin and his sisters' beloved esteem for their parents prompted them to establish various memorial tributes: The Bais Medrash of the Agudah of Passaic (HaRav Sacks), the Bikur Cholim room of Englewood Hospital, which Martin supplies, a Sefer Torah written for them and more. Martin's fondest quotes from his Dad pertain to "if you're going to do something, do it right." It was unthinkable for Herman Mayer to be late for shul.

For her part, Wendy's gracious warmth keeps the home running smoothly despite Martin's erratic catering schedule. Besides working in real estate, Wendy tirelessly supports every need for their shul, yeshivos or business. Her selflessness moves her to host communal events and family simchas, create extraordinary cakes or sew decor for school productions, down to every beautiful detail. A caterer's wife might well use her husband's resources for large crowds, but Wendy makes everything herself. The only thing more inviting than her kindness is her fragrant fresh challah. Like her parents, Barbara & Nathan Finkel, Wendy's simchas hachaim and winning smile make everyone feel welcome.

Doing for others flows into the next generation as YOT graduating talmid, Moshe and YOT alumnus Aryeh are known around town as helping hands and smiling big brothers to neighborhood kids. May the honor they bestow upon their parents, as well as their support of Ohavei Torah and other institutions, be a continual source of brocha and hatzlocha for the entire Mayer family.

I am grateful for the opportunity to join with Yeshiva Ohavei Torah in honoring Martin and Wendy Mayer as Parents of the Year.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. JORDAN. Mr. Speaker, I was absent from the House Floor during yesterday's three rollcall votes.

Had I been present, I would have voted in favor of H. Con. Res. 105, H. Con. Res. 117, and H. Con. Res. 118.

SALUTING THE WORLD WAR II VETERANS OF TENNESSEE

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. COOPER. Mr. Speaker, I rise to honor the World War II veterans who have flown to Washington DC today from Nashville, TN with Music City Honor Flight. This Honor Flight is part of a nationwide effort to bring as many World War II veterans as possible to the memorial created here in honor of their service and in honor of the fallen.

Through their selflessness, these brave men and women who served in World War II saved our country and changed the course of history. We can never adequately repay them for their sacrifice. Whether Soldiers, Sailors, Airmen, Marines, or Coast Guardsmen, they heroically served their Nation during our time of greatest need. It is my high privilege to welcome them to the Nation's Capital.

I am proud to read into the CONGRESSIONAL RECORD the names of each of these distinguished veterans so that they can be recognized for their brave service and so that the Congress of the United States of America can express its gratitude.

Orville Jerome Aasen, Lyttleton C. Anderson Jr., Clarence Arand, James L. Bass, James B. Batey, Jr., Douglas Beard, Dempsie G. Binkley, Winston Bowling, Eugene W. Brock, Charles J. Brown, Edward L. Buquo, Roger L. Burgess, Hugh Lafayette Callens, Russell M. Campbell, Frank A. Cantwell, James W. Carroll, Francis A. Centimole, Robert E. Chadwell, James Robert Clower, Alfred Damon Corley, James D. Craig, Fred M. Creasy, Rayford H. Danley, James L. Davis, Gerald Alvin Davis, Lloyd F. Driver, James W. Duke, Edward Eugene Durham, Lloyd C. Fisher, David Ray Fussell, Murray O. Fussell, Charles H. Gannon, Gerald Allen Gilman, Harry R. Guttridge, Herald D. Hackett, Thomas Hall Jr., Jones B. Hamlett, Wesley W. Harmon, Jackson Harris, Samuel A. Harris, William J. Harvey, Eldon H. Hatcher Jr., Harley Walter Heilman, Irvan Hardeman Hendon, Wayne Hill, Vernard E. Hixson, Leonard Hollender, Edward L. Holton, Lawrence H. Horn, Edward W. Hudson, Robert W. Hull, Nathaniel B. Johnson Jr., Robert C. Jones, Clinton D. Keel, John W. King, James Fowler Lancaster, Earl Eugene Lerch, George Lukon, Nelson Lyne, Dock H. Lyons, Joseph O. Maddux, Harry Eugene Margrave, Carl M. Martin, Henry C. McCall, Jr., Carl E. Meeks, Ledlie J. Miller Jr., Charles A. Mitchell, Dr. John Myers, Robert M. Nabors Jr., James J. Panipinto, Andrew S. Parker, Baxter Lewis Perry, David M. Pettus, Carlos F. Plott, W H Reeves, Samuel Ralph Rehorn, Eugene R. Rhue, Clarence Richards, Robert McCulloch Rock, Elmer Julius Sager, David Y. Sharpe, Milton Shearer, Robert Love Simpson, William Paul Sitton, Fred L. Stacey, John E. Stephens, Robert Merrill Stoops, Harry Richard Sturm, Glenn Swanson, James F. Tacker, Jr., Denison Taylor, W. Glenn Tinsley, Jess Titus, Glenn Tompkins, Eddie G. Wall, James E. Waugaman, Robert Conway Wilhite, Ross Williams, William E. Wingo, Henry C. Winstead,

Talmadge R. Woodall, Charles Richard Zartman.

HONORING THE 95TH ANNIVERSARY OF THE JUNIOR LEAGUE OF ST. PAUL

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Ms. McCOLLUM. Mr. Speaker, today I rise to honor the 95th anniversary of the Junior League of St. Paul, JLSP.

The Junior League of St. Paul was founded in 1917 by Elizabeth Ames Jackson, a native of St. Paul and two of her friends Elizabeth Crunden Skinner and Anne Turney White. This chapter was the 19th Junior League created in the United States following the founding of the first Junior League in New York City in 1901.

The Junior League is committed to promoting voluntarism, developing the potential of women and improving communities through the effective action and leadership of trained volunteers. During its early years, the JLSP collaborated with local community organizations, including the World War I Red Cross Relief Campaign and the Community Chest, to help build a better St. Paul and reflect the overall mission of the organization.

Over the years, the Junior League of St. Paul moved beyond only collaborating with local, existing organizations, to fostering new organizations. As the community evolved, so did the JLSP. From the creation the Children's Hospital Association, Keystone Community Services, United Arts and Lifetrack Resources to the Hmong Art Project, Silent Witness, and most recently Building Bonds through Reading and Play the Junior League of St. Paul has a long legacy of responding to needs of the community and laying the foundation for organizations that continue to provide needed programs and services to residents in St. Paul and the surrounding communities.

These charitable and educational activities go beyond simply helping the members of the community—they also provide meaningful volunteer opportunities and leadership development to the women who are involved with the JLSP. The skills and talents the members develop through League activities help them in other aspects of their lives.

The Junior League of St. Paul has been a valuable asset to St. Paul through their efforts to identify and take on the challenges they see impacting the community. Their hard work is reflected in the numerous organizations they have worked with, the many people who have been served by various JLSP programs, and by its members current and past. I am proud to comment the Junior League of St. Paul on 95 years of success and wish them much success in the years to come.

Mr. Speaker, in honor of the 95th anniversary of the Junior League of St. Paul, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

CONGRATULATING THE GULF
COAST COMMUNITY FOUNDATION

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BUCHANAN. Mr. Speaker, I rise to congratulate the Gulf Coast Community Foundation on being named the silver award winner for excellence in communications by the 2012 Wilmer Shields Rich Awards Program. Sponsored by the Council on Foundations, the awards program recognizes affective communications efforts to increase public awareness of foundations and corporate giving programs throughout the United States. The Gulf Coast Community Foundation received the honor for its 2012 Agenda for Action in the category of annual or biennial reports.

Since 1995, The Gulf Coast Community Foundation and donors have been a community asset through its philanthropy work. The Gulf Coast has welcomed more than 500 charitable funds, created by generous donors, and have invested more than \$127 million in grants in the areas of arts and culture, health and human services, education, civic and economic development, and the environment.

In addition to awarding grants to nonprofit organizations and scholarships to qualified students for postsecondary education, Gulf Coast creates and funds initiatives designed to effect long-term, systemic change in the communities it serves. Current initiatives include a STEM education initiative to improve student achievement in science, technology, engineering, and math in Sarasota and Charlotte county schools. Gulf Coast also offers low-interest disaster-relief loans to critical local health or human service nonprofit organizations rebuilding in the aftermath of a disaster.

I am proud to honor the Gulf Coast Community Foundation, the largest community foundation in Florida, on having been named the silver award winner for excellence in communications by the 2012 Wilmer Shields Rich Awards Program. I would also like to recognize its exceptional efforts to enrich Florida communities. We hope to see the foundation continue to grow and have a lasting impact for community.

IN HONOR OF ELI AND CHEDVA
TREITEL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. ENGEL. Mr. Speaker, a poignant episode in the Chumash reveals a strength of character few can claim. Leah's seemingly odd response to Rachel's request for the Dudaim, "Is it not enough you took my husband? Now you want these too?" begs a question. Didn't Leah know what Rachel did for her? Meforshim explain, Rachel must have given Leah the simonim in a way that concealed the truth. Doing for others is certainly praiseworthy; doing inconspicuously and with

great personal sacrifice warrants the crown called "a good name".

In this regard, Ohavei Torah is especially proud to honor its parents, Eli & Chedva Treitel, with the Keser Shem Tov award. Few positions are as thankless as that of Shul Gabbai. How remarkable it is that the diverse mispallelim of Monsey's Ateres Rosh feel unanimously blessed to have a true "Yehoshua" caring for all the needs of their shul: material, emotional and spiritual. The secret lies in one word: respect. The unparalleled kovod that Eli shows each person and every single shul need never fails. He keeps track of every aliya and chiyuv, buys and sets up Seudah Shlishis each week, sits on the board of directors and locks up the shul each night. For over 10 years, he does it all, notwithstanding his demanding position as Loan Officer for Meridian Capital, one of the largest Mortgage Brokers in the country.

A talmid of Ner Yisroel, Eli's personal avoda reflects equal dedication. It is unheard of for him to miss his early Daf Yomi. Together with Chedva, they share an uncanny ability to make everyone comfortable, traversing all community sectors and ages. Recently, a young man felt reassured enough to open up to Eli about a misunderstanding with his Rebbe. Eli's insight and empathy helped the teen mend the rift, prompting the Rebbe to remark that such helpful advice must have come from an exceptional advisor.

Like her husband, Chedva pursues shalom and chesed. Active in her children's schools and shul functions, her main priority remains always being vigilant about the feelings of others by seeing everyone in a positive light. Her soft-spoken, friendly and unassuming manner belies how much she actually accomplishes, often anticipating needs before being asked. Nothing is too difficult—extra driving, rearranging her schedule, full course dinners for neighbors in need and of course, quality time for each of her children. As Rabbi Pechter describes, "The respect and warmth they afford to everyone is unparalleled." This type of humility, honesty and gentle demeanor make their son Lippy a pleasure to have as a talmid at Ohavei Torah as well.

Both Eli and Chedva's parents model the midos that make their children and grandchildren so well-liked. Eli's parents have upheld the tzarhei tzibor in LA for 50 years: Barbara Treitel as the beloved Hebrew reading specialist at Yavneh Hebrew Academy, now teaching her third generation and Stanley Treitel who tirelessly works on multiple political projects and community affairs on behalf of Klal Yisrael. Chedva's parents, Reuben & Sandra Botnick, noted attorney and real estate broker, respectively, are part of the founding family of Toronto's orthodox community.

Eli and Chedva's children are a great source of pride to their family and community: Lippy, a senior at YOT, Rachaeli, a freshman at Ateres Bais Yakov in Monsey and Michal and Chaim, who attend Yeshiva of Spring Valley. Just as the Treitel Family carries the responsibilities of the community, may the merit to carry their Keser Shem Tov with overflowing brocha, ad meah v'esrim shana.

I proudly join with Yeshiva Ohavei Torah in honoring this wonderful couple.

A TRIBUTE TO HANNAH
JORGENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. LATHAM. Mr. Speaker, I rise today to honor and congratulate Hannah Jorgensen, a 13-year-old, 4-H'er of Adair, Iowa, who has been named the state's top middle school youth volunteer for 2012 by the Prudential Spirit of Community Awards.

The Prudential Spirit of Community Awards program is our country's largest youth recognition program based entirely on volunteer community service. Since 1995, 345,000 American youths have participated in this program, with only 102 state honorees chosen each year. Hannah's path to this prestigious award began with her efforts through Reach Out Iowa, a federally funded grant that supports young people who benefit their local communities through service. To accomplish this goal, Hannah worked with her peers to create and provide pillowcases and care packages for the emergency homeless shelter, MICA House in Council Bluffs, Iowa. Hannah felt the MICA House mission of "providing a safe, secure and nurturing environment for families and single women who are experiencing the crisis of homelessness" was the perfect partner to assist in her efforts. Shortly after working with the children of MICA House, Hannah quickly made plans to do much more than she originally had planned.

Through her efforts with MICA House, Hannah discovered that the facility was sorely in need of books for children, most notably educational books related to agriculture. Hannah made it her personal mission to raise enough money to donate a total of 500 books to be split between MICA House and the inner-city schools she would visit while in Washington, D.C. Hannah persuaded the members of the Corn & Soybean Association of Adair County to reach into their own pockets, as well as recruit the help of the Iowa Corn Growers Association and the Iowa Soybean Association to raise a total of nearly \$1,000. With this support, Hannah doubled her initial goal and sent each location a total of 500 new children's books to be read and enjoyed for years to come.

Mr. Speaker, it is with great pride that I recognize and applaud Miss Jorgensen for her sincere dedication to positively impact the lives of others in her community and beyond. Hannah's commitment to a cause greater than herself is a testament to the high-quality character and unwavering work ethic instilled in Iowans both young and old. I know I speak for all of my colleagues in the United States Congress in congratulating Hannah, thanking her supportive family, and thanking all of those involved in this wonderful project for their life-changing efforts both at home in Iowa, and in our nation's capital.

HONORING ILLINOIS AIR NATIONAL GUARD TECH. SGT. JACOB CURTIS, RECENTLY NAMED A 2012 AIR NATIONAL GUARD AIRMAN OF THE YEAR

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Tech. Sgt. Jacob Curtis, of the Illinois Air National Guard, who was recently selected as a 2012 Air National Guard Outstanding Airman of the Year.

Tech. Sgt. Jacob Curtis, of Fairview Heights, Illinois, serves with the Illinois Air National Guard 126th Air Refueling Wing's Security Forces Squadron at Scott Air Force Base. He recently received a phone call from Maj. Gen. William L. Enyart, the Adjutant General of the Illinois National Guard, to notify him that he was named one of the 2012 Air National Guard Outstanding Airmen of the Year, the highest national achievement the Air National Guard has to offer.

Tech. Sgt. Curtis will now be in the running to be one of the Air Force's 2012 Twelve Outstanding Airmen of the Year, and he has already received numerous awards in his military career. He was named the NCO of the Quarter in 2011, Squadron NCO of the Year in both 2008 and 2011, Mission Support Group NCO of the Year in 2011, and 126th Air Refueling Wing NCO of the Year in 2011.

Col. Peter Nezamis, commander of the 126th Air Refueling Wing, called Tech. Sgt. Curtis a "gifted and giving professional" and made reference to his family's sacrifice for their country as they have endured numerous overseas deployments. Curtis has recently returned from a 6 month deployment in support of Operation Enduring Freedom.

During his deployment in Afghanistan, while at Bagram Airfield, Tech. Sgt. Curtis took decisive action when a nearby building was hit by indirect enemy rocket fire. There were several casualties and Curtis, the first to reach the scene, saw that one Airman had suffered a broken leg that had lacerated his femoral artery. Curtis tied a tourniquet around the Airman's leg and stayed with him until medical personnel arrived.

In addition to this act of heroism, Curtis was also recommended for this award because of his "dedication to duty, superior knowledge, and unwavering volunteerism."

Mr. Speaker, I ask my colleagues to join me in honoring Tech. Sgt. Jacob Curtis on being named a 2012 Air National Guard Outstanding Airman of the Year, and in wishing him and his family the very best in the future.

REMEMBERING UNITED STATES ARMY STAFF SERGEANT DAVID NOWACZYK

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with immense sadness and great respect that I rise to

remember Staff Sergeant David P. Nowaczyk for his bravery and willingness to fight for his country. Sergeant Nowaczyk was assigned to A Company, 2nd Battalion, 12th Infantry Regiment, 4th Brigade Combat Team, 4th Infantry Division, out of Fort Carson, Colorado. While serving on his third tour in Afghanistan, Sergeant Nowaczyk was killed when his vehicle struck an enemy improvised explosive device in Kunar Province, Afghanistan.

David Nowaczyk, from Dyer, Indiana, graduated from Lake Central High School in 1997, where he was a member of the wrestling and football teams. Later, in September 2005, he enlisted in the Army. Throughout his career, Sergeant Nowaczyk earned several medals, honors, and commendations for his service, including: a National Defense Service Medal, a Global War on Terrorism Expeditionary Medal, an Army Service Ribbon, two Army Commendation Medals, two Bronze Stars, and the Purple Heart, awarded posthumously.

Friends describe David as a loyal, kind man who would be willing to do anything for the people in his life. His family describes him as a good son and a great father who was willing to drop anything to be there for his family. Residents in the community are remembering Sergeant Nowaczyk as a dedicated warrior and a true American hero. Sergeant Nowaczyk leaves behind a beloved host of family and friends. He is survived by his devoted wife, Rachel, his adoring daughter, Kiley, and his loving stepson, Conner. David also leaves to cherish his memory his dear mother, Patti, and proud father, Andrew. He will also be greatly missed by his sister, Megan, with whom he was very close. Sergeant Nowaczyk also leaves behind many other friends and family members, as well as a grateful, yet deeply saddened community.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring a fallen hero, United States Army Staff Sergeant David Nowaczyk. Sergeant Nowaczyk sacrificed his life in service to his country, and his death comes as a great loss to our nation, which has once again been shaken by the realities of war. Sergeant Nowaczyk will forever remain a hero in the eyes of his family, his community, and his country. Thus, let us never forget the sacrifice he made to preserve the ideals of freedom and democracy.

HANOVER TOWNSHIP POLICE DEPARTMENT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to honor the Hanover Township Police Department, which will celebrate its 100th anniversary on May 14, 2012.

Hanover Township was founded in 1770 by Captain Lazarus Stewart who fought for Connecticut against the Pennsylvanians in the Wyoming Valley. For his services, Captain Stewart and his company of 40 men were granted the tract of land which became Hanover Township. Captain Stewart named the town after his hometown of Hanover in Dauphin

County. In the 1820's, coal was discovered and by 1838, mining became a leading industry in the area. However, prior to the 1900's Hanover Township had very little in the way of municipal services.

Therefore in 1912, the Hanover Township Commissioners established a paid police force to secure the safety of persons and property within Hanover Township. The first force consisted of six officers and was led by Police Chief James H. Campbell. Today, there are fourteen officers, eight cruisers and a K-9 unit which provide for the safety of Hanover Township residents under the leadership of Police Chief Albert Walker.

Mr. Speaker, for the last 100 years, the Hanover Township Police Department has proudly served the citizens of Hazleton, Pennsylvania. Therefore, I commend all those officers who have dedicated their lives to protecting their community and to all those who have gone on to their eternal rest.

TRIBUTE TO JOHN GIBSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a community leader and a good friend who is being honored for his service by Rock Hill Baptist Church in Saluda, South Carolina on May 12, 2012. Mr. John Gibson, who will be 92 years old later this month, has been an active member of the Saluda County community for most of his life. He is very deserving of this recognition.

John Gibson was born to the late Eddie and Mae Bell Dozier Gibson on May 26, 1920. He is the oldest of six children. He was educated in Florida public schools, and then graduated from one of the first Rosenwald Schools in South Carolina—Cane Brake in Saluda.

Following graduation, Mr. Gibson joined the Army. After entering civilian life, he worked at Fairfield Tractor Company in Columbia until his retirement. In retirement he has enjoyed his hobbies of fishing and gardening.

Throughout his life, Mr. Gibson has been dedicated to his community. He is life member of the NAACP. He has been a faithful member of the Friendship Union and the Ridge Hill Education Association. Mr. Gibson is a member of Peerless Lodge #214 and is a Master Mason.

He is also very dedicated to his church, Rock Hill Baptist Church. He served as Vacation Bible School Director and Sunday School Superintendent. He is also very involved in the church's Bible study groups, and currently serves as Deacon Emeritus.

In 1940, he married Lois Williams, and they were blessed with four children. He also has five grandchildren and one great-grandchild.

Mr. Speaker, I ask you to join me in congratulating John Gibson on a life well lived. He is an important unsung hero that has selflessly served his country and his community. I applaud the community for recognizing his many contributions and honoring him in this wonderful way.

HONORING REAR ADMIRAL (RADM) THOMAS F. ATKIN FOR HIS SERVICE IN THE U.S. COAST GUARD

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to recognize a leader and constituent for his extraordinary service in the United States Coast Guard. Rear Admiral (RADM) Thomas F. Atkin served his country for 34 years in the Coast Guard and on July 1st, RADM Atkin will retire as the Assistant Commandant for Intelligence and Criminal Operations at Coast Guard Headquarters. We all owe him a debt of gratitude for his extraordinary commitment to service and to our country.

RADM Atkin distinguished himself throughout his career in the fields of law enforcement, tactical border security operations and intelligence. As a Coast Guard Flag Officer, he served in multiple key leadership positions where he was responsible for directing homeland security and homeland defense policy. RADM Atkin's positions included serving as Chief of both the Maritime Homeland Security and Defense Policy in the Office of the Secretary of Defense, and the Counterterrorism Division in the Chief of Naval Operations Office. Additionally, RADM Atkin played extremely large roles in overseeing a number of significant operations. While serving as the first Commander of the Coast Guard's Deployable Operations Group, RADM Atkin was the driving force behind the development of the 3,000-member Deployable Specialized Forces, which provided some of the most advanced law enforcement, disaster response, and anti-terrorism and counter-terrorism capabilities to the Coast Guard and the Nation. He also served with distinction as the Deputy Principle Federal Official in the aftermath of Hurricanes Katrina and Rita, where he guided life-saving response and relief efforts. RADM Atkin's efforts after these massive disasters were critical in recovery, not only for the Gulf Region, but also for the Nation as a whole. His other Flag Officer assignments included Assistant Commandant for Operational Planning and Policy and acting Assistant Commandant for Maritime Safety, Security and Stewardship.

In addition to his remarkable operational achievements, RADM Atkin also devoted himself to the Coast Guard leaders of the future through his commitment as a mentor, football and lacrosse coach, and mathematics instructor at the Coast Guard Academy. These extraordinary accomplishments reflect just a small portion of RADM Atkin's distinguished 34-year career in the service of his country.

The son of Nancy and Lawrence Atkin (CAPT, U.S. Navy, retired) and native of Duncanville, Texas, RADM Atkin is a graduate of the United States Coast Guard Academy, where he earned a Bachelor of Science degree in mathematical sciences. He also earned a Master of Science degree in management science from the University of Miami. He has two sons, Levi and Joseph.

RADM Atkin's other operational assignments included Commanding Officer, Tactical Law Enforcement Team (TACLET) North in Chesapeake, VA; Commanding Officer,

TACLET Gulf in New Orleans, LA; Operations Officer, TACLET Seven in Miami, FL; Navigator, Coast Guard Cutter ALERT in Cape May, NJ; Deputy Group Commander in New Orleans, LA; and Coast Guard Liaison to Joint Task Force One Six Zero at the U.S. Naval Base in Guantanamo Bay, Cuba. His staff assignments included Chief, Office of Law Enforcement and Intelligence for the Eighth Coast Guard District, New Orleans, LA and Fisheries Enforcement Officer for the Eighth Coast Guard District, New Orleans, LA. His personal military awards include multiple awards of the Coast Guard Distinguished Service Medal, the Legion of Merit, the Meritorious Service Medal and the Coast Guard Commendation Medal.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the incredible career of Rear Admiral Thomas F. Atkin. We must always honor those who devoted their lives to serving our country. I am extremely proud to have him as a constituent, and I cannot thank him enough for everything he has done to protect our freedom.

HONORING DR. HOWARD COHEN
AND PATRICIA COHEN

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. VISCLOSKEY. Mr. Speaker, it is with profound respect and sincere appreciation that I rise once again to recognize two of Northwest Indiana's most charitable citizens, and two dear friends, Dr. Howard Cohen and his wife, Patricia. Throughout the years, Howard and Patti have been recognized many times for their contributions to the Northwest Indiana community. On Tuesday, May 15, 2012, Dr. and Mrs. Cohen will be honored by the Rotary Club of Hammond, Indiana as the 2012 recipients of the Heinze Vocational Service Award, a recognition bestowed annually upon individuals exhibiting outstanding leadership qualities and a commitment to community service.

It would be impossible to speak of the great contributions of Patti and Howard to Northwest Indiana without boasting of the immense impact both have had at Purdue University Calumet (PUC) in Hammond. Fittingly, the event at which they will be lauded for their outstanding leadership will take place at the university, where Howard served as Chancellor from 2001 until his retirement in 2011. Under Howard's leadership, PUC's expansion was remarkable, and his commitment to the university continues today. During his tenure, students at PUC witnessed the construction of the Academic Learning Center, as well as the establishment of nine centers and institutes focused on applied research. Student housing, which had previously not existed at PUC, was also added to the campus during that time. While these visible additions to the school are quite impressive, it is Howard's commitment to raising academic standards, expanding the educational curriculum, and exposing students to a system of instruction that translates far beyond the walls of a classroom that are the true testament to his leadership.

Without question, Patti Cohen shares responsibility for these achievements and the

progress that was made over the last decade. Patti has represented PUC on trips to universities in countries throughout the world including: China, Poland, Spain, Oman, and Costa Rica. She was also instrumental in promoting the university and creating a welcoming atmosphere for students, parents, and visitors. Patti also served on numerous committees and was active in the planning and hosting of many campus and community events.

In addition to their outstanding contributions to Purdue University Calumet, Patti and Howard Cohen are also to be commended for their dedication to the entire Northwest Indiana community. With the same dedication, they have served the people of Northwest Indiana through their involvement in local organizations and their service on various boards. Although their efforts encompass many different aspects of society, all contribute to one central goal: the improvement of the quality of life for the people of Northwest Indiana and beyond.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in congratulating Howard and Patti Cohen on being named the 2012 recipients of the Heinze Vocational Service Award by the Rotary Club of Hammond, Indiana. Leaders in the truest sense of the word, their selfless commitment to their community is to be commended, and they are most deserving of this prestigious honor.

HONORING MR. AIME KALANGWA

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mr. Aime Kalangwa, a remarkable individual who has been an inspiration in the Miami community.

Aime is an 18 year old refugee originally from the Democratic Republic of Congo. An ongoing civil war in his country left him, and his brother, orphaned by the age 15. Being the only survivors from their family they attempted to find political asylum in neighboring countries. Eventually they found refuge in the United States, and were brought to Miami in January of 2011.

After arriving in the United States, Aime and his brother were adopted by Stephen and Melissa Kepper, constituents of Florida's 21st District. The Kepper's themselves are extraordinary individuals, whose dedication to children is unmatched. Not only did they adopt Aime and his brother, but they also adopted two children from Florida's foster care system. In August of 2011 Aime and his brother moved into their new home, and Aime shortly began his senior year of high school. During this time he had to overcome many cultural and language barriers, and worked daily with his tutors to pass his classes and learn English.

One of Aime's hardest classes to learn was American history. His tireless efforts were enriched on a recent trip to Washington, DC where he received a tour of the U.S. Capitol building from Jay Pierson of the Speaker's office, and visited numerous other museums and national landmarks. His hard work did not go unnoticed and towards the end of his senior year Aime received an award for Outstanding Achievement in American History at

his Senior Awards Night. He will also be receiving his diploma on June 3, 2012.

Aime now plans to attend Broward College to study Criminal Justice. When he graduates from the refugee program at 22 years old he has the possibility of obtaining U.S. citizenship. Aime has grown from an orphan in the Democratic Republic of the Congo to hopefully becoming a U.S. citizen in the very near future. He is the epitome of the American dream, and an inspiration to us all.

Mr. Speaker, I am honored to pay tribute to Mr. Aime Kalangwa and I ask my colleagues to join me in recognizing this outstanding individual.

IN HONOR OF LUKE STANTON
NACHBAR

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. FARR. Mr. Speaker, I rise today to recognize the dimming of a great light in our community. Luke Stanton Nachbar was a loving husband and father and a vibrant spark for all those around him. He died last week of cancer at the young age of forty six. His departure tears a hole in the fabric of the Monterey Bay Area community that I represent here in Congress. While we all recognize the pain and loss felt by his family, especially his young children, and wife, we will also feel his loss in the public life of many communities.

I first met Luke in 1996 when he came to my Washington, DC, office as a freshly minted Monterey Institute of International Studies graduate and returned Peace Corps volunteer on a Sea Grant fellowship looking for a job. Lost in the mists of time are the exact reasons why we made the mistake of not hiring him. But he soon landed a prime position with the office of New Hampshire Senator Judd Gregg. That job ultimately led the National Oceanic and Atmospheric Administration to tap him as a specialist in Congressional Affairs for the Policy, Planning and Analysis division of NOAA's National Ocean Service based in Monterey. In true Luke Nachbar fashion, he convinced his management that that he could best accomplish the job from Monterey rather than Silver Spring. So Luke was able to build a career in national ocean policy while raising his children with his wife on the central coast on Monterey Bay.

Everybody who knew Luke recognized his expansive and cheerful personality. He was ever the optimist, which translated professionally into an unwavering can do attitude—always an asset when dealing with Congress. Personally, his optimism translated into support for the Detroit Tigers and love of poker. One could never fail to notice his presence in a room. He always made the company around him more cheerful.

The greatest tragedy of Luke's early death is his children's loss of their father. Quinn, Flint, and Rainn were the center of Luke's life. No words can make up for their loss but I hope they never forget one important lesson that Luke epitomized—one person can make a difference and make the world a better place. I also want to offer my own personal condolences to Luke's wife, Seaberry Nachbar.

Mr. Speaker, I know I speak for the whole House in expressing gratitude for the public

service Luke Nachbar gave to his country and community and to share with his family and friends our deep sense of loss.

IN RECOGNITION OF THE RETIREMENT OF GENERAL ANN E. DUNWOODY

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BROOKS. Mr. Speaker, I would like to pay tribute to General Ann E. Dunwoody, Commanding General, U.S. Army Materiel Command, on the occasion of her retirement following 37 years of exemplary service to the United States Military. Being from Huntsville, Alabama, home to Redstone Arsenal and U.S. Army Materiel Command and as a Member of the House Committee on Armed Services, I have had the honor of knowing General Dunwoody and witnessing her patriotism and dedication to this great Nation.

General Dunwoody's service is marked by many firsts. She is the 82nd Airborne Division's first female battalion commander, she is Fort Bragg's first female general officer, she is the Combined Arms Support Command's first female commander, she is our Nation's first female four-star general, and she is the U.S. Army Materiel Command's first female commander. These historic achievements forever mark General Dunwoody as a true pioneer.

General Dunwoody's many stellar achievements in uniform, including her deployment to Saudi Arabia with the 82nd Airborne in the Persian Gulf War, are a tribute to her character and ability, but she is admired most for her compassionate leadership and for the steadfast courage she has shown in the defense of our Nation. General Dunwoody is, first and foremost, a proud, fourth-generation U.S. Army Soldier.

As General Dunwoody and her husband, Colonel Craig Brotchie (U.S. Air Force, Retired), begin the next phase of their lives, I want to express, on behalf of the American people, the warmest regards and heartfelt gratitude of the Nation for all that they have done and all that they are.

On behalf of all those touched by her service, we wish General Dunwoody good luck, good ground, and Godspeed. Army Strong!

JIM BERK

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BERMAN. Mr. Speaker, I along with Representative BASS of California are pleased to pay tribute to Mr. Jim Berk for his outstanding contributions to young people and education in the arts in our community.

Mr. Berk began his impressive career in public education at the age of twenty-one as a music teacher at Carson High. He reopened Carson's music department and quickly built it into one of the largest programs in the State of California. When he left Carson High, Jim went to Alexander Hamilton High School in Los Angeles. Together with a committed group

of educators, teachers, and parents, Jim founded the Hamilton High School Academy of Music, which is now the largest comprehensive performing arts magnet program in the western United States. The Music Academy is now a treasure in our school system. For 1,000 students every year, it is a special place with a richly diverse campus that provides world class arts education that transforms lives.

Mr. Berk's commitment to the students of Hamilton High deepened when he was appointed Principal of the Alexander Hamilton High School Complex in 1990. He became the youngest principal in the history of the Los Angeles Unified School District, and in that position he instituted an interdisciplinary curriculum combining both academic studies with the arts. During his tenure, an astounding 96 percent of graduating seniors at Hamilton went on to pursue higher education, attendance improved an impressive 22 percent, hitting 94 percent overall, and the schools rating jumped from the 34th percentile to the 81st in state assessment scores.

This year, Hamilton High's Academy of Music is celebrating its 25th year. At a time when so many arts and music programs in public schools are struggling, the community of support that has grown around Hamilton's program is working to ensure that it has the resources it needs to continue in its proud tradition of excellence. In the 25 years since Jim Berk helped to make the Academy of Music a reality, it has maintained a reputation as a crown jewel of public arts education, even as he has carried his skills and dedication to other endeavors.

Mr. Berk's long-standing commitment to our public schools was only the start of his many contributions to our community and to the arts. As the founding executive director of the National Academy of Recording Arts & Sciences Foundation, he helped to shape the Foundation's commitment to cultivating an understanding and appreciation of the contribution that recorded music has made to American culture through musical events that engage the recording community, as well as the general public. Mr. Berk later became President and CEO of Hard Rock Café International where he also served as CEO of the Hard Rock Foundation. Through the Foundation Mr. Berk helped to provide education, social action grants, and thousands of hours of volunteer services to local charities and schools.

Mr. Berk continues to make a difference in the community through his current position as CEO of Participant Media, an entertainment company that focuses on socially relevant, commercially viable feature films, documentaries, television, and digital media. During Mr. Berk's tenure, Participant Media launched TakePart.com, a social action website that hosts an extensive network of cause-related sites covering an array of social issues as well as ways for individuals to take action. The company has also invested in Me to We, a social enterprise which promotes a socially responsible, globally-focused approach to living for young people who want to help change the world through their daily choices as consumers.

Mr. Speaker and distinguished colleagues, we ask you to join us in recognizing Jim Berk for his years of service and dedication to arts education and our community.

IN RECOGNITION OF THE MOBILE
TURKISH COFFEE HOUSE PROJECT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Mobile Turkish Coffee House, currently touring the East Coast to promote friendship between Turkish and American people. Led by Gizem Salcigil White, this all-volunteer, non-profit project has decorated a food truck with images of Turkey and is travelling to Washington D.C.; Baltimore, Maryland; New York City; New Haven, Connecticut; and Boston, Massachusetts to share free Turkish coffee with Americans in order to facilitate "coffee conversations" between Turkish and American people.

The United States of America and the Republic of Turkey have close diplomatic ties and they cooperate on many issues. The Mobile Turkish Coffee House project is promoting awareness of this friendship through fun cultural events. In addition to sharing free coffee, the Mobile Turkish Coffee House is hosting educational events throughout the East Coast. The events feature expert lectures and free tastings followed by short role-plays that reflect Turkish traditions and values.

Turkish coffee is world-renowned. This unique coffee was recently submitted to UNESCO's World Heritage list by the Republic of Turkey's Ministry of Culture and Tourism as a cultural inheritance that should be protected. The Ottoman Empire brought coffee to Europe, from which it made its way to the United States. Both Americans and Turkish people enjoy coffee; through this project both peoples can learn more about our shared history.

Mr. Speaker and colleagues, please join me in congratulating Gizem Salcigil White and all the volunteers who have made The Mobile Turkish Coffee House a reality. As they spread their message of good will, we recognize their spirit of friendship and commend them for their efforts to promote peace and international camaraderie.

CELEBRATING TAIWAN'S PRESIDENT MA YING-JEOU'S SECOND INAUGURATION

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to celebrate Ma Ying-Jeou's second inauguration as president of the Republic of China (Taiwan) on May 20, 2012. I am honored to celebrate President Ma Ying-Jeou's second inauguration because of his diplomacy skills, work on improving the relationship between Taiwan and mainland China, and efforts to reduce crime along the Taiwan Strait.

Since President Ma Ying-Jeou took office, his pursuit of an open society is evident. Many of the world's great religions are openly and enthusiastically practiced in Taiwan. These denominations include Buddhism, Taoism, Chris-

tianity and many more. Labor unions, NGOs and various activist groups are also free to operate in Taiwan. Taiwan is, further, home to many languages, dialects and cultures from across Asia.

For Taiwan, the fifth direct presidential election on January 14, 2012, is a milestone. This election is testament to Taiwan's embrace of democracy. Under President Ma Ying-Jeou's time in office, Taiwanese citizens finally experience and exercise democracy. Taiwan is a shining example not only for Asia but for the entire world.

Mr. Speaker, I am proud to recognize President Ma Ying-Jeou's second inauguration, and ask my colleagues to join me in congratulating President Ma on his second inauguration and honor him for the lasting influence he has made on Taiwan.

IN REMEMBRANCE OF OLGA
"BETTY" DOUGHERTY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Olga 'Betty' Dougherty, a dedicated civic activist in Lakewood, Ohio, and a volunteer to the Democratic Party and Democratic candidates in Northeast Ohio.

Born on October 8th, 1917, in Ashtabula, Ohio, Olga Tratnik, was known as Betty. In her early 20s, Betty worked as a housekeeper before landing a job at General Electric until she retired.

Betty was a passionate volunteer, working with many different organizations to improve the world around her. She was with the St. Clair Superior Coalition for 20 years. She was a longtime member of the Lakewood Democratic Club. Following her retirement, in the early 1990s, Betty became more politically involved and began volunteering for Democratic Cleveland City Council candidates in her ward. She eventually worked her way into larger races and was an avid volunteer for Ohio State Representative Mike Foley, Ohio State Senator Michael Skindell and myself.

In 1997, during my first term in Congress, Norfolk Southern announced its plan to triple the number of freight trains along the track through Lakewood as part of its acquisition of Conrail. Betty was then living in the Westerly apartments near my Lakewood District Office. She was active in opposing the merger because of the effect the increased freight levels would have on the safety of the people of Lakewood and surrounding communities. Betty and several other seniors who lived in the Westerly began a daily count of the number of trains, contradicting NS's contention that there were only 13 trains a day as there was in 1995. Known as the "Senior Monitors," Betty and her colleagues reported their train counts at every meeting of the people organized to oppose to the merger. Often the Senior Monitors' numbers were much higher than Norfolk Southern's, in the 20-24 range. The Senior Monitors' data was significant in helping me and the local communities negotiate the historic cap on the number of trains at the 1995

level, rather than a higher number based on 1997 numbers. Thanks to Betty's help and so many others working with her to protect safety in Lakewood, that cap of 14 trains per day on the Nickel Plate Line through Lakewood, Rocky River and Bay Village, is in effect today.

Betty was also a world traveler and joined travel groups where she would be paired up with another single lady on adventures all over the world. Throughout her travels she collected hundreds of recipes and enjoyed hosting her friends and neighbors for dinner parties.

Mr. Speaker and colleagues, please join me in honoring the great life and achievements of Betty Dougherty.

HONORING THE LIFE OF FRANK
MOTTA, A DEDICATED SAMARITAN
AND PUBLIC SERVANT

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, it is with great sorrow that I rise today to honor the life Frank Motta, a Good Samaritan who paid the ultimate price for helping his community. Frank—known in eastern Washington as a man who would stand up for what was right no matter the cost—passed away in March after being assaulted while trying to break up an underage drinking party. His legacy of utmost care and concern for others will be remembered and sorely missed by the community.

Frank, a Vietnam veteran, served in the United States Air Force from 1964-1968, receiving an Honorable Discharge as well as 2 Presidential Unit Citations, 2 Outstanding Unit Awards, and 2 Vietnamese Crosses for Gallantry. He continued his service to the country by taking a prominent role in Central Washington youth education, working for over 30 years as an English teacher, football coach, principal, and assistant superintendent. He received degrees and certifications in education from California State University at Fullerton, Azusa Pacific University, Washington State University, and Central Washington University. One of his greatest honors was receiving the Young Educator of the Year Award from the Othello High School in 1979, which recognized his tremendous service to the youth of Central Washington.

After retiring from his education career, Frank continued his service as a volunteer in the Spokane VA. His compassion and concern ultimately earned him a full-time position. His coworkers remember him as a man with an unwavering commitment to serve those who served us, saying he's had a true impact on every employee in the hospital.

While we mourn the loss of this dedicated servant and everyday hero, it is with great joy that we remember his life of commitment to others. We are honored to have had such a tremendous man as a part of our community, and ask that his passing serve as a reminder to us all that we are meant to live for one another, and a life built around dedication to others is a life truly lived. May he live on in the heart of service everywhere.

IN REMEMBRANCE OF FORMER
STATE REPRESENTATIVE, REV-
EREND MICHAEL DEBOSE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of former state representative, Reverend Michael DeBose.

A lifelong resident of Cleveland, Ohio, Rev. DeBose graduated from Urban League Street Academy and Cleveland State University. He also studied at Myers College and the Moody Bible Institute. He began his professional career with the Cuyahoga Metropolitan Housing Authority and City of Cleveland. He eventually went to work for the Cuyahoga County Sanitary Engineer Department as a building and grounds superintendent and vehicle maintenance supervisor.

In 2002, Rev. DeBose began serving as a Member of the Ohio House of Representatives from the 12th District, representing the areas of Garfield Heights, Maple Heights, Cleveland Wards 1 and Ward 2, as well as part of Cleveland Ward 3. He was an avid advocate for raising the minimum wage and promoting cancer screenings. He served as State Representative for four consecutive terms until he reached the term limit at the end of 2010.

In addition to his civil service, Rev. DeBose was an active member of the Greater Cleveland community. He was a member of the Cleveland School Board and was essential to the establishment of the Cleveland School of the Arts' parent-teacher association. Rev. DeBose was also an associate pastor at Zion Chapel Missionary Baptist Church and served as chaplain for the Ohio Legislative Black Caucus.

I offer my condolences to his wife, the former Cheryl Ann Andrews; children, Shalimar Keyhan DeBose, Michael Kareem DeBose II and Krystal Keyhan DeBose; three grandsons; four brothers and four sisters.

Mr. Speaker and colleagues, please join me in remembering the late Reverend Michael DeBose.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mrs. MALONEY. Mr. Speaker, on April 26, 2012, I missed votes on various amendments to and final passage of H.R. 3523, the Cyber Intelligence Sharing and Protection Act.

On the Langevin amendment, rollcall No. 184, which would expand eligibility to participate in the voluntary information sharing program created in the bill to include critical infrastructure owners and operators and ensure that all critical infrastructure entities are able to receive vital cybersecurity information and better secure their networks against cyberthreats, I would have voted "yea."

On amendments including rollcall Nos. 185, 186, 187, 188, 189, and 190, I would have voted "yea."

On the Democratic Motion to Recommit, I would have voted "yea," and on final passage of H.R. 3523, I would have voted "no."

I strongly support efforts to improve information sharing among the various stakeholders critical to keeping Americans safe from cyber threats, but not at the expense of our civil liberties. This legislation does not effectively protect privacy and ensure that Americans' rights are upheld.

IN HONOR OF THE VIETNAMESE
COMMUNITY OF CLEVELAND AND
THE 37TH ANNIVERSARY OF THE
FALL OF SAIGON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance and recognition of the 37th anniversary of the fall of Saigon. This historical date commemorates the end of the Vietnam War, and represents the beginning of a new life for tens of thousands of Vietnamese people, as they began their hopeful journey to America.

On April 30, 1975, the ancient city of Saigon fell to the conquest of communist troops. This action solidified the communist takeover of South Vietnam. Thirty-seven years later, I rise to honor the memory and sacrifice of the hundreds of thousands of South Vietnamese soldiers, American soldiers and civilians who made the ultimate sacrifice in the name of liberty.

Despite the violent takeover and the rule of repression that followed, the culture, spirit and hope reflected by the Vietnamese people remained steadfast. After the fall of Saigon, thousands of Vietnamese, determined to rebuild their lives, began a treacherous exodus out of Vietnam. Their daring escape was on foot, through thick jungles and over jagged mountains. They escaped by boat, through snake-infested rivers and across turbulent seas. They became refugees in many nations, including America, with nothing more than the clothes on their backs and the hope for freedom in their hearts.

Mr. Speaker and colleagues, please join me in honoring and remembering the hundreds of thousands of men and women who struggle for peace and freedom, then and now. We also honor agencies and churches such as The Vietnamese Community of Greater Cleveland and St. Helena Catholic Church, which offer havens of support, services and hope to immigrants from all over the world. The Vietnamese culture, through the care and commitment of its people, has flourished in Cleveland and across America, yet remains forever connected to its ancient cultural and historical traditions that spiral back throughout the centuries, connecting the old world to the new, spanning oceans and borders in the ageless quest for peace—from Vietnam to America.

COMMEMORATING THE CENTEN-
NIAL OF THE BIRTH OF RAOUL
WALLENBERG

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize the heroic actions of

Raoul Wallenberg, a Swedish citizen and diplomat, who, together with other courageous individuals, helped 100,000 Hungarian Jews escape Nazi authorities during World War II. As we continue to honor the memories of all those who suffered and perished during the Holocaust, we cannot forget the extraordinary men and women who risked their very own lives to take a stand against injustice and save their fellow man. This year marks the centennial of Wallenberg's birth, and although his ultimate fate remains unknown, we must ensure that this and future generations know of his great deeds.

Wallenberg was born on August 4, 1912 in Lidingö, Sweden, to a prominent Lutheran family. He studied architecture at the University of Michigan in Ann Arbor, and graduated with honors in 1935. The following year, Wallenberg went to work at a bank in Haifa, Palestine, and was deeply moved by the stories of Jews who had escaped Nazi persecution in Germany. After returning to Sweden, he became associated with Koloman Lauer, a Hungarian Jew who owned an import and export firm. Wallenberg traveled freely through Germany, Nazi-occupied France, and Hungary, where he witnessed the plight of European Jews firsthand.

On March 19, 1944, Hitler invaded Hungary and began a massive deportation of Hungary's estimated 700,000 Jews to the concentration camp Auschwitz-Birkenau. Earlier that year, President Franklin Delano Roosevelt established the War Refugee Board in order to help Jews and other groups persecuted by the Nazi and Axis powers. Working together with the Swedish government and prominent Swedish Jews, including Lauer, the War Refugee Board sought to send a special envoy to Budapest to rescue as many Hungarian Jews as possible. Wallenberg, then only 31 years old, was appointed first secretary at the Swedish Legation in Budapest with full diplomatic privileges and the financial support of the War Refugee Board.

Wallenberg used all means necessary to protect Jews from the German and Hungarian authorities, employing several hundred Jews under the protection of the Swedish Legation, redesigning the so-called "Schutzpass," and securing approximately 15,000 such protective passes. On October 15, 1944, the fascist Arrow Cross Party seized power in Hungary and installed a pro-Nazi regime that terrorized, deported, and murdered tens of thousands of people. Still, Wallenberg remained in Budapest to continue his efforts and established "Swedish Houses," which served as places of refuge for over 25,000 Jews.

On November 20, 1944, Adolph Eichmann began the "death marches," the deportation of thousands of starving and tortured Jews by foot along the 125-mile-long road between Budapest and the Austrian border. Wallenberg directly confronted German soldiers along the way in order to provide protective passes, food, and medicine to Jews. In January 1945, he saved the remaining Jews living in Budapest's largest ghetto from massacre with the help of Pál Szalay, an Arrow Cross senior official.

When the Russian army arrived in Budapest on January 17, 1945, Wallenberg disappeared after being taken into Soviet custody. He was reportedly imprisoned in Lubyanka prison in Moscow, and died on July 19, 1947 from a heart attack. However, reports from former Soviet prisoners as recent as 1981 suggest that

Wallenberg may have survived after 1947, and his fate remains shrouded in mystery to this day. He has since become the subject of numerous humanitarian honors, including that of Yad Vashem's "Righteous among the Nations;" has been named an honorary citizen of the United States, Canada, and Israel; and has been memorialized through countless monuments, statues, works of art, social institutions, and street names around the world.

Mr. Speaker, Raoul Wallenberg and his colleagues in the Swedish Legation saved at least 100,000 Jews in Hungary from extermination, including the late Congressman Tom Lantos and his wife Annette. As we celebrate the centennial of Wallenberg's birth, let his story inspire and embolden our ongoing efforts to bring an end to discrimination and hate-inspired violence in our communities through greater leadership and cooperation among all peoples.

IN RECOGNITION OF MAGOS
HUNGARIAN FOLK BAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Magos Hungarian Folk Band, and welcome them to Cleveland, Ohio, for their performance at St. Emeric's Church Hall on April 29, 2012.

The Magos Band's philosophy is to learn and present Hungarian folk music in its archaic form and perform it to the young generation. Their music is classified as *Táncház*, drawing inspiration from the Carpathian basin, including Hungary, Transylvania and parts of Slovakia.

The Magos Hungarian Folk Band is comprised of violinists Csaba Soós and Márton Kovács, Dávid Horváth on bass, Tamás Enyedi on cimbalom, Márton Fekete playing the *brácsa*, and vocals by Ágnes Enyedi. The band gained fame after winning the 2011 Folkbeats Competition in Budapest, Hungary. Their prize was a concert tour of North America. In addition to a concert, the Magos Band will also be hosting a traditional Hungarian dance party after each of their shows.

Mr. Speaker and colleagues, please join me in recognizing the Magos Hungarian Folk Band and welcoming them to the City of Cleveland.

INTRODUCTION OF THE "JOHN
HOPE FRANKLIN TULSA-GREEN-
WOOD RIOT ACCOUNTABILITY
ACT"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the "John Hope Franklin Tulsa-Greenwood Riot Accountability Act of 2012," along with Representative NADLER, and additional cosponsors. This legislation will create a

Federal cause of action to allow the survivors of the Tulsa-Greenwood Riot of 1921 to seek a determination on the merits of their civil rights and other claims against the perpetrators of the Riot in a Federal court of law.

This legislation is named in honor of the late Dr. John Hope Franklin, the noted historian, who was a first-hand witness to the destructive impact that the riot had on the African-American community of Tulsa. Dr. Franklin made numerous scholarly contributions to the understanding of the long term effects of the riot on the city and worked to keep the issue alive in history and on the minds of policymakers. On April 24, 2007, he served as a witness, testifying in favor of the legislation, and its passage would be a fitting tribute to his memory and to a community which has never received its fair day in court.

The Greenwood neighborhood of Tulsa, Oklahoma, was one of the nation's most prosperous African-American communities entering the decade of the Nineteen Twenties. Serving over 8000 residents, the community boasted two newspapers, over a dozen churches, and hundreds of African-American-owned businesses, with the commercial district known nationally as the "Negro Wall Street." In May 1921, all that came to an end as 42 square blocks of the community were burned to the ground and up to 300 of its residents were killed by a racist mob. In the wake of the violence, the State and local governments quashed claims for redress and effectively erased the incident from official memory.

The 1921 Tulsa Race Riot was one of the most destructive and costly attacks upon an American community in our nation's history. However, no convictions were obtained for the incidents of murder, arson or larceny connected with the riot, and none of the more than 100 contemporaneously filed lawsuits by residents and property owners were successful in recovering damages from insurance companies to assist in the reconstruction of the community.

The case of the Tulsa-Greenwood Riot victims is worthy of Congressional attention because substantial evidence suggests that governmental officials deputized and armed the mob and that the National Guard joined in the destruction. The report commissioned by the Oklahoma State Legislature in 1997, and published in 2001, uncovered new information and detailed, for the first time, the extent of the involvement by the State and city government in prosecuting and erasing evidence of the riot. This new evidence was crucial for the formulation of a substantial case, but its timeliness raised issues at law, and resulted in a dismissal on statute of limitation grounds. In dismissing the survivor's claims, however, the Court found that extraordinary circumstances might support extending the statute of limitations, but that Congress did not establish rules applicable to the case at bar. With this legislation, we have the opportunity to provide closure for a group of claimants—many over 100 years old—and the ability close the book on a tragic chapter in history.

Racism, and its violent manifestations, are part of our nation's past that we cannot avoid. With the prosecution of historical civil rights claims, both civil and criminal, we encourage a process of truth and reconciliation which can heal historic wounds. In this case, the Court

took "no great comfort" in finding that there was no legal avenue through which the plaintiffs could bring their claims. The "Tulsa-Greenwood Riot Accountability Act" would simply give Tulsans and all Oklahomans, white and black, victims and non-victims, their day in court. Without that opportunity, we will all continue to be victims of our past.

IN REMEMBRANCE OF MRS. GINA
THOMPSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Gina Thompson, a supporter and leading voice for environmental, social and political improvement.

Gina was born on January 28, 1938 in Los Angeles, California. She was raised by her mother, Greta and stepfather, William Dooling. Gina attended Santa Monica College and soon after married Ed Angell. They had a son, Christopher.

Several years later, Gina remarried her husband of 55 years, John Thompson. While the family of three was living in Malibu, Gina was diagnosed with breast cancer. She vowed that if she overcame the disease, she would devote her life to helping others. This is when Gina's career in philanthropy blossomed.

Beginning as a volunteer, Gina was ultimately appointed the executive director of the Center for the Healing Arts in Los Angeles. She eventually went on to the same position with The Hermes Project before to Nicasio, California. She continued her work with non-profit organizations as the executive director for the Dharma Foundation.

Gina was also extremely involved in politics, and served as a fundraiser and organizer for both my own and President Obama's campaigns. Spirituality was another aspect that was important in Gina's life. She was a fundraiser for Spirit Rock Meditation Center and assisted master Mingtong Gu in bringing the Wisdom Healing Qigong Center to Petaluma.

I offer my condolences to her husband, John Thompson and son, Christopher Angell.

Mr. Speaker and colleagues, please join me in honoring the life of Mrs. Gina Thompson.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,675,791,363,404.17. We've added \$5,048,914,314,491.09 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

JACOB GULLA

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate Jacob Gulla who scored a one hundred percent on the 2012 National Financial Capabilities Challenge.

The National Financial Capabilities Challenge is annually administered by the U.S. Department of the Treasury and the U.S. Department of Education. The challenge is designed to increase the financial knowledge and capability of high school students across the United States.

This year, 80,024 students took the test and Pennsylvania had the highest number of participating schools and educators. In addition, Pennsylvania had the highest number of students who scored in the top 20th percentile in the nation and ranked as the fourth highest state with students who scored a one hundred percent on the test.

Mr. Speaker, financial capability empowers individuals to make informed choices, avoid pitfalls, know where to go for help, and take other actions to improve their present and long-term financial well-being. Today, I commend Jacob Gulla for his hard work and dedication to taking control of his financial future, which is evident in his accomplishment.

IN HONOR OF REVEREND DAN SEWELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Reverend Dan Sewell, who was named the 2012 Fairview Park Citizen of the Year by the Fairview Park Community Council.

Rev. Sewell, a lifelong resident of Fairview Park, Ohio was born in 1955. He graduated from Fairview Park High School in 1973 and earned a Master of Theology Degree from Fuller Seminary. He has been married to his wife, Karen, for 37 years and they have four daughters.

In 1989, Rev. Sewell became the pastor of the New Hope Church. Under his leadership, the church has become a staple in the community, hosting hunger drives and other various community service opportunities. Rev. Sewell is also the longest-serving member of the Fairview Park Ministerial Association which supports the Fairview Park Hunger Center and National Day of Prayer gatherings.

He has also been involved with Fairview Park's annual Summerfest, serving as a bake-off judge, talent judge, and musical performer. Additionally, Rev. Sewell was instrumental in developing Fairview Park's "Everyone is Our Neighbor" campaign as a response to crime in the community.

Mr. Speaker and colleagues, please join me in congratulating Reverend Dan Sewell as he is honored by the Fairview Park Community Council as the 2012 Fairview Park Citizen of the Year.

RECOGNIZING NATIONAL TEACHER APPRECIATION WEEK AND THE SELFLESS WORK OF AMERICA'S EDUCATORS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MARCHANT. Mr. Speaker, I rise today to recognize our Nation's teachers, and particularly those of Texas' 24th Congressional District. Yesterday marked the beginning of National Teacher Appreciation Week, and today, May 8, 2012, is Teacher Appreciation Day. This annual week celebrates the encouragement, support and discipline selflessly provided by America's educators. Teaching is a difficult job that requires significant talent. Most, if not all, of America's educators devote their careers to enriching the lives of our children. Almost everyone holds dear the memory of at least one teacher in particular who made a significant impact on their life. We can never fully thank our teachers for their hard work and dedication.

We rely on teachers to shape the minds of America's next generation. Nearly 5 million students in Texas depend on our State's educators to provide them with the vital knowledge needed to succeed in life. This is a massive job that comes with an even greater responsibility. Teachers accept this responsibility with great pride. I am extremely honored to recognize the amazing work of our teachers. I cannot thank them enough for their commitment to the children in Texas and across the country.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in recognizing the selfless work of America's educators. We must always recognize those who dedicate their careers to enriching the lives of our children.

HONORING JAN GILBERT FOR 30 YEARS OF ADVOCACY WORK IN NEVADA

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Ms. BERKLEY. Mr. Speaker, today I urge my colleagues to join me in recognizing the achievements of Ms. Jan Gilbert, for her 30-year career of advocating for income equality, human rights, and women's health.

This year, Ms. Gilbert is retiring from her current position at the Progressive Leadership Alliance of Nevada (PLAN) after 30 years of advocacy on behalf of the voiceless. I am delighted to honor her service and leadership as a champion for justice in the State of Nevada.

In 1982, Jan's work began by serving the community through the League of Women Voters of Nevada as president of the Carson City chapter. In 1990, Jan advocated for the passage of Question 7 to reaffirm women's reproductive rights. Jan's commitment to empowering citizens to become active participants in their government prompted her to cofound PLAN, a statewide organization that offers a unified force for social, environmental, and economic integrity in Nevada.

Jan coauthored the 2002 Wider Opportunities for Women's Self Sufficiency Standard for Nevada. She also served as the cofounder of Nevada's Empowered Women's Project, representing low-income women. In addition, Ms. Gilbert has been instrumental in promoting social justice among Nevadans as the air of the Child Abuse Prevention, Family Support, and Respite Subcommittee of the Nevada Department of Health and Human Services Grants Management Advisory Committee. Jan has worked tirelessly for low-income women on welfare and facilitated the passage of "make work pay" that allowed women to remain on welfare after they started working. She helped increase the welfare grant level for recipients along with aiding in the creation of childcare funding for welfare recipients while they worked.

Finally, Jan's proudest accomplishment was the 2009 passage of the Domestic Partner Registry. She worked vigorously to pass this measure for Nevada and she was responsible for obtaining the last remaining vote to secure its passage and override a gubernatorial veto. Since October 1, 2009, committed couples in Nevada can legally register their partnership and be recognized by the State.

During Jan's years of service, she has received a number of distinguished awards, including the Mike O'Callaghan Humanitarian of the Year Award, the Hannah Humanitarian Award, the Public Citizen of the Year Award, and the Women's Role Model Award, recognizing her gallant efforts. Most recently, she was named a 2012 "Champion of Change" by the White House.

As the Representative for Nevada's First Congressional District, it gives me immense pride to recognize Jan Gilbert and the remarkable work she has done for Nevada. She has made our State a more just, impartial, and equal place for all. I congratulate Jan and her family on a well-earned retirement, but I am sure her love for service and civic engagement will continue to benefit the Silver State in many exciting and innovative ways.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE CITY CLUB OF CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th anniversary of the City Club of Cleveland.

Established in 1912 as a non-partisan forum for debate, the City Club of Cleveland is the country's oldest independent continuous free speech forum. It is often referred to as "America's Citadel of Free Speech." The mission of the City Club of Cleveland is to inform, educate and inspire citizens by presenting significant ideas and providing opportunities for dialogue in a collegial setting. The speaking events held at the City Club of Cleveland can be heard across the nation through the radio, television, podcasts and on YouTube.

Throughout the past century, the City Club of Cleveland has hosted some of the country's fiercest debates and inspiring speeches. Perhaps the most well-known speech delivered at the City Club of Cleveland was Senator Robert F. Kennedy's "Mindless Menace of Violence" speech delivered on the day following

the assassination of Martin Luther King, Jr. Other notable speakers include Bill Clinton, Theodore Roosevelt, Geraldine Ferraro, W.E.B. DuBois, Sandra Day O'Connor, Cesar Chavez, Rosa Parks, Henry Kissinger and Ken Burns.

The City Club of Cleveland is celebrating its centennial year with several events. On May 18, 2012, Ted Turner will receive the Citadel of Free Speech Award. The City Club of Cleveland is also hosting an Anniversary Essay Contest, Encore Speakers Series and Centennial Gala Celebration this fall.

Mr. Speaker and colleagues, please join me in recognition of the 100th anniversary of the City Club of Cleveland.

NATIONAL MARROW DONOR REGISTRY TODAY SURPASSES 10 MILLION VOLUNTEERS READY TO GIVE THE LIVING GIFT OF LIFE

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. YOUNG of Florida. Mr. Speaker, I rise to share with my colleagues some good news about a life-saving program begun by this House 25 years ago. The National Marrow Donor Program (NMDP), now publicly known as Be The Match, marks another major milestone today as it has signed up its 10 millionth potential volunteer bone marrow donor on its Be The Match Registry®.

With a small appropriation of funds in 1986, the National Marrow Donor Program began to recruit potential bone marrow donors in the Fall of 1987. The registry started with a list of 10,000 volunteers who had signed up at small bake sales and community events all over the country with the hope that their donation of bone marrow would save the life of a man, woman or child with leukemia or any one of 60 otherwise fatal blood disorders.

With the odds of finding a matched, unrelated marrow donor at greater than 20,000 to one, federal support was required to establish a registry large and diverse enough to find donors for patients in need of a second chance at life. Today, the Be The Match Registry is the largest and most diverse listing of potential marrow donors and cord blood units in the world and has direct relationships with registries in 37 other nations.

Because of the committed volunteer registry members, Be The Match has facilitated more than 50,000 transplants for patients with leukemia, lymphoma and other life-threatening diseases over these past 25 years. Half of the 50,000 procedures facilitated by Be The Match were performed in the last five years alone—demonstrating the great momentum behind transplant therapy. By 2015, Be The Match plans to double the number of transplants it facilitates annually, to more than 10,000.

Today, Be The Match continues to grow to meet the needs of patients whose best—and often only—hope for a cure is a marrow or cord blood transplant. Each of the 10,000,000 volunteers, and every additional member of the registry we recruit, represents hope to the thousands of patients who search for a match every year.

Mr. Speaker, I want to congratulate and thank all of the members of this House who

have been a partner with me in establishing this modern miracle of a program that has given hope to thousands of families here in the United States and all around the world. And I invite all of my colleagues to join me in commending the NMDP and Be The Match for recruiting 10 million registry members in every Congressional District, and for the dedication of its staff members and thousands of volunteers to the noblest of causes to save the life of another person.

RECOGNIZING THE 2012 RECIPIENTS OF THE MCGOWAN COURAGE AWARD

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. JORDAN. Mr. Speaker, I appreciate the opportunity to share positive stories about young people from Ohio's Fourth Congressional District who overcome adversity. Today, I am pleased to share the stories of seven such individuals.

Alex Armstrong, Clear Fork High School. Alex refuses to allow Asperger's Syndrome to get in the way of pursuing his passion for music. He is a field commander for Clear Fork's marching band, participates in the stage and concert bands, and plays the organ at his church. Alex's leading roles in National Honor Society, the French Club, and the Tech Team are an inspiration to his teachers, who attest to his hard work and friendliness.

Katie Cabrera, Crestview High School. Challenged by family circumstances that have forced her to take control of her own health care decisions, Katie has the respect and admiration of her teachers and school staff for the responsibility she shows in dealing with diabetes. Her confidence, courage, and independence are a model to young people and adults alike. Katie plans to attend college after graduation.

Emily York, Lexington High School. A devastating motorcycle accident four years ago left Emily with third-degree burns over most of her body. She has endured multiple surgeries, skin grafts, and a serious leg infection resulting in amputation. After spending more than 18 months away from home in hospitals, Emily has returned to school, where her dedication is a model to her fellow students. She plans to study art therapy.

Mercedes Sawyer, Madison Comprehensive High School. Mercedes has suffered strokes and seizures caused by a rare and untreatable mitochondrial disease. She has fought this disease with diet changes and regular exercise, which has boosted her energy level and allowed her to participate in soccer, swimming, and track. A volunteer with the United Mitochondrial Disease Foundation, she will attend the University of Iowa this fall.

Travon Slaughter, Mansfield Senior High School. Coping with chronic pain and muscular atrophy caused by a stroke he suffered in the womb, Travon's positive attitude and sense of humor have won him the admiration of his teachers and fellow students. He entered the Early Childhood Career Tech Program, has worked at Madison Early Childhood Learning Center, and has plans to start his own daycare center.

Claire Engelken, Ontario High School. Claire has earned the respect of her peers and teachers for the way she has dealt with Asperger's Syndrome and scoliosis. Her passion for planning and for improving her communication skills continues to be an asset to her in her schoolwork. Claire has worked with the Pathway Program and wants to further develop her love of animals by working in an animal shelter or veterinary office after graduation.

Caitlyn James, St. Peter's High School. Caitlyn will not allow the challenges she faces at home to overwhelm her positive spirit, strong faith, and commitment to fight injustices. She recently made a presentation at a child abuse prevention awareness event that she coordinated at St. Peter's. Caitlyn plans to continue her selfless service to others following graduation and is considering serving in the Armed Forces.

Mr. Speaker, the Rotary Club of Mansfield, Ohio, will present these seven students with the McGowan Courage Award today. I am proud to join the Rotary in acknowledging their significant achievements and wishing them continued success in their lives.

IN HONOR OF POLISH CONSTITUTION DAY, 2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Poles, Polish-Americans on the occasion of Polish Constitution Day.

Polish Constitution Day is a day when people of all cultures join with the people of Poland to celebrate the rich culture, traditions and history of Poland. After almost five centuries of struggle and perseverance, the Governmental Statute of Poland became the first written constitution in Europe on May 3, 1791. The Polish Constitution established the separation of government powers, freedom of religion, and abolished elements of serfdom, all of these are key elements of freedom and democracy.

The Polish American Congress strives to make Americans of Polish heritage more successful and involved U.S. citizens by encouraging them to assume the responsibilities of leadership. Since its foundation over sixty years ago, the group has created programs to successfully integrate people of Polish descent in the U.S. and enrich Cleveland's social fabric. These programs include the Displaced Persons Program, which allowed almost 150,000 Polish immigrants to enter the U.S. after World War Two. The group also won American veterans benefits for Polish Veterans of both World War One and World War Two. The Polish American Congress has played a crucial role in the Polish Community, and in its many years of support and service has been an invaluable contribution to the City of Cleveland and this nation.

Mr. Speaker and colleagues, please join me today, Polish Constitution Day, in honoring the struggles, courage and triumphs of the people of Poland and honoring all people of Polish descent. Through their successive struggles for freedom, the people of Poland have given the world hope.

INTEREST RATE REDUCTION ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 27, 2012

Ms. McCOLLUM. Mr. Speaker, I rise today in strong opposition to H.R. 4628, which places partisan politics ahead of America's students and the health of Minnesota communities.

If Congress does not act by July 1, interest rates on student loans will double for 7 million American students. This is a financial crisis for these students and their families, who will be forced to pay an additional \$1000 this year in loan repayment costs. America's college students are already graduating with an average debt burden of \$25,000—higher than any time in our nation's history. President Obama and Democrats in Congress are committed to lowering the costs of college and have introduced legislation to block this impending rate increase.

For months, Republicans in Congress have completely ignored this problem. The fiscal year 2013 budget that House Republicans adopted in March did not include a fix for skyrocketing student loan rate increase, but it did provide millionaires and billionaires an average tax cut of \$400,000. The Republican Chairman of the House Education and Workforce Committee—my colleague from Minnesota—opposed extending the current low interest rate as recently as last week. On April 20, The New York Times reported Chairman KLINE saying a fix would be “too costly” and that “we must choose between allowing interest rates to rise or piling billions of dollars on the backs of taxpayers.”

Thankfully, House Republicans ended their opposition to lower student loan rates this week under pressure from President Obama and millions of American students. The majority introduced H.R. 4628 to extend the current 3.4 percent interest rate on federal Stafford loans for an additional year at a cost of \$6.3 billion. Unfortunately, House Republicans are cynically choosing to offset the costs of H.R. 4628 by repealing the Prevention and Public Health Fund created by the new health care reform law. Cutting health care for millions of Americans to prevent rising student loan rates is an unacceptable and unnecessary choice.

Minnesota communities rely on this Fund to pay for cancer detection, childhood immunizations, newborn screening and other critical health care services that help to keep our communities healthy and save our country billions in long-term health care costs. Women in Minnesota will be disproportionately impacted due to the loss of access to services such as breast and cervical cancer screening. Nearly 800 community organizations across the country oppose H.R. 4628 because of these damaging cuts, including the American Lung Association, American Heart Association, American Academy of Pediatrics, the Association of Maternal and Child Health, and the National Association of County and City Health Officials. The White House opposes H.R. 4628 and told the House Republican majority to expect a veto from President Obama. This partisan legislation will only further delay a solution for students.

Democrats in Congress have a plan to protect students against rising loan costs without

adding to deficits or harming communities. I am a co-sponsor of H.R. 4816, which prevents the doubling of interest rates on student loans and offsets the costs by eliminating wasteful taxpayer subsidies for the five biggest oil corporations that are making record profits. This legislation is a win for students and a win for American taxpayers. H.R. 4816 reflects the priorities of the American people and creates a path for bipartisan consensus.

I urge my colleges to reject H.R. 4628 and, instead, pass the common-sense alternative offered by House Democrats.

WILLIAM DIGIGLIO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate William Digiglio who scored a one hundred percent on the 2012 National Financial Capabilities Challenge.

The National Financial Capabilities Challenge is annually administered by the U.S. Department of the Treasury and the U.S. Department of Education. The challenge is designed to increase the financial knowledge and capability of high school students across the United States.

This year, 80,024 students took the test and Pennsylvania had the highest number of participating schools and educators. In addition, Pennsylvania had the highest number of students who scored in the top 20th percentile in the nation and ranked as the fourth highest state with students who scored a one hundred percent on the test.

Mr. Speaker, financial capability empowers individuals to make informed choices, avoid pitfalls and take other actions to improve their present and long-term financial well-being. Today, I commend William Digiglio for his hard work and dedication to taking control of his financial future, which is evident in his accomplishment.

IN CELEBRATION OF ASIAN/PACIFIC AMERICAN HERITAGE DAY, 2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Asian/Pacific American Heritage Day 2012 and to celebrate the many cultural and societal contributions of the Asian American and Pacific Islander communities throughout Northeast Ohio.

Asian/Pacific American Heritage Day provides us with an opportunity to celebrate the numerous achievements of Asian Americans and Pacific Islanders throughout Northeast Ohio and across the nation. Cultural diversity is a foundation of our community and it has allowed our residents to experience traditions from around the world.

The heritage of Asian Americans has been preserved and reflected by each generation. It shows the spirit, hope and courage of all of our ancestors who braved treacherous jour-

neys along the road to freedom and opportunity in America.

This year's celebration will take place at Cleveland City Hall Rotunda and feature Mayor Frank Jackson, Ms. Margaret W. Wong, and Mr. Blaine A. Griffin, the Director of Community Relations Board.

Mr. Speaker and colleagues, please join me in celebrating Asian/Pacific American Heritage Day and honoring the contributions of all Asian Americans and Pacific Islanders in our Greater Cleveland community.

TRIBUTE TO HONOR FLIGHT
NORTHERN COLORADO

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. GARDNER. Mr. Speaker, I rise on the occasion of Honor Flight Northern Colorado's eighth flight to Washington, D.C. bringing Veterans of WWII, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, state, and country, we welcome these heroes.

The 122 Veterans on this flight include 48 from the Korea conflict, and 8 Purple Heart recipients from the Vietnam War. The Honor Flight program, founded in 2005, was intended to first honor all WWII Veterans that could make the trips, but then to afford the same to those from the Korea and Vietnam eras. We are, this day, honoring those Veterans from Korea (the Forgotten War) and Vietnam, our longest conflict in modern times, as they get to see their memorials. These trips are provided to our Veterans at no cost to them or their families.

The fact that these soldiers, sailors, airmen, Marines, and Coast Guardsmen would uproot themselves from their homes and families and put themselves in harm's way for our country is very humbling. The sacrifices they—and the families they left behind—made are truly incredible. The debt of gratitude we owe them can never be repaid, for without their honor, courage, commitment, and above all—sacrifice we would not be able to enjoy the freedoms we have today.

Please join me in thanking Charles Agnew, Lewis Ashcraft, Robert Barnd, Eugene Bonkiewicz, Carson Bright, Frank Brown, Wayne Bullock, William Castor, Lowell Dart, Donald Draxler, Robert Duntsch, Jose Duran, Joseph Edwards, George Emerick, Jack Endacott, Marvin Fowler, Robert Gillham, Warren Garst, Joseph Graham, William Hampton, Walter Hayword, Roland Kaiser, Willis Kramer, Victor Lazar, David Leon, Verne Lewellen, Harry Livingston, Mary Livingston, Gilbert Lopez, Russell Mam, W. Dennis McHenry, Raymond Mega, Gerald Monroe, Donald Morrison, Bernard Nettesheim, Reynolds Olson, Homer Phillips Jr., Richard Porter, Marion Raines, James Rauenbuehler, Frederick Reck, Gilbert Rohde, Walter Sapp, Henry Schmitt Jr., John Shedd, Alan Schultes, Bill Shupe, Waldo Smith, Charles Smoot, Fredrick Stein, William Stromberg Sr., Gene Thorson, Clyde Treadway, Theodore Wahler, Arthur Wartburg, Crowell Werner, James White, Robert Williams, Evans Woodhouse, Darryl Anderson, Raymond Anderson, Donald Armagost, James Ball, Eugene Ball, Harry Ball, Leslie Brumley,

Orlis Charboneau, Dale Crist, Robert Cupp, Timothy Daley, Bobbie Desmond, Edward Eson, Clarence Ehrlich, Alvin Eurich, Francis Fleming Jr., James Flynn, Leslie Fraley Jr., George Frysinger III, Richard Gero, John Goad, Virgil Hanson, Roman Herrmann, John Hess, Billy Hettinger, Donald Hoffner, Marguerite Ingram, Robert Kramer, Robert Kruger, Lindy Leifheit, Chester McCoy, Chester McGuire, William Miller, Raymond Nuss, James Ochsner, Louis Peterson, Marshall Petring, Arnold Piel, Wayne Pimple, Richard Reagan, Gerald Rice, Harry Rieger, Edward Roebuck, Gerald Ross, Alan Seaman, Dick Sears, Joseph Sellers, William Shirey, Norris Slechta, Robert Stanley, Elizabeth Strahan, Clarence Strahan Jr., William Striffler, Darrell Viegut, Sam Warner, Doyle Biggs, Paul Delgado, Edward Fast, Dennis Henneberg, Donald Hess, Daniel Menzies, Jack Roberts and Steven White for their dedication, commitment, and service to this great nation.

75TH ANNIVERSARY OF
MARYMOUNT MANHATTAN COLLEGE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mrs. MALONEY. Mr. Speaker, I rise today to honor the 75th Anniversary of Marymount Manhattan College. Since opening its doors in 1936, Marymount Manhattan has evolved from a two-year Catholic women's college, founded by the Religious of the Sacred Heart of Mary, into a four-year nonsectarian liberal arts college of 2,095 students who can choose from 18 individual majors and 40 minors.

Faithful to the vision of its founders, Marymount Manhattan has a long history of reaching out to diverse populations in need of higher education. Over the years, Marymount Manhattan's mission as an urban, independent, coeducational liberal arts college has expanded to include a greater variety of students, including men, nontraditional students, and students from a variety of ethnic and geographic backgrounds. A record number of 130 international students from 60 countries were part of the student body in the fall of 2011. The College's growth has also resulted in a greater diversity of academic opportunities in the Fine and Performing Arts, Natural Sciences, Social Sciences, Accounting and Business Management, and the Humanities and its commitment to intellectual excellence and community service in my home state of New York deserves to be recognized and applauded.

The faculty at Marymount Manhattan College is passionate about their work and their academic integrity is reflective of their talent as educators. Marymount Manhattan College's size offers the luxury of individual attention and allows for ease in cross-disciplinary studies to provide a well-rounded academic experience.

Marymount Manhattan College's commitment to community service is best exemplified by its Bedford Hills College Program, which successfully transforms and rehabilitates women incarcerated through educational and intellectual pursuits. The Bedford Hills College Program graduates many students summa

cum laude and is a proven success, elevating the quality of these women's lives and improving our society.

Mr. Speaker, it is with great honor that I recognize Marymount Manhattan College's commitment to providing its students with a robust intellectual atmosphere, fostering a diverse student body, and serving the community. I commend their 75 years of success and I am sure this is only an indication of continued growth and achievement for many more years to come.

HONORING BRENT HODSON

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to Brent Hodson, a resident of Fremont, California, who is being honored at the Friends of Scouting Community Leadership Breakfast in Newark, California, on May 18, 2012.

Mr. Hodson and his wife of forty-five years, RaeDene, have lived in Fremont since 1975. He was an employee of the Washington Hospital Healthcare System for over 35 years, retiring in February 2012, as the Chief of Community Support Services. He has served in a variety of positions at Washington Hospital Healthcare System and has provided exemplary leadership.

Mr. Hodson holds a Bachelor of Science degree in Psychology from Weber State College in Ogden, Utah, and a Bachelor of Science degree in Physical Therapy from the University of California, San Francisco.

Mr. Hodson has been a community activist for many years. He served for nine years on the Fremont Chamber of Commerce Board of Directors, including one year as Board Chair. He has been a strong advocate and closely associated with Fremont Chamber of Commerce Leadership program, serving on the steering committee since 1997. Mr. Hodson currently serves as a member of the Board of the Newark Chamber of Commerce and is a past president of the Fremont Rotary Club. He is currently the President of the Fremont, California Stake of the Church of Jesus Christ-Latter Day Saints.

The honor Mr. Hodson is receiving at the Friends of Scouting Community Leadership Breakfast is well deserved. The breakfast will benefit the Mission Peak District Boy Scouts of America.

Mr. Hodson participated in Boy Scouts as a youth and he has been the Scout Master of Troop 160 and the Centerville Ward Institutional Representative for Boy Scouts of America. He has also served as a troop and post committee member for all Centerville Ward units and for the Washington Hospital Medical Explorer Post, as well as serving as Young Men's President, teacher and advisor. Mr. Hodson has also chaired several Friends of Scouting fundraising campaigns.

I join in thanking Mr. Hodson for his commitment and dedication to Scouting and for serving as a model of community leadership.

NATIONAL TEACHER DAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. REICHERT. Mr. Speaker, on the occasion of National Teacher Day, I want to thank the teachers around this country for giving so generously of themselves to their students, their communities and their schools. Teachers make a difference in young people's lives every day and in myriad ways. I know personally the positive change they made in my life. Teachers educate our young people not just in math and English, but in more difficult subjects such as sharing, expressing themselves and solving differences. The value they add to students cannot be measured. I also want to single out the teachers in the District I represent, Washington's 8th, because I've had the pleasure of visiting and interacting with so many there. Every single time I visit a school, I see students responding positively to teachers' guidance and encouragement.

Our teachers never stop working. They work both in and outside the walls of their classrooms. They help coach athletes. They inspire students in the community. Our teachers act as positive role models for children that may not otherwise have them. They spend week-ends and evenings grading papers and tests. They brighten their classrooms with inspirational and thoughtful artwork. They engage young people in the kind of conversations necessary to be leaders in future generations. They help supply students with the everyday life skills that they need to succeed.

That is why I sponsored the Teacher Tax Relief Act, a bill increasing the maximum tax deduction available to teachers for out of pocket expenses from \$250-\$500 and a bill making professional development costs an eligible expense—in that way, teachers can continue to their own educations and continue to be effective in the classroom.

Today, Mr. Speaker, on National Teacher Day, I thank all teachers for their service to America's future generations. All of our teachers deserve the respect and support of students, parents and their communities. My pledge today is to support teachers in this House as much as possible.

COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

Ms. KAPTUR. Mr. Chairman, I rise today to support the amendment by Congressman DAVIS to H.R. 5326, the Departments of Commerce and Justice, Science, and Related Agencies Fiscal Year 2013 Appropriations bill to provide the U.S. Department of Justice

(DOJ) with the resources it requested for Second Chance Act programs.

First, I want to thank Congressman DAVIS for offering this amendment. He is the champion of helping offenders reenter the community and our country is a better place because of Mr. DAVIS's efforts.

Second Chance Act programs provide employment assistance and job-skills training, substance abuse treatment, housing assistance, family-based programming, individual and group mentoring and victim support for offenders reentering their communities.

The Republican CJS Appropriations Bill shortchanges Second Chance Act programs by \$10 million but provides \$95 million more than DOJ requested for other programs. There is clearly money available to fully fund Second Chance Act programs.

We should be fully funding Second Chance Act programs because the number of individuals in prison and jails is at an all-time high. Federal and state corrections facilities held one of every 201 U.S. resident in 2010 or 1.6 million individuals.

These individuals will eventually come back into the community and Second Chance Act programs can help them with this transition so they do not end up back in prison.

Studies show that more than four in 10 offenders returned to state prison within three years of their release.

However, Second Chance Act programs have proved to help reduce this rate and we need to keep the momentum going by providing full funding in FY 13.

We need to do everything we can to help these individuals stay out of prison not only because it is the right thing to do but also because the cost of incarcerating people is ballooning. If current trajectories continue, state and federal prisons will grow by 13 percent by 2013, adding an additional 192,000 prisoners at a cost of \$27.5 billion.

Mr. Chairman, I urge my colleagues to support Mr. DAVIS's amendment.

COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

Mr. CONNOLLY of Virginia. Mr. Chair, I rise to express my great disappointment that H.R. 5326, the Commerce, Justice, Science and Related Agencies Appropriations Bill for Fiscal Year 2013, does not preserve funding for vital community gang prevention, which has enjoyed bipartisan support in the past.

This bill eliminates a \$5 million grant program for our state and local law enforcement partners that supported competitive, evidence-based programs to reduce gun crime and gang violence. It also eliminates a \$5 million grant program that supported gang and youth violence education, prevention and intervention in our communities.

These grants are essential for helping our local and state partners contain the growth in gang violence in their communities and educate young people about the perils of joining a gang. In my Northern Virginia district, we used these funds to partner local law enforcement agencies with their state and federal counterparts in a regional gang task force, which is coordinating prevention and enforcement efforts.

A decade ago, gang participation and gang-related crime was on an upswing in our community. Thanks to this federal partnership and other local initiatives—like the expansion of after school programs, which I helped lead at the local level—we were able to stem the growth of gang activity in our community. In fact, we reduced gang participation by 50 percent among our students. It is because of this partnership that Northern Virginia continues to have one of the lowest crime rates in the nation.

I appreciate the Committee acknowledging in the report for this bill the importance of partnering with local and state law enforcement agencies to combat the proliferation of multi-jurisdictional gangs. That is why these two competitive grant programs, which provide critical gang prevention support in our communities, ought to be maintained.

I urge my colleagues to reconsider these unfortunate cuts and revisit this issue when we ultimately go to conference with the Senate to fund the Justice Department for Fiscal Year 2013. We have stood shoulder-to-shoulder with our local and state partners to prevent gang violence, and we cannot step away from that partnership now when gang violence continues to be a significant threat in so many communities, as the Committee itself acknowledges.

COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

PERSONAL EXPLANATION

Ms. HIRONO. Mr. Chairman, on rollcall Nos. 202 "yes"; 203 "no"; 204 "no"; 205 "yes"; 206 "no"; 207 "no"; 208 "no"; 209 "no"; 210 "no"; 211 "no"; and 212 "no".

Had I been present, I would have voted as indicated.

HONORING THE LIFE AND SERVICE
OF ROBERT STEWART

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor of the life of Walnut Hill's be-

loved Robert Stewart. Throughout the area, Mr. Stewart was known for his selfless nature, immense generosity, dedicated service to his local community, and never-ending love for his family. This man was a hero to our Northwest Florida community, and he will be greatly missed.

Robert Stewart served as a volunteer fireman for over thirty years and as Chief of the Walnut Hill Fire Department for the latter fifteen of those years. During his time in service, he saved the lives of countless Walnut Hill citizens. According to Mr. Stewart, one of his most memorable emergency calls was near the end of his career on March 9, 2001. Two teenage girls were trapped in a car that had lost a battle with a tree leaving their tiny sports car split entirely in half—two pieces of car left on the side of Highway 99. Mr. Stewart, along with his team, diligently worked to extract the teenage girls from the car. Due to Mr. Stewart and his team's heroic efforts, both girls survived. What made this call different from any other was the girls came back to the Walnut Hill Volunteer Fire Department to thank the team for saving their lives. Mr. Stewart was never one to ask or demand the appreciation, but when it occurred, he was always grateful.

Robert Stewart has been labeled a hero on many other occasions. Another such incident was a wreck that occurred on State Line Road that left a family's car upside down in a ditch filled with water. Mr. Stewart was the first to respond to the scene, and he safely removed three children from the car. The mother of the children called him a hero, but true to his modest and humble character, he responded with "I am just doing my job."

Mr. Stewart is survived by his wife, Diann; children, Sam and Kelly; and grandchildren, Tanner and Andrew. Those fortunate enough to have met Mr. Stewart would agree that they were truly blessed by his warm heart and generosity. His impact on the Walnut Hill Community will never be forgotten. To some, Mr. Stewart will be remembered as an invaluable leader of the Walnut Hill Volunteer Fire Department, but to the friends and family he leaves behind, Mr. Stewart will most fondly be remembered as a loving and committed family man.

Mr. Speaker, on behalf of the United States Congress, I rise to honor the life of Robert Stewart and his living legacy. Our community has truly suffered a great loss with his passing. My wife Vicki joins me in sending our most heartfelt condolences to the entire Stewart family.

IN RECOGNITION OF MR. BILL A.
KEFFLER

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Mr. Bill A. Keffler, the City Manager for the City of Richardson, Texas. After thirty-five years of dedicated service, he is retiring on May 31, 2012.

Mr. Keffler began his public service with the City of Richardson in 1977. He has served the city in numerous capacities, including as Deputy City Manager, Assistant City Manager, Assistant to the City Manager, and as an Administrative Assistant. In 1995, he became the

City Manager, the position he has served in with distinction to this day.

As the Member of Congress who represents the City of Richardson, I have had the pleasure of working closely with Mr. Keffler and seen firsthand the impact of his devotion and commitment to the citizens of Richardson. He possesses a keen understanding of the city's needs and issues as well as the importance of actively engaging the community in developing policy solutions and strategic planning. Mr. Keffler undertook bold initiatives in economic development, fiscal responsibility, and community revitalization. As a result of Mr. Keffler's actions in positioning the City of Richardson for growth and stability, the city and the North Texas region stand stronger than ever before.

Mr. Speaker, I ask my colleagues to join me in congratulating Mr. Keffler on thirty-five years of dedicated service to the city of Richardson. I wish him all the best in his future endeavors. May God bless him and his family.

RECOGNIZING SUPERINTENDENT
RONALD BLOCKER FOR 12 YEARS
OF SERVICE TO ORANGE COUNTY

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

Mr. WEBSTER. Mr. Speaker, it is my honor to recognize Orange County Public School Superintendent Ronald Blocker and congratulate him on 12 years at the helm of Central Florida's largest public school system. We are grateful for his service to our students, our teachers and our community.

Assuming the charge of Superintendent for Orange County in July 2000, Mr. Blocker's committed leadership has led to the highest graduation rate and the lowest dropout rate in the history of the county's education system. Mr. Blocker has shepherded an education system that prepares high school students for their transition into undergraduate programs through dual enrollment or for their vocational development through technical programs that

partner with local companies. He has worked to provide each student with many opportunities to succeed, from Honors and Advanced Placement classes to magnet and technical programs with customized curriculum. The vision cast by Mr. Blocker is one of purpose and opportunity.

During his service as OCPS Superintendent, Mr. Blocker has been recognized many times for his outstanding leadership. Among his awards and recognitions, Mr. Blocker was selected as Florida's Superintendent of the Year in 2011, named 2010 Reading Leader of the Year by Just Read, Florida!, received the Chairman's Award in 2009 from the Metro Orlando Economic Development Commission, and recognized by the Florida Art Education Association as Superintendent of the Year in 2008.

I am grateful to Mr. Blocker for his leadership and guidance as Superintendent and wish him and his family the best as he continues to serve his state and his community. I am confident that he will continue to inspire others to give back to their community and to serve one another.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2933–S2987

Measures Introduced: One hundred ninety-three bills and two resolutions were introduced, as follows: S. 2839–3031, S. Res. 447, and S. Con. Res. 44.

Pages S2965–68

Measures Passed:

Whistleblower Protection Enhancement Act: Senate passed S. 743, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, after agreeing to the committee amendments.

Pages S2978–85

Brian A. Terry Memorial Act: Senate passed H.R. 2668, to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the “Brian A. Terry Border Patrol Station”.

Pages S2985–86

National Charter Schools Week: Senate agreed to S. Res. 447, congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 13th annual National Charter Schools Week, to be held May 6 through May 12, 2012.

Page S2986

Measures Considered:

Stop the Student Loan Interest Rate Hike Act: Senate continued consideration of the motion to proceed to consideration of S. 2343, to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

Pages S2935–44, S2944–59

During consideration of this measure today, Senate also took the following action:

By 52 yeas to 45 nays, 1 responding present (Vote No. 89), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Sen-

ate rejected the motion to close further debate on the motion to proceed to consideration of the bill.

Page S2944

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of the bill.

Page S2944

Nominations Received: Senate received the following nominations:

Maria Lopez De Leon, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Emil J. Kang, of North Carolina, to be a Member of the National Council on the Arts for a term expiring September 3, 2018.

Kristine L. Svinicki, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2017.

2 Air Force nominations in the rank of general.

25 Army nominations in the rank of general.

24 Navy nominations in the rank of admiral.

Pages S2986–87

Messages from the House:

Pages S2961–62

Measures Placed on the Calendar:

Page S2962

Executive Communications:

Pages S2962–64

Petitions and Memorials:

Pages S2964–65

Additional Cosponsors:

Pages S2968–70

Statements on Introduced Bills/Resolutions:

Pages S2970–77

Additional Statements:

Page S2961

Notices of Hearings/Meetings:

Page S2977

Authorities for Committees to Meet:

Page S2977

Privileges of the Floor:

Page S2978

Record Votes: One record vote was taken today. (Total—89)

Page S2944

Adjournment: Senate convened at 10 a.m. and adjourned at 6:47 p.m., until 9:30 a.m. on Wednesday, May 9, 2012. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S2986.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee received a closed briefing on the Defense Clandestine Service in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program from Michael G. Vickers, Under Secretary for Intelligence, and Lieutenant General Ronald L. Burgess, Jr., USA, Director, Defense Intelligence Agency, both of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine tactical aircraft programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from Vice Admiral David J. Venlet, USN, Program Executive Officer, F-35 Lightning II Program, Lieutenant General Janet C. Wolfenbarger, USAF, Military Deputy, Office of the Assistant Secretary of the Air Force for Acquisition, and Vice Admiral W. Mark Skinner, Principal Military Deputy, Assistant Secretary of the Navy for Research, Development and Acquisition, all of the Department of Defense.

IMPROVING THE HOUSING MARKET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine expanding refinancing opportunities to improve the housing market, including S. 2162, to provide for the redevelopment of abandoned and foreclosed-upon properties and for the stabilization of affected neighborhoods, an original bill entitled, “The Responsible Homeowner Refinancing Act of 2012”, an original bill entitled, “Expanding Refinancing Opportunities Act of 2012”, and S. 2909, to require closing costs to be paid by the enterprises with respect to certain refinanced mortgage loans, after receiving testimony from Shaun Donovan, Secretary of Housing and Urban Development.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Mark J. Mazur, of New Jersey, and Matthew S. Rutherford, of Illinois, both to be an Assistant Secretary of the Treasury, and Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission, who was introduced by Senator Portman, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 108 public bills, H.R. 5542–5649, were introduced.

Pages H2441–43

Additional Cosponsors:

Pages H2447–48

Reports Filed: Reports were filed today as follows:

Report on the Suballocation of Budget Allocations for Fiscal Year 2013 (H. Rept. 112–465);

H.R. 2764, to amend the Homeland Security Act of 2002 to establish weapons of mass destruction intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland se-

curity, and for other purposes, with an amendment (H. Rept. 112–466);

H.R. 3140, to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to prioritize the assignment of officers and analysts to certain State and urban area fusion centers to enhance the security of mass transit systems (H. Rept. 112–467); and

H.R. 2179, to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organizations, Incorporated, and for other purposes, with an amendment (H. Rept. 112–468).

Page H2441

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H2331**

Recess: The House recessed at 10:35 a.m. and reconvened at 12 noon. **Page H2334**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 296 yeas to 108 nays with 3 answering "present", Roll No. 201. **Pages H2335, H2346**

Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013: The House began consideration of H.R. 5326, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013. Consideration is expected to resume tomorrow, May 9th. **Pages H2346–H2440**

Agreed to:

Turner (OH) amendment (No. 9 printed in the Congressional Record of May 7, 2012) that increases funding for China antidumping and countervailing duty enforcement and compliance activities by \$5,000,000; **Pages H2363–64**

Cicilline amendment that expands the definition of "grants" under Economic Development Assistance Programs to include "grants, including grants authorized under section 27 of the Stevenson-Wydler Technology Innovation Act of 1980"; **Pages H2368–69**

Lynch amendment (No. 4 printed in the Congressional Record of May 7, 2012) that increases funding, by offset, for the Office of Justice Programs for drug courts by \$4,000,000; **Pages H2370–71**

Hanabusa amendment that increases funding, by offset, for the National Oceanic and Atmospheric Administration for marine debris programs by \$1,600,000; **Pages H2373–74**

Gowdy amendment (No. 1 printed in the Congressional Record of May 7, 2012) that reduces funding for the Department of Justice, General Administration by \$1,000,000 and applies the savings to the spending reduction account; **Pages H2376–77**

Runyan amendment that increases funding, by offset, for the Office on Violence Against Women by \$5,000,000; **Page H2379**

Harris amendment (No. 10 printed in the Congressional Record of May 7, 2012) that reduces funding for the National Oceanic and Atmospheric Administration, Operations, Research, and Facilities by \$542,000 and applies the savings to the spending reduction account (by a recorded vote of 219 yeas to 189 noes, Roll No. 209); **Pages H2373, H2386**

Grimm amendment that increases funding, by offset, for the Office of Justice Programs for regional information sharing activities by \$18,000,000 (by a recorded vote of 209 yeas to 199 noes, Roll No. 210); **Pages H2374, H2386–87**

Runyan amendment that increases funding, by offset, for the Edward Byrne Memorial Justice Assistance Grant program by \$22,418,000 (by a recorded vote of 325 yeas to 81 noes, Roll No. 212); **Pages H2377, H2388**

Wasserman Schultz amendment that redirects \$30,000,000 in funding with respect to missing and exploited children programs; **Page H2392**

Broun (GA) amendment that reduces funding for the Marine Mammal Commission by \$181,500; **Pages H2414–15**

Grimm amendment that increases funding, by offset, for Community Oriented Policing Services for the hiring and rehiring of additional career law enforcement officers (by a recorded vote of 206 yeas to 204 noes, Roll No. 214); **Pages H2393–95, H2433–34**

Black amendment that prohibits funds from being used by the Attorney General to originate or join in any lawsuit that seeks to overturn, enjoin, or invalidate immigration enforcement laws in Oklahoma, Missouri, Arizona, Utah, Indiana, Alabama, South Carolina, and Georgia (by a recorded vote of 238 yeas to 173 noes, Roll No. 220) (agreed by unanimous consent to vacate the earlier proceedings by which the amendment was agreed to by voice vote); and **Pages H2419–22, H2437–38**

Southerland amendment that sought to prohibit funds from being used to develop, approve, or implement a new limited access privilege program that is not already developed, approved, or implemented for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Council (by a recorded vote of 220 yeas to 191 noes, Roll No. 223). **Pages H2426–31, H2439–40**

Rejected:

Clarke (NY) amendment that sought to increase funding, by offset, for the Minority Business Development Agency by \$5,311,000; **Page H2370**

Waters amendment that sought to increase funding, by offset, for Legal Activities, Salaries and Expenses, General Legal Activities by \$13,500,000; increase funding, by offset, for Salaries and Expenses, United States Attorneys by \$21,500,000; and increase funding, by offset, for Federal Bureau of Investigation, Salaries and Expenses by \$9,000,000; **Pages H2377–79**

Peters amendment that sought to increase funding, by offset, for the International Trade Administration by \$9,000,000 and the Office of the United States Trade Representative by \$1,790,000 (by a recorded vote of 141 yeas to 261 noes, Roll No. 202); **Pages H2360–61, H2381–82**

Broun (GA) amendment that sought to reduce funding across various accounts by a total of \$874,593,990 and apply the savings to the spending

reduction account (by a recorded vote of 137 ayes to 270 noes, Roll No. 203); **Pages H2361–36, H2382**

McClintock amendment that sought to reduce funding for the International Trade Administration by \$277,824,000 and apply the savings to the spending reduction account (by a recorded vote of 121 ayes to 287 noes, Roll No. 204);

Pages H2363, H2382–83

Michaud amendment that sought to increase finding, by offset, for the Economic Development Administration by \$38,000,000 (by a recorded vote of 190 ayes to 218 noes, Roll No. 205);

Pages H2364–66, H2383–84

Scalise amendment that sought to reduce funding for the Economic Development Administration by \$7,500,000 and reduce funding for the Department of Commerce, Departmental Management by \$10,706,000 and apply the savings to the spending reduction account (by a recorded vote of 174 ayes to 233 noes, Roll No. 206); **Pages H2369–70, H2384**

Pompeo amendment (No. 3 printed in the Congressional Record of May 7, 2012) that sought to zero out the funding for Economic Development Assistance Programs and apply the savings to the spending reduction account (by a recorded vote of 129 ayes to 279 noes, Roll No. 207);

Pages H2366–68, H2384–85

Quayle amendment that sought to zero out the funding for the Advanced Manufacturing Technology Consortia and apply the savings to the spending reduction account (by a recorded vote of 147 ayes to 255 noes, Roll No. 208); **Pages H2372–73, H2385–86**

Broun (GA) amendment that sought to reduce funding for Pacific Coastal Salmon Recovery by \$15,000,000 and apply the savings to the spending reduction account (by a recorded vote of 168 ayes to 239 noes, Roll No. 211); **Pages H2374–75, H2387–88**

Davis (IL) amendment (No. 2 printed in the Congressional Record of May 7, 2012) that sought to increase funding, by offset, for Second Chance Act grants by \$10,000,000 (by a recorded vote of 99 ayes to 311 noes, Roll No. 213);

Pages H2390–91, H2432–33

Huizenga amendment that sought to strike section 212 (by a recorded vote of 199 ayes to 211 noes, Roll No. 215); **Pages H2406–07, H2334**

Johnson (GA) amendment that sought to increase funding, by offset, for the Equal Employment Opportunity Commission by \$7,143,000 (by a recorded vote of 96 ayes to 314 noes, Roll No. 216);

Pages H2408–09, H2435

Flake amendment that sought to reduce funding for the National Science Foundation by \$1,248,473,000 and apply the savings to the spend-

ing reduction account (by a recorded vote of 121 ayes to 291 noes, Roll No. 217);

Pages H2409–10, H2435–36

Westmoreland amendment that sought to reduce funding for the Legal Services Corporation by \$128,000,000 and apply the savings to the spending reduction account (by a recorded vote of 165 ayes to 246 noes, Roll No. 218); **Pages H2411–14, H2436**

Austin Scott (GA) amendment that sought to zero out the funding for the Legal Services Corporation and apply the savings to the spending reduction account (by a recorded vote of 122 ayes to 289 noes, Roll No. 219); **Pages H2414, H2436–37**

Blackburn amendment that sought to reduce total funding in the bill by 1% (by a recorded vote of 160 ayes to 251 noes, Roll No. 221); and

Pages H2424–25, H2438

Broun (GA) amendment that sought to reduce each amount in the bill (other than amounts required to be appropriated or otherwise made available by law; amounts for the United States Marshals Service; the FBI; or NASA), by 12.2% (by a recorded vote of 105 ayes to 307 noes, Roll No. 222).

Pages H2425–26, H2438–39

Withdrawn:

Sessions amendment (No. 5 printed in the Congressional Record of May 7, 2012) that was offered and subsequently withdrawn that would have struck language in section 505 relating to the contracting out or privatizing any functions presently performed by Federal employees and

Pages H2416–17

Jackson Lee (TX) amendment that was offered and subsequently withdrawn that would have increased funds, by offset, for Office of Justice Programs, specifically DNA Analysis Backlog, by \$34,000,000.

Pages H2422–24

H. Res. 643, the rule providing for consideration of the measure, was agreed to by a recorded vote of 228 ayes to 181 noes, Roll No. 200, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 174 nays, Roll No. 199. **Pages H2337–46**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H2448–49.

Quorum Calls—Votes: Two yea-and-nay votes and 23 recorded votes developed during the proceedings of today and appear on pages H2344–45, H2345, H2346, H2381–82, H2382, H2382–83, H2383–84, H2384, H2384–85, H2385–86, H2386, H2386–87, H2387–88, H2388, H2432–33, H2433–34, H2434, H2435, H2435–36, H2436, H2437, H2437–38, H2438, H2439, and H2439–40. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:27 a.m. on Wednesday, May 9th.

Committee Meetings

FORMULATION OF 2012 FARM BILL: SPECIALTY CROP AND NUTRITION PROGRAMS

Committee on Agriculture: Subcommittee on Nutrition and Horticulture held a hearing entitled “Formulation of the 2012 Farm Bill: Specialty Crop and Nutrition Programs”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Defense held a markup of Defense Appropriations Bill FY 2013. The bill was ordered reported, without amendment.

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs held a markup of Military Construction, Veterans Affairs Appropriations Bill FY 2013. The bill was ordered reported, without amendment.

SEQUESTER REPLACEMENT ACT OF 2012; AND SEQUESTER REPLACEMENT RECONCILIATION ACT OF 2012

Committee on the Budget: Full Committee held a markup of H.R. 4966, the “Sequester Replacement Act of 2012” and legislation regarding Sequester Replacement Reconciliation Act of 2012. H.R. 4966 was ordered reported, as amended; and the Sequester Replacement Reconciliation Act of 2012 was ordered reported without amendment.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Health held a markup of legislation to reauthorize under fee programs for prescription drugs and medical devices, established under fee programs for generic drugs and biosimilars, and reform FDA programs. The legislation was ordered reported, as amended.

IMPROVING THE FEDERAL RESERVE SYSTEM

Committee on Financial Services: Subcommittee on Domestic Monetary Policy and Technology held a hearing entitled “Improving the Federal Reserve System: Examining Legislation to Reform the Fed and Other Alternatives”. Testimony was heard from public witnesses.

MEASURING BORDER SECURITY

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled “Measuring Border Security: U.S. Border Patrol’s

New Strategic Plan and the Path Forward”. Testimony was heard from Michael J. Fisher, Border Patrol, Department of Homeland Security; Rebecca Gambler, Acting Director, Homeland Security and Justice, Government Accountability Office; and Marc Rosenblum, Specialist in Immigration Policy, Congressional Research Service.

BUILDING SECURE PARTNERSHIPS IN TRAVEL, COMMERCE, AND TRADE WITH THE ASIA-PACIFIC REGION

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled “Building Secure Partnerships in Travel, Commerce, and Trade with the Asia-Pacific Region”. Testimony was heard from John Halinski, Assistant Administrator, Office of Global Strategies, Transportation Security Administration; Mark Koumans, Deputy Assistant Secretary, Office of International Affairs, Department of Homeland Security; Hans G. Klemm, U.S. Senior Official for Asia-Pacific Economic Cooperation, Bureau of East Asian and Pacific Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee began a markup of H.R. 4970, the Violence Against Women Reauthorization Act of 2012; H.R. 4377, the “Responsibly And Professionally Invigorating Development Act of 2012”; and the “Divisional Realignment Act of 2012”. H.R. 4970 was ordered reported, as amended.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a hearing on H.R. 3210, the “Retailers and Entertainers Lacey Implementation and Enforcement Fairness Act”; and H.R. 4171, the “Freedom from Over-Criminalization and Unjust Seizures Act of 2012”. Testimony was heard from Senator Paul (KY) and the following Representatives: Cooper; Blumenauer; and Broun (GA); Eileen Sobeck, Deputy Assistant Director for Fish and Wildlife and Parks, Department of Interior; Kevin Shea, Associate Administrator, Animal and Plant Health Inspection Service, Department of Agriculture; and public witnesses.

SCIENCE BEHIND GREEN BUILDING RATING SYSTEMS

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight held a hearing entitled “The Science Behind Green Building Rating Systems”. Testimony was heard from Kathleen Hogan, Deputy Assistant Secretary for Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy; Kevin

Kampschroer, Director of the Office of Federal High-Performance Green Buildings, General Services Administration; and public witnesses.

VA MENTAL HEALTH CARE STAFFING

Committee on Veterans' Affairs: Full Committee held a hearing entitled "VA Mental Health Care Staffing: Ensuring Quality and Quantity". Testimony was heard from Eric K. Shinseki, Secretary, Department of Veterans Affairs; John D. Daigh, Jr., Assistant Inspector General for Healthcare Inspections, Office of Inspector General, Department of Veterans Affairs; RADM Thomas Carrato, USPHS (Ret.), President, Health Net Federal Services; and public witnesses.

IDENTITY THEFT AND TAX FRAUD

Committee on Ways and Means: Subcommittee on Oversight and Subcommittee on Social Security held a hearing entitled "Identity Theft and Tax Fraud". Testimony was heard from J. Russell George, Treasury Inspector General for Tax Administration; Patrick P. O'Carroll, Jr., Inspector General, Social Security Administration; Steven T. Miller, Deputy Commissioner for Services and Enforcement, Internal Revenue Service; Nina E. Olson, National Taxpayer Advocate, Internal Revenue Service; and David E. Black, General Counsel, Social Security Administration.

Joint Meetings

SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4348, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, but did not complete action thereon, and recessed subject to the call.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 9, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Coast Guard, 10 a.m., SD-138.

Subcommittee on Department of Defense, to receive a closed briefing on proposed budget estimates for fiscal year 2013 for Central Command and Africa Command Programs, 10:30 a.m., SVC-217.

Subcommittee on Financial Service and General Government, to hold hearings to examine expanding

broadband access, promoting innovation, and protecting consumers in a communications revolution, focusing on fiscal year 2013 resource needs for the Federal Communications Commission, 3:30 p.m., SD-138.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy, to hold hearings to examine the National Flood Insurance Program, focusing on the need for long-term reauthorization and reform, 10 a.m., SD-538.

Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine limiting Federal support for financial institutions, 2 p.m., SD-538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the need for privacy protections, focusing on perspectives from the Administration and the Federal Trade Commission, 2:30 p.m., SR-253.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President, 10 a.m., SD-342.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine building and maintaining an effective human resource workforce in the Federal government, 2:30 p.m., SD-342.

Committee on the Judiciary: to hold an oversight hearing to examine the Office of the Intellectual Property Enforcement Coordinator, 10 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, Paul William Grimm, to be United States District Judge for the District of Maryland, John E. Dowdell, to be United States District Judge for the Northern District of Oklahoma, Mark E. Walker, to be United States District Judge for the Northern District of Florida, and Brian J. Davis, to be United States District Judge for the Middle District of Florida, 2:30 p.m., SD-226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 2:30 p.m., SH-219.

House

Committee on Appropriations: Subcommittee on Homeland Security, markup of Homeland Security Appropriations Bill FY 2013, 10:15 a.m., H-140 Capitol.

Subcommittee on State, Foreign Operations, and Related Programs, markup of State, Foreign Operations, and Related Programs Appropriations Bill FY 2013, 11 a.m., H-140 Capitol.

Committee on Armed Services: Full Committee, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce: Subcommittee on Energy and Power, hearing on H.R. 4273, the "Resolving Environmental and Grid Reliability Conflicts Act of 2012"; and discussion draft of the "Hydropower Regulatory Efficiency Act of 2012", 9 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigation, hearing entitled “Budget and Spending Concerns at HHS”, 10 a.m., 2322 Rayburn.

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit, hearing entitled “Rising Regulatory Compliance Costs and Their Impact on the Health of Small Financial Institutions”, 10 a.m., 2128 Rayburn.

Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled “Oversight of the Federal Housing Administration’s Reverse Mortgage Program for Seniors”, 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia, hearing entitled “Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in the Middle East”, 2 p.m., 2172 Rayburn.

Committee on Homeland Security: Full Committee, markup of H.R. 3857, the “Public Transit Security and Local Law Enforcement Support Act”; H.R. 4005, the “Gauging American Port Security Act”; H.R. 3173, to direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center; and H.R. 2356, the “WMD Prevention and Preparedness Act of 2011”, 9:30 a.m., 311 Cannon.

Subcommittee on Emergency Preparedness, Response, and Communications; and Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technology,

joint hearing entitled “First Responder Technologies: Ensuring a Prioritized Approach for Homeland Security Research and Development”, 11 a.m., 311 Cannon.

Committee on the Judiciary: Full Committee, hearing on the Federal Bureau of Investigation, 10 a.m., 2141 Rayburn.

Committee on Natural Resources: Full Committee, hearing entitled “Evaluating President Obama’s Offshore Drilling Plan and Impacts on Our Future”, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform: Committee on Oversight and Government Reform; and Committee on Transportation and Infrastructure, hearing entitled “TSA Oversight Part IV: Is TSA Effectively Procuring, Deploying, and Storing Aviation Security Equipment and Technology?”, 1 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology: Subcommittee on Research and Science Education, hearing entitled “Ensuring the Best Stewardship of American Taxpayer Dollars at the National Science Foundation”, 2 p.m., 2318 Rayburn.

Committee on Small Business: Full Committee, hearing entitled “Running on Empty: The Effects of High Gasoline Prices on Small Businesses”, 1 p.m., 2360 Rayburn.

Committee on Ways and Means: Subcommittee on Health, hearing entitled “Medicare Durable Medical Equipment Competitive Bidding Program”, 9 a.m., 1100 Longworth.

Subcommittee on Social Security, hearing entitled “The State of Social Security’s Information Technology”, 2 p.m., B-318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 9

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 9

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized.

House Chamber

Program for Wednesday: Consideration of the following measures under suspension of the Rules: 1) H.R. 2072—Securing American Jobs Through Exports Act and 2) H.R. 4133—United States-Israel Enhanced Security Cooperation Act of 2012. Continue consideration of H.R. 5326—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013.

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