The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:
WASHINGTON, DC, February 13, 2012.
I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

PRAYER
The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:
Loving and gracious God, we give You thanks for giving us another day. Help us this day to draw closer to You so that with Your spirit and aware of Your presence among us, we may all face the tasks of this day with grace and confidence.

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

THE JOURNAL
The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.
Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore 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.

ADJOURNMENT
The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 1 o’clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 14, 2012, at noon.

EXECUTIVE COMMUNICATIONS, ETC.
Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

4965. A letter from the Secretary, Department of Defense, transmitting the Annual Report of the Reserve Forces Policy Board for Fiscal Year 2011, pursuant to 10 U.S.C. 113 (c) and (e); to the Committee on Armed Services.

4966. A letter from the Assistant Secretary, Navy, Department of Defense, transmitting the Department’s annual report listing all repairs and maintenance performed on any covered Navy vessel in any shipyard outside the United States or Guam during the preceding fiscal year; to the Committee on Armed Services.

4967. A letter from the Secretary, Department of Health and Human Services, transmitting fourth and fifth quarterly report on Progress Toward Promulgating Final Regulations for the Menu and Vending Machine Labeling Provisions of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.


4969. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablock Act; to the Committee on Foreign Affairs.

4970. A letter from the Secretary, Department of Education, transmitting the sixty-third Semiannual Report to Congress of the Office of the Inspector General for the period April 1, 2011, through September 30, 2011; to the Committee on Oversight and Government Reform.

4971. A letter from the Chief Human Capital Officer, Small Business Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.


4973. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting the Department’s final rule — Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore — Off-Road Vehicle Management (RIN: 1024-AD85) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4974. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer (Docket No. 0102000-0269-02) (RIN: 0648-XA897) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4975. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer...
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[DoCkет No.: 10129427-0609-02] (RIN: 0648-XA84) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4976. A letter from the Director of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea Pollock Total Allowable Catch Amount [Docket No.: 10112831-0640-02] (RIN: 0648-XA90) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4977. A letter from the Director of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aukutuan Islands Pacific Cod Total Allowable Catch Amount [Docket No.: 10112921-0640-02] (RIN: 0648-XA90) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4978. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Recreational Accountability Measures [Docket No.: 11112870-1702-01] (RIN: 0648-XA90) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4979. A letter from the Secretary, Department of Transportation, transmitting the Department’s report of obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs for the fiscal year 2010 as of September 30, 2010; to the Committee on Transportation and Infrastructure.

4980. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration’s final rule — Small Business Jobs Act: 504 Loan Program Debt Refinancing (RIN: 3245-AG17) received January 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

4981. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service’s final rule — Permitted disparity in employer-provided contributions or benefits (Rev. Rul. 2012-5) received January 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.


4984. A letter from the Director, Trade and Development Agency, transmitting the Agency’s fiscal year 2011 annual report; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Mtled from the Record of February 9, 2012]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3410. A bill to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, to provide fair and equitable revenue sharing for all coastal States, to formulate future offshore energy development plans in areas with the most potential, to generate revenue for American infrastructure, and for other purposes; with an amendment (Rept. 112–385). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 3864. A bill to amend the Internal Revenue Code of 1986 to extend authorizations relating to the Highway Trust Fund, to provide revenues for highway programs, and for other purposes (Rept. 112–397). Referred to the Committee of the Whole House on the state of the Union.

[Submitted February 13, 2012]

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 7. A bill to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes; with an amendment (Rept. 112–397). Referred to the Committee of the Whole House on the state of the Union.

[Omitted from the Record of February 9, 2012]

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. HERGER:
H.R. 4013. A bill to continue the employee payroll tax cut through 2012; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan (for himself, Mrs. CAPITO, and Mr. BACHUS):
H.R. 4014. A bill to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection; to the Committee on Financial Services.

By Mr. SCOTT of South Carolina:
H.R. 4015. A bill to repeal the conservation stewardship program of the Department of Agriculture; 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.

By Mr. HERGER:
H.R. 4013. Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HUIZENGA of Michigan:
H.R. 4015. Congress has the power to enact this legislation pursuant to the following:

In keeping with the rules of the House of Representatives, Amendment X is cited as delegating to the states or to the people all ‘powers not delegated to the United States by the Constitution.’

Additionally, 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. SCOTT of South Carolina:
H.R. 4015. Congress has the power to enact this legislation pursuant to the following:

In keeping with the rules of the House of Representatives, Amendment X is cited as delegating to the states or to the people all ‘powers not delegated to the United States by the Constitution.’

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 452: Mr. BARROW.
H.R. 454: Mr. WATERS.
H.R. 679: Mr. OWENS.
H.R. 733: Mr. GINGREY of Georgia.
H.R. 1179: Mr. FLAKE, Mr. Poirer of Texas, Mr. WOMACK, and Mr. SHERMAN.
H.R. 1236: Mr. WOMACK.
H.R. 1237: Mr. SCHILLING and Mr. SCHOCK.
H.R. 1332: Mr. CHANDLER.
H.R. 1338: Mr. FITZPATRICK.
H.R. 1386: Mr. King of New York and Mr. TOYNS.
H.R. 1416: Mrs. McCORMIC RODGERS.
H.R. 1755: Mr. STIVERS.
H.R. 1830: Mr. RIGELL.
H.R. 1936: Mr. TONKO.
H.R. 1969: Mr. GARAGIOLI.
H.R. 2077: Mr. GINTA and Mr. GARDNER.
H.R. 2088: Ms. SUTTON, Mr. ROTHMAN of New Jersey, Mr. FITZPATRICK, and Mrs. DAVID of California.
H.R. 2145: Mr. WESTMORELAND, Mr. HARRIS, Mr. BISHOP of Utah, and Mrs. JENKINS.
H.R. 2152: Mr. LARSON of Connecticut, Mr. GENE GREEN of Texas, Mr. MOORE, Mr. NEAL, and Mr. BURKHILL.
H.R. 2179: Mr. COOPER and Mr. ROE of Tennessee.
H.R. 2569: Mr. ROGERS of Alabama and Mr. CARDOZA.
H.R. 2679: Mr. INSLEE.
H.R. 2910: Mr. YOUNG of Indiana.
H.R. 2917: Mr. TONKO.
H.R. 3040: Mr. BONALD.
H.R. 3076: Mr. CLAY.
H.R. 3077: Mr. FLIPPS.
H.R. 3269: Mr. GINTA, Mr. SCHILLING, and Mr. SHERER.
H.R. 3265: Mr. SCHWERNER.
H.R. 3516: Mr. COOPER.
H.R. 3523: Mr. GROVE, Mrs. MILLER of Michigan, Mr. GUTHRIE, Mr. ROGERS of Alabama, Mr. BNIEMIEYER, and Mr. BROUG of Georgia.
H.R. 3609: Mr. BROWN of Georgia.
H.R. 3728: Mr. PITTS, Mr. ROSEKAN, and Mr. AUSTIN SCOTT of Georgia.
H.R. 3767: Ms. WOOLSEY and Mrs. MCCARTHY of New York.
H.R. 3773: Mr. Poe of Texas, Mr. Marchant, Mr. Hall, Mr. Canseco, and Mr. Ross of Arkansas.
H.R. 3798: McGovern and Mr. Sablan.
H.R. 3814: Mr. Goodlatte, Mr. Mc倾斜, and Mr. Westmoreland.
H.R. 3842: Mr. Davis of Kentucky.

H.R. 3860: Mr. Grijalva.
H.R. 3877: Mr. Hultgren.
H.R. 3895: Mr. Benishek, Mr. Rehberg, and Mr. Wilson of South Carolina.
H.R. 3974: Mr. Rangel, Mr. Hastings of Florida, and Mr. Hinchey.

H.R. 3860: Mr. Van Hollen, Mr. Pallone, Ms. Schakowsky, and Mr. Butterfield.
H.J. Res. 101: Mr. Mulvaney.
H. Res. 25: Mr. Cicilline.
H. Res. 351: Mr. Buchanan.
H. Res. 526: Mr. Kinzinger of Illinois.
The Senate met at 2 p.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:

Lord God Omnipotent, You are above all nations. Take our lives and use them for Your purposes. Lord, cleanse our hearts, forgive our sins, and teach us to amend our ways as Your transforming grace changes our lives.

Today, inspire our Senators to be true servants of Your will. In these challenging times, give them the wisdom to labor for justice, to love mercy, and to walk humbly with You. Keep their minds and spirits steady as they strive to please You. We pray in Your sacred 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. Inouye). The legislative clerk read the following letter:

U.S. Senate
President pro tempore

To the Senate:

Under the provisions of rule 1, 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. Inouye
President pro tempore.

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

RESERVATION OF LEADER TIME
The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS
The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m. with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE
Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business until 4:30 p.m. today. Following morning business, the Senate will go to executive session to consider the nomination of Adalberto Jordan to be a circuit judge for the Eleventh Circuit. At 5:30 p.m., there will be a cloture vote on the Jordan nomination. We hope to be able to yield back postcloture time and confirm this nomination this evening.

SURFACE TRANSPORTATION ACT
Mr. REID. Mr. President, in the 1950s, America embarked on the largest public works project in its history: a new web of interstate highways. This came about as a result of then-President Eisenhower reflecting upon a time when speed—roads were dilapidated, rutted—and it was something he never forgot.

When he became President of the United States, he decided something had to be done about that. This was a tremendous undertaking; 47,000 miles of highways would, for the first time, connect businesses and communities from sea to shining sea. President Eisenhower—of course, a Republican—said the investment would pave the way for a new era of American growth. He said:

America will be a nation of great prosperity, but will be more than that: it will be a nation that is going ahead every day... The expanding horizon is one that stagers the imagination.

President Eisenhower said a new highway system was essential to our economy, our safety, and our progress as a nation. That is just as true today as it was in 1954.

Today, America depends on more than 4 million miles of roadways to keep our economy humming. We use those roads to take the kids across town to school and to take products across the Nation to market. But the system of highways, roadways, railways, and bridges upon which the American economy depends—and in which we invested our great resources during the last century—has fallen into a state of disrepair.

This is hard to comprehend, but more than 70,000 of our bridges are structurally deficient. They need major repairs or need to be replaced completely—70,000 bridges. Every month in America enough pedestrians are killed to fill a jumbo jet. Many of these deaths could have been prevented by proper sidewalks and crosswalks. Bus and train ridership grows every year while public transportation dollars shrink every year. One of every five miles of American roads is not up to safety standards.

Let me repeat: We have 70,000 bridges that are structurally deficient, and we in the Army. It was a terrible experience—roads were dilapidated, rutted—and it was something he never forgot.

The expanding horizon is one that stagers the imagination.

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This is hard to comprehend, but more than 70,000 of our bridges are structurally deficient. They need major repairs or need to be replaced completely—70,000 bridges. Every month in America enough pedestrians are killed to fill a jumbo jet. Many of these deaths could have been prevented by proper sidewalks and crosswalks. Bus and train ridership grows every year while public transportation dollars shrink every year. One of every five miles of American roads is not up to safety standards.

Let me repeat: We have 70,000 bridges that are structurally deficient, and we...
have 20 percent of our roads not up to safety standards. Crumbling infrastructure is a terrible drag on our economy. But this crisis is also an opportunity. By rebuilding our transportation system, we can put 2 million Americans back to work and boost our economy right away.

The surface transportation bill that is on the Senate floor this week is one of the most important pieces of legislation we will consider the entire year. It will help modernize our transit system, rebuild America’s roads and bridges, and create or save millions of middle-class jobs. And, it will do it in a fiscally responsible way.

Democrats and Republicans agree that making America’s transportation system great again will boost our economy, and that is what this bill is all about. It is a bipartisan bill sponsored, of course, by the chairman of the committee BARBARA BOXER and the ranking member of the committee Senator INZIOZI.

President Reagan called a world-class transportation system an investment in tomorrow that we must make today. So it is no wonder this strong bipartisan surface transportation legislation passed the committee unanimously. I am cautiously optimistic that spirit of cooperation will continue this week.

I hope the junior Senator from South Carolina did not speak for the majority of Republicans last week when he said, “We don’t have shared goals with the Democrats.” I would like to believe Republicans share our goal of strengthening the economy and creating millions of jobs for American workers. I would like to believe they share a goal, as Eisenhower and Clinton and Reagan did, of rebuilding a world-class transportation system to support a world-class economy.

This week Republicans have an opportunity to prove they share these goals. The surface transportation jobs bill is too important to get bogged down with ideological amendments. Unrelated legislation that would limit workers’ access to health care has no place on a transportation bill. So let’s stay laser-focused on our most important task: putting 2 million Americans back to work rebuilding our roadways and railways. Together we can keep this Nation, as President Eisenhower and President Eisenhower and Clinton and Reagan would like to believe they share a goal, making America’s transportation system to support a world-class economy.

But this crisis is also an opportunity. By rebuilding our transportation system, we can put 2 million Americans back to work and boost our economy. And, it will do it in a fiscally responsible way.

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RECOGNITION OF THE MINORITY LEADER

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

THE BUDGET

Mr. MCCONNELL. Mr. President, President Obama released a budget today that isn’t really a budget at all. It is a document. The President’s goal isn’t to solve our problems but to ignore them for another year, which will only ensure they get even worse. Once again, the President is shirking his responsibility to lead by using this budget to divide us.

The game plan is perfectly clear. Rather than reach out to Congress to craft a consensus budget, the President will take his budget to the road, as he did today, and talk about the parts he thinks audiences will like. What he will not say is that it is bad for job creation, bad for seniors, and it will make the economy worse.

The President’s budget is bad for jobs because it includes the biggest tax hike in history and continues policies such as the Democrats’ health care law that is making it harder for small businesses to hire.

A little more than a year ago, the President extended current tax rates because he thought raising them would be bad for jobs. Today he will call for raising them anyway because he thinks it is good for him.

The President’s budget is bad for our seniors because it doesn’t protect the security of Medicare and Social Security and assures those programs keep careening toward bankruptcy.

The President’s budget is bad for our country’s economic security because yet again the President failed to take the prime opportunity this budget provides to address the Nation’s $15 trillion debt.

Contrary to the President’s claims out on the road, this budget is literally loaded with deficit reduction gimmicks that would trigger an IRS audit for anybody else and make our current economic situation even worse.

Now, the President isn’t going to mention any of those things, but Americans deserve to know the truth about this budget. They deserve to know why the President’s own party doesn’t want to vote on it and why his own top advisers are trying to deflect serious questions about what is really going on here.

Yesterday, the President’s Chief of Staff said the reason this budget will not get anywhere in the Senate is because it would take 60 votes to pass—60 votes to pass—and the Democrats don’t have that many votes on their own.

Well, I would suggest Mr. Lew review his Sunday briefing materials a little more closely next time. As someone who has run the Office of Management and Budget for two different Presidents, he knows as well as anybody in Washington a simple majority is all it takes to pass a budget in the Senate, a simple majority. In other words, Democrats could pass this President’s budget without a single Republican vote—not one.

The inconvenient truth that President Obama doesn’t want his own top advisers don’t want to admit is that this budget isn’t going anywhere because the President’s own party doesn’t want to have anything whatsoever to do with it. Indeed, the majority leader in the Senate has already declared it “dead on arrival.”

Now, Jack Lew knows this as well as I do, and the fact that he does proves beyond any doubt the President has no intention of this budget ever actually being implemented. If he can’t even count on members of his own party to support it, who does he expect is going to support it?

The truth is, Democrats want to have it both ways. The President wants to be able to take his budget around the country to talk about the parts of it he thinks people will like, and Democrats in Congress want to be able to avoid a vote on it because it is so damaging for job creation and seniors and the economy.

Well, if anybody wants to know what a failure of leadership looks like, this is it. This is it. Three years ago, President Obama promised to cut the Federal deficit in half by the end of his first term. He hasn’t even come close. Here he is once again proposing the same failed policies that have prolonged this economic crisis well into the President’s fourth year in office.

The national debt increased under his watch by more than 40 percent, he is still throwing good money after bad. He is still spending money we don’t have on things we don’t need. He still refuses to lead.

Democrats in Congress have been more than happy to enable him. They haven’t passed a budget of their own in 3 years, and all indications are they will not pass one this year either—a failure of congressional leadership that will surely go down in history. At this point, nothing seems capable of causing this President to action. Every day we hear the alarm bells sounding from across the Atlantic. It doesn’t seem to phase him. Every day we hear the warnings from experts and economists that our fiscal situation is unsustainable.

Just a few months ago, the unthinkable happened when America’s credit rating was actually lowered for the first time in history.

What is this President’s response? A budget he knows even his own party will not support. That is his response to this $15 trillion debt. So this is a charade—a charade. The only question is when this President’s own refusal to lead will catch up to all the rest of us.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, I wish to continue the consideration of the line of our distinguished Republican leader and talk about the President’s proposed budget that was released today.

Unfortunately, the President’s budget proposes more debt, more spending, and higher taxes. It is bad news for job creation and for America’s job creators and portends nothing good; indeed, only does it portend ominously for our country getting back on the right economic track and creating the kind of policies that will generate jobs and prosperity.

The President’s proposed budget again ignores his own bipartisan fiscal
commission, the Simpson-Bowles Commission, which concluded in December of 2010 that America faced “a moment of truth” because we simply had spent more money than we were taking in for too long and had accumulated too much debt, which was killing economic growth and threatening to bring down a Western European country, which we see today that the eurozone is in jeopardy.

One week from today, millions of Americans will celebrate President’s Day, a holiday that honors all our Commanders in Chief. But this year, President Obama will share a distinction that no other President has ever had: He has proposed a budget that dwarfs all the debt accumulated over more than 22 decades by all his predecessors.

When President Obama took office in January 2009, the national debt was about $10 trillion or, broken down for every man, woman, and child in America, about $32,000. The other political party could be particularly proud of.

Today it is far worse: more than $15 trillion, an increase of more than 50 percent in 3 years. Under this budget proposed by President, red ink today, Federal borrowing will never stop. The national debt will more than double to $26 trillion or $75,000 for every man, woman, and child in America. Simply put, the President’s proposed budget makes it worse, not better.

We all know we can’t keep this up. The sad part is the President underestimates this too but simply refuses to provide the leadership necessary to put us on the right path.

We have heard it before, but I will repeat it. Former Chairman of the Joint Chiefs of Staff, ADM Mike Mullen said, the debt is the biggest threat to our national security. How could that be? It has been, as Admiral Mullen knows and we are now learning, when we live in fiscally constrained times, some of the first cuts that occur are to the Defense Department. In fact, while the Defense Department incurs roughly 20 percent of discretionary spending, it has so far been planned for 50 percent of the cuts, increasing the national security risk to every American.

After promising the American people he would cut the deficit in half by the end of the year, the President’s most recent plan means America will have an annual deficit of more than $1 trillion for every year of his Presidency. That is right, $1 trillion of deficit for each of the 4 years of his first term in office. This is unprecedented and dangerous. It is dangerous to our prosperity and to our Nation’s future.

While the President seems to be unwilling to come to grips with the nature of our debt crisis, my constituents in Texas understand that the national debt poses very real security risks because they are already beginning to see the cuts that are occurring or are planned in our national security spending. My constituents in Texas are also concerned, in a State that happens to be growing faster than almost any other part of the country, that the threat of higher taxes discourages the people to whom we look to create jobs, to start new businesses.

Rather than provide a comprehensive review of our Tax Code, as the Simpson-Bowles Commission proposed, this budget proposes to target certain industries, such as the domestic oil and gas industry, despite rising prices at the pump. The White House seems oblivious to what would happen to the jobs that are generated by this industry and all the revenue the government would lose if we outsource even more of our energy production to foreign Nations.

The President appears to feel like small businesses are undertaxed because the so-called millionaire’s tax he has proposed will hit many small businesses that we depend upon to create jobs during a fragile economic recovery because we know it will serve as a wet blanket; it will be a disincentive on job creation.

We need a serious discussion on tax reform. The Simpson-Bowles Commission made a responsible proposal—not perfect but a good start. But the President has simply ignored the recommendations of his own bipartisan commission since those recommendations were made in December of 2010.

The President’s budget also proposes about $1.9 trillion in new taxes, as I indicated. The good news, from my perspective, is that we already had a number of votes last year on these kinds of tax increases, and the Congress has rejected them. But if the President’s assumption taxes increase help mask the true size of the deficits in the President’s proposed budget and will do damage to any hope of sustained job creation.

Then there is the phony accounting, the gimmicks. Unfortunately, all we have to do is look at the Gallup poll to see in what regard Congress is held; and it is the kind of gamesmanship and the gimmicks in this budget which contribute to people’s cynicism about their elected officials and about their government.

What does the President do? He says we are going to save money from future war spending, and we are going to use that as an offset for new spending and to reduce the deficit. But I have to observe, that is cynical at best. His budget is claiming artificial savings from money that never would be spent in the first place for wars that hopefully will never be fought. But he is saying, because we will not fight this war, that is enough to take that savings as if we would and save it and offset it to try to balance the budget.

Even this gimmick cannot hide the fact the President wants to continue the record-level stimulus spending that began on his watch. You will recall Christina Romer, head of the White House Council of Economic Advisers, testified if we just pass a trillion dollar stimulus bill, unemployment will never go above 8 percent.

If we go back and look at those same charts and what they say about the first quarter of 2012, they project unemployment at 6.5 percent. Obviously, that stimulus failed to meet its own projections, and what President Obama wants us to do is more of the same and to spend more borrowed money.

The vacuum of leadership that starts at the White House extends, unfortunately, to this Chamber, a Senate led by Majority Leader Reid, in which he has no plans to present a budget for the third year in a row. Even before the Payas sent the Senate budget, the Senate majority leader already told the American people the Senate will ignore it. He was quoted in the press saying it would be foolish for the majority to propose a budget.

Why? Because he doesn’t want to subject members of his own caucus to hard votes, to tough decisions. These are exactly the kinds of tough decisions the American people sent us to make, and these are the kinds of tough decisions every household and every small business in America is expected to make in order to cope with this economic crisis we find ourselves in. But this is exactly what Majority Leader Reid has chosen to protect his members from making. Why? Because it will help solve the problem? No. Because he doesn’t want them to be held accountable in the next election.

We know it has been more than 1,000 days since the Senate passed a budget, and it is just unthinkable, to me, that we would fail to meet one of our most basic responsibilities. Can you imagine a family or a small business operating without a budget? We know why it is so important and why a lack of a budget has encouraged and facilitated runaway spending: Because when we budget, we figure out how much money we have and we figure out what we must have and what our priorities are. Then we figure out what we would like to have but maybe can’t afford to have now so we need to put off. And then we figure out what we want but we can’t afford that so we are going to have to do without.

Congress has simply, under Senator Reid and the Democratic majority of the Senate, refused to meet its responsibilities for fiscal discipline. It is clear they are running out of excuses.

Senator McConnell pointed out that Jack Lew, the President’s new Chief of Staff, said: The reason why Democrats can’t pass a budget, even though they hold the majority, even though they control the agenda, is because of those mean old Republicans, he pointed out that 60 votes to pass a budget.

Mr. Lew has been around a long time and he knows that is not true. I had
hoped he would have corrected the record because he knows—and we all know—it takes a simple majority of the Senate to pass a budget. But before we can pass a budget, Majority Leader Reid has to call it up and bring it on the floor of the Senate and schedule a vote, which he has simply refused to do.

So instead of acting responsibly and proposing a budget and voting on a budget and allowing it to be debated, the President has chosen to take his low road and, last year, simply to attack chairman of the House Budget Committee Paul Ryan and House Republicans for the budget they passed. It is not perfect, but it was trying to do their job and to make a responsible proposal. But rather than meet that responsible proposal with a counter-proposal and try to work out the differences during the legislative process, the President, unfortunately, took the low road and attacked and attacked and attacked, rather than trying to offer a viable solution.

It should come as no surprise that under the President’s watch, the national debt has grown to more than $15 trillion and is now larger than the U.S. economy. That is right, our debt is 100 percent of our gross domestic product. Government spending is now 25 percent of our economy; unfortunately, revenue is about 15 percent. So we have a 10-percent gap, which represents the annual deficit and the cumulative deficits make up that $15 trillion debt.

We know our Nation has lost its AAA credit rating from Standard & Poor’s because they are becoming concerned about our willingness—indeed, about our ability—to meet our most basic responsibilities. All three major rating agencies have assigned a negative outlook to our Nation’s long-term rating. What that means is potentially the specter of higher interest rates that we have seen in China and other countries buy our sovereign debt. A 1-percent increase, if they became worried about our ability to repay our debts and they simply charged us more, would wipe out any savings we might otherwise be able to make through cuts.

The warning sound has been heard, and the fiscal tsunami that many budget experts have said in the past would not hit this Nation is fast approaching. It is not just tomorrow, we need solutions. The way the American people feel about this overhang of debt and the lack of clarity with regard to taxes and regulation in our future is shown in the stagnant job growth we have seen.

No sensible job creator is going to start a new business or to expand an existing business with such huge debt and such great uncertainty about their taxes, the regulatory overreach, and the economic environment. They are simply not going to do it. All we have to do is look across the Atlantic Ocean and watch our European friends and what they are going through today and see what will happen when government overspends and debt is allowed to run unchecked.

What is so disappointing is that President Obama has had multiple opportunities to create a bipartisan fiscal overhaul plan. The one I keep mentioning is the Simpson-Bowles plan, and the reason I do is because it is his debt commission that he appointed. It was bipartisan. We had three Republicans on that commission who voted for it; $4 trillion worth of cuts, tax reform that would lower the marginal tax rates, eliminate $1 trillion-plus in expenditures, and would create economic growth and certainty for our economy and help put America back to work in the meantime. Unfortunately, the President, instead of embracing that bipartisan proposal, with the budget submission he makes today indicates he has chosen again to remain on the sidelines and to campaign rather than try to come up with real solutions. The President’s plan fails to right the ship and will continue to lead us down the path of more debt, higher taxes, and runaway spending that has brought the economies of many European countries to the brink.

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

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

Mr. PORTMAN. 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.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am here today to talk about the President’s budget, which he submitted today. In an era of trillion-dollar deficits and historic debt and the greatest level of national debt since World War II, I believe the President’s submission today was not a responsible budget. Instead of keeping his campaign promise to cut the deficit in half in his first term, this budget assumes continued deficits this year and next in the trillion-dollar range.

Given the promises President Obama made when he came to the White House and how poorly the last budget was received across the aisle in Congress—in fact, it was voted on here on the floor of the Senate, and it was defeated by a vote of 97 to 0—given those things, I hoped President Obama would step forward and turn the rhetoric into action and put forward a responsible budget to deal with the fiscal problems our government faces—no more punting, no more gimmicks, a real budget that honestly faces the fiscal crisis we have and helps put us back on track. Instead, we see a document more tailored toward campaign talking points than really addressing the long-term solvency of the Federal Government.

The President begins by proposing a new $350 billion in stimulus bill. By the way, that is $350 billion with no offsets—in other words, no spending reductions to pay for it.

The President’s budget then claims $1.7 trillion in deficit reduction over the next decade. As I have looked at this budget today, it seems to me that only a minuscule amount of this is from new spending cuts. In fact, as I read this budget, 99.9 percent of the President’s budget says is going to be $800 billion.

Out of the claimed $5.3 trillion in deficit reduction, that leaves about $1 trillion—of the claimed savings over the decade. So 99.9 percent of the deficit reduction he claims is through tax increases or, again, changes in spending that either have already occurred or they are not going to occur. One of the things that the President, in his baseline— in the baseline he assumes for his spending, he hides about $479 billion in new spending. Now, this is on Pell grants and on the Medicare doc fix. So the claimed savings—even the $4 billion—vanish completely.

Over all, when compared to the current policy baseline, the President would tax $4 trillion more and spend about $2 trillion more over the next 10 years of this budget. The yearly deficit would be $1.9 trillion, which is the $1.7 trillion; and then finally net interest savings from those policies, which the budget says is going to be $800 billion.

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code and adding higher tax rates is going to have an impact on small businesses and therefore on our economy and on jobs. This is ultimately about jobs. It is about everyday economic concerns people in Ohio and around the country have.

In this budget document, we do see some honesty, but it does not make me optimistic at all. Acknowledging the impact this budget will have on the economy, the President’s budget actually concedes unemployment rates next year will be higher than this year, and the year after higher than this year. His prediction is that unemployment rates will be 8.9 percent in 2012 and 8.6 percent in 2013—totally unacceptable and a testament to the fact that Washington cannot continue to rely on short-term sweeteners and budget spending gimmicks to grow our economy and get the country out of this fiscal mess.

Again, I am disappointed in the budget we have seen today. I hope the Senate will work its will, put together its own budget, taking the President’s budget and other ideas but then coming up with something that actually does address the very real fiscal problems we face. Bring such a budget to the floor of the Senate, have it debated by both sides, and work out what we have not done in this Senate for over 1,000 days, which is prepare a blueprint for the fiscal and economic future of our country. Until we get such a budget, I fear we will continue to see this lack of economic growth and job loss that all of us would like to see addressed.

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

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

The legislative clerk proceeded to call the roll.

Mr. JOHANNES. 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.

RELIGIOUS LIBERTIES

Mr. JOHANNES. Mr. President, I rise today to comment on the developments of the past few weeks which, in my view, have been incredibly tragic but may, in the long run, be reassuring. On the one hand, it is tragic that our own government launched an attack on first amendment rights. The President launched this assault unapologetically in the black-and-white print of a rule that clearly restricts religious liberties. It says contraceptives and abortion-inducing drugs must be provided free of charge to women. What the President did not anticipate by his rule was the backlash it would generate.

It is reassuring, on the other hand, to know that Americans will make their voices heard when their constitutional rights are being trampled. For the first time in many years, people of many different faiths, as well as the defenders of the Constitution, have found a unifying rallying cry. They are sending the message that enough is enough; it is time to stop this administration’s march into every single facet of our lives. And it is going to take the very basic rights in this country. It is the right to exercise religion—a right this President pledged to uphold when taking the oath of office.

Many Americans were lulled into complacency in 2009 by promises that apparently the President did not intend to uphold. Back then I came to the Senate floor to address this identical issue. In the thick of the very contentious health care debate, I urged my pro-life colleagues and the pro-life community to stand up against the health care bill that was being considered here in the Senate. I pointed out that the Hyde amendment, which prohibits federal funding being used for abortion, was absolutely absent in the bill, something that now appears to be no accident whatsoever. On that day, I shared the National Right to Life’s very real concerns that the bill “tries to conceal the reality with layers of contrived definitions and hollow bookkeeping requirements.” Unfortunately, though, empty promises that the bill respected life were enough to convince my presumably pro-life colleagues to support the bill. After all, they had heard the promises straight from the President’s mouth.

Remember when the President told Americans “under our plan, no Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place.” Congress ignored the warnings, charged forward, blurry eyed, voting in the middle of the night, and passed the health care bill that we all now know violates the very conscience rights the President himself by his own words promised to protect. It is the right to exercise religion—a right this President pledged to uphold when taking the oath of office.

As the law is being put into place, we are truly heading into uncharted waters for this Nation. On Friday, after weeks of criticism, the President announced a so-called compromise. We were told by his Chief of Staff that it will be that way or it will be the highway. So what is the compromise? It would still force every plan to offer free contraceptives and abortion-inducing drugs, even plans offered by religious organizations with deeply held religious beliefs.

The President claims religious employers with objections won’t technically be required to offer the coverage because insurance companies will be forced to offer it free. What? Are we, as Americans, expected to believe that the many religious organizations paying the employer’s share of the health care costs are not paying for these services? What kind of accounting gimmick is this? What kind of sleight of hand is that?

The President is blinded by his ideology. This fight is about religious and moral beliefs. It is not about accounting. What we have witnessed this past week is another attempt to hide the unpopular reality with layers of misleading rhetoric and hollowed promises. The truth? The truth is that many individuals who object to contraceptive drugs as a matter of religious principle will still have to provide them and pay for them. Don’t fool yourself; they are not going to be free. Drug companies don’t walk in and give away free drugs. Pharamcy chains don’t dispense. Of course, the cost will be passed along to everyone and every American in the form of premiums that we pay. Calling these services free is flat wrong. There is a cost and, unfortunately, it is a high one at that.

They come at the cost of our religious freedoms.

The administration’s position is that it can force insurers to provide contraceptives and abortion coverage for “free” because the drugs are cheaper than the cost of prenatal care. We are being told that at the very highest level. That logic is unprecedented and it is downright disturbing. Who is to say that in days to come the administration won’t order health plans to cover abortion free on the premise that it is cheaper than the cost of prenatal care, birth, and caring for human life? The same twisted logic could apply for physician-assisted suicide and a whole array of controversial procedures.

Many out there may try to refute this by repeating the President’s claim that the law prohibits mandated abortions, but that same claim promised to protect the religious liberties he is now forcing many to violate. Well, many of us will not sit idly by and watch this unprecedented effort, and I am not alone. The President should listen to the country. The gimmicks of the 2009 bill may have put some to sleep. This time Americans are not being fooled. Many out there in all faiths, all beliefs, and different views on a whole variety of topics share a love for their Constitution and the rights embodied in that Constitution. Well, they are awake now and their eyes are fully open.

As a Catholic myself, I could not be more proud of the Catholic bishops for standing strongly. Their statement rejecting the President’s smoke-and-mirrors compromise is compelling and it is spot on. The bishop said:

... today’s proposal continues to involve needless government intrusion into the internal governance of religious institutions and to threaten government coercion of religious people ... to violate their most deeply held convictions.

And they go on to say:

In a Nation dedicated to religious liberty as its first and its founding principle, we should not be limited to negotiating within these parameters. The only complete solution is for HHS to rescind the mandate of these objectionable services.

Yes, we were told by the President’s Chief of Staff negotiating is over, it will now be our way or the highway.
Well, the bishops responded. The bishops called the President’s attempt to appease them unacceptable. Yes, America has been awakened and now Congress must act on their objections. There is legislation waiting to be debated that has the potential of life not being forced to have a hand in someone else’s death. It protects conscience rights across the board. There is a bottom line and the bottom line is this: If President Obama is allowed to dictate to religious organizations what beliefs they will be allowed to hold or not to hold, then this country we all love will be a much different place and it will be a much different place for our children and grandchildren.

If the President succeeds, then our Constitution is no longer the defining document of a great Nation. Well, we do know the position of this administration, and I stand here today categorically reject it. I yield the floor, and I note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. 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.

THE BUDGET

Mr. CORKER. Mr. President, I came down today to talk about the highway bill we are on, and I want to say I appreciate the way we are dealing with each committee’s portion of the bill as we go along. I know we are on the base bill at present, but before I get into that, I do want to make some comments about the budget.

I know we have had an inability in the Senate to pass a budget over the last 1,100 days. I know the Acting President pro tempore—a friend of mine and I had to do this each year. We had to do the same in our State and city. I think those of us who come to this body are always shocked at the lack of fiscal discipline that takes place in Washington in general, but I have today in looking at the administration’s budget that was put forth today, it makes a mockery of the American people.

Our State has been blessed. We have had Governors who have been Republicans and Democrats, we have had people of a different aisle, and our State has been governed well for a long time. I believe if a Governor of our State put forth a budget such as the budget put forth today, they would be run out of our State because it is not a serious budget.

I know the Acting President pro tempore and I have been to many meetings and looked at some of the proposals that have been put out by groups like Bowles-Simpson, and it is stunning to me when we know the biggest issue our country faces is ourselves—meaning our own inability to deal with the fiscal issues that are before us and to deal with all of the reforms we now have to take place. When we know we are our own greatest enemy, to have a document that has been put out the way this one has been put out in almost a flippant way, is almost to say we don’t have to deal with this serious issue that our country has to face which is pretty unbelievable.

There is no focus on the kind of tax reform that I think so many of us support that would broaden the base and lower marginal rates and have tremendous economic growth. There is no focus on dealing with programs such as Medicare and Social Security that people depend upon, that people have counted upon all of their lives and yet we are not knowing they will exist in a very short amount of time unless we do something. Instead, this document totally puts its head in the sand on these issues. It doesn’t deal with them.

To the Acting President pro tempore I will say that it is irresponsible for a President, facing the kinds of issues our country is facing and who is seeking another term, not to lay out what he believes is the approach for us to deal with these issues, just as I believe, by the way, that whoever the Republican nominee is, I think it is incumbent upon him to do exactly the same. I think all of us need to know what our Chief Executive Officer’s plans are for this country as they relate to, again, the most important issue we have, which is economic growth. The most appalling about it is we have millions of people looking for jobs right now. Unemployment is exceptionally high. I think almost every Member of this body knows people out there who actually are part of small business job creation knows they will tell us they are concerned about the future of our country. That is the biggest threat that is keeping them from investing. So these issues are tied to the highway bill.

The greatest threat to our future is our inability to deal with fiscal issues. Our Chief Executive Officer, the President, has laid out a laughable document, one that, again, makes a mockery of the American people; yet at the same time it is us acting on real fiscal discipline that actually would drive our economy to grow and create jobs.

Transportation Act

I am very disappointed, which brings me to the most disappointing part of this bill. In fact, for the first time I think we have dealt with a highway bill since I have been in the Senate for 5 years. We keep kicking the can down the road. It is my understanding that the EPW Committee passed this out 100 percent—Rs and Ds passed this out. Apparently they did some very good work, working together, to pass a base bill.

It is also my understanding, though, that the Finance Committee is charged with paying for this and has come up with pay-fors that work like this: We are going to spend this money over a 2-year period but we are going to pay for it over a 10-year period. Again, I look at the Acting President pro tempore, somebody I know was responsible in the job he had prior to being here, and I am sure he is in this job too. But here is what we are doing: We are going to have Republicans down here constantly railing against the President’s budget. My friends on the other side of the aisle won’t do that out of respect, but I am sure they are wondering what in the world has been handed to us. At the same time, we have a piece of legislation on the floor that we are going to be dealing with that candidly does a lot of the same thing. We are going to spend money over the next 2 years and yet we are going to pay for it over the next 10. I think that is completely irresponsible. I hope before this highway bill leaves the floor we will either reduce the amount we are spending on it—which I hate to see happen because I know we do need to spend money on infrastructure around our country—or we pass a highway bill that is honest in the way it was presented. But there is no question. I mean it was not counted upon all of their lives and yet we pass a highway bill. It is my understanding that the EPW Committee passed this out 100 percent—Rs and Ds passed this out. Apparently they did some very good work, working together, to pass a base bill.

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passing a highway bill that is not paid for, that uses future revenues which we will probably never see because we will flip them out and change them and use them in another way right after this bill is passed.

I'll yield my colleagues for listening.

The next chart I want to describe—so many people, I understand, want a balanced approach: revenue and spending reform to address the debt and deficit issue. Listen, I want more revenue too, but I think we need to raise revenue the old-fashioned way—by growing our economy. We do not do in this country, everything we do here in Washington needs to be targeted toward economic growth.

But I think what this chart describes is the fact that we have a spending problem. It is not that we tax Americans too little; it is because we spend way too much. Ten years ago our Federal Government spent $1.9 trillion. Last year we spent $3.6 trillion. We doubled spending in just 10 years. And, of course, the President's budget that he just unveiled today will spend $3.8 trillion in 2013.

In the argument moving forward, nobody is talking about cutting spending. All we are talking about is reducing the rate of growth in spending. All we can tell by the chart. According to President Obama's budget, 10 years in the future, in the year 2022, he is proposing spending $5.8 trillion. Last year's House budget would have spent $4.7 trillion. The President is talking about—spending $3.6 trillion last year and increasing it to either $5.8 trillion or $4.7 trillion.

Another way of looking at that is taking a look at 10-year spending numbers. In the nineties—a very successful decade—the Federal Government spent $16 trillion over a 10-year period—$16 trillion. Over the last 10 years, we spent $28 trillion. And, again, the debate moving forward is President Obama, in his just-released budget, wants to spend $47 trillion over the next 10 years. The House budget from last year would have spent $40 trillion. By the way, when you hear about that $6 or $7 trillion of Draconian cuts, that is $4.7 trillion. Last year we spent $28 trillion, and we are talking about is reducing the rate of growth in spending in the size of government.

You have seen an awful lot of charts describing the Nation's debt and how it has exploded. I like this chart because we start it on September 30, 1987, when our entire Federal debt stood at $2.3 trillion. It took us 200 years to incur $2.3 trillion worth of debt. Last year, in the Budget Control Act, we gave the President authority. And, by the way, I didn't vote against it, but this body gave the President the authority to increase the debt ceiling by $2.1 trillion. We will blow through that debt in around 2 years. Think of that.

So you can see what is happening. In 2001, we were at $5.8 trillion. In 2008, right before President Obama entered office, we were at $10 trillion. Currently we are at about $15.4 trillion, and in the President's just-released budget, he is proposing adding about $5 trillion to our debt over the next 10 years, to come in at a whopping $25.9 trillion. The question is, Will we really be able to borrow that much or are we going to face the day of reckoning. when world investors take a look at the United States and say: You know, I am not going to loan you any more money. What is more likely to happen is they will say: I will loan you some money, but at dramatically higher interest rates. That is what we need to be concerned about. That is what a debt crisis is going to be. Take a look at Greece. Take a look at Italy.

One more chart I want to put up shows the extent of the problem. Not unfunded liabilities together with the debt. Now, this is actually last year's chart. We have not been able to get the new one printed yet. But last year the trustees of both Medicare and Social Security published the unfunded liability of those two programs. When you add those unfunded liabilities to the Federal debt and what we owe Federal retirees, the total liability of the United States as reported last year was $39 trillion. The new figure for this year is still $39 trillion. The Federal Government have rejiggered the figures, and now they are claiming it is only $72 trillion. But whichever figure you take, if you compare that to the private net assets of the United States, it is about half of what our small business assets, large business assets—that number is $79 trillion. So the Federal Government has made promises and incurred debts that are equal to or exceed the entire net private asset base of America. It is the definition of a problem. That is the definition of a huge problem that unfortunately this President and this town are not grappling with. We are not coming to terms with that.

Let me specifically hone in on one of those entitlement programs—Social Security. In 2010 we went net cash negative in Social Security, which means the amount of taxes collected were $51 billion less than the benefits that were paid. So, 2010, we went negative. That was the first year this country, everything we do here in Washington needs to be targeted toward economic growth.
10 years. I want the American people to think about that. I have been involved in business for 33 years. I am an accountant. This is the first time I have been involved with a financial entity—and let's face it, America is the largest financial entity in the world. We have been involved with an entity that does not have a budget. That is a national scandal. We need to correct that.

But let me talk about some of the deficit risks, because we are not serious, and not even addressing, much less—we are not even talking about, the changes that start with what I started talking about earlier in terms of not dealing with the debt and deficit issue. Dramatically increasing our risk of higher interest rates, higher interest expense. The CBO reports that for every 1 percent increase in the interest expense—let's face it—times $15 trillion, times 10 years, that would add $1.5 trillion to our debt—$1.5 trillion. Greece—when they hit their debt crisis, their interest rates spiked by 8 percent. If that happened here, it would cost us $1.2 trillion. It would wipe out all discretionary spending. That is the day of reckoning we need to avoid by putting forward serious proposals.

Another thing we really not talking about is what happens if we do not grow according to the projections the President lays out in his budget or the CBO projects? Well, again you look to the CBO. For every 1 percent we miss our growth targets by, add $3.1 trillion to our debt and deficit over the next 10 years—$3.1 trillion.

Another risk is the true cost of the health care law. Thirty-seven Republican Senators sent a letter to CBO Director Elmendorf pleading with him to please reassess the very unrealistic estimates the CBO made in terms of the number of employees who will lose their employer-sponsored care.

Their estimate says only 1 million. But let me tell you, the numbers that were conducted that say 30 to 50 percent of employers will drop coverage. When that happens, when the employees who lose their employer-sponsored care and get dumped into the exchanges at highly subsidized rates, the cost of ObamaCare will not be $85 billion a year; it will more likely be $1 trillion to $1 trillion a year. Multiply that over 10 years and we can see the depth of risk inherent in the health care law. It needs to be repealed.

The last point I wish to make is a key part of President Obama's supposed deficit reduction in his budget is a tax on millionaires, which, by the way, is defined by couples making over $250,000. That is interesting math right there. Two points: I said earlier we should not enact anything in Washington that would harm economic growth. Increasing taxes will do that.

That is what CBO says, and that is what the Federal Reserve Chairman Bernanke said makes no sense. I want any American who would think that is a good idea to ask themselves one question: How many jobs will that tax increase create? How will that tax increase actually help us grow our economy? The answer is, it will not.

There is an interesting study just released on Maryland's millionaires' tax increase. They passed a tax increase that they estimated it would raise $330 million. The facts are in. That tax increase only generated $120 million—only 36 percent of what they originally estimated. President Obama is hoping to raise $1.5 trillion with the millionaires' tax increase; that is $3.1 trillion. President Obama is hoping to raise $1.5 trillion with the millionaires' tax increase; that is $3.1 trillion.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, I wish to share some remarks about the President's budget which he submitted today. This is it—the real budget. The President asked that the press pay for their copies this year. Maybe that will save a little money. It is a real document that is submitted every year by every President according to the law.

Although the law also requires the Senate to pass a budget every year, we do not have a budget over the past 4 years. In fact, the majority leader, Senator Reid, said it would be foolish for him to produce a budget—foolish for our colleagues to produce a budget, and I can only assume he thought it would not be good politics. It would not be foolish for America to have a budget. I will make a commitment that if I have anything to do about it and this Republican conference were to achieve a majority in the Senate next year, we will have a budget. It will change the debt course of America. It will be 10 years. It will be a document that brings debt under control, and, to the maximum extent possible, will encourage economic growth.

That is a responsibility that leaders have to deal with now, I believe. The President has produced this budget that claims to reduce the deficit by $4 trillion—I will talk about that—but it does not reduce the deficit $4 trillion. Basically, it doesn't reduce the deficit at all. This is his fourth year as President. This is the last budget of his Presidential term. He has an opportunity to lay out a plan for the future—to suggest what taxes we ought to have, how much spending we should have, where we can save money by reducing spending, what we need to do in the short run, and in a 10-year term, 20-year term, and 30-year term, all of that. And he should be held to it.

The President, like a Governor or mayor of a city that is in financial trouble, or a State that is struggling financially— they have to deal with their debt. They present their proposals, they fight for them before the legislature, they make fools of themselves when necessary, and that is how they do their business. But because we don't have a constitutional amendment that requires a budget to be balanced, it becomes easier to borrow the money, not cut spending, and continue the deficit course we are on.

I am the ranking Republican on the Budget Committee, and for the few hours we have had the budget, and the few hours we have had over the weekend to see some of the tables, we have learned a number of conclusions that are not good. I would say a couple of things. At the Budget Committee hearing last week, Senator Conrad—who is the chair of the committee—announced we should have a $5 trillion reduction by raising over 10 percent—and also said, he wishes to see a balanced budget. I think Senator Conrad is right on both counts. But he has basically been told if he even has a budget in committee this year, it won't be brought up on the floor. So I don't know what we will do for we will have a budget markup or not.

But Mr. Bernanke indicated during that same hearing that when you reach debt levels as high as we are today—gross debt being 100 percent of the gross domestic product—the country is at risk, particularly when inevitable shocks in the world occur and you don't have the margin of strength necessary to perhaps ride out those crises. That is something I believe happened to see this morning on MSNBC that Mr. Richard Haass, president of the Council on Foreign Relations, said we could have a debt crisis next year. Talking about Greece, he said we could have a Greece-like crisis next year, and he laid out the scenario. This is the Council on Foreign Relations, one of the most prestigious world organizations around.

Here are some indisputable facts about the budget we have. There is no $4 trillion deficit reduction. There is not a $4 trillion deficit reduction. I know that is hard to believe. We are talking about a difference of $4 trillion. When the President submits a budget, and we worry about all these accounts, and he laid out the scenario. This is the Council on Foreign Relations, one of the most prestigious world organizations around.
will have added that much debt. Every year, hundreds of billions of dollars of debt, with the lowest single year being $575 billion worth of deficits. The debt increases annually each year. So it would be $11.2 trillion higher.

Under the Budget Control Act that passed last summer that had the sequester in it and the reductions in spending—under that—if left unchanged. And that is the current law. This budget deals with what to do now—what to put on top of the current law we have. Under the Budget Control Act, the debt would increase over 11 years by $11.5 trillion—perhaps $270 billion less debt accruing under the President’s budget than current law. Well, that is not much.

The American people are tired of this. It is this kind of talk, this kind of misrepresentation and gimmickry that has gotten us to the point where the Nation is on a fiscally unsustainable path. And that is a threat to us. Indeed, we are borrowing 40 cents of every dollar that is spent this year. So we take in $2.5 trillion and we spend $3.8 trillion. That is not an acceptable path, and we have been told that.

We have seen these gimmicks before. I have a bill called the Honest Budget Act that tightens up a lot of the more common, smaller gimmicks that need to be eliminated. My bill is called the Honest Budget Act. But let me say we have never seen gimmicks this large. They are so large it is hard to believe anyone would attempt to use them, but so large people don’t think it is possible the administration would not be completely truthful in asserting them.

For example, the budget the President submitted for this year claims credit for cuts that occurred last year as part of the budget control process—the $2.1 trillion in Budget Control Act cuts. He claims he is cutting the budget counting those numbers. Those are not the numbers we are operating under today. Those have already been done. That is one of the biggest spins I think we have ever seen in terms of making numbers look better than they are.

But there is more. Amazingly, this budget eliminates—erases—the $1.2 trillion in Budget Control Act sequestered spending reductions. We can argue whether they are done in the right way and whether some, particularly Defense, are taking too big a cut under that sequester, but we should not give up on the sequester. We should not acknowledge the sequester is not viable. And to say the $1.2 trillion is agreed upon a year ago is no longer operable and we are going to spend that money and not cut any more is a stunning reversal. It is the kind of thing that validates the charges we hear from the American people: Oh, yes, you promised to cut money in the future—you have a 10-year plan to cut spending—but we know what you politicians are going to do. You are taking the savings of the war one year off the road, when those spending cuts come up. You are going to say, oh, we can’t do that. We have constituents who are complaining. We can’t cut this or that. And we will put the money back in and the savings will never occur because they are false premises for the future.

People have complained about that, and correctly so. That was part of the tea party movement—a growing disrespect for the integrity of Congress when it makes projections for the future.

But look at this: In August, we agreed to $2.1 trillion in total cuts including $1.2 trillion in the sequester. Less than a year later, the President says, oh, that is too much, we can’t do that. We are going to spend $47 trillion in the next 10 years, but we can’t cut 1.2, when we are facing the biggest debt crisis the Nation has ever faced? What kind of world are we living in? No wonder we are going broke. And people are out to hit that we are doing. I don’t think it is right.

The President says, yes, I am not cutting that $1 trillion, I am going to spend the $1.2 trillion. I am going to spend that, I am raising taxes for it. But his budget prognosticators and commentators and his promoters, in their statements about this budget, claim it reduces the deficit—this tax increase does—by $1.2 trillion. Well, if you increase spending 1.2 and raise taxes an equal amount, you haven’t saved any money: you just are not increasing the debt any more than you would have. So we have eliminated the cuts, making spending go up, and then we raise taxes. That is a misleading statement. That is how they get the $4 trillion. That is a sad state of affairs, to claim credit for that in a way that is not fair.

Then we have the problem with the war cost. I was disappointed at the State of the Union when the President said we are going to spend half of the war savings on highways. Well, I am for highways. I would like to spend more on highways. I am unhappy we have this stimulant spending instead of being spent on highways, as was promised. However, the President said we are going to spend half of the savings from the war on highways. But there are no war savings. Congress has treated this war throughout as an emergency. The attack on 9/11 we treated as an emergency. The money was borrowed. Every dollar spent on the war has been borrowed. There is no source of money being paid out to the war so that when you are told to grab that money and spend it. There is no money there. When the war cost drops, the American people have a right to expect we will borrow less money or that we don’t have to borrow as much.

But they are claiming the natural reduction of war spending creates a surplus of money that can be spent. How illogical is that? There is no money in the war budget account. It is a borrowed. There was never any money to be saved in the war account, only less money to be borrowed as the war came down.

No one ever thought the war would continue at $100-plus billion per year? We always expected those costs to come down. It has been a long, difficult process, and I am glad to see we can bring troops home. Hopefully, we are doing it in a way that is not risking the efforts of thousands of Americans have given to our country to put us in a position to withdraw successfully. I hope we are not going so fast we will jeopardize that.

Deficit, what about taxes? The President has been arguing for some time that, well, we can’t cut the deficit without tax increases. I know we have to cut spending, but we can’t cut the deficit without tax increases. We have to make more tax in a way that is not raiding the efforts of the American people: Oh, yes, you promised to cut the budget, he said there was 2.5 of tax increases in the spring. We have been told about the deficit, people say: Look, I know you shouldn’t have 1-to-1 tax increases by $1 trillion in increased spending, in a lot of different areas. But at any rate, this is what we are talking about.

In his statement released with his budget, he said there was 2.5 in spending reductions for every $1 of tax increase. We have been told about the deficit, what should be the ratio? Some people say: Look, I know you shouldn’t have 1-to-1 tax increases for every spending reduction, but we have to get the deficit down. We have to reduce the deficit. And you Republicans who don’t like taxes, we will talk about 4 to 1, $4 in spending cuts for $1 in tax increases. The President said in the spring last year 3 to 1, and that was a figure that was being banded about. What is that? Is that what the deficit do? Is it 2.5 to 1? Is it 3 to 1? No. Their statement that it is 2.5 to 1 is utterly untrue.

I remember people telling us if we raise taxes they would not reduce the deficit, they will spend it. We have heard that over and over again, and that maxim is certainly proved by this budget. The deficits that are in this budget are used to pay for more spending. There are no tax cuts all across, in a lot of different areas. But at any rate, this is what we are talking about.

The President said in the spring last year that we have a 10-year plan to cut spending—but we can’t cut the deficit, that. And we can’t cut the deficit, that. We will put the money back in and the savings will never occur because they are false premises for the future.
Separate national debt from defense, and we have extraordinarily low interest rates today. They will not hold. President’s own budget, and I am simply restating the numbers his Office of Management and Budget have determined. Interest in 2022, 10 years from now, will be $850 billion, from $225 billion to $5 trillion to $11.5 trillion. Many believe we ought to put $4 trillion in savings is why we should never have trillion in debt negotiations all year. The President has asserted all year that he had a plan to save $4 trillion. I guess this is it. What does it do? Nothing. Does it change the debt course? No. It leads us on a course we have not dealt with the surging entitlements that indeed count for over half of the spending already in the United States of America. Entitlements like Medicare, Medicaid, Social Security are already near-
ly 60 percent of the Federal Government’s spending. How can we control spending if we don’t even talk about those programs? And they are growing faster. The only thing growing faster is the interest on the debt. So we have a deep and serious challenge to bring those programs under control.

I would just close by saying that our debt course has not been altered. Our debt course is unsustainable. We now are moving closer to $26 trillion in debt. I remember last year when the Chairman of the Fed, Mr. Bernanke, testified before the committee and said something to this effect: You see those projections of your spending and debt trajectory? And in the outyears, you have these projections and what it is going to be like. Basically, he said: You are not going to get there because you are going to have a debt crisis before that happens, before those years pass.

Mr. Erskine Bowles, a man chosen by President Obama to head the deficit commission, with Alan Simpson, they signed a written statement to the Budget Committee last year, and they said: The course we are on will lead America to the most predictable financial crisis in our history.

So we can clearly see the path we are on. It is a path to financial crisis. We have to realize we cannot continue to put off doing what is right. I find it deeply disappointing that the President of the United States, in his fourth year in office, lays out a plan that does nothing to improve the financial status of our country, does nothing to talk and deal seriously with our entitlement programs.

Indeed, what he has indicated is that anybody else in Congress, whether it is Congressman Ryan in the House Budget Committee or Members of this Senate who have the temerity to make any suggestions about containing and saving Social Security and Medicare, will be attacked by him.

So not only is he not proposing a plan that would help the situation, he is lying in wait to politically go after anybody who seriously proposes changes that can put America on a sound debt course. I don’t think that is acceptable. I am deeply disappointed in this budget. I would have been so much better because I truly believe he could have had support from Congress to do some things of a historic nature. They were discussed in some of these secret committee meetings but never came to fruition.

Mr. President, I thank the Chair. I yield the floor and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ADALBERTO JOSE JORDAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour for debate, equally divided, in the usual form.

Mr. LEAHY. Mr. President, I ask unanimous consent that the time be divided in such a way that the time will run out at 5:30 but divided equally between now and then, between myself or my designee and the Republican leader or his designee.

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

Mr. LEAHY. Mr. President, it pains me, in a way, to have to come and talk about this. This is the eighth time the majority leader has had to file a cloture motion to overcome yet another Republican filibuster of one of President Obama’s superbly qualified judicial nominees. I have been here during the time of President Ford, President Carter, President Reagan, President George H.W. Bush, President Clinton, President George W. Bush, and now President Obama. I have been here when the Senate was in Republican
control and when it was in Democratic control. Never during all that time have I seen anything where the majority leader has had to file so many cloture motions on superbly qualified judicial nominees, whether it is a Republican or Democratic President.

The nominee we have before us is a former Federal prosecutor and current Federal District Court judge in the Southern District of Florida. Judge Adalberto Jordan is the kind of nominee that would not have been confirmed without delay. It probably would have been done on a voice vote shortly after having come out of our committee, rather than having to wait 4 months for Senators to consent to proceed on his nomination.

This nomination has the strong and committed support of the senior Senator from Florida, Mr. NELSON, as well as that of Mr. RUHO, the other Senator from Florida. Not only does he have the support of the two Senators, one a Democrat and the other a Republican, but the distinguished Presiding Officer will recall that when we voted on him last October, every single Republican and every single Democrat on the Judiciary Committee voted for him. It came out unanimously. It would be a little bit strange if any of those Senators now switched their votes because there is nothing different today than there was back in October of last fall.

When he was nominated to the District Court by President Clinton in 1999, even while Senate Republicans were pocket filibustering more than 60 of President Clinton's judicial nominees, Judge Jordan was confirmed without delay. It was an overwhelming vote: 93 to 1. Any of us in elective office would like to have had margins such as that.

The needless delay in Judge Jordan's nomination is the latest example of the tactics that have all but paralyzed the Senate confirmation process. They are actually damaging our Federal courts. It should not take 4 months and a cloture motion, which is hard to schedule because of all the other things we have to do, just to proceed to a nomination such as that of Judge Jordan to fill a judicial emergency.

This is not just filling a normal vacancy, it is a judicial emergency on the Eleventh Circuit. This good judge has already demonstrated as a Federal prosecutor and as a district judge his qualities. They need him on the Eleventh Circuit.

It should not take many more months and more cloture motions before the Senate finally votes on the nearly 20 other superbly qualified judicial nominees who have been stalled by Senate Republicans for months while vacancies continue to plague our American courts and delay justice for the American people. At all these confirmations, the Senate committee is being held up because there is no judge, the people who have cases in those courts do not say: I am a Republican or I am a Democrat, they say I have an important case to be heard. Why won't the Senate confirm the judge who has been nominated?

On every single one of the judges that are being stalled, every single Democratic Senator has agreed long before the Senate has had to proceed to a cloture vote. In many cases, the single one of these judges being held up is because of Republican objections.

Let's talk about Judge Jordan for a moment, why he is so exceptional. When he is confirmed, he will be the first Cuban-born judge to serve on the U.S. Court of Appeals for the Eleventh Circuit, which encompasses Florida, Georgia and Alabama. Born in Havana, Cuba, Judge Jordan immigrated to the United States at age six. He went on to graduate summa cum laude from the University of Miami law school. Following law school, he clerked for Judge Thomas Clark on the U.S. Court of Appeals for the Eleventh Circuit, the Court to which he is nominated, and Justice Sandra Day O'Connor on the U.S. Supreme Court. He then became a Federal prosecutor in the Southern District of Florida, where he served as Deputy Chief and then Chief of the Appellate Division. Judge Jordan has also been a professor. Since 1990, he has taught at Miami-Dade College, the University of Miami School of Law, as well as the Florida International University College of Law.

It is no surprise that the ABA's Standing Committee on Federal Judges unanimously rated Judge Jordan "well qualified" to serve on the Eleventh Circuit, the highest possible rating from its nonpartisan peer review. Everybody should be down here cheering and supporting this nomination. He should be confirmed and supported, not filibustered and obstructed. Judge Jordan is a consensus nominee. What has the Senate come to, if somebody such as this man has to go through and overcome a filibuster to be "well qualified" to serve on the "Lawgiver" would have a hard time being confirmed.

I say this because this judge is the kind of consensus nominee I have been urging Senate Republicans to stop stalling. He represents the kind of consensus nominees this President has sent the Senate that have been needlessly and harmfully stalled in the Senate for months and months for no good reason. It needs to stop. Last Thursday, I wrote: "Most troubling has been Republican refusal to vote on noncontroversial, strong nominees—inaction that conflicts with a venerable Senate tradition. When the chamber has eventually voted on nominees, the Senate has overwhelmingly approved many." I expect Judge Jordan to be confirmed with a strong, bipartisan vote, as well.

There is no justification for delaying this action over the last 4 months while a judicial emergency vacancy has gone unfilled. There is no justifiable reason for forcing the majority leader to file cloture for the Senate to hold a vote on this qualified consensus nominee. There is no justification for Senate Republicans' refusal to hold votes on nearly 20 Senate nominees who also remain stalled waiting for a vote.

The filibuster of Judge Jordan is just the current example of Senate Republicans' refusal to hold votes on President Obama's qualified consensus nominees.

Let me give you a little history and a few facts. As we enter the fourth year of President Obama's administration, we are far behind the pace set by the Senate during President George W. Bush's first term. By the end of 2004, the Senate in those 48 months confirmed 205 district and circuit nominees. One hundred of them were confirmed during the 17 months that I was chairman of the Judiciary Committee. I moved President Bush's judges notwithstanding the fact that 60 of President Clinton's judges had been pocket filibustered. I wanted to change that for the good of the Federal judiciary. I wanted to restore respect in the Senate as well as the Federal judiciary, but now we have gone back to the same old Republican obstructionism.

The Senate has confirmed only 126 of President Obama's district and circuit nominees, nowhere near the pace there was for President Bush. That leaves 86 judicial vacancies. In fact, the vacancy rate is likely to remain twice what it was in 2004. But I would suggest to this body that the slow pace of confirmation of President Obama's judicial nominees is no accident. It is the result of deliberate obstruction and delays. For the second year in a row, the Senate Republican leadership ignored long-established precedent and refused to schedule any votes before the December recess on the nearly 20 consensus judicial nominees who had been favorably reported by the Judiciary Committee. Here we are in the middle of February, fighting to hold a vote on Judge Jordan and 19 other nominees who have been confirmed last year. Fifteen of the nominees stalled by Senate Republicans were reported with the unanimous support of their home state Senators and every Republican and every Democrat on the Senate Judiciary Committee.

During President Bush's administration, Republican Senators insisted that filibusters of judicial nominees were unconstitutional. They threatened the “nuclear option” to guarantee up-or-down votes for each of President Bush’s judicial nominees. Many of them said they would never, ever support the filibuster of a judicial nomination—never. Well, that never lasted. Once President Obama, a Democrat, became President, came in, the Senate Republicans reversed course. They filibustered President Obama’s very first judicial nomination, that of Judge David Hamilton of Indiana, a widely-respected 15-year veteran of the Federal bench and the senior and longest-serving Republican in the Senate, Senator LUGAR. The Senate rejected that filibuster and
Judge Hamilton was fortunately confirmed. The same Senators who had said solemnly on the floor of the Senate that they would never filibuster a judicial nomination—oh well, we have a new Democratic President, now we ought to filibuster. Come on. You wonder why people are concerned about those who represent them.

In fact, that first filibuster portended what was going to happen, and the partisan delays and opposition have continued. Senate Republicans have required cloture votes even for nominees who ultimately were confirmed unanimously when the Senate finally overcame those filibusters and voted on their nomination. So it was with Judge Barbara Keenan of the Fourth Circuit, who was confirmed 99–0 when the filibuster of her nomination finally ended in 2010, and Judge Denny Chin of the Second Circuit, an outstanding nominee with 16 years judicial experience, who was ultimately confirmed 98–0 when the filibuster was overcome after four months of needless delays.

Regrettably, Senate Republicans have successfully filibustered the nominations of Woodrow Liu and Caitlin Halligan. I have warned that Senate Republicans have imposed a new standard that threatened to make confirmation of any nominee to the D.C. Circuit virtually impossible in the future. At that time, The Washington Post noted: “GOP senators are grasping at straws to block Ms. Halligan’s ascension, perhaps in hopes of preserving the vacancy for a Republican president to fill.” I urged Senate Republicans to stop playing politics with the D.C. Circuit, and to allow an up-or-down vote on Ms. Halligan after more than 15 months of delay. Regrettably, the nomination of such a highly-qualified public servant, who had the support of law enforcement, appellate advocates, former Supreme Court clerks, academics and practitioners from across the political spectrum, was prevented from an up or down vote.

But I would also say that aside from the gamesmanship involved, this obstruction hurts the whole country. There are currently 86 judicial vacancies across the country. That means nearly 1 out of every 10 Federal judgeships is vacant. The vacancy rate is nearly double what it had been reduced to by the Bush administration. This is the kind of obstruction that we have seen in other courts. When introducing Judge Jordan to the Senate Judiciary Committee last October, Senator Rubio praised the nominee’s knowledge of the law, experience, participation in community, stating that “he looks forward to [Judge Jordan’s] appointment.” I certainly believe what Senator Rubio said. I find him to be very truthful in these things. The day we reported him out of committee unanimously, every single Democratic Senator in this Chamber was ready to vote for him. When introducing Judge Jordan to the Senate Judiciary Committee last October, Senator Rubio praised the nominee’s knowledge of the law, experience, participation in community, stating that “he looks forward to [Judge Jordan’s] appointment.” I certainly believe what Senator Rubio said. I find him to be very truthful in these things. The day we reported him out of committee unanimously, every single Democratic Senator in this Chamber was ready to vote for him.

I hope we get this cloture vote and the Senate is finally allowed to vote to confirm this nomination. Again, I urge Senate Republicans to stop the destructive delays that plague the confirmation process. The American people deserve Federal courts ready to serve, not empty benches, not long delays, not partisan games.

I yield the floor. I suggest the absence of a quorum, and I ask consent that the time be equally divided.

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

Mr. NELSON of Florida. Mr. President, I wish to speak today, along with my colleague MARCO RUBIO, about the nomination of Judge Adalberto Jordan. A lot of our folks who know him as Judge Jordan have been waiting for his nomination to the Eleventh Circuit Court of Appeals. At this time, when we have a very sizable judicial vacancy rate with a lot of these judicial positions empty, we need to get them filled with qualified judges who are going to rule and rule expeditiously. Confirming Judge Jordan to the Eleventh Circuit, which is one of the busiest in the country, is going to be a good step forward in filling the need for all of these judges.

We have in Florida a long history of bipartisan support for our judicial nominees. That is especially so with my colleague MARCO RUBIO, as we participate with our judicial nominating commission, which the two of us appoint, and they screen and interview the applicants for the vacancies on the district court. As a result, we have nominees who come to us who have already been screened, and it takes the politics out of it. In the case of Judge Jordan, it is a continuation of that bipartisan support even though he did not go through that process. He was selected by the President and is a sitting Federal judge who has an excellent record, and thus we see the bipartisan support.

Judge Jordan received his undergraduate and his law degrees from the University of Miami. After law school, he clerked for Judge Thomas Clark on the Eleventh Circuit. Then he moved on to become a clerk for Justice Sandra Day O’Connor. He continued his legal career in private practice at Steel, Hector & Davis and then became an assistant U.S. attorney in the appellate division of the Southern District of Florida. He began his judicial career in 1999 as a U.S. district court judge for the Southern District of Florida, where he still sits.

Based on his experience, Judge Jordan is extremely qualified for this position. Once confirmed, he will become
that over the years he has garnered a reputation for being fair but also for his intellect. He is highly regarded for his intellect. One will find in legal circles particularly in south Florida that Judge Jordan is somebody for whom people have a tremendous amount of respect, not just for his fairness but for his intellect, his ability to understand complex legal issues. His background is one that would lead a person to that conclusion. He was the chief of the appellate division in the Office of the U.S. Attorney for the Southern District, which is extremely busy, one of the busiest districts in the country for the Justice Department. As Senator Nelson has already pointed out, he spent a year clerking on the U.S. Supreme Court. He also clerked with the Eleventh Circuit, where he now seeks to return and hopefully will return today as one of its judges.

Let me say a couple of things about the background. It says a lot that over the years he has garnered a reputation for being fair but also for his intellect. He is highly regarded for his intellect. One will find in legal circles particularly in south Florida that Judge Jordan is somebody for whom people have a tremendous amount of respect, not just for his fairness but for his intellect, his ability to understand complex legal issues. His background is one that would lead a person to that conclusion. He was the chief of the appellate division in the Office of the U.S. Attorney for the Southern District, which is extremely busy, one of the busiest districts in the country for the Justice Department. As Senator Nelson has already pointed out, he spent a year clerking on the U.S. Supreme Court. He also clerked with the Eleventh Circuit, where he now seeks to return and hopefully will return today as one of its judges.

I wish to remind my colleagues and those who might be listening that the Constitution outlines two ways in which the President may make appointments: One is with the advice and consent of the Senate; the other is he may make temporary appointments when a vacancy in one of those offices happens when the Senate is in recess. Given that the Senate was not in recess, it seems clear to me that advice and consent was required but not obtained by the President.

It is for the Senate to determine its own rules and procedures, including designation of when it is in recess, within the constraints of the constitutional provisions found in article II. Congress is a matter within the purview of the executive branch. In other words, under the Constitution of the United States, the President is in no position to tell the Senate when we adjourn and when we do not adjourn. These so-called recess appointments break a longstanding tradition. They violate precedents followed as recently as 2008 under President Bush.

This is a matter of concern to my Republican colleagues, as it should be for all Senators that assurances given to them are not operating under normal circumstances. The atmosphere the President has created with his disregard for constitutional principles has made it difficult to give his nominees any benefit of the doubt. Under the conditions the President has created, the committee is moving forward with hearings and with markups. As we see, we continue to have floor votes and confirmations. We are making progress.

This will be President Obama’s 26th court nominee whom we have confirmed. That means 37 percent of the President’s circuit court nominees have been confirmed. This is the same pace of confirmation for President Bush’s circuit nominees at a comparable point in his first term.

Furthermore, President Obama’s nominees are moving through the process at a quicker pace. The average time for President Obama’s circuit nominees to be confirmed is about 140 days. For President Bush, the average time was quite longer, at 350 days—more than twice as long.

With regard to judicial vacancies, I would note progress has been made. We have made significant reductions in the vacancy rate. I hear some mistakenly state that the vacancy rate is at historic highs. The claim is not true. I would point out that the current vacancy rate is about where it was at the beginning of the Presidency of George W. Bush. In terms of historical highs, I would like to remind my colleagues of some history. When George H.W. Bush assumed the Presidency, the vacancy rate was around 5 percent. During his tenure the Democratic Senators in the Senate let the vacancy rate rise to 16 percent—nearly double what it is today.
Those who continue to complain about vacancy rate should also be reminded that for more than half the vacancies, the President has failed to even submit a nomination to the Senate. This has been a pattern throughout this administration. This is the case even for vacancies designated as judicial emergencies. Nineteen of those thirty-three emergency vacancies have no nominee. Furthermore, President Obama is significantly behind in the number of nominations he has made. So it is no surprise he would be a little behind in the confirmations as well. In other words, if the President wants the Senate to move faster, send the nominations up here.

I would like to say a few words about the nominee we will be voting on today. Judge Jordan presently serves as a U.S. district judge for the Southern District of Florida. He was appointed to that court by President Clinton in 1999, and was confirmed by the Senate later that year.

He received a bachelor of arts from the University of Miami in 1984, his juris doctorate from the University of Miami School of Law in 1987.

Upon graduating from law school, the nominee clerked for Thomas A. Clark of the U.S. Court of Appeals for the Eleventh Circuit and then for Supreme Court Justice Sandra Day O’Connor. He then began his legal career as an associate attorney with Steel Hector & Davis where he handled first amendment matters and commercial litigation cases.

In 1994, he became an assistant U.S. attorney in the appellate division of the U.S. Attorney’s Office for the Southern District of Florida. He was made deputy chief of the division in 1996, and chief in 1998. The nominee also worked as an adjunct professor of law at the University of Miami School of Law since 1990. He has taught many courses, including a death penalty seminar, federal courts, a judicial inherent power seminar, and a Federal criminal practice seminar.

Since becoming a district judge in 1999, he has presided over nearly 200 cases and has sat by designation frequently on the Eleventh Circuit Court of Appeals.

The American Bar Association Standing Committee on the Federal Judiciary has rated this nominee with a unanimous “Well Qualified” rating. I concur in that rating and will support the nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk read as follows:

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the nomination of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit:


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 nomination of Adalberto Jose Jordan, of Florida, to be U.S. Circuit Judge for the Eleventh Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRÉE) and the Senator from Connecticut (Mr. LIEBERMAN) are necessary absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from South Carolina (Mr. DE MINT), the Senator from Illinois (Mr. KIRK), and the Senator from Texas (Mrs. HUTCHISON).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted “yea” and the Senator from South Carolina (Mr. DE MINT) would have voted “nay.”

The PRESIDING OFFICER (Mrs. BOXER). Are there any other Senators known to be present and voting for him, after the work done by him—especially absent.

The PRESIDING OFFICER. By unanimous consent, the Senate resolve into a committee of the whole.

The question is, Shall the Senate resume legislative session and proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each; further, that the time postcloture count during morning business and any recess or adjournment of the Senate.

The PRESIDING OFFICER. Is there objection? The Senator from Florida.

Mr. NELSON of Florida. Reserving the right to object, and obviously I am not going to object, but I want to say to the Senate that this is an example—89 to 5—that debate has been cut off on a nomination that has the bipartisan support of Senator Rubio and myself of a nominee from Florida. One Senator was holding up the works in that he would not agree to the consent that you dismiss the 30 hours of debate. That is now causing us to delay this action. Is it any wonder, I ask the distinguished chairman of the Judiciary Committee, that we cannot get things done around here when we see this kind of action even given this kind of bipartisan support of a judge?

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I have been here for 37 years. I could not agree more with the distinguished senior Senator from Florida. He notes that 4 months ago, when Judge Adalberto Jordan came out of the Senate Judiciary Committee with every single Republican and every single Democrat voting for him, after the work done by the distinguished senior Senator from Florida and his colleague from Florida, the Senator from Florida, Mr. NELSON, made a commitment that every single Democrat would vote for this Cuban American immediately. Four months later, having had the cloture vote the Senator from Florida just mentioned—there was overwhelming support for him—he is still being held up. This is beneath the Senate of the United States of America. I agree with the Senator from Florida.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, do we have a unanimous consent request pending after the vote?
SHELBY on the Banking Committee. On the Commerce Committee, we have Senator JOHNSON with the Republicans in the Finance Committee. We have Senator BILL NELSON—

Mrs. BOXER. Madam President, I rise because I want to point out to the people of this country who may be watching this proceeding that what has happened tonight on the Senate floor is just ridiculous. Senator BILL NELSON—\n\nI love this letter. Listen to what they say. The organizations that we represent may hold diverse views on social, energy, and fiscal issues, but we are united in our desire to see immediate action on the Senate’s bipartisan highway and transit reauthorization measures.

This amendment would change the railcar procurement rules to allow transit systems to contract for delivery of railcars within the current law requires the purchase of railcars to be completed within 5 years from the date of contract. This amendment is also supported by Senator BOXER. This amendment would change the railcar procurement rules to allow transit systems to contract for delivery of railcars within the current law requires the purchase of railcars to be completed within 5 years from the date of contract. This amendment is also supported by Senator BOXER.
within 5 years of the date the contract is signed, not the date of the first delivery.

So this amendment would give transit operators the chance to sign larger and more cost effective contracts, which in some cases can save substantial money.

The current rules do not make sense for rail operators. They are designed to stimulate competition among manufacturers, and they prevent transit agencies from locking themselves into contracts for outdated buses in a market that is constantly evolving and advancing technologically.

But these rules do not recognize the reality of purchasing and producing railcars.

A light rail system’s car designs must maintain a basic design for compatibility reasons, so rules designed to promote innovative design have little benefit.

But by forcing the transit rail agency to buy cars with the same basic design in two orders instead of one, these rules almost certainly increase total costs. It may also lead to the purchase of different models from two different orders, increasing maintenance costs in the future.

For instance, the Bay Area Rapid Transit System, or BART, is replacing its entire fleet of 669 railcars and buying an additional 196 for an expansion project.

BART’s railcars have been in use for about 50 years, and they have become too costly to maintain. It is clearly time that they be replaced.

The current 5-year procurement rule, however, would force BART to issue two small procurements, instead of one large one.

BART estimates this will cost taxpayers and transit riders $225 million and they will buy the same number of cars either way.

This amendment would allow transit agencies like BART to sign one single contract, to purchase in bulk, and to save money for strapped systems.

Buying in bulk means cheaper flooring, seats, and all other component parts needed to build a railcar. BART also risks increased prices of component parts between contracts.

This amendment empowers transit systems to apply lessons learned from the airline industry in order to make transit more efficient and less costly.

As BART has pointed out in their letter on this amendment, Southwest Airlines is their model.

Southwest flies only Boeing 737s, making it the lowest cost maintenance system in the country. BART wants a single railcar design, to bring about the same type of savings.

BART hopes to purchase one model and keep their maintenance costs low as well.

The bottom line is this amendment gets Federal rules out of the way of transit agencies that want to use their market power.

It helps transit get the best possible price when purchasing equipment.

It stretches limited Federal dollars much, much further.

I urge my colleagues to support this amendment and ensure that taxpayers’ money is used in an efficient manner.

During these critical economic times, every cent of the people’s money should be spent wisely.

The PRESIDING OFFICER. The Senator from Ohio.

THE AUTO INDUSTRY

Mr. BROWN of Ohio. Madam President, earlier today I toured Alcoa’s Cleveland Works plant. The plant houses an engineering and manufacturing marvel of a 50,000-ton Mesta forging press. It stands 87 feet high; 36 feet below the surface, 51 feet above the surface. The press has enough steel to lay 42 miles of railroad track. That is roughly here to Baltimore or Akron to Cleveland. It is massive, and one of only two remaining wide forging presses in the United States. It is officially considered by the Mechanical Engineering Association a national historic engineering landmark.

Its original purpose was to build components for large airplanes during World War II. During the war, we discovered that German aircraft were being built with structural elements that could only be made by large forging processes that we thought had not yet been invented. So only as it could be done, our government, through the Air Force, initiated the Heavy Press Program to compete with the Germans and to show that advanced manufacturing matters to our country.

After the war, we brought the Mesta supertangent forging press to America and to Cleveland, where it remains critical to the commercial and defense aerospace industries. It formed the basis of a public-private partnership, it stamps the “Made in America” label on some of the most advanced technologies and products.

Today Alcoa is investing $100 million to complete and restart its redesign of the massive press. Alcoa invested in America and it is an investment in Ohio manufacturing. It shows the company’s ability to leverage public resources to meet industrial-based needs as well as commercial demands of the market. It is for our national security, and it is for our domestic security to build a domestic base. An example of how partnerships can still pay dividends six decades later and will do so with continued investment for decades to come.

At the time it was about our national pride and need in times of war. Today it is about competing and retaining jobs. It is about showing that manufacturing is about building and it is about innovation. Manufacturing is about high-tech production, it is sophisticated engineering, it is advanced technologies, and it remains a ticket to the middle-class.

We are finally seeing recognition in Washington that manufacturing is critical to our economic recovery. For 12 years—from 1997 through the 8 Bush years into 2009—we had seen a decline every single year in Ohio manufacturing and in American manufacturing, but for the last 21 months we have seen a boost in manufacturing jobs in America and an increase in manufacturing jobs in Ohio. It started, in part, with the auto rescue where if some conservative politicians in Washington had had their way, they would have allowed the auto industry to declare bankruptcy with no ability to finance or restructure the auto industry.

Instead, the President, in working with the Senate and working with the House, rescued that industry by investing in that industry.

Today in my State we are seeing thousands of auto jobs in the auto companies, in Chrysler and in GM, jobs that wouldn’t have been there if we had had our way. And, we are seeing all kinds of auto supply jobs. For instance, at the Chrysler Jeep plant in Toledo, where 3 years ago only 50 percent of components came from domestic sources, today more than 70 percent come from domestic suppliers.

Today plants in Toledo, in Lordstown, and in Defiance are hiring workers. The Chevy Cruze—one of the hottest selling cars in America—is as close to an all-Ohio car as you can get. The engine is made in Defiance, the transmission is made in Toledo, the bumpers are made in Northwood, the stamping is done in Parma, the steel comes out of Cleveland, the aluminum comes out of Cleveland, part of the sound system comes out of Springfield, and the assembly is in Lordstown—thousands and thousands of auto-worker jobs, tens of thousands of jobs of auto suppliers supplying the Cruze, the assembly in Toledo, the Jeep plant in Toledo, supplying the Ford plant in Avon Lake.

In the last year alone, Honda and Chrysler and Ford and GM announced multimillion-dollar investments in Ohio alone and, in many cases, around the country. Honda announced it would build and develop its most state-of-the-art sports car ever right in Ohio. We see the same jobs creating investments from Chrysler, its Toledo assembly complex, from Ford at its Avon Lake plant, from GM at its Defiance powertrain plant.

As it did when the Nation needed the forging press for aerospace manufacturers, our government did only as it could do; it stepped up to invest in America and the American auto industry. So those who complain about the auto rescue need to read a little history to understand that so often American manufacturers partnered with U.S. taxpayers to make sure these industries were strong and solid and created good-paying jobs to build the middle-class. It is paying off dividends today. It will continue to do so in the future.

I have a unanimous consent request after I speak, that the Senator from Oregon is recognized.
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. One more point I wish to make. We must remain vigilant in enforcement of our trade laws.

Our progress in autos is at risk of being undercut if China continues to put barriers up on our steel. That means more than 1.6 million American jobs are at risk. Our trade deficit with China is continuing to cause difficulty for middle-class Americans. China has begun placing tariffs on American-made automobiles. These massive illegal subsidies are worsened by indirect predatory auto trade practices in our faces.

Only 10 years ago, our trade deficit in auto parts with China was only about $1 billion. That has grown 800 percent to about $10 billion. That means more than 1.6 million American jobs are at risk. Our trade deficit with China is continuing to cause difficulty for middle-class Americans. China has begun placing tariffs on American-made automobiles. These massive illegal subsidies are worsened by indirect predatory auto trade practices in our faces.

That is why I am encouraged by the President’s announcement of a new trade enforcement panel. It is borne of the realization that the stakes are too high for our workers and our economy if we don’t fight back. We need an all-hands-on-deck approach among the USTR, the State Department, and the Commerce Department to be involved, to be more aggressive, especially by initiating more trade cases.

I know from representing Ohio in the Senate since 2007 what trade enforcement laws do. Trade enforcement by the Commerce Department and the International Trade Commission against China’s cheating created jobs in Lorain, OH, in the steel industry; created jobs in Findlay, OH, in the tire industry; created jobs in paper and other industries around the State and resulted in a new steel mill, V&M Star Steel, in Youngstown, OH, where about 1,000 building trades people are building that plant and 500 or 600 steel-workers will be working in that plant that manufactures Oil Country Tubular steel—jobs that would have been in China if that was the President of the United States and the Commerce Department and the International Trade Commission did not enforce trade laws.

That is why that matters. That is why the new trade enforcement panel that the President is setting up as part of his budget is so very important for the future of our national security and for the future of the middle class and our great country.

I yield the floor.

THE HIGHWAY BILL

Mr. MERKLEY. Madam President, I rise to address legislation we hope will soon be pending on the floor of the Senate. Moving Ahead for Progress in the 21st Century Act, better known as the highway bill. This bill is dedicated to rebuilding both our highway and transportation system. It is a critical downpayment on both America’s economic security and our long-term economic success.

Infrastructure is a doubly effective investment. First, in the short term, infrastructure projects create much needed jobs, particularly now when the construction industry is flat on its back. It is one of the hardest hit sectors in this downturn. So rebuilding and repairing our crumbling roads and bridges is one of the best actions we can take to create employment.

Second, infrastructure investment supports jobs in the long term. Think of how many businesses in this country rely on America’s infrastructure to move their goods to consumers—businesses everywhere in this Nation, from our most rural communities to our largest cities; small businesses, the largest corporations, and everything in between.

Creating the infrastructure that gives these businesses the tools they need to grow is an essential ingredient for future job growth. Yet, over the past generation, our commitment to infrastructure funding at the Federal level has not reflected its role as a key to our competitiveness.

China is spending 10 percent of its gross domestic product on infrastructure. Europe is spending 5 percent of its GDP on infrastructure. The number here in America is 2 percent—barely enough to keep our transit and transportation systems in repair. There are those here in Washington pushing to cut the investment even further.

This is not a recipe for success in the 21st century, nor should this be a partisan issue. When I go home to Oregon and hear from businesses, large to small, from liberal to conservative, telling me that this transportation bill is a good investment in our future. Likewise, more than 1,000 organizations ranging from the U.S. Chamber of Commerce to labor groups to local governments have urged Congress to act without delay and pass this highway bill. It is time for Congress to recognize, as our constituents do, that if we want jobs, if we want growth, if we want competitiveness, this is one of the best investments we can make.

I am very pleased that the committee responsible for this, the Environment and Public Works Committee, was able to pass a strong bill, and it is going to be merged with work done by three other committees, in all cases with bipartisan votes, and they will bring this bill to the floor with significant support on both sides of the aisle. But our work is not going to be done until we pass this bill through the House, until we pass this bill through the Senate, until we pass this bill through the House, and until we put it on the President’s desk.

This bill is a downpayment on the next phase of our economic growth. It puts construction workers back on the job, creating 1.8 million jobs over the next 2 years. That is a sizable number—1.8 million jobs. That will make a huge difference to construction workers who are still struggling with an unemployment rate—more than twice the national average.

Second, this bill gives States the flexibility to direct more of their own funds, putting more power in the hands of local communities to decide what their most important transportation priorities are.

Finally, it is an investment in the 21st century system that will move us all forward.

Of course, there are always ways that a bill can be stronger, and I will work with my colleagues to bring a number of amendments to the floor. There are, for example, several loopholes in the “Buy American” provisions that we should fix. We already recognize in current law that if we are spending taxpayer dollars to buy materials for American infrastructure projects, it makes no sense to shift those dollars overseas when they could stay in our economy and support growth and jobs right here. All highway and transit projects have requirements to use American-made materials for public infrastructure and transit. But two specific loopholes have enabled States to buy Chinese steel instead of American steel and shift jobs out of the country. First, we should close the freight rail loophole in our “Buy American” laws. The industrial might of this Nation was built on American railroads, made by American steel and American workers. If we can improve that freight rail system, it is only right that those bridges and tracks continue to be made in America.

This summer, construction of a rail bridge in Alaska to a military base was awarded to a Chinese company because of the Federal Rail Administration, unlike the Federal Transit and Federal Highway Administrations, doesn’t have any “Buy American” provision. An American company was ready to build this bridge but because of this loophole, the contract went to a Chinese company using Chinese steel, paid for with American tax dollars. That is a huge mistake. Let’s shut that loophole.

Second, we should close the segment loophole in the “Buy American” provision. This loophole allows projects to be split into little pieces in order to bypass the requirement for American-made materials. The Bay Bridge in California was split into nine separate projects instead of one bridge project so that Federal funds and, therefore, “Buy American” provisions would only apply to two out of the nine projects. This allowed the bulk of the bridge to be built with Chinese steel and Chinese workers, with American tax dollars. That is a mistake. Even Republican Members of the House know that is a mistake. They have put forward an amendment to close this loophole. Let’s close this loophole as well on the Senate side.

In addition to closing these two loopholes, we need to strengthen the bike and pedestrian provisions in this bill. Bike and pedestrian systems are essential components in an integrated transportation system, reducing congestion and reducing pollution in a highly cost-effective manner. As employment and incomes on the rise, many families are looking for increased opportunities to get around on their bikes and on foot. In many
The Deputy Prime Minister reacted to an escalation of anti-Roma rhetoric in the run up to Slovakia’s March 10 parliamentary elections by calling on political parties not to play the “Roma card.” But more than that, he welcomed a landmark decision of the European Human Rights holding that the sterilization of a Slovak Romani woman without her consent had been cruel and inhuman. He welcomed the findings of a Slovak court that concluded Romani children had been placed in schools in eastern Slovakia. And he commended the human rights organization that had helped litigate both these cases.

To say that statements like these are few and far between is an understatement. On the contrary, officials at the highest levels of government frequently perpetuate the worst bigotry against Roma.

For example, after four perpetrators were convicted and sentenced for a racial hate crime that left a Romani toddler burned over 80 percent of her body, Czech President Vaclav Klaus wondered if their 20-plus-year sentences were too harsh. Romanian Foreign Minister Teodor Baconschi suggested that Roma were “physiologically” disposed to crime.

I am supporting an amendment that will retain the current level of funding at 2 percent for bike and pedestrian projects, and I encourage my colleagues to smart with the Federal dollar and support this amendment.

This bill—the broader highway bill—is a critical investment in our short-term and long-term economic success. Over the next 2 years, it will provide an immediate boost to a struggling construction industry, creating jobs where they are needed most. And over the next generation, it will act as the downpayment we need on infrastructure for our businesses to grow and prosper in the 21st century.

I urge my colleagues on both sides of the aisle to continue to build support around this bill; indeed, to get this bill to the floor for consideration. While there are some in this Chamber who want to fight social battles by putting unrelated amendments up, there are millions of Americans in need of jobs, there is an infrastructure that needs to be rebuilt, and there are citizens who want us to put aside the games and do the work here so they can do the work back at home.

I yield the floor.

ROMA BRIDGE BUILDING

Mr. CARDIN. Mr. President, at the end of January, something remarkable happened: Slovak Deputy Prime Minister Rudolf Chmel made a positive statement about Roma. Saying something nice about Europe’s largest ethnic minority may not seem noteworthy, but it is and here is why.

The Deputy Prime Minister reacted to an escalation of anti-Roma rhetoric in the run up to Slovakia’s March 10 parliamentary elections by calling on political parties not to play the “Roma card.” But more than that, he welcomed a landmark decision of the European Human Rights holding that the sterilization of a Slovak Romani woman without her consent had been cruel and inhuman. He welcomed the findings of a Slovak court that concluded Romani children had been placed in schools in eastern Slovakia. And he commended the human rights organization that had helped litigate both these cases.

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Mr. CARDIN. Mr. President, at the end of January, something remarkable happened: Slovak Deputy Prime Minister Rudolf Chmel made a positive statement about Roma. Saying something nice about Europe’s largest ethnic minority may not seem noteworthy, but it is and here is why.
The U.S. News 2011–2012 Best Hospitals rankings recognized three hospitals in the Little Rock metropolitan area, which includes Little Rock, North Little Rock, and Conway. The University of Arkansas for Medical Sciences’ UAMS Regional Medical Center, in Little Rock, was named one of the nation’s high-performing hospitals in four specialty areas: cancer; obstetrics/gynecology; ear/nose/throat, ENT; and nephrology, kidney. Baptist Health Medical Center was named high-performing in three specialty areas: cardiovascular, heart, and St. Vincent Infirmary was recognized as high-performing in the ENT and orthopedics specialties.

The 2011–2012 Best Hospitals list included two additional Arkansas facilities providing outstanding care outside of major metro areas: Sparks Regional Medical Center, in Fort Smith, and Washington Regional Medical Center, in Fayetteville. They were two of only 247 hospitals across the Nation recognized for their exceptional care as regional hospitals. Sparks was listed as “high-performing” in the pulmonology specialty and Washington Regional in geriatrics.

I ask my colleagues to join me in recognizing the achievements of UAMS, Baptist Health, St. Vincent, Sparks Regional, and Washington Regional. I am thankful for the men and women of these five facilities and all the health care professionals across my State. They are constantly striving to provide Arkansans with the best medical care possible, and I am proud of all their hard work.

REMEMBERING WILMA J. WEBB

Mr. UDALL of Colorado. Mr. President, today I want to recognize a friend and great Coloradan the Honorable Wilma J. Webb. Wilma is a transformative leader who has left her indelible mark on the State of Colorado and the character of our country.

On February 16, 2012, the Anti-Defamation League’s Mountain States Office will hold the prestigious 2012 Civil Rights Award. Given all of her work on behalf of the African-American community, it is especially appropriate that Wilma will receive her award during Black History Month. I congratulate her on being the recipient of such an esteemed honor and applaud her for her remarkable achievements in the struggle for civil rights. Wilma’s award presents me with an opportunity to tell the U.S. Senate about her remarkable life and work.

Wilma is a native of the Centennial State, born in Denver and raised in the city’s Five Points Neighborhood. She later attended the University of Colorado and Harvard University’s John F. Kennedy School of Government. As a testament to her dedication to public service in Colorado, Wilma also has received honorary doctoral degrees from the University of Northern Colorado and the Art Institute of Colorado.

By 1980, Wilma had become a state representative in the Colorado General Assembly, where she served for 13 years, distinguishing herself as a trailblazing leader in the State Capitol. Among her achievements, Wilma spearheaded legislation to prevent discrimination in its many forms. For example, she successfully lobbied for the joint jurisdiction of the Colorado Civil Rights Commission and Division to use the power of subpoena in cases of discrimination. The first woman to represent House District 9, she was also a champion for the rights of women and equal opportunity legislation to make it unlawful to discriminate against women in the workplace or in the pursuit of an education. Wilma fought to help women and minority individuals lead successful businesses in Colorado. Additionally, Wilma served as an advocate to end discrimination on the basis of a person’s sexual orientation or physical disability.

In the 1980s, the United States was compelled to withdraw a policy of apartheid in South Africa because of its abhorrent system known as apartheid. At this time, early in her career as a State Representative, Wilma had the foresight and determination to make an investment in color. To do so, she carried bills to discourage investment in South Africa until Nelson Mandela was freed from imprisonment on Robben Island and justice was restored to the country’s political system. It’s a stance that many of us think is common sense now, but we must remember that it took brave leaders like Wilma to be on the forefront of the fight several decades ago.

Wilma’s leadership on civil rights is laudable, and includes many successful initiatives that make Coloradans proud. She is perhaps most widely known and celebrated for her effort to establish Martin Luther King, Jr. Day as a State holiday in Colorado. Founding the Martin Luther King, Jr. Colorado Holiday Commission along with Mrs. Coretta Scott King and Governor Richard D. Lamm, Wilma committed 18 years to serving as its President and Chairman, mission- helmed by Wilma, was responsible for organizing the annual “Marade” in the heart of Denver and has served to unite and educate communities across Colorado on the spirit and contributions of Dr. King. The Marade, uniquely named for being both a march and a parade, is one of the largest celebrations of its kind across the country. I have had the distinct privilege of participating in it over the years. In fact, just last month I was in Denver to mark the occasion, and it is among the most important occasions we have to celebrate our diverse communities and honor the values to which Dr. King devoted his life. To me, Wilma’s visionary leadership in honoring Dr. King’s legacy onto our nation’s inexorable march toward greater equality and justice for all Americans.

There are many other notable achievements of Wilma Webb. I would like to discuss a few more.

She has been a pioneer on education issues, fighting for a level playing field
essages from the President

Messages from the President of the United States were communicated to the Senate by Ms. 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.)

BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on Appropriations; and the Budget:

To the Congress of the United States:

America was built on the idea that anyone who is willing to work hard and play by the rules, can make it if they try—no matter where they started out. By giving every American a fair shot, asking everyone to do their fair share, and ensuring that everyone played by the same rules, we built the great American middle class and made our country a model for the world.

Today, America is still home to the world’s best universities, most productive workers, and most innovative companies. But for many Americans, the basic bargain at the heart of the American Dream has failed us.

Long before this recession hit, there was a widespread feeling that hard work had stopped paying off; that fewer and fewer of those who contributed to the success of our economy actually benefited from that success. Those at the very top grew wealthier while everyone else struggled with paychecks that did not keep up with the rising cost of everything from college tuition to groceries. And as a result, millions of Americans found themselves taking on more and more debt just to keep up—often papered over by mounting credit card bills and home equity loans.

Then, in the middle of 2008, the house of cards collapsed. Too many mortgages had been sold to people who could not afford—or even understand—them. Banks had packaged too many risky loans into securities and then sold them to investors who were misled or misinformed about the risks involved. Huge bets had been made and huge bonuses had been paid out with other people’s money. And the regulators who were supposed to prevent this crisis either looked the other way or did not have the authority to act.

In the end, this growing debt and irresponsibility helped trigger the worst economic crisis since the Great Depression. Combined with new tax cuts and new mandatory programs that had not been paid for, our country was left with no other choice but to go into a deep fiscal hole. And millions of hardworking Americans lost their jobs, their homes, and their basic economic security.

Today, we are seeing signs that our economy is on the mend. But we are not out of the woods yet. Instead, we are facing a make-or-break moment for the middle class, and for all those who are fighting to get there. What is at stake is whether or not this will be a country where working people can earn enough to raise a family, have savings, own a home, and secure their retirement. This is the defining issue of our time.

This Budget reflects my deep belief that, at this moment—both for our economy and for the millions of Americans who have worked so hard to get ahead—

We built this Budget around the idea that our country has always done best when everyone gets a fair shot, everyone plays by the same rules. It rejects the “you’re on your own” economics that have led to a widening gap between the

representative for the department of labor's first lady of denver duties were

example, Wilma founded the Denver Women's Resource Center to build relationships with worldwide local, national and foreign dignitaries.

who had significant budgetary oversight and directed special projects to resolve labor and workforce issues in the West. Her commitment to public service on the Federal level was just as strong as her time working at the State level.

It is clear Wilma has had an extraordinary career. She is warm, she is a visionary leader, she is exceptionally skilled, and she is driven by the desire to do what is right for Coloradans. Yet throughout her years as a leader, she has maintained a strong sense of the importance of family. As a daughter, a wife, a mother and a grandmother, she has been a cornerstone for all those around her. As someone who values the importance of balancing work life with family life, I respect the example that Wilma sets in that regard.

As I conclude, let me say to my colleagues that I am proud—and Colorado families are proud—of Wilma, among our numbers. She has earned the 2012 Civil Rights Award through her years of dedication, innovation and persistence in making Colorado a better place. She is a pioneer for civil rights. She is an outstanding public servant who has etched her mark on the lives of Colorado’s families, youth and marginalized communities. I commend Wilma for advancing the rights of every Coloradan and for a lifetime of service to others. On behalf of all Coloradans, I extend hearty congratulations on Wilma’s well-earned honor, with full confidence that she will continue her groundbreaking work.
richest and poorest Americans that underlines both our belief in equal opportunity and the engine of our economic growth. When the middle class is shrinking, and families can no longer afford to buy the goods and services that businesses are selling, it drags down the entire economy. And countries with less inequality tend to have stronger and steadier economic growth over the long run.

The way to rebuild our economy and strengthen the middle class is to make sure that everyone in America gets a fair shot at success. Instead of lowering our standards and our sights, we need to win a race to the top for good jobs that pay well and offer security for the middle class. To succeed and thrive in the global, high-tech economy, we need America to be a place with the highest-skilled, highest-educated workers; the most advanced transportation and communication networks; and the strongest commitment to research and technology in the world. This country makes investments that can help America win this great race, create good jobs, and lead in the world economy.

And it does so with the understanding that we need an economy that is not mired in years of debt and in which everyone shoulders their fair share to put our fiscal house in order. When I took office 3 years ago, my Administration was left an annual deficit of $1.3 trillion, or 9.2 percent of GDP, and a projected 10-year deficit of more than $8 trillion. These deficits were the result of a previous 8 years of undertaking initiatives, but not paying for them—especially two large tax cuts and a new Medicare prescription drug benefit—as well as the financial crisis and recession that made the fiscal situation worse as revenue decreased and automatic Government outlays increased to counter the downturn.

We have taken many steps to re-establish fiscal responsibility, working to institute a statutory pay-as-you-go rule for spending to go through the budget line by line looking for outdated, ineffective, or duplicative programs to cut or reform. Importantly, we enacted the Affordable Care Act, which will not only provide Americans with more affordable choices and freedom from insurance company abuses, but will also reduce our budget deficits by more than $1 trillion over the next two decades.

As economic growth was beginning to take hold last year, I took further steps to put our Nation on a fiscally sustainable path that would strengthen the foundation of the economy for years to come. In April of 2011, I put forward my Framework for Shared Prosperity and Shared Fiscal Responsibility that built on the 2012 Budget to identify $4 trillion in deficit reduction. During negotiations over extending the debt ceiling in the summer, I presented to the House and Senate a balanced plan to achieve $4 trillion in deficit reduction. Finally, in September, I sent my Plan for Economic Growth and Deficit Reduction to the Joint Select Committee on Deficit Reduction, which detailed a way to achieve $3 trillion in deficit reduction on top of the $1 trillion already achieved in the Budget Control Act of 2011 that I signed into law the previous month.

I also made sure that this plan covered the cost of the American Jobs Act—a set of bipartisan, commonsense proposals designed to put more people back to work, put more money in the pockets of the middle class, and do so without adding a dime to the deficit at a time when it was clear that global events were slowing the economic recovery and our ability to create more jobs. Unfortunately, Republicans in Congress blocked both our deficit reduction measures and almost every part of the American Jobs Act for the simple reason that they were unwilling to ask the wealthiest Americans to pay their fair share.

Looking ahead, I will continue to pursue policies that will shore up our economy and our fiscal situation. Together with the deficit reduction I signed into law this past year, this Budget will cut the deficit by $4 trillion over the next 10 years. This will put the country on a course to a level of deficits below 3 percent of GDP by the end of the decade, and will also allow us to stabilize the Federal debt relative to the size of the economy. To get to this number, it takes a number of steps to put us on a fiscally sustainable path.

First, this Budget implements the tight discretionary spending caps that I signed into law in the Budget Control Act of 2011. These caps will generate approximately $1 trillion in deficit reduction over the next decade. Building on reductions we already have made, this will result in a cut in discretionary spending of $42 billion since 2011. Reductions in Federal spending were essential to provide a jumpstart to the economy. Meeting the spending targets in this Budget meant some very difficult choices: reforming, consolidating, or freezing programs where we could; cutting programs that were not effective or essential and even some that were, but are now unaffordable; and precisely targeting investments. Every department will feel the impact of these reductions through cuts in programs or tightening their belts to free up more resources for areas critical to economic growth. And throughout the entire Government, we will continue our efforts to make programs and services work better and cost less: using competition and high standards to get the most from the grants we award; getting rid of excess Federal real estate; and saving billions of dollars by cutting overhead and administrative costs.

Second, this Budget begins the process of implementing my new defense strategy that reconfigures our force to meet the challenges of the coming decade. Over the past 3 years, we have made historic investments in our troops and their capabilities, military families, and veterans. After a decade of war, we are at an inflection point: American troops have left Iraq; we are undergoing a transition in Afghanistan that can assess our conti­nuity; and we have debilitating al Qaeda’s leadership, putting that terror­rist network on the path to defeat. At the same time, we have to renew our economic strength here at home, which is the foundation of our strength in the world, and that includes putting our fiscal house in order. To ensure that our defense budget is driven by a clear strategy that reflects our national interests, I directed Secretary of Defense and military leadership to undertake a comprehensive strategic review.

I presented the results of the review, reflecting my guidance and the full support of our Nation’s military leadership, at the Pentagon on January 5. There are several key elements to this new strategy. To sustain a global reach, we will strengthen our presence in the Asia Pacific region and maintain vigilance in the Middle East. We will invest in critical partnerships and alliances, including NATO, which has demon­strated time and again—most recently in Libya—that it is a force multiplier. Looking past Iraq and Afghanis­tan to future threats, the military no longer will be sized for large-scale, prolonged stability operations. The Department of Defense will focus modernization on emerging threats and sustaining efforts to replace outdated Cold War-era systems so that we can invest in the capabilities we need for the future, including intelligence, surveil­lance and reconnaissance capabilities. My Administration will continue to enhance capabilities related to counterterrorism and countering weapons of mass destruction, and we will also maintain the ability to operate in environments where adversaries try to deny us access. And we will stand with those who serve by giving priority to our wounded warriors, service­members’ mental health, and the well-being of military families.

Adapting our forces to this new strategy will entail investing in high-priority programs, such as unmanned surveillance aircraft and upgraded tactical vehicles. It will mean terminating unnecessary and lower-priority programs such as the Joint Strike Fighter—a program that in 2011 cost $847 billion over 10 years, the future of our military activities in Iraq and the wind-down of operations in Af­ghanistan will mean that the country will spend 24 percent less on overseas contingency operations (OCO) this year than it did last year, saving $30 billion. And as I proposed, we will look at ways to better target spending to OCO so that we fully realize the dividends of this change in pol­icy.
Third, I believe that in our country, everyone must shoulder their fair share—especially those who have benefited the most from our economy. In the United States of America, a teacher, a nurse, or a construction worker who pays $25,000 a year should not be taxed at a higher rate than somebody making $50 million. That is wrong. It is wrong for Warren Buffett’s secretary to pay a higher tax rate than Warren Buffett. This is not about class warfare; this is about our Nation’s welfare. This is about making fair choices that benefit not just the people who have done fantastically well over the last few decades, but that also benefit the middle class, those fighting to get into the middle class, and the economy as a whole.

In the Budget, I reiterate my opposition to permanently extending the Bush tax cuts for families making more than $250,000 a year and my opposition to a more generous estate tax than we had in 2009 benefitting only the very largest estates. These policies were unfair and unaffordable when they were passed, and they remain so today. I will push for their expiration in the coming year. I also propose to eliminate breaks for oil and gas companies; preferred treatment for the purchase of corporate jets; tax rules that give a larger percentage deduction to the wealthiest two percent than to middle-class families; itemized deductions and the so-called “Buffett Rule” that allows some of the wealthiest money managers in the country to pay only 15 percent tax on the millions of dollars they earn. And I support tax reform that observes the “Buffett Rule” that no household making more than $1 million annually should pay a smaller share of its income taxes than middle-class families pay.

Fourth, to build on the work we have done to reduce health care costs throughout this Affordable Care Act, I am proposing more than $360 billion in reforms to Medicare, Medicaid, and other health programs over 10 years. The goal of these reforms is to make these critical programs more effective and efficient, and help make sure our health care system rewards high-quality medicine. What it does not do—and what I will not support—are efforts to turn Medicare into a voucher or Medicaid into a block grant. Doing so would be yet another example of how the Bush tax cuts break the promise that we have made to American seniors, people with disabilities, and low-income families—a promise I am committed to keeping.

Finally, to address other looming, long-term challenges to our fiscal health, I have put forward a wide range of mandatory savings. These include reductions in agricultural subsidies, changes in Federal employee retirement and health benefits, reforms to the unemployment insurance system, and new proposals to provide a better return to taxpayers from mineral development. Drawn from the plan I presented to the Joint Select Committee on Deficit Reduction, these mandatory proposals would save $217 billion over the next decade.

Reining in our deficits is not an end in and of itself. It is a necessary step to rebuilding a strong foundation so our economy can grow and create good jobs. That is our ultimate goal. And as we tighten our belts by cutting, consolidating, and reforming programs, we also must invest in the areas that will be critical to giving every American a fair shot at success and creating an economy that is built to last.

That starts with taking action now to strengthen our economy and boost job creation. We need to finish the work we started last year by extending the payroll tax cut and unemployment benefits for the rest of this year. We also need to take additional measures to put more people back to work. That is why I introduced the American Jobs Act last year and why I will continue to put forward many of the ideas it contained, additional measures, to put people back to work by rebuilding our infrastructure, providing businesses tax incentives to invest and hire, and giving States aid to rehire teachers and first responders.

We also know that education and lifelong learning will be critical for anyone trying to compete for the jobs of the future. That is why I will continue to make education a national mission. What one learns will have a big impact on what one earns: the unemployment rate for Americans with a college degree or more is only about half the national average, and the incomes of college graduates are twice as high as those without a high school diploma.

When I took office, I set the goal for America to have the highest proportion of college graduates in the world by 2020. To reach that goal, we increased the maximum annual Pell Grant by more than $1,000 to help nearly 10 million needy students afford a college education. The 2013 Budget continues that commitment and provides the necessary resources to sustain the maximum award of $5,635. In this Budget, I also propose a series of new proposals to help families with the costs of college including making permanent the American Opportunity Tax Credit, a tax credit that would help low- and middle-income families save up to $10,000 per student over 4 years of college. We will also double the maximum award of $5,600 and provide the same benefit to those attending community colleges and universities that act responsibly in setting tuition, providing the best value, and serving needy students well.

To help our students graduate with the skills they will need for the jobs of the future, we are continuing our effort to prepare 100,000 science and math teachers over the next decade. To improve our elementary and secondary schools, we are continuing our commitment to the Race to the Top initiative that rewards the most innovative and effective approaches, recruit and retain good teachers, and raise student achievement. My Budget invests $350 million in this effort, which already has been expanded to cover early learning and individual school districts.

And to prepare our workers for the jobs of tomorrow, we need to turn our unemployment system into a re-employment system that gives workers the skills that businesses are looking for now, from data management to high-tech manufacturing.

Once our students and workers gain the skills they need for the jobs of the future, we also need to make sure those jobs end up in America. In today’s high-tech, global economy, that means the United States must be the best place in the world to take an idea from the drawing board to the factory floor to the store shelves. In this Budget, we put forward many of the ideas in non-defense research and development (R&D) even as overall spending declines, thereby keeping us on track to double R&D funding in the key R&D agencies. We are supporting research at the National Institutes of Health that will accelerate the translation of new discoveries in biomedical science into new therapies and cures, along with initiatives at the Food and Drug Administration that will speed the approval of new medicines. We make important investments in the science and research needed to tackle the most important environmental challenges of our time, and we are investing in fields as varied as cyber-security, nano-technology, and advanced manufacturing. This Budget also puts an emphasis on the basic research that leads to the breakthroughs of tomorrow, which increasingly is no longer being conducted by the private sector, as well as helping inventors bring their innovations from laboratory to market.

This Budget reflects the importance of safeguarding our environment while strengthening our economy. We do not have to choose between clean air and clean water and growing the economy. By conserving iconic American landscapes, restoring significant ecosystems from the Everglades to the Great Lakes, and achieving measurable improvements in water and air quality, we are working with communities to protect the natural resources that serve as the engines of their local economies.

Moreover, this Budget continues my Administration’s commitment to developing America’s diverse, clean sources of energy. The Budget eliminates unwarranted tax breaks for oil companies, while extending key tax incentives to spur investment in clean energy manufacturing and renewable energy production. The Budget also invests in R&D to catalyze the next generation of clean energy technologies. These investments will help us achieve our goal of doubling the share of electricity generated from clean sources by 2035. By promoting American leadership in advanced vehicle manufacturing, including funding to encourage
greater use of natural gas in the transportation sector, the Budget will help us reach our goal of reducing oil imports by one-third by 2025 and position the United States to become the first country to have one million electric vehicles on the road by 2030. We also are working to decrease the amount of energy used by commercial and industrial buildings by 20 percent to complement our ongoing efforts to improving the efficiency of the residential sector. We must work with the private sector, utilities, and States to increase the energy productivity of American industries while investing in the innovative processes and materials that can dramatically reduce energy use.

It is also time for government to do its part to help make it easier for entrepreneurs, inventors, and workers to grow their businesses and thrive in the global economy. I am calling on Congress to immediately begin work on corporate tax reform that will close loopholes, lower the overall rate, encourage investment here at home, simplify taxes for America’s small businesses, and not add a dime to the deficit. Moreover, to further assist these companies, I propose a comprehensive reorganization of the parts of the Federal Government that help businesses grow and sell their products abroad. If given consolidation authority—which Presidents had for most of the 20th century—I will propose to consolidate six agencies into one Department, saving money, and making it easier for all companies—especially small businesses—get the help they need to thrive in the world economy.

Finally, this Budget advances the national security interests of the United States, including the security of the American people, the prosperity and trade that creates American jobs, and support for universal values around the world. I am calling for the diplomatic efforts that strengthen the alliances and partnerships that improve international cooperation in meeting shared challenges, open new markets to American exports, and promote development. It invests in the intelligence and homeland security capabilities to detect, prevent, and defend against terrorist attacks against our country.

As we implement our new defense strategy, investment will increase in the systems and capabilities we need so that our Armed Forces are configured to meet the challenges of the coming decade. We will continue to invest in improving global health and food security so that we address the root causes of conflict and security threats. And we will keep faith with our men and women in uniform, their families, and veterans who have served their Nation.

These proposals will take us a long way towards strengthening the middle class and giving families the sense of security they have been missing for too long. But in the end, building an economy that works for everyone will require all of us to take responsibility. Parents will need to take greater responsibility for their children’s education. Homeowners will have to take more responsibility when it comes to buying a house or taking out a loan. Businesses will have to take responsibility for doing right by their workers and our country. And those of us in public service will need to keep finding ways to make government more efficient and more effective.

Understanding and honoring the obligations we have to ourselves and each other is what has made this country great. We look out for each other, pull together, and do our part. But Americans also deserve to know that their hard work will be rewarded.

This Budget is a step in the right direction. And I hope it will help serve as a roadmap for how we can grow the economy, create jobs, and give Americans everywhere the security they deserve.

BARACK OBAMA.


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. VITTER (for himself, Mr. HOEVEN, and Mr. LUGAR):
S. 2100. A bill to suspend sales of petroleum products from the Strategic Petroleum Reserve until certain conditions are met; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON of South Dakota:
S. 2101. An original bill to strengthen the multilateral sanctions regime with respect to Iran, to expand sanctions relating to the energy sector of Iran, the proliferation of weapons of mass destruction by Iran, and human rights abuses in Iran, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mrs. FEINSTEIN (for herself and Ms. MIKULSKI):
S. 2102. A bill to provide the authority to monitor and defend against cyber threats, to improve the sharing of cybersecurity information, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN:
S. 2103. A bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:
S. 1945. A bill to permit the televising of Supreme Court proceedings.

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs, without amendment:
S. 2101. An original bill to strengthen the multilateral sanctions regime with respect to Iran, to expand sanctions relating to the energy sector of Iran, the proliferation of weapons of mass destruction by Iran, and human rights abuses in Iran, and for other purposes.

ADDITIONAL COSPONSORS

S. 91
At the request of Mr. WICKER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 91, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and unborn human person.

S. 339
At the request of Mr. BAUCUS, the names of the Senator from Maryland (Mr. CARDEN) and the Senator from Connecticut (Mr. GOODWIN) were added as cosponsors of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 414
At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Ohio (Mr. BROWN), the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 488
At the request of Mr. HARKIN, the name of the Senator from Oklahoma (Mr. INHOFFE) was added as a cosponsor of S. 488, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 498
At the request of Mr. REED, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 498, a bill to require certain mortgage lenders to evaluate home purchase loan modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 641
At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 740
At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 836
At the request of Mr. BROWN of Ohio, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added
as a cosponsor of S. 816, a bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes.

S. 967

At the request of Mr. Merkley, the names of the Senator from Minnesota (Ms. Klobuchar) and the Senator from New Jersey (Mr. Lautenberg) were added as cosponsors of S. 967, a bill to establish clear regulatory standards for mortgage servicers, and for other purposes.

S. 1039

At the request of Mr. Cardin, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1299

At the request of Mr. Moran, the name of the Senator from North Dakota (Mr. Hoeven) was added as a cosponsor 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. 1616

At the request of Mr. Enzi, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1701

At the request of Ms. Snowe, the name of the Senator from Oregon (Mr. Merkley) was added as a cosponsor of S. 1701, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1996, and for other purposes.

S. 1747

At the request of Mrs. Hagan, the name of the Senator from North Carolina (Mr. Tester) was added as a cosponsor of S. 1747, a bill to amend the Fair Labor Standards Act of 1938 to modify provisions relating to the exemption for computer systems analysts, computer programmers, software engineers, or other similarly skilled workers.

S. 1925

At the request of Mr. Leahy, the names of the Senator from Missouri (Mrs. McCaskill) and the Senator from New Mexico (Mr. Udall) were added as cosponsors of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1990

At the request of Mr. Lieberman, the names of the Senator from Vermont (Mr. Sanders), the Senator from Alaska (Ms. Murkowski) and the Senator from Arkansas (Mr. Boozman) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2028

At the request of Mr. Brown of Ohio, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 2028, a bill to amend titles 23 and 49, United States Code, to ensure that transportation and infrastructure projects carried out using Federal financial assistance are constructed with steel, iron, and manufactured goods that are produced in the United States, and for other purposes.

S. 2066

At the request of Ms. Murkowski, the name of the Senator from Idaho (Mr. Risch) was added as a cosponsor of S. 2066, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public land and ensure continued opportunities for those activities.

S. 2090

At the request of Ms. Mikulski, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 2090, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2077

At the request of Mr. Blumenthal, the name of the Senator from Wisconsin (Mr. Kohl) was added as a cosponsor of S. 2077, a bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes.

S. 2099

At the request of Mr. Akaka, the name of the Senator from North Dakota (Mr. Conrad) was added as a cosponsor of S. 2090, a bill to amend the Indian Law Enforcement Reform Act to extend the period of time provided to the Indian Law and Order Commission to produce a required report, and for other purposes.

S. 2102

At the request of Mr. Akaka, the name of the Senator from South Dakota, the name of the Senator from Idaho (Ms. Collins), was added as a cosponsor of S. 2090, a bill to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

S. RES. 310

At the request of Ms. Mikulski, the name of the Senator from Hawaii (Mr. Akaka) was added as a cosponsor of S. Res. 310, a resolution designating 2012 as the ‘‘Year of the Girl’’ and congratulating Girl Scouts of the USA on its 100th anniversary.

S. RES. 370

At the request of Mr. Casey, the names of the Senator from Michigan (Mr. Levin), the Senator from Massachusetts (Mr. Brown) and the Senator from Texas (Mr. Cornyn) were added as cosponsors of S. Res. 370, a resolution calling for democratic change in Syria.

AMENDMENT NO. 1516

At the request of Mr. McCain, the names of the Senator from Colorado (Mr. Bennett) and the Senator from Missouri (Mrs. McCaskill) were added as cosponsors of amendment No. 1516 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1520

At the request of Mr. Nelson of Florida, his name was added as a cosponsor of amendment No. 1520 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1532

At the request of Mr. Paul, the names of the Senator from South Carolina (Mr. DeMint) was added as a cosponsor of amendment No. 1532 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. Feinstein (for herself and Ms. Mikulski):

S. 2102. A bill to provide the authority to monitor and defend against cyber threats, to improve the sharing of cybersecurity information, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mrs. Feinstein. Mr. President, I rise to introduce the Cybersecurity Information Sharing Act of 2012, which will improve the sharing of cyber threat and cybersecurity information in the private sector and with the federal government.

We all know that the cyber threat is perhaps the number one threat to our Nation at this time. It is significant that just last month, at the Senate Intelligence Committee’s hearing on
Worldwide Threats, the U.S. Intelligence Community’s official statement equated cyber threats to terrorism and proliferation as the highest priority threats to our security.

An unclassified report by the Intelligence Community made public in November 2011 said cyber intrusions against U.S. companies cost untold billions of dollars annually and named China and Russia as aggressive and persistent cyber thieves.

One obstacle to better U.S. cybersecurity is that a combination of existing law, the threat of litigation, and standard business practices prevent or deter the private sector from sharing information about the cyber threats they face and the losses of information and money they suffer.

We know there have been multi-million dollar cyber thefts from the Royal Bank of Scotland, Citibank, and other financial institutions. But companies like these are reticent about making public the ways cyber attacks happened because that could further damage their bottom line.

Even cyber security companies like RSA and national security agencies like the Federal Bureau of Investigation fall victim to malicious cyber activity, but the lessons learned from those attacks are generally not shared with others that face the same threat.

Finally, cyber criminals violate our privacy by hacking into the computers in our homes. They steal passwords for our bank accounts, access our private information, and turn our computers into launching points for further attacks.

These cyber intrusions affect Americans in substantial and real ways, and the threat is only growing. After reviewing the intelligence for many years on the cyber threat, it is clear to me that foreign nations and non-state actors are already causing major damage to our economy. I am also convinced that these bad actors are capable of causing potentially catastrophic loss of life and economic damage by opening a dam, crashing our financial system, or bringing down the electric grid.

For these reasons, I am very pleased that Majority Leader Reid is bringing comprehensive cybersecurity legislation to the Senate Floor after the President’s Day Recess.

For years, Senator Reid has worked with the Chairmen and Ranking Members of all the committees of jurisdiction on cybersecurity to produce this legislation, and Senators Rockefeller, Collins, Lieberman and Snowe in particular are to be commended for their extensive efforts in this area.

As the Chairman of the Intelligence Committee, I am particularly interested in legislation to address the need for better information sharing.

The intelligence committees in the Senate and House have been working to improve information sharing on counterterrorism since the terrorist attacks of September 11. The urgency in the cyber arena is just as important, but is, if anything, more difficult, as we must coordinate and protect the sharing of information that will go to a far greater number of entities, both public and private.

Unfortunately, the private sector entities that operate the critical networks that control financial markets, power plants, dams, and communications are prevented in very real ways from sharing information to warn each other of cyber threats. To such sharing include perceived financial and reputational risks; legal barriers in electronic surveillance laws; liability concerns that arise from potential lawsuits; and lack of one Federal agency in charge of cyber information sharing.

The bill I am introducing today will allow for more information sharing by providing clear authority to share cyber threat information and by reducing legal barriers to private entities’ ability to work with each other and with the federal government to share cybersecurity information, in a manner that upholds privacy and civil liberties.

Participation in information sharing in this bill would be voluntary for companies, and the bill contains protections for sharing threat information will be protected for doing so, and the information would be subject to strict privacy controls.

I also want to be very clear that this bill does not give law enforcement or the Intelligence Community any new authorities for conducting surveillance.

In an op-ed published in the Wall Street Journal on January 27, 2012, former Director of National Intelligence Mike McConnell, former Secretary of Homeland Security Michael Chertoff, and former Deputy Secretary of Defense Bill Lynn said that the Intelligence Community needs to make cybersecurity information available to other parts of the government and to commercial entities to maximize our cyber defenses.

The Cybersecurity Information Sharing Act of 2012 would do just that. Specifically, this legislation requires the Federal government to designate a single focal point for cybersecurity information sharing. The bill refers to this focal point as a “Cybersecurity Exchange” because with cybersecurity, we cannot be expected to operate as “centers” or “task forces” that only receive information; they must also serve as a hub for appropriately distributing and exchanging cyber threat information. The bill also requires the government to reduce bureaucratic obstacles to sharing so that the government can be a more effective partner for the private sector.

The bill establishes procedures for the government to share classified cyber threat information with certified private sector entities. Generally, only government contractors can receive a security clearance, but other companies, such as Internet Service Providers, need to receive classified threat information in order to protect against attacks. This bill makes them eligible to receive security clearances for that purpose. Those companies would be under the same restrictions to protect classified information as the government.

The bill removes legal and policy barriers to information sharing by affirmatively authorizing private sector entities to monitor and defend their own networks and to share cyber information for approved cybersecurity purposes only.

And also by providing appropriate liability protections for companies that share cyber information under the terms of the bill. A company that shares threat information with a cybersecurity exchange or with other private sector entities is protected under this bill from litigation for having done so. Many companies have told us that the threat of litigation deters them from sharing details about cyber attacks they have faced. In order to assure other companies that the government to protect against those attacks in the future, that information needs to be shared and acted upon.

I look forward to the consideration of this bill and the rest of the cyber legislative package that will be taken up by the Senate soon.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1534. Mr. VITTER (for himself, Mr. WICKER, Mr. SESSIONS, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table.

SA 1535. Mr. VITTER (for himself, Mr. WICKER, Mr. SESSIONS, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1536. Mr. ERNST submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1537. Mr. HOEVEN (for himself, Mr. LUGAR, Mr. VITTEN, Mr. MCCONNELL, Mr. JOHNS, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1538. Mr. ROBERTS (for himself, Mr. NELSON of Nebraska, Mr. MORGAN, and Mr. JOHANNESON) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1539. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.
SA 1540. Mr. BLUNT (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1541. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1542. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1543. Mr. FRANKEN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1544. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1545. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1546. Mr. LEVIN (for himself, Mr. LIEBERMAN, Mr. PORTMAN, Mr. BROWN of Ohio, Ms. HARRIS, Mr. GILLIBRAND, Mr. WICKER, Mr. BLUMENTHAL, Mr. BRIDG, Ms. LANDRIEU, Mr. FRANKEN, Mr. KIRK, Mr. COONS, Mr. VITTER, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1547. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1548. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1551. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1552. Mr. CARDIN (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1553. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1554. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1555. Mr. TOOMEY (for himself, Mrs. MCCASKILL, Mr. DeMINT, Mr. RUBIO, Mr. PAUL, Mr. PORTMAN, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1556. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1557. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1558. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1559. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1560. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1561. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1562. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1563. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1564. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1565. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1566. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1567. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1568. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1534. Mr. VITTER (for himself, Mr. WICKER, Mr. SESSIONS, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page ... between lines ... and ..., insert the following:

SEC. 5. EXTENSION OF CERTAIN LEASES.

Notwithstanding any other provision of law, each lessee of the Interior prior to January 1, 2011, for oil or gas production in the Gulf of Mexico, including both shallow water and deepwater leases, and extending beyond the term of the original lease, shall be extended for a period of 1 year.

SA 1535. Mr. VITTER (for himself, Mr. WICKER, Mr. SESSIONS, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page ..., between lines ... and ..., insert the following:

SEC. 6. EXTENSION OF LEASING PROGRAM.

(a) In General.—The Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program 2010–2015 issued by the Secretary of the Interior (referred to in this section as the "Secretary") under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) shall be considered to be the final oil and gas leasing program under that section for the period encompassing the years 2013 through 2015.

(b) Final Environmental Impact Statement.—The Secretary is considered to have issued a final environmental impact statement for the program applicable to the period described in subsection (a) in accordance with all requirements under section 13, subsection (c) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

SA 1536. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 7. MULTYEAR CONTRACTS TO BUY RAIL CARS.

Section 532(e)(1) of title 49, United States Code, as amended by this Act, is amended by striking "5 years after the date of the original contract." and inserting the following: "5 years after—" (A) the date of the original contract; or (B) in the case of a contract to buy a rail car, the date on which the first rail car produced under the contract is delivered.

SA 1537. Mr. HOOVEN (for himself, Mr. LUGAR, Mr. VITTER, Mr. MCCONNELL, Mr. JOHANNES, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, add the following:

SEC. 8. APPROVAL OF KEYSTONE XL PIPELINE PROJECT.

(a) Approval of Cross-Border Facilities.

(1) In General.—In accordance with section 8 of article 1 of the Constitution (delegating to Congress the power to regulate commerce with foreign nations), TransCanada Keystone Pipeline, L.P. is authorized to construct, connect, operate, and maintain pipeline facilities, subject to subsection (c), for the import of crude oil and other hydrocarbons at the United States-Canada border at the County of Montana, in accordance with the application filed with the Department of State on September 19, 2008 (as supplemented and amended).

(2) Authorization.—Notwithstanding any other provision of law, no permit pursuant to Executive Order 13337 (3 U.S.C. 301 note) or any other similar Executive Order regulating construction, connection, operation, or maintenance of facilities at the borders of the United States, and no additional environmental impact statement, shall be required for TransCanada Keystone Pipeline, L.P. to construct, connect, operate, and maintain the facilities described in paragraph (1).

(b) Construction and Operation of Keystone XL Pipeline in United States.—

(1) In General.—The final environmental impact statement issued by the Department of State on August 29, 2011, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other provision of law that requires Federal agency consultation or review with respect to the cross-border facilities described in subsection (a)(1) and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended).
(2) PERMITS.—Any Federal permit or authorization issued before the date of enactment of this Act for the cross-border facilities described in subsection (a)(1), and the related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), shall remain in effect.

(c) CONDITIONS.—In constructing, connecting, operating, and maintaining the cross-border facilities described in subsection (a)(1) and related facilities in the United States described in the application filed with the Department of State on September 19, 2008 (as supplemented and amended), TransCanada Keystone Pipeline, L.P., shall comply with the following conditions:

(1) TransCanada Keystone Pipeline, L.P., shall comply with all applicable Federal and State laws (including regulations) and all applicable industrial codes regarding the construction, connection, operation, and maintenance of the facilities.

(2) Except as provided in subsection (a)(2), TransCanada Keystone Pipeline, L.P., shall comply with all appropriate measures to prevent or mitigate any adverse environmental impact or disruption of historic properties in connection with the construction, connection, operation, and maintenance of the facilities.

(3) The construction, connection, operation, and maintenance of the facilities shall be—

(A) in all material respects, similar to that described in—

(i) the application filed with the Department of State on September 19, 2008 (as supplemented and amended); and

(ii) the final environmental impact statement described in subsection (b)(1); and

(B) carried out in accordance with—

(i) the construction, mitigation, and reclamation measures agreed to for the project in the construction mitigation and reclamation plan contained in appendix B of the final environmental impact statement described in subsection (b)(1); and

(ii) the special conditions agreed to between the owners and operators of the project and the Administrator of the Pipeline and Hazardous Materials Safety Administration of the Department of Transportation, as contained in appendix U of the final environmental impact statement;

(iii) the measures identified in appendix H of the final environmental impact statement, if the modified route submitted by the State of Nebraska to the Secretary of State crosses the Sand Hills region; and

(iv) the stipulations identified in appendix S of the final environmental impact statement.

(d) ROUTE IN NEBRASKA.—

(1) IN GENERAL.—Any route and construction, mitigation, and reclamation measures for the project in the State of Nebraska that is identical to the route of the State of Nebraska and submitted to the Secretary of State under this section is considered sufficient for the purposes of this section.

(2) CONSTRUCTION OF THE FACILITIES IN THE UNITED STATES DESCRIBED IN THE APPLICATION FILED WITH THE DEPARTMENT OF STATE ON SEPTEMBER 19, 2008 (AS SUPPLEMENTED AND AMENDED).—In the event the Secretary of State receives a routing for the project in the State of Nebraska that is identical to the route submitted to the Secretary of the State of Nebraska, the Secretary shall exempt all Class A commercial driver’s license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous material endorsement under part 383 of title 49, Code of Federal Regulations, while operating a service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less if the tank container or truck is marked with a placard reading ‘Diesel Fuel’.

(d) AMENDMENT.—

(1) IN GENERAL.—Any action taken to carry out this section (including the modification of any route under subsection (d)) shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) STATE SITING AUTHORITY.—Nothing in this section alters any provision of State law relating to the siting of pipelines.

(3) PRIVATE PROPERTY.—Nothing in this section alters any Federal, State, or local process or condition in effect on the date of enactment of this Act that is necessary to provide assistance that is consistent with the law of the State of Nebraska.

(4) COOPERATION.—Not later than 30 days after the date of enactment of this Act, the Secretary of State and the Administrator of the Pipeline and Hazardous Materials Safety Administration shall enter into a memorandum of understanding to facilitate cooperation between the parties and expedite the review and approval of the application described in—

(A) the application filed with the Department of State on September 19, 2008 (as supplemented and amended), that are approved by this section, and any permit, right-of-way, or other action taken to construct or complete the project pursuant to Federal law, shall only be subject to judicial review on completion of appeal to the United States Court of Appeals for the District of Columbia Circuit.

SA 1538. Mr. ROBERTS (for himself, Mr. NELSON of Nebraska, Mr. MORAN, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 1813 to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table:

At the end of title IV of division C, add the following:

SEC. 34016. HAZARDOUS MATERIAL ENDORSEMENT EXEMPTION.

(a) EXCLUSION.—Section 517(d)(1) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking “and” and inserting “and”;

(2) in subparagraph (C), by striking the period at the end and inserting “;”; and

(3) by adding at the end the following:

“(D) a service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less that is—

(i) driven by a Class A commercial driver’s license holder who is a custom harvester, an agricultural retailor, an agricultural business employee, an agricultural cooperative employee, or an agricultural processor; and

(ii) clearly marked with a placard reading ‘Diesel Fuel’.”

(b) EXEMPTION.—Section 31315(b) of title 49, United States Code, is amended by adding at the end the following:

“(8) HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.—The Secretary shall exempt all Class A commercial driver’s license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous material endorsement under part 383 of title 49, Code of Federal Regulations, while operating a service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less if the tank container or truck is marked with a placard reading ‘Diesel Fuel’.”

SA 1539. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1813 to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table:
title 44, United States Code, is amended by adding after the item relating to section 1344 the following:

“Sec. 1345. Prohibition on printing of the budget of the United States Government.”.

(2) ELECTRONIC AVAILABILITY.—The Office of Management and Budget shall make the budget of the United States Government submitted under section 105 of title 31, United States Code, available—
(A) to the public on the website of the Office of Management and Budget; and
(B) in a format which enables the budget to be downloaded and printed by users of the website.

(c) CALENDARS.—
(1) PROHIBITION ON PRINTING DAILY CALENDARS.—
(A) SENATE.—The Secretary of the Senate shall not print the Calendar of Business of the Senate or the Executive Calendar of the Senate.

(B) HOUSE OF REPRESENTATIVES.—The Clerk of the House of Representatives shall not print the Calendars of the House of Representatives.

(2) ELECTRONIC AVAILABILITY.—
(A) SENATE.—The Secretary of the Senate shall make the Calendar of Business of the Senate and the Executive Calendar of the Senate available—
(i) to the public on the website of the Senate;
(ii) in a format which enables the Calendar of Business of the Senate and the Executive Calendar of the Senate to be downloaded and printed by users of the website.

(B) HOUSE OF REPRESENTATIVES.—The Clerk of the House of Representatives shall make the Calendars of the House of Representatives available—
(i) to the public on the website of the House of Representatives; and
(ii) in a format which enables the Calendars of the House of Representatives to be downloaded and printed by users of the website.

(d) DEFICIT REDUCTION.—Any savings attributable to this section or an amendment made by this section shall be transferred to the General Fund of the Treasury and used for deficit reduction.

SA 1540. Mr. BLUNT (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 90, strike line 13 and all that follows through page 91, line 14, and insert the following:

“(A) SET-ASIDE.—Of the amounts apportioned to a State for fiscal year 2012 and each fiscal year thereafter under this section, the State shall obligate for activities described in subsection (c)(2) for off-system bridges an amount that is not less than 15 percent of the amount of funds apportioned to the State for the highway bridge program for fiscal year 2009.

(B) REDUCTION OF EXPENDITURES.—The Secretary, after consultation with State and local officials, may reduce the requirement for expenditures for off-system bridges under subsection (c)(2) without respect to the State if the Secretary determines that the State has inadequate needs to justify the expenditure.

SA 1541. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

At the appropriate place, insert the following:

SEC. 15. EQUAL OPPORTUNITY ASSESSMENT.

(a) IN GENERAL.—In accordance with this section, the Secretary shall conduct an assessment, throughout the United States, of the extent to which nondiscrimination and equal opportunity exist in the construction and operation of federally funded transportation projects, programs, and activities.

(b) SUPPORTING INFORMATION.—In conducting the assessment under subsection (a), the Secretary shall—
(1) review all demographic data, discrimination complaints, reports, and other relevant information collected or prepared by a recipient of Federal financial assistance or the Department of Transportation pursuant to an applicable civil rights law (including regulations); and
(2) coordinate with the Secretary of Labor, as necessary, to obtain information regarding equitable employment and contracting opportunities.

(c) REPORT.—Not later than 4 years after the date of enactment of this Act, and every 4 years thereafter, the Secretary shall submit to Congress a report on the results of the assessment under subsection (a), which shall include the following:

(1) A specification of the impediments to nondiscrimination and equal opportunity in the Federal-aid highway and highway safety transportation projects, programs, and activities.

(2) Recommendations for overcoming the impediments specified under paragraph (1).

(3) A summary of the information on which the assessment is based.

(d) COLLECTION AND REPORTING PROCEDURES.—

(1) PUBLIC AVAILABILITY.—The Secretary shall ensure, to the maximum extent practicable, that all information reviewed or collected for the assessment under subsection (a) is made available to the public through the prompt and ongoing publication of the information, including a summary of the information, on the website of the Department.

(2) REGULATIONS.—The Secretary shall promulgate regulations for the collection and reporting of information necessary to carry out this section.

(e) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the Director of the Bureau of Transportation Statistics, the Director of the Departmental Office of Civil Rights, the Secretary of Labor, and the heads of any other agencies that may contribute to the assessment under subsection (a).

SA 1543. Mr. FRANKEN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 119 of title 23, United States Code (as amended by section 1106), strike subsection (e)(1) and insert the following:

“(e) REPLACEMENT (INCLUDING REPLACEMENT WITH FILL MATERIAL), REHABILITATION, PRESERVATION, AND PROTECTION (INCLUDING SEISMIC RETROFITS, IMPACT PROTECTION MEASURES, SECURITY MEASURES, AND PROTECTION AGAINST EXTREME EVENTS) OF BRIDGES ON FEDERAL-aid HIGHWAYS (OTHER THAN ON THE NATIONAL HIGHWAY SYSTEM).

“(f) LIMITATION ON NEW CAPACITY.—

“IN GENERAL.—In addition to the provisions provided in paragraph (2), the maximum amount that a State may obligate under this section for projects under subparagraphs (G) and (P) of section 1336(d) and that is attributable to the portion of the cost of any project undertaken to expand the capacity of eligible facilities on the National Highway System, in any case in which the net increase in the number of 1 or more new travel lanes that are not high-occupancy vehicle lanes, shall not, in total, exceed 40 percent of the combined apportionments of a State under section 104(b)(1) for the most recent 3 consecutive years.

SA 1544. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. EXTENSION OF WIND ENERGY CREDIT.

Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking “January 1, 2013” and inserting “January 1, 2014”.

SEC. 2. COST OFFSET FOR EXTENSION OF WIND ENERGY CREDIT, AND DEFICIT REDUCTION FROM DELAY IN APPLICATION OF WORLD-WIDE ALLOCATION OF INTEREST.

(a) In General.—Paragraphs (3)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking “December 31, 2020” and inserting “December 31, 2020”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 1545. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, add the following:

On page 469, after line 22, add the following:

(e) PROHIBITION ON FOREIGN ASSISTANCE TO EGYPT.

Beginning 30 days after the date of the enactment of this Act, and every 4 years thereafter, the Secretary shall submit to Congress a report on the results of the assessment under subsection (a), which shall include the following:

(1) A specification of the impediments to nondiscrimination and equal opportunity in the Federal-aid highway and highway safety transportation projects, programs, and activities.

(2) Recommendations for overcoming the impediments specified under paragraph (1).

(3) A summary of the information on which the assessment is based.

(d) COLLECTION AND REPORTING PROCEDURES.—

(1) PUBLIC AVAILABILITY.—The Secretary shall ensure, to the maximum extent practicable, that all information reviewed or collected for the assessment under subsection (a) is made available to the public through the prompt and ongoing publication of the information, including a summary of the information, on the website of the Department.

(2) REGULATIONS.—The Secretary shall promulgate regulations for the collection and reporting of information necessary to carry out this section.

(e) COORDINATION.—In carrying out this section, the Secretary shall coordinate with the Director of the Bureau of Transportation Statistics, the Director of the Departmental Office of Civil Rights, the Secretary of Labor, and the heads of any other agencies that may contribute to the assessment under subsection (a).
The Secretary of the Army shall not promulgate any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 223 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

(a) the individual is not otherwise prohibited by law from possessing the firearm; and

(b) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

SA 1546. Mr. LEVIN (for himself, Mr. LIEBERMAN, Mr. PORTMAN, Mr. BROWN of Ohio, Ms. STABENOW, Mrs. GILLI- BRANDT, Mr. WINTER, Mr. BLUMENTHAL, Mr. BEGICH, Ms. LANDRIEU, Mr. FRANKEN, Mr. KIRK, Mr. COONS, Mr. VITTER, and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 15. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) HARBOR MAINTENANCE TRUST FUND GUARANTEES.—

(1) IN GENERAL.—The total budget resources made available from the Harbor Maintenance Trust Fund each fiscal year pursuant to section 905(c) of the Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund) shall be equal to the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year. Such amounts may be used only for harbor maintenance programs described in section 905(c) of such Code.

(b) GUARANTORS.—No funds may be appropriated for harbor maintenance programs described in such section unless the amount described in paragraph (1) has been provided.

(c) DEFINITIONS.—In this section, the following definitions apply:

(Total budget resources) means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 905(c) of the Internal Revenue Code of 1986.

(2) LEVEL OF RECEIPTS PLUS INTEREST.—The term ‘level of receipts plus interest’ means the level of receipts and interest credited to the Harbor Maintenance Trust Fund under section 905 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President’s budget projection for that fiscal year, and in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177; 99 Stat. 1092) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

(c) ENFORCEMENT OF GUARANTEES.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment, motion, or conference report that would cause total budget resources in a fiscal year for harbor maintenance programs described in subsection (b)(1) for such fiscal year to be less than the amount required by subsection (a)(1) for such fiscal year.

SA 1547. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 16. REPORTING.

Section 152 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

(1) STATE REPORTS ON SAFETY IMPROVEMENTS.—Not later than December 31 of each year, each State shall submit to the Secretary an inventory of all projects that are required under paragraph (1) of section 1003 of the MAP-21, the Secretary shall require States to submit as part of the highway safety plan for the State, a plan, which shall be updated every 5 years, for law enforcement officers to use technologically advanced traffic enforcement devices (including automatic speed detection devices such as photo-radar) to improve safety in school zones.

(2) PROGRAM IMPLEMENTATION.—Not later than 1 year after the date of enactment of the MAP-21, the Secretary shall require the State to submit an application at improved locations before and after completion of the improvements.

(D) an analysis and evaluation of each State program.

(E) identification of each State determined not to be in compliance with the schedule of improvements required by subsection (a); and

(F) any recommendations of the Secretary for future implementation of the haz-

arad elimination program.

SA 1548. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, add the following:

(3) DISTRIBUTION OF FUNDS.—

(1) Suballocation to Tier I Metropolitan Planning Organizations.—

(i) IN GENERAL.—If a State has 1 or more Tier I metropolitan planning organizations, of the funds reserved under paragraph (1) (minus the deductions required under subparagraph (C)), the State shall allocate to each Tier I metropolitan planning organization an amount that is equal to the proportion that—

(II) the total population of the State.

(ii) USE.—Amounts allocated under clause (i) shall be used for projects to be carried out within the boundaries of the applicable metropolitan planning areas served by the Tier I metropolitan planning organization.

(iii) LOCAL ACCESS TO FUNDS.—

(A) IN GENERAL.—In this subparagraph, the term ‘local entity’ means—

(i) a local government;

(ii) a regional transportation authority;

(iii) a transit agency;

(iv) a natural resource or public land agency;

(v) a school district, local education agency, or school; and

(vi) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a Tier I metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.

(ii) AWARDS.—

(i) IN GENERAL.—Of the funds reserved under paragraph (1) not subject to subparagraph (A), a State shall provide annually to eligible entities, on a competitive basis, awards to carry out this subsection.

(ii) APPLICATION.—To receive a grant under this subparagraph, an eligible entity shall submit to the State an application at...
such time, in such form, and in such manner as the State determines to be necessary.

"(III) STATE RECAPTURE OF FUNDING.—If all eligible applications are not sufficient to use all funds allocated under this subparagraph, the State may use the remaining funds for State projects and priorities eligible under this subsection.

"(IV) STATES ELECTING PARTICIPATION.—States electing to participate under this subsection shall establish a program for the administration of the activities described in subparagraph (A).

"(V) STATES ELIGIBLE FOR FUNDING.—A State is eligible to receive funds under this section if it—

"(aa) has in effect a State program to control and reduce the discharge of pollutants in accordance with this section as the 'Administrator'); shall select 3 States or regions to develop cost-effective programs to control and reduce the discharge of polluted highway stormwater runoff off into adjacent and receiving waters proximate to highway facilities in accordance with subsection (b).

"(bb) HIGHWAY STORMWATER CONTROL PILOT PROGRAMS.—

"(I) IN GENERAL.—In cooperation with selected State and regional governments, the Secretary shall establish a pilot program to develop programs designed to prevent, control, and treat polluted stormwater runoff discharges from federally funded highways and roads.

"(II) REQUIREMENTS.—The Secretary shall select 3 States or regions to develop cost-effective programs to control and reduce the discharge of polluted highway stormwater runoff off into adjacent and receiving waters proximate to highway facilities in accordance with subsection (b).

"(cc) AUTHORITY TO EXEMPT CERTAIN SECURITIES.—

"(1) IN GENERAL.—Section 3(b) of the Securities Act of 1933 (15 U.S.C. 77c(b)) is amended by adding at the end the following:

"(2) SEC. 5001. SHORT TITLE.

"(3) SEC. 5002. AUTHORITY TO EXEMPT CERTAIN SECURITIES.—

"(4) SEC. 5003. AUTHORITY TO EXEMPT CERTAIN SECURITIES.—

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the following:

"(e) TECNICAL AMENDMENT.—The analysis for chapter 3 of title 23 United States Code (as amended by section 1511) is amended by adding at the end the following:

"(f) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(g) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(h) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(i) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(j) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(k) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(l) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(m) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(n) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(o) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(p) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(q) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(r) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(s) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(t) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(u) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(v) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(w) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(x) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(y) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(z) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

"(aa) funds remain available to be obligated under this section; and

"(bb) the project for which the application is submitted is an eligible project under this subsection.

"(iv) PETITION.—An eligible entity may submit to the Secretary a petition for assistance if the eligible entity determines that the State has an established pattern of not making funds available to eligible entities in accordance with this subparagraph.

"(C) ADMINISTRATIVE PRIORITIES.—Of the funds reserved under paragraph (1) for each year, a State may use not more than 10 percent of the funds reserved under this subparagraph for regional clean water and drinking authority programs, and for other purposes; which was ordered to lie on the table; as follows:

"(1) In General.—Chapter 3 of title 23, United States Code (as amended by section 1511) is amended by adding at the end the following:

"(2) SEC. 331. Federal-aid highway runoff pollution management pilot program.

"(a) Estabishment.—

"(1) IN GENERAL.—In cooperation with selected State and regional governments, the Secretary shall establish a pilot program to control and reduce the discharge of pollutants to water within the same 8-digit hydrological unit code as the covered project.

"(2) COVERED PROJECTS IN IMPAIRED WATERSHEDS.—Any covered project located within a watershed that contains an impaired water listed under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)) shall be in accordance with the load or wasteload allocation requirements necessary to the applicable State or the Administrator.

"(3) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of the MAP-21, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

"(A) the highway runoff pollution reduction achieved for each covered project;

"(B) the costs to the participating State and region as the 'Administrator', associated with carrying out the pilot program;

"(C) the impact of the pilot program on—

"(D) the operation and maintenance costs for water infrastructure and water treatment of the applicable State and regional clean water and drinking authority; and

"(E) the reports of the applicable State and regional clean water and drinking authority to meet permit requirements; and
“(G) Such other terms, conditions, or requirements as the Commission may determine necessary in the public interest and for the protection of investors, which may include—

“(i) a requirement that the issuer prepare and electronically file with the Commission and distribute to prospective investors an offering statement, and any related documents, in accordance with such content as prescribed by the Commission, including audited financial statements and a description of the issuer’s business operations, its financial condition, its corporate governance practices, its use of investor funds, and other appropriate matters; and

“(ii) disqualification provisions under which the exemption shall not be available to the issuer or its predecessors, affiliates, officers, directors, underwriters, or other related persons, which shall be substantially similar to the disqualification provisions contained in the regulations adopted in accordance with section 926 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 77d note).

“(3) LIMITATION.—Only the following types of securities may be exempted under this rule or regulation adopted pursuant to paragraph (2): equity securities, debt securities, and debt securities convertible or exchangeable to equity interests, including any guarantees of such securities.

“(4) PERIODIC DISCLOSURES.—Upon such terms and conditions as the Commission determines necessary in the public interest and for the protection of investors, the Commission by rule or regulation may require an issuer of a class of securities exempted under paragraph (2) to make available to investors and file with the Commission periodic disclosures regarding the issuer, its business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters, and also may provide for the suspension and termination of such a requirement with respect to that issuer.

“(5) ADJUSTMENT.—Not later than 2 years after the date of enactment of the Small Company Capital Formation Act of 2011 and every 2 years thereafter, the Commission shall review the offering amount limitation described in paragraph (2)(A) and shall increase the amount or, if the Commission determines appropriate. If the Commission determines not to increase such amount, it shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on its reasons for not increasing the amount.”.

(b) TREATMENT AS COVERED SECURITIES FOR PURPOSES OF NSMIA.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

“(1) in subparagraph (C), by striking “; or” and inserting “; or any request for an approval, such as a request for approval of a permit or license, relating to a transportation project under any

SEC. 5003. STUDY ON THE IMPACT OF STATE BLUE SKY LAWS ON REGULATION A OFFERINGS.

Not later than 4 months after the date of enactment of this Act, the Comptroller General shall—

(1) conduct a study on the impact of State laws regulating securities offerings (commonly referred to as “Blue Sky laws”) on offerings made under Regulation A (17 C.F.R. 230.251 et seq.); and

(2) transmit a report on the findings of the study to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SA 1555. MR. TOOMEY (for himself, Mrs. MCCASKILL, Mr. DE MINT, Mr. RUBIO, Mr. PAUL, Mr. PORTMAN, and Ms. AXOYET) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. EARMARK ELIMINATION ACT OF 2012.

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

(b) PROHIBITION ON EARMARKS.—

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

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

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

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

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

(c) EXEMPTIONS FOR PROJECTS CARRIED OUT WITH NON-FEDERAL FUNDS.—

SA 1557. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. EXEMPTION FROM REVIEW REQUIREMENTS.

Any request for an approval, such as a request for approval of a permit or license, relating to a transportation project under any

SA 1558. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. EXEMPTION FROM REVIEW REQUIREMENTS.

At the appropriate place, insert the following:
Federal law (including a regulation) that is not approved or denied by the date that is 180 days after the date on which the request for the approval is submitted to the Secretary or other appropriate Federal official shall be considered to be approved.

SA 1559. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 14. ENVIRONMENTAL IMPACT STATEMENTS.

Title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) is amended by adding at the end the following:

"SEC. 108. COMPLETION AND REVIEW OF ENVIRONMENTAL IMPACT STATEMENTS.

"(a) COMPLETION.—

"(1) IN GENERAL.—Each review carried out under section 102(2)(C) shall be completed not later than the date that is 180 days after the date of commencement of the review.

"(2) FAILURE TO COMPLETE REVIEW.—If a review described in paragraph (1) has not been completed for an action subject to section 102(2)(C) by the date specified in paragraph (1), the action shall be considered to have no significant impact described in section 102(2)(C). and (B) that classification shall be considered to be a final agency action.

"(3) UNEMPLOYMENT RATE.—If the national unemployment rate is 5 percent or more, the lead agency conducting a review of an action under this section shall use the most expeditious means authorized under this title to conduct the review.

"(b) LEAD AGENCY.—The lead agency for a review of an action under this section shall be the Federal agency to which funds are made available for the action.

"(c) REVIEW.

"(1) ADMINISTRATIVE APPEALS.—There shall be a single administrative appeal for each review carried out pursuant to section 102(2)(C).

"(2) JUDICIAL REVIEW.—

"(A) IN GENERAL.—On resolution of the administrative appeal, judicial review of the final agency decision after exhaustion of administrative remedies shall lie with the United States Court of Appeals for the District of Columbia.

"(B) ADMINISTRATIVE RECORD.—An appeal to the court described in subparagraph (A) shall be based only on the administrative record.

"(C) PENDENCY OF JUDICIAL REVIEW.—After an agency has made a final decision with respect to a review carried out under this section, the decision shall be effective during the course of any subsequent appeal to a court described in subparagraph (A).

"(3) CIVIL ACTION.—Each civil action covered by this section shall be considered to arise under the laws of the United States.

SA 1560. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 15. HIGH-SPEED RAIL EQUIPMENT.

The Secretary of Transportation shall not preclude the use of Federal funds made available to purchase rolling stock to purchase any equipment used for "high-speed rail" (as defined in section 26106(b)(4) of title 49, United States Code).

SA 1561. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 16. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.

(a) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY PUBLIC LAW 105–17.

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized for the following districts by section 122(b) of Public Law 109–8 (28 U.S.C. 152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

(A) The central district of California.
(B) The eastern district of California.
(C) The district of Delaware.
(D) The southern district of Florida.
(E) The southern district of Georgia.
(F) The district of Maryland.
(G) The eastern district of Michigan.
(H) The district of New Jersey.
(I) The southern district of New York.
(J) The southern district of New York.
(K) The eastern district of North Carolina.
(L) The eastern district of Pennsylvania.
(M) The middle district of Pennsylvania.
(N) The district of Puerto Rico.
(O) The district of South Carolina.
(P) The western district of Tennessee.
(Q) The eastern district of Virginia.
(R) The district of Nevada.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraphs (B), (C), (D), and (E), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1) shall not be filled.

(B) CENTRAL DISTRICT OF CALIFORNIA.—The 1st, 2d, and 3d vacancies in the office of the bankruptcy judge for the central district of California shall not be filled.

(C) DISTRICT OF DELAWARE.—The 1st, 2d, 3d, and 4th vacancies in the office of a bankruptcy judge for the district of Delaware shall not be filled.

(D) SOUTHERN DISTRICT OF FLORIDA.—The 1st and 2d vacancies in the office of a bankruptcy judge for the southern district of Florida shall not be filled.

(E) DISTRICT OF MARYLAND.—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 5th vacancy in the office of a bankruptcy judge for the district of Delaware shall not be filled.

(B) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico shall not be filled.

(C) EASTERN DISTRICT OF TENNESSEE.—The 1st vacancy in the office of a bankruptcy judge for the eastern district of Tennessee shall not be filled.

(D) SOUTHERN DISTRICT OF FLORIDA.—The 1st vacancy in the office of a bankruptcy judge for the southern district of Florida shall not be filled.

(E) DISTRICT OF MARYLAND.—The 1st, 2d, and 3d vacancies in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(F) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico shall not be filled.

(G) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(H) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico shall not be filled.

(I) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(J) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(K) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(L) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(M) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(N) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(O) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(P) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(Q) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(R) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(S) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(T) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(U) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(V) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(W) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(X) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(Y) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.

(Z) DISTRICT OF MARYLAND.—The 1st vacancy in the office of a bankruptcy judge for the district of Maryland shall not be filled.
not applicable to the temporary office of the bankruptcy judge referred to in paragraph (1).

(d) Temporary Judiciary Paygo Offset.—Section 1909(a)(3) of title 26, United States Code, is amended by striking "$1,000" and inserting "$1,000,000".

(2) EXPENDITURE LIMITATION.—Incremental amounts collected by reason of the enactment of paragraph (1) shall be deposited in a special fund in the United States Treasury, to be established after the date of enactment of this Act. Such amounts shall be available for the purposes specified in section 1931(a) of title 26, United States Code, but only to the extent specifically appropriated by Act of Congress enacted after the date of enactment of this Act.

(2) EFFECTIVE DATE.—This subsection shall take effect 180 days after the date of enactment of this Act.

SA 1562. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE II—FIRE GRANTS REAUTHORIZATION

SEC. 1. SHORT TITLE. This title may be cited as the "Fire Grants Reauthorization Act of 2012".

SEC. 2. AMENDMENTS TO DEFINITIONS. (a) In General.—Section 3 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended—

(i) IN GENERAL.—The Administrator of FEMA means the Administrator of the Federal Emergency Management Agency;—

(3) in paragraph (5)—

(A) by inserting "Indian tribe," after "county," and before "fire district;");

(5) by inserting after paragraph (6) through (9), subsections (7) through (10), respectively—

(5) by inserting after paragraph (5), the following:

"(6) 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) and 'tribal' means of or pertaining to an Indian tribe;—

(1) provide any of the training described under subparagraph (i).

(7) voluntary fire department means a fire department that has an all-volunteer force of firefighting personnel other than paid-on-call firefighters.

(3) COMBINATION FIRE DEPARTMENT.—The term 'combination fire department' means a fire department that has—

(A) paid firefighting personnel; and

(B) volunteer firefighting personnel.

(4) Firefighter.—The term 'firefighter' means an individual who serves as a firefighting personnel other than paid-on-call firefighters.

(5) NONAFFILIATED EMS ORGANIZATION.—The term 'nonaffiliated EMS organization' means a public or private nonprofit emergency medical services organization that is not affiliated with a hospital and does not serve a geographic area in which the Administrator of FEMA finds that emergency medical services are adequately provided by a fire department.

(d) TEMPORARY JUDGESHIP PAYGO OFFSET.—

(1) Administrator of FEMA.—The Administrator of FEMA may not award a grant under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

(2) State Fire Training Academies.—The Administrator of FEMA may not award a grant under this subsection to a State fire training academy in an amount that exceeds $10,000,000 in any fiscal year.

(3) Aggregate.—

(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B) and except as provided in paragraphs (7) and (8), the Administrator of FEMA may not award a grant under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

(ii) EXCEPTION.—The Administrator of FEMA may waive the limitation in clause (i) with respect to a grant recipient if the Administrator determines that the grant recipient has an extraordinary need for a grant in an amount that exceeds the limit under clause (i).

(c) Use of Grant Funds.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

(A) To train firefighting personnel in—

(i) firefighting;

(ii) emergency medical services and other emergency response (including response to natural disasters, nuclear terrorism, and other man-made disasters);

(iii) arson prevention and detection;

(iv) maritime firefighting; and

(v) the handling of hazardous materials.

(B) To train firefighting personnel to provide any of the training described under subparagraph (A).

(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

(D) To certify—

(i) firefighting inspectors; and

(ii) building inspectors.

(E) To establish, administer, maintain, and renew training of individuals who are responsible for fire safety inspections.

(F) To fund emergency medical services programs provided by fire departments and nonaffiliated EMS organizations.

(G) To acquire additional firefighting vehicles, including fire trucks and other apparatus.

(H) To acquire additional firefighting equipment, including firefighting equipment—

(i) firefighting vehicles with foam in remote areas without access to water; and

(2) maximum grant amounts.—

(A) Pursuant to section 3303 of the Homeland Security Act of 2002 (6 U.S.C. 2214) is amended by striking "Director's Award" each place it appears and inserting "Administrator's Award".

(3) Assistance to Firefighter Grants.—

(1) IN GENERAL.—The Administrator of FEMA may not award a grant under this subsection in excess of amounts as follows:

(i) in the case of a recipient that serves a jurisdiction with 100,000 people or fewer, the amount of the grant awarded to such recipient shall not exceed $1,000,000 in any fiscal year;

(ii) in the case of a recipient that serves a jurisdiction with more than 100,000 people but not more than 500,000 people, the amount of the grant awarded to such recipient shall not exceed $2,000,000 in any fiscal year;

(iii) in the case of a recipient that serves a jurisdiction with more than 500,000 people but not more than 1,000,000 people, the amount of the grant awarded to such recipient shall not exceed $3,000,000 in any fiscal year;

(iv) in the case of a recipient that serves a jurisdiction with more than 1,000,000 people, the amount of the grant awarded to such recipient shall not exceed $6,000,000 for any fiscal year;

(v) in the case of a recipient that serves a jurisdiction with more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $9,000,000 in any fiscal year.

(B) STATE FIRETRAINING ACADEMIES.—The Administrator of FEMA may not award a grant under this subsection to a State fire training academy in an amount that exceeds $10,000,000 in any fiscal year.

(C) AGGREGATE.—

(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B) and except as provided in paragraphs (7) and (8), the Administrator of FEMA may not award a grant under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

(ii) EXCEPTION.—The Administrator of FEMA may waive the limitation in clause (i) with respect to a grant recipient if the Administrator determines that the grant recipient has an extraordinary need for a grant in an amount that exceeds the limit under clause (i).

(D) Use of Grant Funds.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

(A) To train firefighting personnel in—

(i) firefighting;

(ii) emergency medical services and other emergency response (including response to natural disasters, nuclear terrorism, and other man-made disasters);

(iii) arson prevention and detection;

(iv) maritime firefighting; and

(v) the handling of hazardous materials.

(B) To train firefighting personnel to provide any of the training described under subparagraph (A).

(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

(D) To certify—

(i) firefighting inspectors; and

(ii) building inspectors.

(E) To establish, administer, maintain, and renew training of individuals who are responsible for fire safety inspections.

(F) To fund emergency medical services programs provided by fire departments and nonaffiliated EMS organizations.

(G) To acquire additional firefighting vehicles, including fire trucks and other apparatus.

(H) To acquire additional firefighting equipment, including firefighting equipment—

(i) firefighting vehicles with foam in remote areas without access to water; and...
“(ii) communications, monitoring, and response to a natural disaster, act of terrorism, or other man-made disaster, including the use of a weapon of mass destruction.

“(ii) training that is of such a nature as to produce personal protective equipment, including personal protective equipment—

“(i) prescribed for firefighting personnel by the Occupational Safety and Health Administration of the Department of Labor; or

“(ii) for responding to a natural disaster or act of terrorism or other man-made disaster, including the use of a weapon of mass destruction.

“(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of the public and the needs of the wildland firefighting personnel.

“(K) To educate the public about arson prevention and detection.

“(L) To provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

“(M) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

“(d) FIRE PREVENTION AND SAFETY GRANTS.—

“(1) IN GENERAL.—For the purpose of assisting fire prevention programs and supporting fire safety programs and activities and fire research and development, the Administrator of FEMA may, on a competitive basis—

“(A) award grants to fire departments;

“(B) award grants to, or enter into contracts with, nationally or regionally accredited institutions of higher education and nonaffiliated national fire service organizations or national fire safety organizations that are involved in or support joint programs focused on reducing firefighter fatalities and non-fatal injuries, including programs for establishing fire safety research centers as the Administrator of FEMA determines appropriate.

“(2) MAXIMUM GRANT AMOUNT.—A grant awarded under this subsection may not exceed $1,500,000 for a fiscal year.

“(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

“(A) To enforce fire codes and promote compliance with fire safety standards.

“(B) To fund fire prevention programs.

“(C) To fund fire safety programs, including education, awareness, and mitigation programs that protect lives, property, and natural resources from fire in the wildland-urban interface.

“(D) In the case of a grant awarded under paragraph (1)(C), to fund the establishment or operation of—

“(i) a fire safety research center; or

“(ii) a program at such a center.

“(E) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

“(e) APPLICATIONS FOR GRANTS.—

“(1) IN GENERAL.—An entity seeking a grant under this subsection shall submit to the Administrator of FEMA an application therefor in such form and in such manner as the Administrator of FEMA determines appropriate.

“(2) ELEMENTS.—Each application submitted under paragraph (1) shall include the following:

“(A) A description of the financial need of the applicant for the grant.

“(B) An analysis of the costs and benefits, with respect to the proposed use of the grant, of the use for which a grant is requested.

“(C) An agreement to provide information to the national fire incident reporting system for the purposes of the grant.

“(D) A list of other sources of funding received by the applicant—

“(i) for the same purpose for which the application for a grant under this section was submitted; or

“(ii) from the Federal Government for other fire-related purposes.

“(E) Such other information as the Administrator of FEMA determines appropriate.

“(3) JOINT OR REGIONAL APPLICATIONS.—

“(A) IN GENERAL.—Two or more entities may submit an application under paragraph (1)(a) or (B) for a grant under this section to fund a joint program or initiative, including acquisition of shared equipment or vehicles.

“(B) Nonaffiliated Entities.—An application under this paragraph may be submitted instead of or in addition to any other application submitted under paragraph (1).

“(C) Guidance.—The Administrator of FEMA shall—

“(i) publish guidance on applying for and administering grants awarded for joint programs or initiatives described in subparagraph (A); and

“(ii) encourage applicants to apply for grants for joint programs and initiatives described in subparagraph (B) if the Administrator of FEMA determines appropriate to achieve greater cost effectiveness and regional efficiency.

“(4) PEER REVIEW OF GRANT APPLICATIONS.—

“(1) IN GENERAL.—The Administrator of FEMA shall, after consultation with national fire service and emergency medical services organizations, appoint fire service personnel and personnel from nonaffiliated EMS organizations to conduct peer reviews of applications received under subsection (e)(1).

“(2) ASSIGNMENT OF REVIEWS.—In administering the peer review process under paragraph (1), the Administrator of FEMA shall ensure that—

“(A) applications submitted by career fire departments are reviewed primarily by personnel from career fire departments;

“(B) applications submitted by volunteer fire departments are reviewed primarily by personnel from volunteer fire departments;

“(C) applications submitted by combination fire departments and fire departments using paid-on-call firefighting personnel are reviewed primarily by personnel from such fire departments;

“(D) applications for grants to fund emergency medical services pursuant to subsection (c)(3)(F) are reviewed primarily by emergency medical services personnel, including—

“(i) emergency medical service personnel affiliated with fire departments; and

“(ii) personnel from nonaffiliated EMS organizations.

“(3) REVIEW OF APPLICATIONS FOR FIRE PREVENTION AND SAFETY GRANTS SUBMITTED BY NONAFFILIATED ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.—In conducting a review of an application submitted under subsection (e)(1) by a nonprofit organization described in subsection (c)(3)(G), a peer reviewer may not recommend the applicant for a grant under subsection (d) unless such applicant is recognized for its experience and expertise with respect to—

“(A) fire prevention or safety programs and activities; or

“(B) firefighter research and development programs.

“(4) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

“(5) PRIORITIZATION AND ALLOCATION OF GRANT AWARDS.—In awarding grants under this section, the Administrator of FEMA shall—

“(1) consider the findings and recommendations of the peer reviews carried out under subsection (f);

“(2) consider the degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire-related and other hazards;

“(3) consider the extent of the need of an applicant for a grant under this section and the need to protect the United States as a whole;

“(4) consider the number of calls requesting or requiring a fire fighting or emergency medical response received by an applicant; and

“(5) ensure that of the available grant funds—

“(A) not less than 25 percent are awarded to career fire departments;

“(B) not less than 25 percent are awarded to volunteer fire departments; and

“(C) not less than 25 percent are awarded to fire departments using paid-on-call firefighting personnel.

“(6) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

“(A) FUNDING FOR EMERGENCY MEDICAL SERVICES.—Not less than 3.5 percent of the available grant funds for a fiscal year shall be awarded under this section for purposes described in subsection (e)(3)(F).

“(B) GRANT AWARDS TO NONAFFILIATED EMS ORGANIZATIONS.—Not more than 2 percent of the available grant funds for a fiscal year shall be awarded under this section to nonaffiliated EMS organizations.

“(C) FUNDING FOR FIRE PREVENTION AND SAFETY GRANTS.—For each fiscal year, not less than 10 percent of the aggregate of grant amounts under this section in that fiscal year shall be awarded under subsection (d).

“(D) STATE FIRE TRAINING ACADEMIES.—Not more than 3 percent of the available grant funds for a fiscal year shall be awarded under subsection (c)(1)(C).

“(e) AMOUNTS FOR PURCHASING FIREFIGHTING VEHICLES.—Not more than 25 percent of the available grant funds for a fiscal year may be used to assist grant recipients to purchase vehicles pursuant to subsection (c)(3)(G).

“(f) FURTHER CONSIDERATIONS.—

“(1) ASSISTANCE TO FIREFIGHTERS GRANTS TO FIRE DEPARTMENTS.—In considering applications for grants under subsection (c)(3)(A), the Administrator of FEMA shall consider the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property.

“(2) APPLICATIONS FROM NONAFFILIATED EMS ORGANIZATIONS.—In the case of an application submitted under subsection (e)(1) by a nonprofit organization described in subsection (c)(3)(G), the Administrator of FEMA shall consider the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property.

“(3) AWARDING FIRE PREVENTION AND SAFETY GRANTS TO CERTAIN ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.—In the case of applicants for grants under this section who...
are described in subsection (d)(1)(B), the Administrator of FEMA shall give priority to applicants who focus on—

(A) prevention of injuries to high risk groups from fire; and

(B) research programs that demonstrate a potential to improve firefighter safety.

(4) AVOIDING DUPLICATION.—The Administrator of FEMA shall review lists submitted by applicants pursuant to subsection (e)(2)(D) and take such actions as the Administrator of FEMA considers necessary to prevent unnecessary duplication of grant awards.

(5) MATCHING AND MAINTENANCE OF EXPENDITURE REQUIREMENTS.—

(1) MATCHING REQUIREMENT FOR ASSISTANCE FOR FIRE PREVENTION AND SAFETY GRANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an applicant seeking a grant to carry out an activity under subsection (c) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 15 percent of the grant awarded to such applicant under such subsection.

(B) EXCEPTION FOR ENTITIES SERVING SMALL COMMUNITIES.—In the case that an applicant seeking a grant to carry out an activity under subsection (c) serves a jurisdiction of—

(i) more than 20,000 residents but not more than 50,000 residents, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 10 percent of the grant award to such applicant under such subsection; or

(ii) 20,000 residents or fewer, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

(2) MATCHING REQUIREMENT FOR FIRE PREVENTION AND SAFETY GRANTS.—

(A) IN GENERAL.—An applicant seeking a grant to carry out an activity under subsection (d) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

(B) MEANS OF MATCHING.—An applicant for a grant under subsection (d) may meet the matching requirement under subparagraph (A) through direct funding, funding of complementary activities, or the provision of facilities, services, material, or equipment.

(3) MAINTENANCE OF EXPENDITURES.—An applicant seeking a grant under subsection (c) or (d) to maintain during the term of the grant the applicant’s aggregate expenditures relating to the uses described in subsections (c)(3) and (d)(3) at not less than the average amount of such expenditures in the 2 fiscal years preceding the fiscal year in which the grant amounts are received.

(4) REPORTS TO ADMINISTRATOR.—

(A) IN GENERAL.—Except as provided in subparagraph (C)(ii), the Administrator of FEMA may waive or reduce the requirements of paragraphs (A), (B), and (D) in cases of demonstrated economic hardship.

(B) GUIDELINES.—

(i) IN GENERAL.—The Administrator of FEMA shall publish guidelines for determining what constitutes economic hardship for purposes of this paragraph.

(ii) CONSIDERATIONS.—In developing guidelines, the Administrator of FEMA shall consider, with respect to relevant communities, the following:

(I) Changes in rates of unemployment from previous years.

(II) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

(III) Changes in percentages of individuals eligible to receive food stamps from previous years.

(IV) Such other factors as the Administrator of FEMA considers appropriate.

(C) CERTAIN APPLICANTS FOR FIRE PREVENTION AND SAFETY GRANTS.—

(i) IN GENERAL.—The Administrator of FEMA shall publish guidelines that each grant recipient shall comply with in implementing and maintaining the requirements of subsection (b). The Administrator of FEMA shall not apply with respect to a nonprofit organization that—

(A) is described in subsection (d)(1)(B); and

(B) is not an entity of the Federal Government.

(ii) GUIDELINES.—For each fiscal year, prior to administering grants under this section, the Administrator of FEMA shall publish in the Federal Register—

(A) guidelines that describe—

(I) the process for applying for grants under this section; and

(II) the criteria that will be used for selecting grant recipients; and

(B) an explanation of any differences between such guidelines and the recommendations obtained under paragraph (2).

(2) ANNUAL MEETING TO OBTAIN RECOMMENDATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Administrator of FEMA shall convene a meeting of qualified members of emergency medical service organizations and qualified members of emergency medical service organizations to obtain recommendations regarding the following:

(i) Criteria for the awarding of grants under this section.

(ii) Administrative changes to the assistance program established under subsection (b).

(B) QUALIFIED MEMBERS.—For purposes of this paragraph, a qualified member of an organization is a member who—

(i) is recognized for expertise in fire-fighting or emergency medical services; or

(ii) is not an employee of the Federal Government; and

(iii) in the case of a member of an emergency medical service organization, is a member of an organization that represents—

(I) providers of emergency medical services that are affiliated with fire departments; or

(II) nonaffiliated EMS providers.

(C) APPLICABLE ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

(3) ANNUAL REPORTS TO ADMINISTRATOR OF FEMA.—

The Administrator of FEMA shall submit to the Administrator of FEMA an annual report describing how the recipient used the grant amounts.

(4) ANNUAL REPORTS TO CONGRESS.—

(A) IN GENERAL.—Not later than September 30, 2013, and each year thereafter, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that provides—

(i) information on the performance assessment system developed under paragraph (2); and

(ii) using the performance metrics developed under such paragraph, an evaluation of the effectiveness of the grants awarded under this section.

(B) ADDITIONAL INFORMATION.—The report due under subparagraph (A) on September 30, 2016, shall also include recommendations for legislative changes to improve grants under this section.

(5) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this section—

(A) $750,000,000 for fiscal year 2013; and

(B) for each of fiscal years 2014 through 2017, the amount authorized for the previous fiscal year increased by the percentage by which—

(i) the Consumer Price Index (all items, United States city average) for the previous fiscal year exceeds

(ii) the Consumer Price Index for the fiscal year preceding the fiscal year described in clause (i).

(B) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 3 percent of such amounts for salaries and expenses and other administrative costs incurred by the Administrator of FEMA in the course of awarding grants and providing assistance under this section.

(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirements in subsections (c)(4) and (d)(4) that grants under those subsections be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for congressionally directed spending item (as such term is defined in paragraph 5(a) of rule XLIV of the Standing Rules of the Senate).

(4) SUNSET OF AUTHORITY.—The authority to award assistance and grants under this section shall expire on October 1, 2022."
SEC. 4. STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE.

(a) IMPROVEMENTS TO HIRING GRANTS.—Subparagraph (B) of subsection (a)(1) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a) is amended to read as follows:

``(B) Grants made under this paragraph shall be for 3 years and be used for programs to hire new, additional firefighters.''

(b) LIMITATION ON PORTION OF COSTS OF HIRING FIREFIGHTERS.—Subparagraph (E) of subsection (a)(1) of such section 34 is amended to read as follows:

``(E) The portion of the costs of hiring firefighters provided by a grant under this paragraph may not exceed—

``(i) 75 percent in the first year of the grant;

``(ii) 75 percent in the second year of the grant; and

``(iii) 30 percent in the third year of the grant.''

(c) CLARIFICATION REGARDING ELIGIBLE ENTITIES FOR RECRUITMENT AND RETENTION GRANTS.—The second sentence of subsection (a)(2) of such section 34 is amended by striking "combination fire departments, and volunteer fire departments'' and inserting "national, State, local, or tribal organizations.''

(d) MAXIMUM AMOUNT FOR HIRING FIREFIGHTERS.—Paragraph (4) of subsection (c) of such section 34 is amended to read as follows:

``(4) The amount of funding provided under this section to any fire department for hiring a firefighter in any fiscal year may not exceed—

``(A) in the first year of the grant, 75 percent of the total annual cost of a first-year firefighter in that department at the time the grant application was submitted;

``(B) in the second year of the grant, 75 percent of the total annual cost of a first-year firefighter in that department at the time the grant application was submitted; and

``(C) in the third year of the grant, 30 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.''

(e) WAIVERS.—Such section 34 is further amended—

(1) by redesignating subsections (d) through (i) as subsection (e) through (j), respectively; and

(2) by inserting after subsection (c) the following:

``(d) WAIVERS.—Such section 34 is further amended—

``(1) in the case of demonstrated economic hardship, the Administrator of FEMA may—

``(A) waive the requirements of subsection (a)(1)(E) or subsection (c)(1); or

``(B) waive or reduce the requirements in subsection (a)(1)(E) or subsection (c)(2).

``(2) GUIDELINES.—

``(A) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of paragraph (1).

``(B) DETERMINATION.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consider—

``(i) changes in the national average rates of unemployment from previous years;

``(ii) whether the rates of unemployment of the relevant communities are higher than the national average and have consistently exceeded the annual national average rates of unemployment;

``(iii) changes in percentages of individuals eligible to receive food stamps from previous years;

``(iv) other factors as the Administrator of FEMA considers appropriate.''

(f) PERFORMANCE EVALUATION REQUIREMENTS.—Subsection (e) of such section 34, as redesignated by subsection (d)(1) of this section, is amended by inserting before the first sentence the following:

``(1) IN GENERAL.—The Administrator of FEMA shall establish an assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section.

``(2) SUBMISSION OF INFORMATION.—

``(f) REPORT.—

``(1) IN GENERAL.—Subsection (f) of such section 34, as redesignated by subsection (d)(1) of this section, is amended by striking "The authority and all that follows through "Congress finding" and inserting the following:

``Not later than September 30, 2016, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on—

``(1) CONFORMING AMENDMENT.—The heading for such subsection (f) is amended by striking "SUNSET AND REPORTS" and inserting "REPORT''.

(g) ADDITIONAL DEFINITIONS.—

(1) IN GENERAL.—Subsection (i) of such section 34, as redesignated by subsection (d)(1) of this section, is amended—

``(A) IN GENERAL.—In a case of demonstrated economic hardship, the Administrator of FEMA may—

``(B) in the second year of the grant, 75 percent of the total annual cost of a first-year firefighter in that department at the time the grant application was submitted; and

``(C) in the third year of the grant, 30 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.''

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subsection (j) of such section 34, as redesignated by subsection (d)(1) of this section, is amended—

``(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of FEMA shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on the effect of the amendments made by this subtitle. Such report shall include the following:


``(2) An evaluation of the extent to which the amendments made by sections 3 and 4 have enabled recipients of grants awarded under such sections 33 and 34 after the date of the enactment of this Act to mitigate fire and fire-related and other hazards more effectively.

SEC. 5. REPORT ON EFFECT OF AMENDMENTS.

Not later than September 30, 2016, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on the effect of the amendments made by this subtitle. Such report shall include the following:


(2) An evaluation of the extent to which the amendments made by sections 3 and 4 have enabled recipients of grants awarded under such sections 33 and 34 after the date of the enactment of this Act to mitigate fire and fire-related and other hazards more effectively.

SEC. 6. REPORT ON DUPLICATION OF GRANT PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to Congress a report on the grant programs administered by the Administrator of the Federal Emergency Management Agency.

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

(1) Whether and to what degree the grant programs described in subsection (a) provide duplicative or overlapping assistance.

(2) The cost of each grant program described in subsection (a).
(3) The recommendations of the Inspector General for consolidation and elimination of grant programs described in subsection (a) to reduce duplication of assistance.

SA 1563. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12. EXTENSION OF PAY LIMITATION.

(a) In general.—Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–422; 5 U.S.C. 5303 note), as added by section 1(a) of the Continuing Appropriations and Surface Transportation Extensions Act, 2011 (Public Law 112–32; 124 Stat. 3518), is amended—

(1) in subsection (b)(1), by striking “December 31, 2012” and inserting “December 31, 2013”; and

(2) in subsection (c), by striking “December 31, 2012” and inserting “December 31, 2013”.

(b) Application to legislative branch.—

(1) Members of Congress.—The extension of the pay limitation for Federal employees through December 31, 2013, as established pursuant to the amendments made by subsection (a), shall apply to Members of Congress in accordance with section 603(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31).

(2) Other legislative branch employees.—

(A) Limit in pay.—Notwithstanding any other provision of law, no cost of living adjustment required by statute with respect to a legislative branch employee which but for this subparagraph) would otherwise take effect during the period beginning on the date of enactment of this Act and ending on December 31, 2013, shall be made.

(B) Definition.—In this paragraph, the term “legislative branch employee” means—

(1) an employee of the Federal Government whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(ii) an employee of any office of the legislative branch who is not described in clause (i).

SA 1564. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE 9—NO BUDGET, NO PAY

SECTION 01. SHORT TITLE.

This title may be cited as the “No Budget, No Pay Act”.

SEC. 02. DEFINITION.

In this title, the term “Member of Congress” means—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

SEC. 03. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (5 U.S.C. 505) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

SA 1565. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 182, strike line 13 and insert the following:

“(m) Codification of Ozone Directive.—

Notwithstanding any other provision of law or court order to the contrary, the Administrator of the Environmental Protection Agency shall not engage in rulemaking proceedings under the Clean Air Act (42 U.S.C. 7401 et seq.) relating to protection of the total ambient air quality standards for ozone, or reconsideration of those standards, until March 27, 2013.”

SA 1566. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 13. EXTENSION OF PUBLIC TRANSPORT VEHICLES EXEMPTION FROM AXLE WEIGHT RESTRICTIONS.

Section 1032(b)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note), as added by section 341 of Public Law 102–388, is amended—

(1) by striking “The second sentence of section 127 of title 23;” and inserting “Section 127(a)(2) of title 23;”;

(2) by striking “., for the period beginning on October 6, 1992, and ending on October 1, 2009.” in place thereof.

(3) in subparagraph (A), by striking “or” at the end;

(4) in subparagraph (B), by striking the period at the end and inserting “; or”;

(5) by adding at the end the following:

“(C) any motor home (as defined in section 5713(c) of title 49, Code of Federal Regulations).”.

SA 1567. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

SEC. 14. EFFECT OF NEPA ON CERTAIN FEDERAL AGENCIES.

(a) In general.—The Comptroller General of the United States shall assess and produce a report on how the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) affects—

(1) the Department of Defense;

(2) the Department of Energy;

(3) the Department of the Interior;

(4) the Department of Transportation;

(5) the Environmental Protection Agency;

(6) the Corps of Engineers; and

(7) the Forest Service.

(b) Contents.—For each Federal agency described in subsection (a), the report shall include an assessment of—

(1) the cost of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) the quantity of man hours spent on complying with that Act; and

(3) the quantity of litigation the Federal agency engages in as a result of that Act, including the quantity of time and the cost that litigation adds to a project.
SA 1568. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table.

At the end of subtitle E of title I, add the following:

SEC. 15. FREEDOM FROM TOLLS.

(a) IN GENERAL.—Section 129 of title 23, United States Code, is amended by adding at the end the following:

EXCEPTION FOR EXISTING HIGHWAY SEGMENTS.—

"(d) EXCEPTION FOREXISTING HIGHWAY SEGMENTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds made available to carry out this title shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system—

"(A) the construction of which has been completed as of the date of enactment of this subsection;

"(B) that, as of the date of enactment of this subsection, is not tolled;

"(C) that is in actual operation as of the date of enactment of this subsection;

"(D) that is in actual operation as of the date of enactment of this subsection, is not tolled;

"(E) that is in actual operation as of the date of enactment of this subsection, and shall not be considered tolled.

"(2) EXCEPTIONS.—

"(A) NUMBER OF TOLL LANES.—(Paragraph (1) shall not apply to any segment of highway on the Federal-aid system described in that paragraph if, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

"(B) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this subsection, and shall not be considered to be tolled for purposes of determining whether a highway will have fewer nontoll lanes than prior to the date of imposition of the toll, if—

(i) high-occupancy vehicles operated by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

(ii) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.

(b) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 154(b)(2) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212) is amended by striking "3 facilities" and inserting "2 facilities".

PROVIDING THE QUILEUTE INDIAN TRIBE TSUNAMI AND FLOOD PROTECTION

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1162, which is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; which was ordered to lie on the table.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the Record.

The PRESIDING OFFICER. Without objection.

The bill (H.R. 1162) was ordered to a third reading, was read the third time, and passed.

Ms. CANTWELL. Mr. President, for decades the Quileute Tribe in the Pacific Northwest has waited for a chance to move out of the tsunami zone they are in and to safety.

Every day 80 students go to a school in a schoolhouse that is just 1 foot above sea level, and every day they look directly out the window at the roaring waves of the powerful ocean and wonder when they can move to safer, higher ground.

When the tsunami hit Japan last March and when a recent earthquake in just the last few weeks hit off Vancouver Island, it sent another urgent message, a wake-up call to hurry to get this legislation passed through Congress.

The Department of the Interior, which endorsed this legislation, said the tsunami "clearly demonstrates the risk for the tribe and its citizens, and the need to move housing and infrastructure inland."

Now, with the 1-year anniversary of this tragedy less than 1 month away, we have finally done our job. With the passage of this bill tonight, the Quileute Tribe can finally begin to move out of the flood zone. I thank Congressmen Dingell, and for his help in making this a reality.

The Quileute Tribe has been struggling with the natural perils of this land since their reservation was created back in 1853. The river that runs through the reservation has been moving constantly over the last century, causing more erosion and flooding problems. The one road that connects the lower village to the higher ground is often flooded, making it even more challenging to deal with this particular area in case of a tsunami.

The Quileute struggle to move out of the flood zone has gone on for many years, but tonight, with the passage of this legislation, the Quileute Tribe can now move to higher grounds and a safer means to provide for their members. This is an important victory to give the Quileute Tribe and those on the reservation peace of mind.

I thank Senator BARRASSO and Senator AKAKA for helping this legislation move out of the Indian Affairs Committee and Senator BINGAMAN and Senator MURkowski for helping it move out of the ENR Committee. To the tribal chairs—Bonita Cleveland and now Tony Foster—thank you for coming to Washington, DC, and explaining how important this legislation is. I also thank the National Park Service and the National Park Service Director, Thank you for your help in getting this legislation passed. I also thank Senator MURRAY for her cosponsorship of this important legislation.

ORDERS FOR TUESDAY.

FEBRUARY 14, 2012

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate adjourn until 10 a.m. on Tuesday, February 14, 2012; 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; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therefor up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate proceed to executive session and resume consideration of the Jordan nomination postconfirmation; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings; and finally, that all time during adjournment be considered morning business, and recess count postconfirmation.

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

PROGRAM

Ms. CANTWELL. Mr. President, for the information of Members, tomorrow we expect to confirm the Jordan nomination and also resume consideration of the infrastructure bill. Senators will be notified when any votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. CANTWELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

The Senate proceeded to a recess at 7:15 p.m., adjourned until Tuesday, February 14, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

KATHARINA G. MCFARLAND, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE (NEW POSITION)

FEDERAL MARITIME COMMISSION

RICHARD A. LIDINSKY, JR., OF MARYLAND, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

JOYCE C. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2013, VICARIOUSLY, J. R. BERNHARD, TERM EXPIRED.
To be junior assistant nurse officer

JESUS M. ALLEN
NICHOLAS R. BARBER
TREVOR A. BAIRD
SHANNON D. BRAUN
KENDALL C. BROWN
STACEY L. BRINGTON
KASSIDY L. BURFILL
BRADLEY J. COLE
LIZARD N. ELZE
LINDSAY J. GREGORY
JEFFREY P. HARRIOTT
HARVEY N. ADAMS
CYNTHIA B. ADAMS
FREDERICK A. ADAMS
LINDA A. TONDOREA
WAYNE A. WEISSINGER
PAUL A. WONG
KATRIN K. WOOD

To be junior assistant environmental health officer

CORY N. AGAN
NICHOLAS D. BARBER
TREVOR A. BAIRD
SHANNON D. BRAUN
KENDALL C. BROWN
STACEY L. BRINGTON
KASSIDY L. BURFILL
BRADLEY J. COLE
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CYNTHIA B. ADAMS
FREDERICK A. ADAMS
LINDA A. TONDOREA
WAYNE A. WEISSINGER
PAUL A. WONG
KATRIN K. WOOD

To be assistant pharmacist

JESUS M. ALLEN
NICHOLAS R. BARBER
TREVOR A. BAIRD
SHANNON D. BRAUN
KENDALL C. BROWN
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PAUL A. WONG
KATRIN K. WOOD

To be assistant environmental health officer

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LINDA A. TONDOREA
WAYNE A. WEISSINGER
PAUL A. WONG
KATRIN K. WOOD

To be assistant pharmacist
HONORING THE MEMPHIS HORNS

HON. MARSHA BLACKBURN
OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2012

Mrs. BLACKBURN. Mr. Speaker, whether you find yourself sitting on the Dock of the Bay, with Sweet Caroline, Takin’ It to the Streets, or talking to the Son of a Preacher Man, chances are you’ve heard the soulful and intense blasts of the Memphis Horns. Music is the very rhythm of our culture, and in the Tennessee 7th, we champion the sounds and cultural treasures of our community. I rise today to honor one great treasure: The Memphis Horns.

Each from simple but musically enriched beginnings, Wayne Jackson and Andrew Love were more than the trumpet and the saxophone behind the Memphis Horns. Playing at the beginning for the greats: Elvis, Otis Redding, Aretha Franklin, the Horns made a name for themselves as the blended tones of Memphis. From the 1960s on, the Horns played for anyone who needed that unique shot of Memphis soul. Including The Doobie Brothers, Peter Gabriel, U2, Jimmy Buffett, B.B. King, and Willie Nelson, The Memphis Horns are the very notes of the south.

When they first came together to form their sound, Love and Jackson wondered what they would do each year when the tour stopped. As they released their final project, the Memphis Horns need never to worry what they will do next. As members of the Musicians’ Hall of Fame winner, their place is noted in America’s history. As one of the great sounds of Memphis, their place is secure in America’s hearts. Their legacy is a permanent part of our musical and cultural treasures of our community. I rise on behalf of the Tennessee 7th, we champion the sounds and intense blasts of the Memphis Horns.

RECOGNIZING THE IMPORTANCE OF DIABETES AWARENESS AND PREVENTION

HON. ANN MARIE BUERKLE
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2012

Ms. BUERKLE. Mr. Speaker, today I would like to call attention to type I diabetes, a disease that is plaguing the citizens of our great Nation. This disease strikes not only our youths, but the ailment is affecting much more of our population. In the last 30 years, the number of people known to have diabetes in the United States has quadrupled to more than 26 million. Another 7 million Americans are estimated to have undiagnosed diabetes.

Bringing awareness to type I diabetes not only combats a devastating illness, but it also saves the country money. Accounting for hundreds of billions of dollars in healthcare expenses, diabetes is also responsible for almost a third of all Medicare costs. Mr. Speaker, type I diabetes is a problem this country cannot ignore. Today, I ask my colleagues and all Americans to join me in increasing diabetes awareness in our communities and throughout the Nation.

RECOGNIZING THE LIFE OF WHITNEY HOUSTON

HON. LAURA RICHARDSON
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2012

Ms. RICHARDSON. Mr. Speaker, it is with a deep sadness and heavy heart that I rise today to pay tribute to Whitney Houston, a woman whose extraordinary voice touched the heart of America.

Ms. Houston died on Saturday, February 11, 2012 in Beverly Hills. She was 48 years old.

Ms. Houston’s musical career began in 1985, when her debut album, Whitney Houston, was released and she became an instant musical sensation. She produced some of the most memorable music of her generation, including her signature hit, “I Will Always Love You.”

Whitney Houston was one of the biggest names in the music industry and her accomplishments as a singer are many. In 2009, the Guinness World Records cited her as the most-awarded female act of all time. Her awards include two Emmy Awards, six Grammy Awards, 30 Billboard Music Awards, and 22 American Music Awards, among a total of 415 career awards in her lifetime. Houston was also one of the world’s best-selling music artists over 200 million albums and singles worldwide.

She will always be remembered as one of the greatest voices who ever graced the Earth. To have heard the voice of Whitney Houston was to have witnessed singing perfection. My heart goes out to her daughter, Bobbi Kristina, and all of her family and friends who are mourning the loss of this remarkable woman.

Mr. Speaker, where do broken hearts go? Millions of hearts broke at the news that with Whitney Houston was to have witnessed singing perfection. My heart goes out to her daughter, Bobbi Kristina, and all of her family and friends who are mourning the loss of this woman.

Mr. Speaker, where do broken hearts go? Millions of hearts broke at the news that with Whitney Houston sang one of those songs that made us get up and want to dance with somebody.

Yes, we almost had it all. Whitney Houston left us too soon, but her remarkable voice will live in our hearts as one moment in time we will never forget.

I request a moment of silence in her honor and memory.

COMMENDING HAYATO “JACK” YOSHINO FOR HIS MANY CONTRIBUTIONS TO THE PEOPLE OF GUAM

HON. MADELEINE Z. BORDALLO
OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 2012

Ms. BORDALLO. Mr. Speaker, I rise today to honor Mr. Hayato “Jack” Yoshino for his years of leadership and contributions to the people of Guam as the President of P.H.R. Ken Asset Management Inc. (Ken Corporation) on Guam.

Mr. Yoshino graduated from Hitotsubashi University of Japan, and, in 1980, began his career at one of Japan’s largest trading companies. He later ventured into the real estate profession where he made substantial investments in hotels, offices, and housing in the United States mainland. He joined Ken Corporation in 2002 and moved to Guam where he worked to familiarize himself with the island’s unique real estate and tourism markets.

Four years later, Mr. Yoshino was appointed President of Ken Corporation and was entrusted with overseeing several premier hotel brands on Guam and Saipan, including the Hilton Guam Resort & Spa, Hyatt Regency Guam, Hotel Nikko Guam, Pacific Islands Club Guam, Sheraton Laguna Guam Resort, Country Club of the Pacific in Guam, and Aqua Resort Club in Saipan. During his tenure as president, Mr. Yoshino implemented major branding initiatives which introduced hotel guests and tourists to the island’s culture, cuisine, and people. And in the midst of economic uncertainty following the March 2011 earthquakes and tsunamis in Japan, Mr. Yoshino worked to sustain the operations at each of the corporation’s properties.

Mr. Yoshino devoted his time and expertise to developing Guam’s visitor industry and local community. In 2008, Mr. Yoshino became a member of the Guam Visitors Bureau Board of Directors and was elected chairman of the Existing Markets Committee. In this capacity, he worked closely with industry leaders to promote Guam as a world-class destination for visitors traveling from the Philippines, North America, Micronesia, and Taiwan. He is an active member of the Guam Chamber of Commerce, the Chinese Chamber of Commerce, and the SKAL Club of Guam, an international association of tourism professionals. Among other contributions to our community, Mr. Yoshino took an interest in public safety and donated equipment to the Guam Police Department.

I join our community in recognizing Mr. Yoshino for his leadership, his service to our community, and for his work in promoting our island’s unique history and culture. On behalf of the people of Guam, I extend my heartfelt appreciation for Mr. Yoshino’s generosity, and I wish him the best in his future endeavors.
RECOGNIZING THE INNOVATION AND HISTORICAL SIGNIFICANCE OF THE BOEING 787 DREAMLINER

HON. JERRY F. COSTELLO
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 13, 2012

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the production and delivery of the first Boeing 787 Dreamliner airplanes and to congratulate everyone at The Boeing Company on this milestone in aviation history.

The roots of today’s Boeing Company were five companies founded by visionaries whose names are forever etched in the history of aviation. William Boeing (The Boeing Airplane Co.), Donald Douglas (Douglas Aircraft Co.), James McDonnell (McDonnell Aircraft Corp.), James “Dutch” Kindelberger (North American Aviation), and Howard Hughes, Jr. (Hughes Aircraft) pioneered aviation design, provided our nation with a critical component of military superiority and ushered in the modern era of air travel.

The Boeing 787 Dreamliner builds on the legacy and combined knowledge derived from those early pioneers but takes innovation to new levels. The Dreamliner departs from traditional metal construction with greater use of composite materials than any previous aircraft. Improvements in engine technologies take fuel efficiencies a step further to give the Dreamliner both the range and speed of larger aircraft.

The Dreamliner has used advanced technologies to improve the flying experience beyond exterior design and engine performance. Higher cabin humidity levels, larger passenger windows and monitoring systems that coordinate with land-based computers are a few other examples of Dreamliner innovations.

With final assembly in Boeing’s Washington plant, Dreamliner subassembly occurs in locations throughout the United States and across the globe. Named an “Aircraft of Legend,” the Dreamliner is an example of American innovation and technological leadership.

Mr. Speaker, I ask my colleagues to join me in recognizing the debut of the Boeing 787 Dreamliner and in congratulating everyone at Boeing and their subcontractors who have been involved in its design, construction, and delivery.

HONORING THE GREATER ROCHESTER AREA PARTNERSHIP FOR THE ELDERLY ON ITS TWENTIETH ANNIVERSARY

HON. TOM REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 13, 2012

Mr. REED. Mr. Speaker, I rise today to honor the Greater Rochester Area Partnership for the Elderly. For twenty years, this community organization has directly and indirectly enhanced and enriched the lives of senior citizens in Western New York State. It brings together professionals, volunteers, and students who work with the aged in order to improve to ensure contemporary education, quality and implementation of services and support programs to senior citizens. The organization holds monthly workshops and programs which have had a positive impact for two decades on those who work with the elderly. Issues such as health care coordination, housing and residential issues, home health care, financial concerns, transportation, social life, emergency services, food and nutrition, and senior volunteer options, and many others are regularly discussed and areas for cooperation and improvement are identified. The result is a better life for senior citizens. We celebrate the milestone of twenty years of effective service and advocacy and look forward to many more. It is with great pride that we recognize the achievements of the Greater Rochester Area Partnership for the Elderly and the dedicated professionals who advance the cause of quality of life for our senior citizens.

HONORING THE MUSICAL ACCOMPLISHMENTS OF THE POSSUM

HON. MARSHA BLACKBURN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, February 13, 2012

Ms. BLACKBURN. Mr. Speaker, music is in the very fiber of our being, and we are proud to continually showcase the sounds that call Tennessee “home.” From the serious songs of the darkest moments to the lighthearted tunes of the breeze, George Jones is one of the staples of country music. I rise today to celebrate the many chart-topping hits, the award-winning duets, and the musical accomplishments of The Possum.

It seems as if each of the past several decades has been marked by a George Jones hit. In the 1950s, it was Billboard's No. 4 “Why Baby Why.” In the '60s, his singles consistently hit the Top 10. 1973 brought us the Number 1 single “We’re Gonna Hold On.” 1980 brought music fans what many call one of greatest country records of all time, “He Stopped Loving Her Today.” He rounded out the 20th century with the powerful ballad “Choices,” reminding us all of the humanity and redemption found in country. With 13 Number 1 hits, 30 Top 5s, the prized duet partner of James Taylor, Merle Haggard, Ray Charles, Dwayne Travis, Alan Jackson, and Garth Brooks, Jones’s unique country music sound is beloved the world over.

Inducted into the Country Music Hall of Fame in 1992, chosen as a Kennedy Center Honors recipient in 2008, and presented with the Lifetime Achievement Award in 2012, George Jones certainly has the laurels of a seasoned country music star. But you won’t find him resting on those, nor will you hear his countless fans telling others of his awards. His fans and his peers speak of his fidelity to the music, to the sound, to the hard work of finding and singing the right notes of the soul.

RECOGNIZING THE IMPORTANCE OF MARRIAGE

HON. ANN MARIE BUERKLE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 13, 2012

Ms. BUERKLE. Mr. Speaker, I would like to take this opportunity to recognize National Marriage Week 2012. As our country faces challenging times, the value of a strong family is undeniable. Marriage is the foundation of family and economic prosperity in our nation. National Marriage Week reminds us of the importance of maintaining marriage as a sacred union. As the definition of marriage continues to be debated, Mr. Speaker, I urge my colleagues to join me in protecting the institution of traditional marriage as the centerpiece of the family.

IN HONOR OF DON CORNELIUS LEGENDARY CREATOR AND HOST OF “SOUL TRAIN”

HON. LAURA RICHARDSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 13, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to honor, remember and celebrate the life of Don Cornelius, the legendary creator and host of “Soul Train,” the ground-breaking television program that helped define my generation and revolutionized the way America and millions of others around the world—learned, experienced, and loved soul music. Don Cornelius passed away on February 2, at the age of 75.

“Soul Train,” which he hosted from 1971 to 1993, exposed African American recording artists and groups to national audiences and boosted the reach and popularity of every artist who appeared on the show. The list reads like a who’s who of musical giants: Michael Jackson and the Jackson 5; James Brown, the “Godfather of Soul,” Aretha Franklin, Gladys Knight and the Pips; the Temptations, the Supremes, Earth, Wind, and Fire; Marvin Gaye; Al Green; Chaka Khan, and the mighty, mighty Dells.

Don Cornelius joined the Marines and was stationed in South Korea during the height of the Cold War. He later became a television journalist reporting on civil rights and urban issues. This background prepared him to conceive and make real “Soul Train,” which succeeded in using the love of good music to help bridge racial and social divisions in our country.

As one of the millions of young girls who tuned in every week to “Soul Train” to sing and dance along with that week’s musical guests, I want to express my heartfelt thanks to Don Cornelius for the sheer joy and happiness he brought to so many people. Without Don Cornelius, the words “Soul Train”’s positive impact in bringing people of diverse backgrounds together around their shared love of good music and dance.

We will always remember “Soul Train,” the iconic television show best known for its flamboyant colors, striking fashion, great music, revolutionary dance moves, and the famous “Soul Train Line.”

Don Cornelius lived a consequential life. He made a difference. And for that, I conclude by wishing him, as he always concluded each “Soul Train” show by wishing us, as always, “love, peace and soul!”
## MEETINGS SCHEDULED

**FEBRUARY 15**

<table>
<thead>
<tr>
<th>Time</th>
<th>Committee/Issue</th>
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<tbody>
<tr>
<td>9:30 a.m.</td>
<td>Agriculture, Nutrition, and Forestry Br Business meeting to consider the nomi-</td>
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<tr>
<td>10 a.m.</td>
<td>nations of Michael T. Scuse, of Delaware, to be Under Secretary for Farm and</td>
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<td></td>
<td>Foreign Agricultural Services, and to be a Member of the Board of Directors of</td>
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<td>the Commodity Credit Corporation, Department of Agriculture, and Chester John</td>
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<tr>
<td></td>
<td>Culver, of Iowa, and Bruce J. Sherrick, of Illinois, both to be a Member of the</td>
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<td></td>
<td>Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit</td>
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<td></td>
<td>Administration; to be immediately followed by a hearing to examine energy and</td>
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<tr>
<td></td>
<td>economic growth for rural America.</td>
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<tr>
<td>2 p.m.</td>
<td>Banking, Housing, and Urban Affairs To hold hearings to examine the Bullet-</td>
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<td></td>
<td>proof Vest Partnership Grant Program, focusing on protecting those who pro-</td>
</tr>
<tr>
<td></td>
<td>tect us.</td>
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<tr>
<td>2:30 p.m.</td>
<td>Judiciary To hold hearings to examine certain nominations.</td>
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<tr>
<td>2:30 p.m.</td>
<td>Budget To hold hearings to examine the President’s proposed budget request for</td>
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<tr>
<td></td>
<td>fiscal year 2013 for the Department of Transportation.</td>
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<tr>
<td>2:30 p.m.</td>
<td>Finance To continue hearings to examine the President’s proposed budget request</td>
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<tr>
<td></td>
<td>for fiscal year 2013.</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Judiciary To hold hearings to examine the Bulletproof Vest Partnership Grant</td>
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<td>Program, focusing on protecting those who protect us.</td>
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**FEBRUARY 16**

<table>
<thead>
<tr>
<th>Time</th>
<th>Committee/Issue</th>
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</thead>
<tbody>
<tr>
<td>9:30 a.m.</td>
<td>Armed Services To hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC–217 following the open session.</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Banking, Housing, and Urban Affairs To hold hearings to examine the Economic debt crisis and its implications.</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Energy and Natural Resources To hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Department of Energy.</td>
</tr>
<tr>
<td>2:30 p.m.</td>
<td>Agriculture, Nutrition, and Forestry To hold hearings to examine U.S. Pacific Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.</td>
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**FEBRUARY 29**

<table>
<thead>
<tr>
<th>Time</th>
<th>Committee/Issue</th>
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<tbody>
<tr>
<td>9:30 a.m.</td>
<td>Armed Services To hold hearings to examine U.S. European Command and U.S. Africa Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Veterans’ Affairs To hold joint hearings to examine a legislative presentation from the Disabled American Veterans (DAV).</td>
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**MARCH 1**

<table>
<thead>
<tr>
<th>Time</th>
<th>Committee/Issue</th>
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<tbody>
<tr>
<td>9:30 a.m.</td>
<td>Armed Services To hold hearings to examine U.S. Central Command and U.S. Special Operations Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Veterans’ Affairs To hold joint hearings to examine a legislative presentation from the Veterans of Foreign Wars (VFW).</td>
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</tbody>
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**MARCH 6**

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<tr>
<th>Time</th>
<th>Committee/Issue</th>
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<tbody>
<tr>
<td>9:30 a.m.</td>
<td>Armed Services To hold hearings to examine the Department of the Army in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.</td>
</tr>
<tr>
<td>10 a.m.</td>
<td>Armed Services To hold hearings to examine U.S. Southern Command and U.S. Northern Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.</td>
</tr>
</tbody>
</table>
### MARCH 14

**Agriculture, Nutrition, and Forestry**

To hold hearings to examine healthy food initiatives, local production, and nutrition.

**Veterans’ Affairs**

To hold hearings to examine ending homelessness among veterans, focusing on Veterans’ Affairs progress on its five year plan.

**Time to be announced**

**Room to be announced**

10 a.m.

#### SR–418

**2 p.m.**

**Armed Services**

Personnel Subcommittee

To hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

#### SR–232A

**MARCH 15**

9:30 a.m.

**Armed Services**

To hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

**Room to be announced**

**SD–G50**

### MARCH 20

9:30 a.m.

**Armed Services**

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

**SD–G50**

### MARCH 21

**Time to be announced**

**Agriculture, Nutrition, and Forestry**

To hold hearings to examine risk management and commodities in the 2012 farm bill.

**Veterans’ Affairs**

To hold joint hearings to examine the legislative presentations of the Military Order of the Purple Heart, Iraq and Afghanistan Veterans of America (IAVA), Non Commissioned Officers Association, American Ex-Prisoners of War, Vietnam Veterans of America, Wounded Warrior Project, National Association of State Directors of Veterans Affairs, and The Retired Enlisted Association.

**Room to be announced**

**SD–G50**

### MARCH 22

10 a.m.

**Veterans’ Affairs**

To hold joint hearings to examine the legislative presentations of the Paralyzed Veterans of America, Air Force Sergeants Association, Blinded Veterans Association, American Veterans (AMVETS), Gold Star Wives, Fleet Reserve Association, Military Officers Association of America, and the Jewish War Veterans.

345, Cannon Building

**Room to be announced**

**SD–G50**

### MARCH 28

10 a.m.

**Veterans’ Affairs**

To hold hearings to examine the nominations of Margaret Bartley, of Maryland, and Coral Wong Pietsch, of Hawaii, both to be a Judge of the United States Court of Appeals for Veterans Claims.

**Room to be announced**

**SD–G50**

### MARCH 28

2 p.m.

**Armed Services**

Personnel Subcommittee

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

**SR–232A**
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S545–S583

Measures Introduced: Four bills were introduced, as follows: S. 2100–2103.

Measures Reported:
- S. 1945, to permit the televising of Supreme Court proceedings.
- S. 2101, to strengthen the multilateral sanctions regime with respect to Iran, to expand sanctions relating to the energy sector of Iran, the proliferation of weapons of mass destruction by Iran, and human rights abuses in Iran.

Measures Passed:

Quileute Indian Tribe Tsunami and Flood Protection: Senate passed H.R. 1162, to provide the Quileute Indian Tribe Tsunami and Flood Protection.

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the Budget of the United States Government for Fiscal Year 2013; referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; which was referred to the Committees on Appropriations; and the Budget. (PM–40)


During consideration of this nomination today, Senate also took the following action:

By 89 yeas to 5 nays (Vote No. 18), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination.

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 11 a.m., on Tuesday, February 14, 2012; and that all time during adjournment, morning business and recess count post-cloture.

Nominations Received: Senate received the following nominations:
- Katharina G. McFarland, of Virginia, to be an Assistant Secretary of Defense.
- Richard A. Lidinsky, Jr., of Maryland, to be a Federal Maritime Commissioner for the term expiring June 30, 2017.
- Kenneth Merten, of Virginia, to be Ambassador to the Republic of Croatia.
- Sharon Block, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014 (Recess Appointment).
- Terence Francis Flynn, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2015 (Recess Appointment).
- Richard F. Griffin, Jr., of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016 (Recess Appointment).

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Record Votes: One record vote was taken today. (Total—18)

Adjournment: Senate convened at 2 p.m. and adjourned at 7:15 p.m., until 10 a.m. on Tuesday, February 14, 2012. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S582.)
Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 3 public bills, H.R. 4013–4015 were introduced. Page H696

Additional Cosponsors: Pages H696–97

Reports Filed: Reports were filed on February 9, 2012 as follows:

H.R. 3410, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, to provide fair and equitable revenue sharing for all coastal States, to formulate future offshore energy development plans in areas with the most potential, to generate revenue for American infrastructure, and for other purposes, with an amendment (H. Rept. 112–395) and

H.R. 3864, to amend the Internal Revenue Code of 1986 to extend authorities relating to the Highway Trust Fund, to provide revenues for highway programs, and for other purposes, with an amendment (H. Rept. 112–396 Pt. 1).

A report was filed today as follows:

H.R. 7, to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes, with an amendment (H. Rept. 112–397). Page H696

Speaker: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker pro tempore for today. Page H695

Quorum Calls Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 1 p.m. and adjourned at 1:02 p.m.

House

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY,
FEBRUARY 14, 2012
(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: To hold hearings to examine the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 9:30 a.m., SD–G50.

Committee on the Budget: To hold hearings to examine the President’s proposed budget request for fiscal year 2013, 10 a.m., SD–608.

Committee on Finance: To hold hearings to examine the President’s proposed budget request for fiscal year 2013, 10 a.m., SD–215.

Committee on Foreign Relations: Business meeting to consider S. 1023, to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, S. 414, to protect girls in developing countries through the prevention of child marriage, an original resolution recognizing the importance of the United States-Egypt relationship, and urging the Government of Egypt to protect civil liberties and cease persecution of democracy activities, S. Res. 344, supporting the democratic aspirations of the Nicaraguan people and calling attention to the deterioration of constitutional order in Nicaragua, an original resolution calling for democratic change in Syria, S. Res. 342, honoring the life and legacy of Laura Pollan, and the nominations of Tara D. Sonenshine, of Maryland, to be Under Secretary for Public Diplomacy, Anne Claire Richard, of New York, to be Assistant Secretary for Population, Refugees, and Migration, Robert E. Whitehead, of Florida, to be Ambassador to the Togolese Republic, Nancy J. Powell, of Iowa, to be Ambassador to India, Larry Leon Palmer, of Georgia, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, Phyllis Marie Powers, of Virginia, to be Ambassador to the Republic of Nicaragua, and Jonathan Don Farrar, of California, to be an Assistant Administrator of the United States Agency for International Development,

Committee on Health, Education, Labor, and Pensions: To hold hearings to examine pain in America, focusing on exploring challenges to relief, 2:30 p.m., SD–430.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

CONGRESSIONAL PROGRAM AHEAD

Week of February 14 through February 17, 2012

Senate Chamber

On Tuesday, at approximately 11 a.m., Senate will continue consideration of the nomination of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Senate will resume consideration of S. 1813, Moving Ahead for Progress in the 21st Century.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: February 15, business meeting to consider the nominations of Michael T. Scuse, of Delaware, to be Under Secretary for Farm and Foreign Agricultural Services, and to be a Member of the Board of Directors of the Commodity Credit Corporation, Department of Agriculture, and Chester John Culver, of Iowa, and Bruce J. Sherrick, of Illinois, both to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration; to be immediately followed by a hearing to examine energy and economic growth for rural America, 9:30 a.m., SD–G50.

Committee on Armed Services: February 14, to hold hearings to examine the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 9:30 a.m., SD–G50.

February 16, Full Committee, to hold hearings to examine the current and future worldwide threats to the national security of the United States; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: February 15, Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine pay for performance, focusing on incentive compensation at large financial institutions, 2 p.m., SD–538.

February 16, Full Committee, to hold hearings to examine the European debt crisis and its implications, 10 a.m., SD–538.

Committee on the Budget: February 14, to hold hearings to examine the President’s proposed budget request for fiscal year 2013, 10 a.m., SD–608.

February 15, Full Committee, to hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Department of Transportation, 10 a.m., SD–608.

February 16, Full Committee, to hold hearings to examine the President’s proposed budget request for fiscal year 2013 and revenue proposals, 10 a.m., SD–608.

Committee on Energy and Natural Resources: February 16, to hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Department of Energy, 9:30 a.m., SD–366.

Committee on Finance: February 14, to hold hearings to examine the President’s proposed budget request for fiscal year 2013, 10 a.m., SD–215.

February 15, Full Committee, to continue hearings to examine the President’s proposed budget request for fiscal year 2013, 10 a.m., SD–215.

Committee on Foreign Relations: February 14, business meeting to consider S. 1023, to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, S. 414, to protect girls in developing countries through the prevention of child marriage, an original resolution recognizing the importance of the United States-Egypt relationship, and urging the Government of Egypt to protect civil liberties and cease persecution of democracy activities, S. Res. 344, supporting the democratic aspirations of the Nicaraguan people and calling attention to the deterioration of constitutional order in Nicaragua, an original resolution calling for democratic change in Syria, S. Res. 342, honoring the life and legacy of Laura Pollan, and the nominations of Tara D. Sonenshine, of Maryland, to be Under Secretary for Public Diplomacy, Anne Claire Richard, of New York, to be Assistant Secretary for Population, Refugees, and Migration, Robert E. Whitehead, of Florida, to be Ambassador to the Togolese Republic, Nancy J. Powell, of Iowa, to be Ambassador to India, Larry Leon Palmer, of Georgia, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, Phyllis Marie Powers, of Virginia, to be Ambassador to Republic of Nicaragua, and Jonathan Don Farrar, of California, to be Ambassador to the Republic of Panama, all of the Department of State, and Earl W. Gast, of California, to be an Assistant Administrator of the United States Agency for International Development, and lists in the Foreign Service, 2:15 p.m., S–116, Capitol.

February 16, Subcommittee on Western Hemisphere, Peace Corps and Global Narcotics Affairs, to hold hearings to examine Iran’s influence and activity in Latin America, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: February 14, to hold hearings to examine pain in America, focusing on exploring challenges to relief, 2:30 p.m., SD–430.

February 16, Subcommittee on Employment and Workplace Safety, to hold hearings to examine addressing workforce needs at the regional level, focusing on innovative public and private partnerships, 10 a.m., SD–430.
Committee on Homeland Security and Governmental Affairs: February 16, to hold hearings to examine securing America's future, focusing on the “Cybersecurity Act of 2012”, 2:30 p.m., SD–342.

Committee on Indian Affairs: February 16, to hold an oversight hearing to examine energy development in Indian country, 2:15 p.m., SD–628.

Committee on the Judiciary: February 15, to hold hearings to examine the Bulletproof Vest Partnership Grant Program, focusing on protecting those who protect us, 10 a.m., SD–226.

February 15, Full Committee, to hold hearings to examine certain nominations, 2:30 p.m., SD–226.

February 16, Full Committee, business meeting to consider the nominations of Andrew David Hurwitz, of Arizona, to be United States Circuit Judge for the Ninth Circuit, John Z. Lee, and John J. Tharp, Jr., both to be a United States District Judge for the Northern District of Illinois, George Levi Russell, III, to be United States District Judge for the District of Maryland, and Kristine Gerhard Baker, to be United States District Judge for the Eastern District of Arkansas, 10 a.m., SD–226.

Select Committee on Intelligence: February 14, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

February 16, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House Committees


February 16, Subcommittee on Defense, hearing on FY 2013 budget request for the Department of Defense, 10 a.m., 2359 Rayburn.

February 16, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on Quality of Life in the Military, 10 a.m., 2358 Rayburn.

February 16, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 budget request, 1:30 p.m., 2359 Rayburn.

February 17, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 budget request Department of Agriculture, 9:30 a.m., 2362–A Rayburn.

February 17, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 budget request, Forest Service, 10 a.m., B308–Rayburn.

February 17, Subcommittee on Homeland Security, hearing on FY 2013 budget request Immigration and Customs Enforcement, 10 a.m., 2359 Rayburn.

Committee on Armed Services, February 15, full Committee, hearing on 2013 Fiscal Year National Defense Authorization Budget from the Department of Defense, 10 a.m., 2118 Rayburn.

February 16, Subcommittee on Strategic Forces, hearing on governance, oversight, and management of the nuclear security enterprise to ensure high quality science, engineering, and mission effectiveness in an age of austerity, 11 a.m., 2212 Rayburn.

February 16, full Committee, hearing on 2013 National Defense Authorization Budget Request from the Department of the Navy, 1 p.m., 2118 Rayburn.

February 17, full Committee, hearing on 2013 Fiscal Year National Defense Authorization Budget Request from the Army, 10 a.m., 2118 Rayburn.

Committee on the Budget, February 15, full Committee, hearing entitled “The President’s Fiscal Year 2013 Budget”, 10 a.m., 210 Cannon.

February 16, full Committee, hearing entitled “The President’s Revenue and Economic Policy Proposals, Fiscal Year 2013 House Budget Resolution”, 2 p.m., 210 Cannon.

February 29, full Committee, hearing entitled “The Department of Defense and the Fiscal Year 2013 Budget”, 2 p.m., 210 Cannon.

Committee on Education and the Workforce, February 16, full Committee, hearing on H.R. 3989, the “Student Success Act” and H.R. 3990, the “Encouraging Innovation and Effective Teachers Act”, 10 a.m., 2175 Rayburn.


February 16, Subcommittee on Communications and Technology, hearing entitled “The Budget and Spending of Federal Communications Commission”, 9 a.m., 2123 Rayburn.

February 16, Subcommittee on Oversight and Investigation, hearing entitled “Regulatory Reform Series #8, Private Sector Views of the Regulatory Climate One Year After Executive Order 13563”, 10 a.m., 2322 Rayburn.

Committee on Financial Services, February 15, Subcommittee on Oversight and Investigations, hearing entitled “Consumer Financial Protection Bureau”, 10 a.m., 2128 Rayburn.

February 16, full Committee markup on H.R. 3606, the “Reopening American Capital Markets to Emerging Growth Companies Act of 2011”; H.R. 2308, the “SEC Regulatory Accountability Act”; H.R. 1838, to repeal a provision of the Dodd-Frank Wall Street Reform and Consumer Protection Act Prohibiting any federal bailout of swap dealers or participants; and H.R. 4014, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, February 15, Subcommittee on the Middle East and South Asia, hearing entitled “Reflections on the Revolution in Egypt, Part I”, 2:30 p.m., 2172 Rayburn.

February 16, full Committee, hearing entitled “Egypt at a Crossroads”, 10 a.m., 2172 Rayburn.


February 15, full Committee markup on the following: H.R. 3563, the “Alert and Warning Systems Modernization Act of 2011”; H.R. 3140, the “Mass Transit Intelligence Prioritization Act”; H.R. 3857, the “Public Transit Security and Local Law Enforcement Support Act”; and H.R. 2536, the “WMD Prevention and Preparedness Act of 2011”, 10 a.m., 311 Cannon.

February 16, Subcommittee on Counterterrorism and Intelligence, hearing entitled “DHS Monitoring of Social Networking and Media: Enhancing Intelligence Gathering and Ensuring Privacy”, 10 a.m., 311 Cannon.

February 16, Subcommittee on Transportation Security, continue hearing entitled “Screening Partnership Program: Why is a Job-Creating, Public-Private Partnership Meeting Resistance at TSA?”, 1 p.m., 311 Cannon.


Committee on the Judiciary, February 15, full Committee, hearing entitled "Executive Overreach: The President's Unprecedented "Recess" Appointments", 10 a.m., 2141 Rayburn.

February 15, Subcommittee on Immigration Policy and Enforcement, hearing entitled “Safeguarding the Integrity of the Immigration Benefits Adjudication Process”, 2 p.m., 2141 Rayburn.


February 16, full Committee, markup of H.R. 3541, the “Susan B. Anthony and Frederick Douglass Prenatal Nondiscrimination Act of 2011”, 1 p.m., 2141 Rayburn.

February 17, Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled “Litigation as a Predatory Practice”, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, February 15, full Committee, hearing entitled “Department of the Interior Spending and the President’s Fiscal Year 2013 Budget Proposal”, 10 a.m. 1324 Longworth.

February 15, Subcommittee on Indian and Alaska Native Affairs, hearing on H.R. 3973, to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes, 2 p.m., 1324 Longworth.

February 17, Subcommittee on Energy and Mineral Resources, hearing entitled H.R. 785, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payment for certain noncoal reclamation projects, 9 a.m., 1310 Longworth.


Committee on Oversight and Government Reform, February 15, full Committee, hearing entitled “Why Reshuffling Government Agencies Won’t Solve the Federal Government’s Obesity Problem”, 9:30 a.m., 2154 Rayburn.


February 17, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, hearing entitled “How Much is Too Much? Examining Duplicative IT Investments at DOD and DOE”, 9:30 a.m., 2154 Rayburn.

Committee on Rules, February 14, full Committee, hearing on H.R. 7, the “American Energy and Infrastructure Jobs Act of 2012”, 5 p.m., H–313, Capitol.

Committee on Science, Space, and Technology, February 17, full Committee, hearing entitled “An Overview of the Administration’s Federal Research and Development Budget for Fiscal Year 2013”, 9:30 a.m., 2318 Rayburn.


Committee on Veterans’ Affairs, February 15, full Committee, hearing on U.S. Department of Veterans Affairs Budget Request for Fiscal Year 2013, 10:30 a.m., 334 Cannon.

Committee on Ways and Means, February 15, full Committee, hearing on President Obama’s budget proposals for fiscal year 2013, 10 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence, February 16, full Committee, hearing on ongoing intelligence activities, 10 a.m., HVC–304. This is a closed hearing.

Joint Meetings

Commission on Security and Cooperation in Europe: February 15, to hold hearings to examine violence against Roma in Europe, focusing on violence in the region, and human rights violations, 2 p.m., B318, Rayburn Building.
Next Meeting of the SENATE
10 a.m., Tuesday, February 14

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of the nomination of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit. Senate expects to confirm the nomination of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit. Also, Senate expects to resume consideration of S. 1813, Moving Ahead for Progress in the 21st Century.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
12 p.m., Tuesday, February 14

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 2079—To designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the “John J. Cook Post Office”; (2) H.R. 3247—To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the “Lance Corporal Matthew P. Pathenos Post Office Building”; and (3) H.R. 3248—To designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the “Lance Corporal Drew W. Weaver Post Office Building”.

Extensions of Remarks, as inserted in this issue

HOUSE

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