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

DESIGNATION OF SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, February 29, 2012.
I hereby appoint the Honorable Rob WOODALL to act as Speaker pro tempore on this day.

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

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

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

THE END OF AN ERA IN CONGRESS
The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

Mr. DREIER. Mr. Speaker, what I’m about to announce will not come as much of a surprise. But we all know that this institution has an abysmally low approval rating, and the American people are asking for change in Congress. And so I’m announcing today that I will leave the Congress at the end of this year.
Now, I take the unusual step of announcing it from here in the well of the House because I am a proud institutionalist. I believe that this institution is as great as it has ever been. Mr. Speaker, I announce it from here because, between the Rules Committee upstairs where you serve with me, Mr. Speaker pro tem, and the House floor, this is where the people of California sent me to represent them.

Now, as we look at the challenges that lie ahead, they are very, very great. I deliberated over this decision, and I have to say that 3 years ago I contemplated leaving at the end of that Congress, but ultimately made a decision that I wanted to continue to serve through this term. I wanted to do so in hopes that we would win the majority, with a goal of pursuing the four-point platform that I had always run on, that being the pursuit of a free economy, limited government, a strong national defense, and personal freedom. Mr. Speaker, I wanted to work with not just my Republican colleagues, but my Democratic colleagues as well, working in a bipartisan way to accomplish a number of things.
First, it was absolutely essential that we do everything to end the course that we had been on that ultimately brought us an 82 percent increase in nondefense discretionary spending. I’m happy to say that we’ve turned the corner on that.

Second, after years of languishing, we were finally able to pass three trade agreements that will create good jobs for union and nonunion workers in this country by virtue of having passed the Panama, Colombia, and South Korea free trade agreements.

I also believe that it’s very important for us to recognize, as we look at our national security, the notion of people all over the world who are seeking to determine their own futures has created a wonderful opportunity for us. The House Democracy Partnership, another strong bipartisan organization, has just now partnered with its 17th country in central Asia to help the legislative body strengthen and have the kind of independence and oversight of their executive branch that we have a tendency to take for granted here.

Fourth, Mr. Speaker, I feel very strongly—again, working in a bipartisan way—that it was essential to ensure that both Democrats and Republicans have the opportunity to have their ideas heard through their amendments on the floor of the House of Representatives.

Now, I do believe, again, Mr. Speaker, that this is the greatest deliberative body known to man. We’ve got a great deal of work that lies ahead throughout this year. But I’m looking forward to following the Madisonian directive—that Members of Congress, after serving here, should go out and live with the laws that have passed, I will say that, as passionate as we’ve been pursuing a pro-growth jobs-creating agenda, I look forward to doing that myself as I move into the private sector next year.
Mr. Speaker, I will say that I want to express my appreciation. I want to express my appreciation, Mr. Speaker, to lots of people. Of course the volunteers, family and friends, supporters, and the people who have offered prayers for our country on a regular basis. I also want to say, most important, express my appreciation, Mr. Speaker, to the people of California who, back in 1978, when I was 25 years old living in a dormitory at my alma mater, Claremont McKenna College, they gave me the nomination for my party, and it’s been a very, very exciting time.
I also want to say, Mr. Speaker, that I express my appreciation to the very, very dedicated public servants in my office in California and my offices here in Washington for their commitment to do the best job possible to help me represent the people of California.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
WELCOMING PUBLIC BROADCASTING COMMUNITY TO CAPITOL HILL THIS WEEK

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

Mr. BLUMENAUER. Mr. Speaker, yesterday, Senator OLYMPIA SNOWE announced that she wouldn’t run for re-election—not that she couldn’t win, but that she didn’t want to, not in this environment. This story representative will be a loss to the institution here. But it doesn’t have to be that way, Mr. Speaker.

This week on Capitol Hill we have friends who have joined us from the public broadcasting community, representing public television stations across the country. Today, the Women’s Garden Club of America are here in force.

Now, these are people that have an approach that can help us unwind the problems that we have here in Congress. Public broadcasting is America’s voice for most of America—it’s the only locally owned and managed source of news and local interest. It’s commercial free. It is focused on our kids, our culture, our environment.

Last year, amidst the Tea Party effort to defund public broadcasting, we had a poll that showed 78 percent of Americans wanted the funding to remain the same or be increased. Two-thirds of Republicans wanted it to be held steady or increased. Now, from this year’s budget it hopefully appears that we’ve dodged that bullet—maybe some people have come to their senses. Americans were heard from coast to coast: Don’t play games with public broadcasting.

We’ve got a few minor holes in the President’s budget, but I hope we can come together in a bipartisan way, listen to Americans, listen to these representatives, and do it right.

With the Women’s Garden Club of America, we have a group—primarily women—who are focused not just on a garden club but a fight for civic improvement through the connection to nature and to one another. Their work in policy is broad and deep. Their position papers on supporting clean air, clean water, climate change, public lands take issues that around here get lost in a partisan theological fog and make clear why they’re important, how to represent American interests, and not the narrow theological, the partisan that gets us bogged down.

Mr. Speaker, I hope that Members will listen to groups like our public broadcasting supporters and the Garden Club about simple, commonsense approaches to support fundamental American values and get off the partisan merry-go-round. We should listen to them. They should work with them. America will be a better place, and so will Congress.

HONORING FIRST LADY PATRICIA NIXON

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. I rise today to celebrate the centennial of the birth of First Lady Patricia Nixon. The Nixon library in Yorba Linda, California, will represent a major exhibit about Mrs. Nixon’s life opening March 16, and the National Archives here in Washington will host a forum on Mrs. Nixon’s work in the international arena in April.

Thelma Caroline Blunt was born on the eve of St. Patrick’s Day on March 16, 1912, in Ely, Nevada, a mining town. Her father, William Ryan, called her his St. Patrick’s babe in the morn, so she was called Pat within hours of her birth. The Ryans moved to southern California for a better life and settled on a small truck farm in Artesia near Los Angeles. Orphaned early, her mother, Kate Halberstader Bender Ryan, died in 1924, and her father in 1929, the year she was graduated from high school.

A young person of tremendous courage and determination, Mrs. Nixon had her heart set on higher education and worked continually to secure the necessary funds. She drove an elderly couple to the east coast and worked as an X-ray technician in New York. Returning west, she was graduated cum laude from the University of Southern California in 1937.

While attending USC, she held part-time jobs on campus and was a department store sales clerk and a Hollywood extra, appearing in several motion pictures, including the 1935 film, “Becky Sharp.”

Mrs. Nixon taught at Whittier High School in the late 1930s, where she met her husband, who had returned to his hometown to practice law after graduating from Duke Law School. Patricia Ryan and Richard Nixon were married in 1940 and, now for many couples their age, she worked here at home while her husband served in the military in World War II as a naval officer in the Pacific.

Mrs. Nixon campaigned with her husband as he was elected to the House of Representatives in 1946 and 1948 and to the United States Senate in 1950. There’s a charming photograph of the Nixons with their infant daughter, Tricia, taken at the Tidal Basin with the cherry blossoms in the spring of 1947. Julie, their younger daughter, was born the following year.

With her husband’s election as Vice President on Dwight Eisenhower’s ticket in 1952, Mrs. Nixon became the Second Lady of the land. The Nixons traveled extensively, including for more than 2 months in Asia and the Pacific in 1953, and to South America in 1956, where the couple demonstrated tremendous courage in Caracas while being attacked by a Communist mob, and to the Soviet Union in 1959.

Mrs. Nixon campaigned gallantly in 1960, returning to private life in Califonia and then New York and proudly held the Nixon family Bible when Richard Nixon was inaugurated the 37th President in 1969.

During the Presidential years, the First Lady was truly our Ambassador of Goodwill, visiting South Vietnam, and combat; an earthquake-ravaged Peru in 1970; and China, in the groundbreaking trip of 1972. Mrs. Nixon was responsible for the gift from the Chinese of the two giant pandas to the American people. She traveled to more than 100 countries and five continents during her life.

As First Lady, Mrs. Nixon encouraged volunteer service, the spirit of people helping people. She added 600 paintings and antiques to the White House collection, illuminated the White House at night, and opened the White House gardens to the public.

Mrs. Nixon’s service to the Nation extended over many years. Only Dolly Madison, Eleanor Roosevelt, and Hillary Clinton, among our First Ladies, have served the country as long as Patricia Nixon.

Laid to rest in 1993 on the grounds of the Nixon library at Yorba Linda, California, Mrs. Nixon’s grave marker reads, “Even when people can’t speak your language, they can tell if you have love in your heart.” Patricia Ryan Nixon had love in her heart and now, at her 100th birthday, we remember her for her devotion to family, her grace and perseverance, and her patriotism to the United States of America.

HONORING STANLEY ELLSWORTH PETERSON

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

Mr. BOSWELL. Mr. Speaker, today I stand before the 112th Congress to recognize and honor Mr. Stanley E. Peterson for his 40 years of service to the United States as an officer in the United States Navy, and as a supervisor in the Federal Bureau of Investigation, and as the chief of police in Youngstown, Ohio.

My intention is to enter into the CONGRESSIONAL RECORD the true history of this great American patriot and dismiss the lies and innuendoes told by an expelled former Member, dismissed by the 107th Congress for his conviction in Federal court of taking bribes and kickbacks.

Stanley E. Peterson was the youngest recruit to the Federal Bureau of Investigation under Director J. Edgar Hoover in 1947. Like his fellow special agents, he lived his life according to the motto of the FBI: “Fidelity, Bravery and Integrity,” and its core values: rigorous obedience to the Constitution of the United States; respect for the dignity of those protected; compassion; fairness; uncompromising personal integrity; responsibility; accountability by accepting responsibility for his actions and decisions, as well as consequences for his actions.
and decisions; leadership, both personal and professional.

Stan Peterson—he was often called Stan—was an intelligent, disciplined, legendary investigator renowned for his likability and tenacity in his work. When organized crime and its surrogate parties were hard to track, he did not compromise; instead, he protected ongoing investigations, remaining loyal to the core values of the FBI up to the day he died, December 31, 2001, in Des Moines, Iowa.

Stanley Ellsworth Peterson was born July 24, 1923, to Eben Caleb and Lutie Strandquist Peterson in Glencoe, Minnesota. His grandparents and their cousins emigrated from Sweden before the turn of the century, looking for opportunities in the United States. Like so many others, the Peterson family struggled during the Great Depression in southern Minnesota. His father, an honored combat veteran of World War I, farmed and drove a delivery truck to keep his family from receiving welfare. His mother taught him humility, honesty, faithfulness, and to always do his best, work hard, never quit, and to be charitable.

Stan was brilliant in his studies, graduated from Glencoe High School at the age of 16, and adventuring, working for a traveling circus as a bookkeeper during the summer months. He attended and received his diploma from Gustavus Adolphus College, St. Peter, Minnesota. But after the attack on Pearl Harbor, December 7, 1941, he was listed in the U.S. Navy and was sent to Columbia University for midshipman training, earning the rank of Ensign. He served in the U.S. Navy during World War II in the Pacific aboard LST 711. By the end of the war, he was the youngest Ensign to captain LST 911.

After World War II, Stan Peterson was selected to join the FBI, and he married Kathryn Rose Thomas. His first assignment as a special agent was Richland, Washington, the home of the “Manhattan Project” facility. In 1947, Richland was a federally controlled atomic energy, top-secret community with restricted access. Remarkably, even their mail was postmarked “Seattle” to avoid identification.

After an unprecedented 20 years at the same assignment, he was transferred to Memphis, Tennessee, a few years before his retirement from the FBI in 1975. A few years later, Youngstown Mayor Philip Ritchley asked Stanley Peterson to become chief of police. This was a time in the city’s history that a chief would be appointed from outside of the department. As a matter of fact, the succeeding mayor, based upon Peterson’s record, asked him to remain as chief, charging him to stamp out corruption both on city streets and within city hall.

Stan Peterson withstood police strikes, vigilantism, and personal attacks from all sides as the former G-man fought crime. As a result of Peterson’s actions, the county sheriff signed a confession for taking bribes, and city workers, judges, and politicians were convicted of Federal crimes. In the midst of these events, the local newspaper did not recognize achievements nor investigate but, rather, chose to parrot cacophony from organized crime figures and their surrogates.

After 8 years, Stanley E. Peterson retired as the state police and virtually was asked to join an investigation with a former U.S. attorney into monopolies involving the railroads and trucking industry.

At his funeral, he was remembered for his living example as a man who prioritized his life by his dedication and relationship with God, his wife and family. He is remembered today for his integrity and service to our Nation.

In closing, I am pleased to note that Stan’s son, Dr. Gregory Peterson, and his beautiful wife, Ramona, are in the gallery. I am happy that Dr. Peterson is present as we honor and enter into the RECORD the memory and history of this great American patriot, Stanley E. Peterson.

MORE REGULATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes. Mr. WALBERG. With Michigan’s unemployment rate consistently higher than the national average, I remain committed to thoroughly reviewing the implications of burdensome regulations. I hope the Obama administration will adopt a logical regulatory approach that’s best for American businesses and workers. Michigan’s joblessness rate has declined during the past year, but manufacturing and business investment remain low. Lower levels of economic activity may be a factor in the persistence of the national unemployment rate. At this time, the business community’s concerns include the implementation of regulations that may stifle economic growth and job creation.

A current effort by the Department of Labor is a new standard being considered by the Occupational Safety and Health Administration called the Injuries and Illness Prevention Program, or I2P2. The standard will require all employers to implement safety and health programs to “find and fix” all hazards in their workplace, even those not otherwise regulated.

This regulation could potentially impact every employer covered by OSHA unless OSHA exempts small employers or those with less hazardous work environments.

Agencies and industries are burdened by an extensive regulatory framework that puts a cap on productivity and job creation. In fact, the rules are so stringent that they can stifle innovation and change. While it is not my intention to do away with government, it is, rather, to make it work for us, not over us; to stand by our side, not ride on our back.

It’s my hope we remain committed to this principle and ensure that regulations ensure both productivity and job creation and true health and safety of our workforce.

LATINOS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes. Mr. GUTIERREZ. As my colleagues know, Latinos are America’s fastest growing population. So if you are a Presidential candidate and you want to make sure that Latino in America knows you strongly oppose sensible and fair immigration reform, you have to work pretty hard at it. It
takes a lot of time and determination. After all, the Latino population increased more than 40 percent between 2000 and 2010. A lot more Latinos, a lot more Latino citizens, and a lot more Latino voters.

A lot of us live in swing States. We are about 130 percent of the population in Arizona, about 25 percent in Colorado, Florida, and Nevada. Indiana alone has 350,000 Latinos. Not so many, you say; but when you remember that President Obama only won Indiana by 26,000 votes in 2008, his Latino support was the margin of victory.

The truth is we’re growing everywhere. One-quarter of all of the children in America are Latino; 500,000 Latinos turn 18, and they all become eligible to vote every year. More than 50 million Latinos live in America. Most of them, 9 out of 10, are citizens of the United States.

Fifty million is a lot of people to keep track of, especially if you want to offend one of them, but that is apparently what Mitt Romney is trying to accomplish.

To appeal to the most extreme elements of his party, last week he called Arizona’s harsh immigration law a model for America. Well, he’s partly right. Arizona’s anti-immigration law is definitively a model. It’s just not a model for immigration policy, but it’s a model for an awful lot of other things. Let’s just count them.

One, if you’re a politician, Arizona’s law is how to achieve early retirement. State Senator Russell Pearce was an author and lead sponsor of Arizona’s draconian anti-immigration law. He talked about little else. His constituents weren’t pleased, though, so Senator Pearce became the first State legislator in the history of Arizona to be recalled from office. The biggest backer of Mitt Romney’s immigration model is now unemployed.

Two, if you want to wreck your local economy, Arizona’s law is how to lose jobs and tax revenue. The purchasing power of Latinos in Arizona in 2009 was nearly $35 billion. That’s right. One study estimated that undocumented immigrants alone paid $443 million in local taxes. Another study estimates that Arizona would lose nearly 150,000 jobs if all undocumented workers were removed from the State.

Three, Arizona’s law is a model for how to energize Latino voters. In 2004, George W. Bush, when running for President, received nearly 45 percent of the Latino vote in Arizona. That’s pretty good. How did anti-immigrant Jan Brewer do for Governor in 2010, 2 years later? More than 70 percent of the Latino voters voted against her. But a model for how to energize Latino voters led to the election of two Latinos to the Phoenix City Council for the first time ever.

Four—and I’ll stop at four because my time is limited—Arizona’s law is a model on how to make decent people suffer. Arizona followed the Arizona model, and a judge advised a woman facing domestic abuse that, if she sought a restraining order, her husband, she would be asked to prove her immigration status and face deportation—while her husband laughed. In both Arizona and Alabama, citizens and legal immigrants have been harassed and detained because they look suspicious or cannot immediately prove their citizenship status.

So let’s review. Mitt Romney’s model for America: has an author who was kicked out of office; means lost jobs and tax revenue for everyone, not just immigrants; has mobilized Latino voters and pushed them away from the Republican Party; and has caused good, hardworking people—immigrants and nonimmigrants alike—to lose their jobs and undocumented—to live in fear.

Maybe Mitt Romney and I have different ideas of what “model” means. Maybe he thinks Bernie Madoff is a “model” investment banker or adviser. I think “model” means something you can be proud of, something that makes America better and stronger, more just and fair, something that shows America the way to the future.

By that standard, Arizona’s law is a perfect model. It shows America exactly the policy to avoid on immigration, and it shows Americans exactly the type of candidate to avoid for President of the United States.

In an interview in 2008 with the 100th Infantry Division Association newsletter, Colalillo recalled “the good Lord was with me” during that battle. “I could see our guys getting shot . . . I could see the muzzle flashes of the Germans shooting at us, and I aimed at them.”

Mr. Colalillo died on December 30 at a nursing home facility in Duluth, Minnesota. He was 86 years old. Mr. Colalillo is survived in Duluth by his son, Al, of Hayward, Wisconsin, and by his daughter, Michele, of Meadowlands, Minnesota.

In Minnesota, we have a track record of military excellence. According to the Medal of Honor Society, 46 Minnesotans have received our Nation’s highest award for bravery. In the Eighth District, we honor those who have served, and for Michael Colalillo, the Medal of Honor Park in Duluth bears his name. We are forever grateful for his service to our great country.

Thank you, Mr. Colalillo. You make us all proud to be Americans. May God’s peace be with you.

TOO SILENT ON SUDAN

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

Mr. McGovern. Mr. Speaker, once again, the world is standing by, silent and passive, while the Government of Sudan wages war on its own people.
We have been here before when hundreds of thousands of people perished in Darfur before the international community finally woke up and took action to try to protect innocent civilians from their own government's brutality. "September 12," the Sudanese government continues in Darfur. There is no peace, and villagers, refugees, and humanitarian personnel still live and work under the constant peril of attack. President Bashir has expelled many humanitarian organizations from Darfur, and even today, threatens to shut down their lifesaving operations.

Last May, we witnessed the ruthless ethnic cleansing of Abyei by the Sudanese people. More than 100,000 people of the Dinka indigenous population were forcibly displaced. They fled to South Sudan, seeking safe haven, where they remain today in very, very poor conditions. When Sudanese President Bashir saw that the world was indifferent to this and that the UN began major operations in June against insurgents in South Kordofan and, more generally, against the Nuba people.

And still the world stood silent. So, the government Khartoum launched attacks on another border region. This time, the state of Blue Nile was under siege with attacks by the Sudanese Army and the bombings of civilians. Thousands fled to the neighboring countries of Ethiopia and South Sudan for safety, joining the desperate refugees from South Kordofan.

So Sudan has undertaken a bloodbath against its own people in the state of South Kordofan and Blue Nile—house-to-house arrests and killings, rape, the merciless bombings of civilians.

For nearly 8 months, Khartoum has blocked all humanitarian aid to South Kordofan and Blue Nile. It has not only continued to bomb in those states, but it has crossed the border and has bombed refugee camps and towns inside South Sudan, where tens of thousands had hoped to find food and shelter.

Hundreds of thousands of people in refugee camps in South Sudan:

Salem Kora is from the Angolo tribe in South Kordofan. The government dropped bombs on her fields when she was trying to plant. Then the government dropped six bombs on her village. This poor woman here grabbed her children and hid in a nearby ditch. After the bombings stopped, Sudanese soldiers moved into the village and burned seven homes that they believed belonging to bombing people. Saleh ran and hid with her children. The soldiers didn’t care if you were an unarmed civilian, a woman or a child. She fled with her children across the border in January to the Yida refugee camp in South Sudan.

This woman over here to my far right and her little girl are from the Nuba Mountains. She is married to a man who fled the nightmare of Darfur in 2005. Both were suffering from malnutrition when they arrived at the refugee camps.

The people of South Kordofan and Blue Nile are being subjected to bombings, murder, rape, scorched earth, and starvation. This should come as no surprise when Ahmed Haroun, the Sudanese official wanted by the International Criminal Court for crimes against humanity in Darfur, is now the governor of South Kordofan.

Mr. Speaker, we are fast approaching the month of March, the point at which the Famine Early Warning Systems Network, or FEWS NET, has predicted that South Kordofan and Blue Nile will be reaching emergency levels of food insecurity. This is just one level short of all-out famine. Yet Khartoum still denies food and medical relief to the suffering people of these regions.

Last week, the United Nations Security Council (by Nicholas D. Kristof) the Sudanese Government and the armed rebels to allow unhindered access for humanitarian aid and for both sides to return to talks and to cease hostilities.

President Bashir said "no." The United States and the international community, including China, Russia, and others, the pressure on Sudan to allow the delivery of aid to the suffering people of South Kordofan and the Blue Nile, and to reach agreement on a cease-fire. The safety and security of the Sudanese people, whether in Darfur, Abyei, South Kordofan, Blue Nile, or elsewhere, must be our first priority.

Mr. Speaker, we have been silent for too long.

(Yida, South Sudan—A great humanitarian catastrophe and vicious ethnic cleansing is unfolding here in the remote and impoverished region where Sudan and South Sudan come together.

For some in the Nuba Mountains, living in that harsh hut far from electricity or paved roads, the violence they are making with 21st-century technology is to be bombed by Sudanese aircraft.

Bombings, ground attacks and sexual violence have been part of the civil war and counter insurgency strategy—have driven hundreds of thousands of people from their homes in South Kordofan, the Sudanese state where the Nuba Mountains are located. In some ways, the brutality here feels long as an echo of what Sudan did in Darfur, now not in Nubans who are targets.

"They said that they want to finish off the black people; they said they want to kill them all,", recalled Elizabeth Kafi, a 22-year-old Nuba who said she was kidnapped in December by Sudanese uniformed soldiers. She and others say that the mostly Arab Sudanese soldiers scorn Nubans partly for their darker skin, partly because some are Christians, but mostly because many Nubans back an armed uprising against decades of Sudanese misrule. In 23 days of captivity, she said she saw the Sudanese soldiers hunt several Nuban men, including her grandfather and brother-in-law. She described watching soldiers gang rape and then cut the throat of a young Nuba man, and also stab to death the woman’s 3-year-old son.

Kafi said that she also saw 20 to 25 soldiers hold down two Nuba girls, who she guessed to be about 15, and gang rape them. The girls died from the rapes and beatings, she said.

It's impossible to confirm Kafi’s full story, but others verified that she had been kidnapped. And many other Nubans recount similar attacks, or describe similar racial violence in Darfur. Sudan soldiers often call their darker-skinned victims their "slaves." Ahmed Haroun, a Sudanese official wanted by the International Criminal Court for committing atrocities in Darfur, is now the governor of South Kordofan, and he seems to be employing similar tactics here.

While the Sudanese government is trying to suppress an armed rebellion in the Nuba Mountains, it is civilians who bear the brunt of the suffering. A few days ago expressed growing alarm at rising hunger levels there. Some 28,000 Nubans have sneaked out and settled in a new refugee camp here in Yida, South Sudan, just south of the border with Sudan. Scores more struggle in most days, many half-starved.

"I came because I was starving," said Muhasilin Kuwa, a 24-year-old woman who just arrived at the refugee camp. Both her parents had starved to death, along with seven small children in her small village, she said.

The Sudanese military has tried to block access routes, making escape perilous. I spoke to members of a group who had crowded into a car, paying $45 each for what they hoped would be a flight to safety in the refugee camp. But then, the day before I interviewed them, they came to a checkpoint manned by Sudanese soldiers.

"They called us over," said the vehicle's owner, Haroun Suliman, 42. "Then they shot at us with guns.

Two male passengers, ages 41 and 25, were shot dead, he said. Two women, one with a month-old baby, are still missing. The others ran frantically into the bush and escaped, eventually making their way to the refugee camp.

The Sudanese government bombed this refugee camp in November, and, just a week ago, it bombed the nearby town of Jau, in South Sudan. Fears are growing of a new all-out civil war between Sudan, in part because of an oil dispute. South Sudan separated from the rest of the country just in July, and the two sides can’t agree on the oil production and fees that South Sudan would pay.

The South then shut off oil production, so both countries are now facing an economic crisis. Some experts warn that the North might seize oil wells back in both.

Nuban children are already growing up in war. When kids surrounded me in the refugee camp, I asked them how many had lost a brother or sister in the war. About one-third raised their hands.

When the food runs out in the Nuba Mountains, perhaps in two or three months, there will be a risk of mass starvation. I saw one 4-year-old girl at a feeding center run by Samaritan’s Purse, the aid group, who weighed 9 kilograms; normal for her age. Underfeeding enforces humanitarian access into the Nuba Mountains, we can expect more famished children like her.

The Sudanese armed forces try to keep aid workers and journalists out, so the story of suffering has not received much international attention. I’m going to try to slip into the Nuba Mountains and report back. Stay tuned.

BELL STREET MIDDLE SCHOOL
SCIENCE OLYMPIAD TEAM

THE SPEAKER pro tempore. The Chair recognizes the gentleman from
CONGRESSIONAL RECORD — HOUSE
February 29, 2012

ENGAGING AFGHANISTAN
PEACEFULLY, NOT FORCIBLY

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

Ms. WOOLSEY. Mr. Speaker, it is February 29, a date that exists only once every 4 years, and yet this is the third February 29, the third leap day, that we’ve been at war in Afghanistan.

I have my granddaughter here with me. She’s 8 years old. She’s not lived in the United States when we were not at war.

Last week in particular, we were exposed to the grave dangers and the fundamental flaws of our Afghanistan strategy. The burning, accidentally, of several copies of the Koran by U.S. troops. That sparked days of violence and protests throughout the country. Angry Afghans tried to storm U.N. compounds and other Western installations.

At our largest military base, thousands, including many who worked at the base, gathered to throw rocks and shout “Death to America.” Days later came the killing of two NATO soldiers, shot in the back of the head while working at their desks inside the Afghan interior ministry. The killer was apparently a Taliban insurgent who had infiltrated the government security forces and penetrated what is supposed to be one of the most secure buildings in Kabul.

Mr. Speaker, it is clear that police officers, the ones we are supporting and training to keep our people safe, are losing patience with our continued military occupation of their country. One of them told The Washington Post: “Afghans and the world’s Muslims should rise against the foreigners. We have no patience left. We will attack the military foreign people.”

In response to all of this, General John Allen has ordered the removal of all NATO personnel from Afghan government ministries in and around Kabul. Out in the field, some U.S. soldiers have been instructed not to engage too directly with Afghan security forces, even though the training of these forces is at the heart of our very mission in Afghanistan.

Mr. Speaker, can there be any doubt, given what has happened over the last week or so and the last 10 years, that our 10-year military occupation is losing and not winning over there? The hearts and the minds of the Afghans have been lost to the United States.

The amazing thing is there is talk that the recent unrest might delay the withdrawal of our troops from Afghanistan. If anything, we need to accelerate that withdrawal. It’s this war that has sewn the seeds of resentment and mistrust. It’s this war that has increased instability and strengthened the insurgency. It’s this war that is fraying the partnership and heightening the tension.

Mr. Speaker, what if we engaged Afghanistan in a different way—peacefully, rather than forcibly, not in war? What if we sent—at a fraction of the cost and pennies on the dollar, I might add—what if we sent civilian experts to help rebuild Afghanistan and invest in its people?

What if we focused on humanitarian aid instead of military aggression? That’s the SMART Security philosophy that I’ve been advocating for many years now.

I’m convinced that such an approach would show the way to greater peace, greater security and prosperity in Afghanistan. We can’t begin to do this soon enough. Despite everything that’s happened—not just this past week but everything the last decade—the Pentagon continues to tell us the Afghanistan strategy is sound and it is succeeding. Do they think we’re not paying attention? It could not be clearer that what we’re doing is not working. It’s time for SMART Security, Mr. Speaker. It’s time to bring our troops home, and the time is now.
KEYSTONE UPDATE

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

Mr. Olson. Mr. Speaker, I rise to give the American people an update on the Keystone XL pipeline.

Monday, President Obama took the first step to get out of the way and bring tar sands oil from Canada to my home, southeast Texas. It’s the yellow pipeline line here on this chart.

The administration agreed to build the first segment from Cushing, Oklahoma, right here, to southeast Texas, the Port of Houston and the Port of Port Arthur. In announcing the administration’s approval, the Speaker said:

Moving oil from the Midwest to the world-class, state-of-the-art refineries on the gulf coast will modernize our infrastructure, create jobs, and encourage American production.

Amen.

430 miles down, 1,223 to go. But there is no new oil with this pipeline being built. None. So, Houston, we still have a problem. And that problem is exploding prices for gasoline.

Since the day President Obama took office—and he took office on January 20, 2009—since that time, gasoline prices have doubled, from $1.84 per gallon to over $3.70 per gallon. Doubled. This hits Texas families hard. If you have a pickup truck with a 24-gallon gas tank and fill it up every 2 weeks, that’s a $90 increase in gas expenses per month. That costs the $1,000 every American got by the payroll tax cut extension, something we fought for 2 months here in Congress, just thrown away.

In a speech in Miami, our President said there was “no magic bullet” to lower gas prices, and there’s some truth to that statement. The President is limited in what he can do to lower gas prices, but there’s a lot a President can do to increase gas prices. Unfortunately, President Obama’s policies have put us on a path to the worst summer for gas prices in our country’s history. We enter this summer with the highest gas prices in our country’s history at this time of the year. They’re only going to go up. And the President had a knee-jerk reaction to the Gulf of Mexico spill. He shut the gulf down for nearly a year. That’s at least 10 American rigs that left the gulf for overseas, taking American energy with them, and American jobs.

HONORING SHERRY STINEBISER

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

Mr. Thompson of Pennsylvania. Mr. Speaker, today I rise to recognize Sherry Stinebiser for decades of service to the communities of northwestern Pennsylvania.

On June 25, 2011, Sherry was elected to a 1-year term as president of the ladies auxiliary to the Department of Pennsylvania Veterans of Foreign Wars, the VFW. Like every task Sherry has taken on in her long career of service, her primary goal as president has been serving others.

Joining the Ladies Auxiliary in 1996, Sherry is a life member of Cleo Bargerstock Auxiliary 1424 in Marienville, Pennsylvania, which is located in the Pennsylvania Fifth Congressional District.

Outside of the auxiliary, Sherry has worked for more than 30 years as a licensed practical nurse. She has volunteered her spare time as an emergency medical technician and serves as a board member of a group called Experience Incorporated, a local organization in Warren and Forest Counties dedicated to providing services to elderly citizens.

Albert Einstein once said: "Only a life lived for others is worth living." Sherry Stinebiser for decades of service to her community. She’s a model citizen who has committed her life to serving others, I believe Sherry would agree.

Thank you for your service, Sherry.
and commerce goes through are very close to Iran. This island over here, Abu Musa, that is an Iranian military base.

There is an old saying that ‘a picture is worth a thousand words. And this is our President as a candidate in 2008 at a speech in Indianapolis. What’s missing? Action to support low gas prices at that time.

I urge the President to listen to the American people and to fully approve the Keystone XL pipeline. Do it now, and put America back in business.

PRESIDENT OBAMA ENERGY MYTHS AND FACTS

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

Ms. FOXX. Mr. Speaker, I know I’m going to repeat some of the things that my colleague from Texas has gone over as it relates to energy in our country and the response of the Obama administration. But, Mr. Speaker, these facts bear repeating because the media has been complicit with the Obama administration in perpetuating these myths by the lamestream media. They claim they are not responsible for the increased prices and that there’s nothing they can do. But they are trying to take credit for previous Republican and Bush pro-energy policies. The reason oil production is up today is because of development on private and State lands. North Dakota alone produced almost 16 million barrels of oil in January 2011 compared to only a little more than 2 million in January 2012, the majority of which is on State and private lands.

The Obama administration is not opening new offshore areas for energy production. The President and the administration claim to be opening more than 75 percent of offshore lands for energy exploration. This is absolutely false.

The Obama administration has blocked energy production on Federal lands, and the Obama administration denies the potential of domestic oil production. So everywhere we turn, the President and the people who work for him are keeping us from becoming energy independent.

Let me give you some quotes from the President, January 2008:

Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket.

We all remember that.

Energy Secretary Steven Chu, December 2008:

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

And another one:

Mr. Chu has called for gradually ramping up gasoline taxes over the next 15 years to increase the price of gasoline to the levels in Europe.

Mr. Speaker, we Republicans have a plan. We need the Senate to act on that plan.

DOMESTIC OIL EXPLORATION

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, while we are all aware of the debt this country has hanging over our heads, we have to also be aware of what it takes to grow our way out of this debt. Part of the way of growing us out of this debt is by having jobs. But there is also another burden hanging over our heads, and that is the cost of gasoline to American families, which adds to their own personal debt.

Bear in mind at the last inauguration in 2009, the price of gasoline was $1.83 a gallon. Now, it’s approaching $4 a gallon. Think about what that means to the average family where they’re spending a couple thousand dollars more per year for gasoline and no end in sight. It’s expected that prices will go up to well over $4, perhaps $5, per gallon. It’s not happening within the next month or two. It’s happening months. It is a burden that families, unfortunately, have to bear when they find themselves needing to travel to and from work or to and from other important activities and they cannot avoid this, especially in areas where public transportation is weak or not available.

Now, we have put forth a plan in this House to open up some other areas for drilling for our own oil. It has been criticized by some who say it would take too long for that oil to get to market and by others who say it wouldn’t have that much of a price difference on oil. I beg to differ. Four or 5 years ago when I put forth a bill, a proposal, and it was supported by my colleagues, to open up the Outer Continental Shelf for drilling, we had noted at that time the impact that would have upon our economy. It’s anticipated that there’s about $8 trillion worth of oil and natural gas off our coast, and that when we invest in our infrastructure, to over 1 million new jobs per year for the next few years.

The Federal revenue that would come from that over the next 20 years would be about $2.5 trillion to $3.7 trillion. Even when you’re talking about our national debt, those are large numbers.

If we invest that in America’s infrastructure, that for every $1 billion we invest it’s about 30,000 to 35,000 new jobs, that’s a lot of jobs, and it takes care of our many unemployed and underemployed in this country.

For those who say it will not lower gas prices, I beg to differ. Certainly, there are studies in the past that have been flawed when they look at only the impact of Alaska in terms of what that would mean. But I would like to put forth some other numbers that are important and that is, if you open up the Outer Continental Shelf also, it has a big impact.

Right now, we import perhaps 60 percent or more of our oil. Some of that comes from Canada and Mexico, our North American neighbors; but much of that oil also comes from OPEC nations. Further, OPEC has stated time and time again they would like to see gasoline and oil prices go up so much that oil is at $200 a barrel. It’s critical for their economies. And when OPEC leaders get together, it also includes some countries that are not very friendly to us, such as Iran and Venezuela, and other countries which we have defended with our blood and suffer from wars over the years, which has cost us more. But look at this, in terms of international policy, of using our own oil versus OPEC.
In 2011, our trade deficit with OPEC was $127 billion. In 2010, it was $96 billion. In 2009, it was $62 billion. And in 2008, the last time we had a big oil price jump, it was $177 billion. That means we’re buying more oil from OPEC than they’re buying of our own goods. But it goes beyond that. There is also the cost of blood.

In our first Iraq war in Desert Storm, one Army group in my district, the Quartermaster Unit, was hit by a scud missile, and it killed many of those soldiers. How do you put a price on that cost of war? And clearly we are battling Iraq because they also invaded Kuwait and were attempting to control more oil fields in the market. Yes, it was about dealing with Saddam Hussein; but, yes, it was also about dealing with control of oil.

Look what we’re doing now with the costs—patrolling the Strait of Hormuz with our 5th and 6th Navy Fleet out there to patrol the Mediterranean and the Persian Gulf to make sure Iran doesn’t cut off world oil supplies and cause more problems.

But look also at the lives cost in the Iraq war in Operation Iraqi Freedom. Sixty-three Pennsylvanians have been killed, including many from my own district, whose lives were lost defending our causes in Iraq. There are also, in Pennsylvania, 533 wounded. But overall, 4,484 have died up to 2011 in Operation Iraqi Freedom—Americans. Pennsylvania has certainly paid a high price on that; but also know between 224,000 and 258,000 civilians were killed in Iraq directly from warfare.

Now, although other countries may have paid us back in dollars for what we spent in first Desert Storm, gulf war, we are bearing the costs of Operation Iraqi Freedom. We can never, ever return to the families the lives of their loved ones, their wives and sons and daughters and mothers.

Let’s remember that opening up our own oil fields in America is not just about paying the price for families and what it cost them, but also making sure we know we will never have to pay again the price of blood. That reason and that reason alone is enough to say let’s be drilling for our own oil.

The recess having expired, the House recessed to 1:20 p.m., to 2:12 p.m., to 3:00 p.m., to 4:00 p.m., to 5:00 p.m., to 6:00 p.m., to 7:00 p.m., to 8:00 p.m., to 9:00 p.m., and to 9:30 p.m.

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Let's Work Together

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

Mr. BACA. Mr. Speaker, it's been over 40 days since the Republicans took control of the House of Representatives and they still have not put forward a jobs agenda.

Instead of focusing on creating new jobs, Republicans have been working on a partisan agenda that would end Medicare as we know it, protect tax breaks for companies that send jobs overseas, and cut jobs, including 550,000 jobs that would be lost in the Republican transportation bill.

Now prices at the pump are on the rise across the Nation. American families are hurting. It's time for Republicans to stop political games and work with Democrats on all-of-the-above energy solutions that stop the speculators who are inflating oil prices, extend production tax credits to create over 37,000 new jobs in solar energy, and end $40 billion in tax breaks for oil over the next decade. Let's work together on a responsible energy plan to lower gas prices and create new jobs at home.

Before I close, I would just like to announce that I'm having a woman's health conference next month, March 15.

Lowering Gas Prices and Creating Jobs

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

Mr. JOHNSON of Ohio. Mr. Speaker, here's the sign at a gas station at the corner of Pike Street and I-77 in Marietta, Ohio: $3.69 for a gallon of unleaded regular. It's one example of surging gas prices across southeastern Ohio.

When President Obama took office, the price for a gallon of gas was $1.86. It has now doubled, and some estimate that it will be around 5 bucks by this summer. This is just one indicator that President Obama's energy policies have failed America and are continuing to make our economy worse.

He says that he wants an all-of-the-above approach to energy, but his actions do the exact opposite. In fact, President Obama cut oil production on Federal lands by 11 percent last year and he blocked the Keystone XL pipeline.

We can't afford President Obama's destructive energy policies anymore. Not only will increased energy production lower the price at the gas pump, but it will create much-needed jobs right now. Hardworking Americans need both, not more of the same from President Obama.

Kickoff of Women's Health Wednesday

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

Ms. DeGette. Mr. Speaker, today I rise to announce the inaugural Women's Health Wednesday. Starting today and continuing for every Wednesday, Members of this distinguished body will take to the floor to talk about mammograms, about comprehensive family planning, and, yes, even about birth control.

Mr. Speaker, I would like to kick off this first Women's Health Wednesday by reminding everybody this is 2012, not the dark ages. So it amazes me that the debate we've been having lately, both in the Halls of this Congress and out in the political scene, is about birth control, and the War Department and the Senate have to pay more for their health care costs and be punished because of where they work. That's not fair. The Obama administration's policy changes this and is fair. It's about time that women get a break for all that they do to raise children in this world.

Tribute to Chris Parr

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

Mr. Crawford. Mr. Speaker, I rise today to honor the memory of Christine Parr. Although Chris passed away earlier this month, her memory will live on with her family and friends.

For nearly 40 years, Chris was married to husband Al Parr. Together, they built a life and family in Harrisonburg, Arkansas. Chris and Al have two children, Will and Angela. Chris joined Al in being active members of the Harrisonburg Church of Christ where Al serves as pulpit minister.

Chris was a homemaker and a collector of souvenir spoons, bears, and Russian stacking dolls, among other things. Years ago she also operated a sewing business and day care from her home. She enjoyed anything to do with a needle and thread and over the years has made many clothes and quilts for her family and friends.

I will always remember Chris and the kindness that she showed my family and me. Chris had a passion for America. She loved people; and once she committed herself to a cause, she and Al devoted themselves completely and worked tirelessly.

My thoughts and prayers are with Chris's family. As a person of great faith, I know that Chris is now in Heaven with her Lord and Savior Jesus Christ. While her absence here on Earth will be missed, her example will be a guide for her family and friends for years to come.
WOMEN’S HEALTH AND CONTRACEPTIVES
(Mrs. McCARTHY of New York asked and was given permission to address the House for 1 minute.)

Mrs. McCARTHY of New York. Mr. Speaker, I rise today to speak about the importance of ensuring coverage for contraceptives and the impact this has on women’s health.

For centuries, important aspects of women’s health care have been treated as a political football by advocates on all sides of the issue. In politicians’ efforts to score political points, women suffer because of a lack of access to coverage, a lack of reliable information about health care choices, and because many women are vilified for some of the health care choices they make.

It’s time to take politics out of women’s health, and it’s time to ensure that women’s health coverage includes full and adequate contraception. Birth control can have significant health care benefits for women and their families. It can significantly reduce health care costs. And it’s one of the most common taken drugs in the United States.

We need to stop playing games with people’s health and instead live up to our responsibilities to protect the right of women to make the health care choices that are right for them. I look forward to working every Wednesday to talk about women’s health.

EXPAND DOMESTIC ENERGY PRODUCTION TO REDUCE GAS PRICES
(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, last week, I heard from my constituents about the impact rising gas prices are having on their families and on their small businesses.

Congress must act to protect our constituents from even higher gas prices by expanding our Nation’s domestic energy production. The solution is pretty simple—let’s expand American energy production. This will reduce the cost of gas, putting money back in the wallets of every American, and it will create the kind of good-paying jobs that so many people need and will help get our economy moving again.

The House has already passed four bills to expand domestic energy production. It’s time for the Senate to pass those bills and send them to President Obama so that he can show us whether his commitment to an all-of-the-above energy policy is mere rhetoric.

Creating jobs, saving our constituents money, and helping our economy should be bipartisan goals, and we can achieve them by expanding American energy production.

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

Ms. KAPTUR. Mr. Speaker, first, I join with my female colleagues in supporting full health coverage for every single woman in our Nation.

I also rise to condemn the actions of Syria’s Assad government, which are
truly appalling. America and this House should not be sitting silent as thousands of Syrian civilians are slaughtered by their government. Assad is not a man of peace, as some in this body have asserted. He is an international war criminal. His blood-stained hands should be shunned the world over.

The United Nations now believes that over 100 civilians are being murdered daily, including women and children. Estimates vary as to how many civilians have been killed since Assad’s regime launched its brutal crackdown down on peaceful demonstrators in Syria in the spring of last year. CNN is reporting as many as 9,000 people have been killed in the last year, yet the leadership of this House remains silent. The Senate passed a resolution in mid-February. Why haven’t we?

I and my colleague, Congressman KEITH ELLISON, have introduced a resolution identical to the bill the Senate just passed on a bipartisan basis. And I urge my colleagues to speak out against the unspeakable violations that take place every moment.

Doing right is long overdue. Let’s stop the horrors and mobilize the world to stop the killing.

CABOT GUNS AND PENN UNITED TECHNOLOGIES

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

Mr. KELLY. Mr. Speaker, I recently had the pleasure of visiting with an outstanding new company in western Pennsylvania called Cabot Guns, a company whose belief in American exceptionalism and dedication to uncompromising quality have resulted in a new standard of precision-made hand-guns. In fact, Cabot Guns are already being described as the finest pistols in the world by the Blue Book of Guns. Cabot Guns embodies the best of what this great Nation’s finest machinists, engineers, and master craftsmen have to offer, and is proof of the enduring prowess of the American dream.

These highly prized firearms provide a new industry for my district and are made in collaboration with Penn United Technologies, a pioneering manufacturer of precision components for the defense, aerospace, medical, energy, and nuclear industries that was founded 40 years ago by the great inventor and patriot, Carl Jones, a man whose legacy lives on through Cabot Guns and Penn United’s strong belief in family, God, and country and a firm commitment to our Second Amendment.

CONTRACEPTIVE COVERAGE

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

Ms. BONAMICI. Mr. Speaker, contraceptive coverage is an issue of women’s health, access to health care, and affordability that affects our entire health care system. As we deliberate this important issue, it’s imperative that we consider all of the benefits of access to contraceptives, starting with the prevention of unplanned pregnancies.

One thing about which we should all agree is that we need to reduce the number of abortions. Now, access to contraceptives plays a critical role in that goal, but the benefits don’t stop there. Contraceptives are often preventive care. Individuals in healthy relationships that, untreated, could keep women from work, lead to more serious health problems, or otherwise impact the quality of their lives. These negative consequences are easy to prevent with access to preventive health care, which can help with unnecessary costs, both intangible and tangible.

Unfortunately, too many women across the country suffer every day because they don’t have access to health care they need or care they want. This is an issue of access, of affordability, and of the rights of women to receive quality health care. I urge my colleagues to make that their focus.

ENERGY SECURITY

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

Mr. STUTZMAN. Mr. Speaker, Hoosiers across northeast Indiana paid $3.85 for a gallon of gasoline this morning. Gas prices are skyrocketing, and people in my district are looking for long-term solutions.

Unfortunately, for the past 3 years, President Obama has rejected serious efforts to promote American energy security. By failing to put forward a responsible energy policy, this administration is making things worse at the pump.

In 2008, Energy Secretary Steven Chu said, “Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.” Well, if something doesn’t change, Hoosiers could see those prices soon.

In January, President Obama rejected the bipolar Keystone XL pipeline and blocked the flow of over 800,000 barrels of oil each day. The President’s decision does nothing to lower prices or protect us from uncertainty in the Middle East. It’s a serious blow to Hoosier families already struggling in the real economy.

Hoosiers deserve a true all-of-the-above approach. The House has already passed five energy bills that are being held up in the Senate. It’s time to promote real energy security.

WOMEN’S HISTORY MONTH

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

Mr. CARNAHAN. Mr. Speaker, today I rise to honor the start of Women’s History Month, which starts tomorrow. This month gives us all the opportunity to recognize the important and glass ceiling-shattering work women across our country and around the world have done and continue to do. Despite the tremendous progress that has been made over the past century towards gender equality, more still needs to be done.

Over the last 14 months, we’ve seen the rights of women come under attack again and again in this body. Though I firmly believe inhealthy compromise on contraceptive care. While I have deep respect for the religious and moral beliefs of all Americans, I am pleased with this compromise because these guidelines increase access to contraceptive services for women while respecting religious liberty. It protects the beliefs and families of all American women and families.

In the spirit of Women’s History Month, I ask that we put an end to this partisan bickering and focus on achieving better women’s health.

STOP DEFICIT SPENDING

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

Mr. CHAFFETZ. For 4 consecutive years, President Obama has introduced a budget with a $1 trillion deficit—4 years in a row. This has never happened in our Nation’s history.

Well, how much is $1 trillion? If you spent $1 million a day every day, it would take you almost 3,000 years to get to $1 trillion. No longer can we do this. We’re paying more than $733 million a day in interest on our national debt. We deficit spend something like $4 billion a day.

Ladies and gentlemen, we cannot sustain the spending that we have. Our Nation is going bankrupt. It is imperative that this Congress get a grip on its fiscal future and put forward a budget that is responsible and over the course of time will actually balance our books and pay off the national debt.

ATTACKS ON WOMEN’S HEALTH

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

Mrs. CAPPS. Mr. Speaker, I rise today in opposition to the extensive attacks made on women’s health in recent weeks.

We have seen an almost unprecedented number of attacks on women’s access to health care, reproductive options, and even prenatal care. From a
hearing on women's health that included a panel with no women witnesses, to public statements diminishing the importance of women's access to a full range of preventive health services, to accusations that prenatal testing is in some way a pathway to aborting a fetus, this has been opening up a dialogue on women's health. This is not acceptable.

We need to trust women to know what is best for their families and for themselves, and those of us in Congress should always have our best interests in mind. Women do not deserve to have their health used as a political football.

**WOMEN'S HEALTH CARE**

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, former New York Governor Mario Cuomo, a man who saw the duality in being a legislator and a man of faith, once noted that "all religiously based values don't have an a priori place in our public morality." I think my colleagues have forgotten that message in recent days when it comes to women's health. Ignoring the important impacts that access to contraceptives can mean for women.

Contrary to what some of my colleagues may believe, contraception is not a cheap, easily accessible solution for all women. An objective, bipartisan panel developed recommendations for contraceptive coverage paid for by religiously affiliated employers. The Obama administration adopted new regulations based on these recommendations.

These regulations were not designed to jeopardize anyone's religious freedom. These regulations were designed to protect the health needs of women, period. We should be doing everything possible to support women's health, not attacking women for demanding better health care.

**ACCESS TO CONTRACEPTION**

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

Ms. DELAURO. Mr. Speaker, 25 years ago I was diagnosed with ovarian cancer. I was lucky, I had excellent doctors who detected the cancer by chance in Stage 1. I am alive today by the grace of God and biomedical research. Many women today are not so lucky.

Ten women in the U.S. are diagnosed with a gynecological cancer every hour, and yet we know that using contraception for a year reduces the risk of ovarian cancer by 10 to 12 percent, using it for 5 years reduces that risk by roughly 50 percent. Twenty-six thousand women will die from these terrible cancers each and every year. This is just one of the ways that access to contraception is beneficial to women's health.

**ACCESS TO WOMEN'S HEALTH SAVES LIVES**

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Yesterday, Mr. Speaker, I had the privilege of meeting with leaders who treat women at OB/GYNs from Baylor College of Medicine and from St. Joseph Hospital in Houston, Texas. They acknowledged the importance of access to women's health care.

In a hearing in Judiciary, a very renowned doctor, an OB/GYN, indicated that thousands of women are impacted with respect to cervical cancer by having access to contraceptives and to be able to be treated properly.

Let me be very clear: Now, with the established compromise to religious institution will have to pay any money. One of the witnesses who happened to be a bishop said, That's fine; I'm not interfering with what some woman does else.

So why do we have this crisis? We have a settlement to resolve—the protection of religious liberty and the protection of women's rights.

I quickly indicate that just recently introduced H.R. 83 that has to do with preventing bullying. And with the tragic incidences of the last 48 hours—now three young people dead—it's time again for this House to move again on a bill that deals with best practices to help our schools understand how to help our children.

I look forward to this legislation moving forward. I also look forward to acknowledging that access to women's health saves lives. Let's save lives.

**SAN JOAQUIN RIVER RELIABILITY ACT**

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

Ms. SPEIER. Mr. Speaker, I rise today in strong opposition to H.R. 1387, the so-called San Joaquin River Reliability Act. This bill should be called the San Joaquin River Runs Dry Act. It will literally divert water from fishing and farming communities in California and send it right into the open arms of agribusiness.

The author and backers of this bill don't want a sustainable water policy for California. Instead, they want to overturn a century of California law that protects healthy waterways for fish, crops, and drinking supplies.

This bill should be called the GRAB Act, Give Rights to Agribusiness. It represents an unprecedented intrusion on States' water rights by the Federal Government. This goes beyond California and would affect water policy across the Western States.

Taking water away from farmers and fishermen struggling to make ends meet is bad for our economy and bad for our country. I urge my colleagues to protect States' rights, to support farming and fishing families, and vote against this extreme overreach of a bill.

**MAKING IN ORDER CONSIDERATION OF HOUSE RESOLUTION 562, DIRECTING OFFICE OF HISTORIAN TO COMPILE ORAL HISTORIES FROM MEMBERS INVOLVED IN ALABAMA CIVIL RIGHTS MARCHES**

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that it shall be in order at any time through the legislative day of March 29 to consider in the House House Resolution 562; the resolution be considered as read; and the previous question be considered as ordered on the resolution and preamble to adoption without intervening motion. There was no objection.

**PROVIDING FOR CONSIDERATION OF H.R. 1387, SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT**

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 566 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to the provisions of clause (b) of section 224 of the Rules of the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1387) to address certain water-related concerns on the San Joaquin River, and for other purposes.

The first reading of the bill shall be dispensed with. All points of order against consideration of the bill in clause (b) of section 224 of the Rules of the House shall be in order at any time through the legislative day of March 29. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the majority leader and the minority leader or their respective designees.

The SPEAKER pro tempore. There was no objection.
as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-15. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted by the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in original text. The previous question shall be considered as ordered on such amendments as may have been adopted. The Committee of the Whole may consider the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. 

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the custody of the bill to the gentleman from Colorado (Mr. Polis), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The Committee provides a special rule for the consideration of H.R. 1837. It's entitled the Sacramento-San Joaquin Valley Water Reliability Act and provides for 1 hour of general debate, equally divided and controlled by the chairman and the ranking member of the Committee on Natural Resources.

This is a bipartisan bill that came from our committee on a bipartisan vote.

In like manner, the Rules Committee has decided to make this a bipartisan amendment process because we made in order all amendments filed at the Rules Committee which were germane, which complied with the House rules. I think this is very fair, and it's a generous rule to talk about a bill that has support on both sides of the aisle.

With that, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the 30 minutes, and I yield myself such time as I may consumne.

I'd like to begin by acknowledging the service of David Timothy Dreier to this House of Representatives and to this country. There will be many more opportunities prior to his departure to acknowledge his work for his country, but our chairman today announced that he will be retiring at the end of this session. Chairman DREIER said:

We all know that this institution has an abysmally low approval rating, and the American people are asking for a change in Congress. So I am announcing today that I will leave Congress at the end of the year.

I would like to reassure my chairman that the change the American people, my constituents, and our country had in mind was right, in fact, his retirement. That will be a tremendous loss to this body.

DAVID DREIER is a proud institutionalist, somebody who has capably served the country, has been a friend and mentor to me, first as ranking member and now chair of the powerful Rules Committee, and somebody that I've had the opportunity and the privilege to work with on a number of bipartisan issues around trade and U.S.-Mexico relations.

His retirement will constitute the loss of not only a wealth of knowledge but of a tireless and dedicated and honorable public servant, and I hope that he continues to find opportunities to serve the public, as he truly has much more to give and is too young to call it quits. I hope that, at the end of this session, his retirement from this body will be a new beginning for our chair.

I rise today with great concern over this bill's impact on my home State and its number one resource and the scarcest resource in issue, water. You know, we have an old saying in the West that "whiskey is for drinking and water is for fighting." I think, Mr. Speaker, we're going to see some of that fighting here on the floor of the House tonight, and I would argue that this isn't the appropriate venue to settle inter-California disputes that have long been settled through case law and settlements.

Water fights are long, expensive, tiring, but, you know, they've led to an established and workable framework within which States and localities have operated for years.

Mr. Speaker, this bill is not just about California. This bill has far-reaching implications for nearly 17 other States, including my own State of Colorado. This bill would override the century-long legacy whereby the Bureau of Reclamation respects each State's legal ability to control, appropriate, use, and distribute irrigation water. Because of this, more than several dozens letters from stakeholders in opposition to this legislation, including the nonpartisan Western States Water Council, the States of Colorado, Wyoming, and Oregon, have all been received by the Natural Resources Committee.

Mr. Speaker, I submit for the RECORD a letter in opposition from my home State of Colorado.
States rights and frivolous lawsuits should join me in opposing this bill. This legislation will open up a century of water law to new litigation across the West. If you ask me, that’s the definition of needlessly frivolous lawsuits.

The force of the Republican and bipartisan legislative agreements, in this case those reached by the California legislature on the Bay-Delta, all while imposing unintended consequences and burdens on other States. This bill simply isn’t about the States of local control.

Unfortunately, Mr. Speaker, the committee has refused to address many issues with this bill and how it will impact the West. Now, that’s not because the committee was unaware of the problems. In fact, the testimony on June 2 of John Laird, the Secretary for the Natural Resources Agency of California, reminded the subcommittee of Justice Rehnquist’s opinion in the 1978 case, California v. United States, where Justice Rehnquist wrote:

> The history of the relationship between the Federal Government and the States in the reclamation of the arid lands of the Western States is both long and involved, but there is a consistent thread of purposeful and continued deference to State water law by Congress.

Mr. Speaker, this bill does exactly the opposite. The Western States Water Council wrote to express their strong opposition to H.R. 1837 as an “unwarranted intrusion on the rights of States to allocate and administer rights to the use of State water resources.”

Mr. Speaker, this bill would set a dangerous precedent of preempting State water rights, leaving other States vulnerable to this kind of Federal infringement, effectively letting Representatives from New York, from Michigan, from Florida and from Texas vote on California water. And I know as the Representative from Colorado, I wouldn’t want the shoe to be on the other foot and having Representatives from across the country deciding what we do with our water.

Finally, this bill would erode any efforts in the multistate work to recover listed salmon species along the West Coast, with immense impact to local economies and fisheries. It would preempt California State law, which is why the California Natural Resources Secretary has written in opposition to this bill, and why the California Attorney General is also opposed.

I encourage my colleagues to join me in a “no” vote on the rule and the underlying legislation.

I reserve the balance of my time.

Mr. NUNES. Mr. Speaker, will the gentleman yield for a colloquy, please?

The SPEAKER pro tempore. Mr. BISHOP of Utah. I yield the gentleman from Colorado the time.

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

Mr. BISHOP of Utah. Mr. Speaker, at this time, I rise to ask for a colloquy from California (Mr. NUNES), who is the sponsor of this bipartisan piece of legislation, to talk about his particularly underlying bill.

Mr. NUNES. Mr. Speaker, I was asking my good friend from Colorado to enter into a colloquy with me, and that’s okay. But I do want to say that the gentleman from Colorado and myself work in a bipartisan manner. We’re not fighting both Coasts. Utah.

We’ve worked hard on that, and I would hope that the gentleman from Colorado would listen to the debate today because I think after we listen to the debate—I understand some of the concerns that he raises.

But as Mr. BISHOP pointed out, the Rules Committee was very gracious to allow all the amendments on the Democratic side and the Republican side to be offered and accepted to be debated here on the floor. So I would just urge my colleague, with whom we work together on numerous other issues in this Congress, that we find today a way to come together in a bipartisan manner.

Hopefully, the gentleman from Colorado will listen to all the facts as they’re presented.

Mr. Speaker, after decades of California water being controlled by the Federal Government, Congress can conclude the following: fishing water into the San Francisco Bay is not helping to recover species, and people are suffering needlessly.

We’re going to hear a lot from opponents about this bill, about science. I want to start right off the bat and make one thing clear: we’re supporting sound science with H.R. 1837, and we are rejecting junk science that has long been foisted on the people of California, junk science the Federal court has labeled the unlawful work of zealots.

It is important for me to impress upon the House, the opponents of H.R. 1837 do not possess scientific high ground, as they are all but certain to allege. Their experts, and the activists masquerading as experts who support them, have been biased from the beginning and have molded their work to produce the findings that best suit their radical agenda.

We can say this with certainty that this agenda has not improved the fish populations. If that were true, we would not be here today.

Mr. Speaker, the U.S. District Court has thrown out the biological decisions used to justify the horrible regulations that cut off water to families throughout California. The court’s decision was a shocking indictment of the kind of government operating in America today when it comes to our environmental laws. The U.S. District Court Judge said, I’ve never seen anything coming to say that government scientists acted like zealots and had attempted to mislead and to deceive the court into accepting junk science.

These are powerful statements by the Federal court and should give anyone who believes in due process, open government, and justice a cause for concern.

But the hand has marched on without missing a beat; and instead of disciplining these scientists, the Fish and Wildlife Service actually gave them an award for outstanding service under pressure.

And arrogant disregard for public trust didn’t stop there. Just yesterday, the President issued a veto threat, essentially doubling down on the dishonest smear campaign accusing House Republicans, and I believe many Democrats, of doing just the sort of thing this administration has been found guilty of by a Federal court.

Mr. Speaker, we are not ignoring the latest science in favor of special interests. We are not the people who are sending zealots into the Federal court to lie in the defense of junk science. We are not the people rigging regulations to favor a small minority of special interest groups.

The agenda of junk science governing the bay delta is indefensible. Just as the Federal court had said, it’s dishonest.

Congress needs to ask itself, who are these people that come up with these things? Who are they? I think the Congress will be interested to find out that one of the leaders just weeks ago, a guy by the name of Dr. Peter Gleick, he spent his career trying to dry up farmland in rural communities throughout California; and, in fact, he’s even testified before Congress twice. But Dr. Gleick is an activist.

He’s an activist who poses as a scientist. Just a few weeks ago, he admitted to impersonating another person and stealing information from a nonprofit. He then mingled that stolen information with a fake memo in an effort to discredit his intellectual critics. Radicals like Dr. Gleick lie; they make it their mission to destroy scientists who do not agree with their twisted, anti-human views.

Meanwhile, they are used by some in this House as an excuse to take people’s water away, to take their private property rights away, to dry up farmland and, worst of all, to justify human suffering.

Mr. Speaker, people in our Nation’s bread basket are standing in food lines, and they’re getting carrots that have been imported from China.

The SPEAKER pro tempore. Mr. BISHOP of Utah. The time of the gentleman has expired.

Mr. Speaker. Mr. Speaker, the time of the gentleman has expired.

Mr. NUNES. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. NUNES. Mr. Speaker, their sacrifices have done nothing to improve the environment. Fish populations have declined, and I think what we will prove today here in the Congress is that there is a better path forward, and H.R. 1837 provides that path forward.

So I would urge not only my Republican colleagues but also my Democrat colleagues, to listen to the evidence, and I would urge them to vote for this rule so we can move on to the debate so we can finally restore sanity to California’s water system.
Mr. POLIS. Mr. Speaker, it’s my honor to yield 3 minutes to the gentlewoman from California, a former member of the Rules Committee, Ms. Matsui.

Ms. MATSUI. I thank the gentleman for yielding time today.

Mr. Speaker, I rise in strong opposition to this rule and to this bill. The issue of water in California has been debated for many decades because it is such a critical issue for our States. As a daughter of a California Central Valley farmer, I grew up on a farm; and I deeply understand the value of and the controversy over water.

Being able to plan the next growing season is critical for farmers. Unless they can count on the water being provided, there is no assurance for their crops. Now, in northern California, we have balanced our watershed. We have provided water for our farms, our cities, and our sensitive habitats in a way that we can have sustainability. But this legislation throws out the baby with the bath of the people of California to decide their own water future.

Mr. Speaker, any real solution to California’s water issues will need to be crafted with consensus within California and with our many neighbors. The House floor the way H.R. 1837 has been written.

This legislation purports to have the support of northern California, but I’m here to tell you that nothing could be further from the truth. My district, the Sacramento region as a whole, the five delta counties, are among countless others who oppose this bill, and the list continues to grow.

Some of the strong concerns include the loss of the State’s right to manage its own water, the decimation of environmental protections for our Sacramento-San Joaquin Delta, the ability to manage the Folsom Dam reservoir for the benefit of the lower American River, and most importantly, the over-all instability that this bill would create in California. The idea of usurping the rights of States to control their own water is incredibly damaging, not only to the Sacramento area but to California and even to our country. For those of our colleagues who represent areas outside of California and plan to support the bill because they may not impact your State, I have news for you. This is not just about California. It’s not just about the Sacramento region; it’s about the entire United States. The majority turned a deaf ear.

The majority turned a deaf ear.

Last year, we returned as the new House majority to talk testimony on what could be done to correct this disaster. The result of those hearings is the bill by Mr. Nunes that this rule brings to the floor.

This bill restores the water allocations established under the historic Bay-Delta Accord in 1994. When that agreement, commanding broad bipartisan support, was signed, Interior Secretary Bruce Babbitt assured all parties: A deal is a deal. And if it turns out that there is a need for additional water, it will come at the expense of the Federal Government.

The majority turned a deaf ear.

This bill replaces the cost-prohibitive and unachievable dictates that caused so much human suffering in California with workable, affordable, and realistic measures based on real science and not some new environmental mandates of a year-round cold water fishery on the hot valley floor with a warm water fishery that actually acts in concert with the habitat. It removes disincentives in current law that discourage groundwater banking in wet years. It allows the utilization of environmental flows by communities once they’ve achieved their environmental purpose.

Mr. Speaker, the movement for stronger environmental protections began over legitimate concerns to protect our vital natural resources; but like many movements, as it succeeded in its legitimate ends, it also attracted a self-interested constituency that has driven far past the borders of common sense and into the realms of political extremism and outright plunder.

This bill replaces the cost-prohibitive and unachievable dictates that caused so much human suffering in California with workable, affordable, and realistic measures based on real science and not on what one Federal judge rightly called the “ideological zealotry” of rogue bureaucrats.

This debate will determine if we are able to enter a new era, when common sense can be restored to our public policy and when a sensible balance can be restored between environmental and human needs. I welcome that debate, and I ask for the adoption of the rule to bring it forth.

Mr. POLIS. It is my honor to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS asked and was given permission to revise and extend his remarks.

Mr. ANDREWS. I thank my friend for yielding.

174 days ago, the President of the United States came to this floor and made a series of proposals to help small businesses and big businesses create jobs for the American people.

Only one element of that jobs plan has been dealt with, belatedly, which is the extension of the middle class tax cut. There has been no vote on a bill to create construction jobs, on the rebuilding of our libraries and schools; no
vote on a bill to cut taxes for small businesses that create jobs; no vote on bills that would put our police officers and firefighters back on the job or our teachers back in the classroom.

Nothing.

Now, the bill that is before us today is very important, not just for California but for the country, and it is something that needs to be taken up. I respect all views on all sides, but I think it's time that the House leadership needed to face the urgent economic problems of this country.

Since the President came here, there has been another increasingly urgent economic problem, which is the manipulation of gasoline prices by speculators, and Americans are seeing the consequences of this at the pump every day. Members on our side have some ideas to stop this speculation and to stop the pillaging of the wallets of American consumers at the gas pumps every day. Not surprisingly, that's not coming from the other side either.

The priorities of the House are misaligned with the priorities of the American people. Let's put on this floor legislation that creates jobs and that gives relief to our people at the fuel pump.

Mr. BISHOP of Utah. I appreciate the gentleman from New Jersey's comments. I would remind him also that the CBPA, the bill that started this problem, was actually authored by the Senator from New Jersey at the time, and I appreciate that. This is one of those things we are trying to fix.

I gladly yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. First, I want to mention to my friend from New Jersey that we have several bills, including that of the Keystone pipeline, sitting over in the Senate. They're bills that will create tens of thousands of jobs, maybe hundreds of thousands of jobs. Yet it does not seem that HARRY REID would like this.

Keystone pipeline, sitting over in the Senate, have several bills, including that of the gentleman from Nebraska (Mr. TERRY).

Mr. Speaker, I rise today in support of the rule and the underlying bill, a bill that was introduced not to serve mere partisans but to serve real people, real people who live and who, if they can, work for a better life for ourselves and for our children.

Finally, on a note, I know that these are very contentious times, and one of the underlying issues regarding this bill is the Endangered Species Act. But whether you are wholeheartedly for the Endangered Species Act or wholeheartedly opposed, can we agree on one thing? The Endangered Species Act exists to preserve wildlife, not to impoverish human life.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I rise in opposition to the rule, and I rise in opposition to the legislation.

There is going to be an argument tomorrow. This is a very simple thing. It ends that argument. It simply says that we will use the science that was in effect in 1994.

We use the science that's what, 18 years ago? That will be the science for the purposes of this legislation. You might as well tell the people of California to use the same telecommunication systems they had in 1994, no iPhones, no BlackBerries, no advancement in knowledge, skills, training, or technology.

It's a pretty simplistic approach to science. You might say it's mindless. The Federal Government is going to come in and tell the State of California that it cannot use its regulatory process to prevent these heavily subsidized farmers who have more than one or two or three subsidies from the Federal Government to grow their crops, are now insisting that the Federal Government take what is a contract right. It's a contract
right. That’s it. They want to turn it into perpetuity. They want the water in perpetuity, and the hell with the rest of the State of California. That obviously isn’t acceptable.

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

Mr. POLIS. I yield the gentleman an additional 1 minute.

Mr. GEORGE MILLER of California. That is not acceptable to any Member of this Congress about their own State. Why is it acceptable all of a sudden to do that to the State of California?

You simply cannot do this. We have in place a process that is working today for the first time in 40 years, and that’s why the resources director of the State of California, that’s why both of our Senators oppose this process, because this group of people had never come together in the last 40 years to work on California problems.

The urban users, the rural users, the agricultural interests, the manufacturing and the municipal interests, with the blessings of the State legislature that set out the guidelines, that set out the goals, that set out the purposes—that’s going on today. Every party to that agreement except for this select few of special interests. This party is the only party that says “blow it up.” Use the United States Congress to blow up a process that for the first time has the possibility of solving the water problems in this State and making it sustainable for agriculture, for the environment, for manufacturing, and for municipal use in our State. Yes, we have a tough problem. We have 30 million people. The drought that they talk about, that was imposed.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. GEORGE MILLER of California. That was a Statewide drought. Yes, they lost some employment in farm work, but, in fact, agricultural employment, even through the drought, was pretty stable.

The big employment in the Central Valley came because we were selling homes to people who couldn’t pay for them. That was the crash. It was first place and the longest crash that we had in this country in terms of mortgages and the loss of the people who were working in those trades.

But that drought was still felt across the State. Thousands of people lost their jobs in tourism in northern California, in commercial fisheries, in recreational fisheries, in the bait shops and the support services all across our State. That drought was an equal destroyer of this California economy from north to south.

Don’t wreck this opportunity for California to settle California’s problems.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up H.R. 964, the Federal Price Gouging Prevention Act. Mr. ANDREWS mentioned that, rather than discussing this, why aren’t we tackling the big issues of the day, such as gas prices? Well, my colleague from New York (Mr. BISHOP) has a proposal to do just that.

I yield 2½ minutes to the gentleman from New York (Mr. BISHOP) to talk about H.R. 964.

Mr. BISHOP of New York. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this rule and urge the House to defeat the previous question so we can bring to the floor today my bill that would have an immediate impact on lowering gas prices.

Leap day arrives more often than a Republican energy plan. A year ago, the Republican leadership wouldn’t help Americans fight rising gas prices, I introduced a bill that this motion is modeled after to crack down on speculation, which forces prices up artificially.

This legislation makes it illegal to sell gasoline at excessive prices and prevents Big Oil from taking advantage of consumers by manipulating prices. This is real help for consumers in a tough economy.

Domestic oil output is the highest it’s been for 8 years. In fact, we’ve become a net exporter of gasoline, unable to consume all that we produce. And yet it’s clear speculators are behind the spike in prices. They will never take delivery of oil, but they make up 64 percent of the market.

When speculators place their bets that prices will rise, it follows that actual prices will rise, that have for 21 straight days. In that time, the average price per gallon went up 60 cents in my district.

Still the Republican leadership has yet to address the manipulation of oil prices. Just turn off the spigot of subsidies for Big Oil, which made a record-high $137 million in profits last year. That’s up 75 percent from the profits they realized in 2010.

We could invest in an energy plan that further expands domestic production, develops renewable sources, and forges a long-term strategy that weans us off Middle Eastern oil and protects consumers from rising gas prices over the long run. Mr. Speaker, let’s make a leap to support American families while striking at the heart of rising American gas prices.

To that end, I urge my colleagues to support this motion.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, I want to talk about two issues here, one of which was discussed by my colleague from California, which is the bill that will be up later this afternoon.

While the rule allows for amendments, some of the amendments that were proposed are not going to be before us. Specifically, this bill is a blatant attempt to do two things: one, steal 800,000 acre feet of water and the second, to help the Westside Farmers steal 800,000 acre feet of water and the Westside Farmers’ rights on the west side of the San Joaquin Valley; and, secondly, completely overrule and override State law. That’s why, I suppose, States such as Colorado, Montana, New Mexico, Oregon, Washington, and the Western States Water Council, which is composed of the representatives of the Governors of 16 Western States, are all opposed to this bill.

This is a terrible precedent. If you care anything about your State’s ability to control its own destiny, if water is concerned, you do not want this bill to pass because it is a blatant attempt by the Westside Farmers to simply grab water and take total control of the California water system.

It blows away all of the environmental laws of the Federal Government and all of the environmental laws of the State of California and even overrides the State Constitution. I cannot think of a worse policy for anyone to be supporting if you care anything at all about States’ rights.

In addition to that, the bill totally destroys the efforts that have been underway to solve the problems that do exist in California water. There is absolutely not one new drop of water in this bill, but there is 800,000 acre feet of water going to well subsidized water contractors. For many, many reasons it ought to be defeated.

Briefly on Mr. BISHOP’s attempt to have his bill heard on this floor: not a bad idea. Consider for a moment the fact that 26 million gallons of gasoline are exported from the United States every day. Something is wrong when that is occurring at the same time we’re finding higher and higher gas prices.
down to JIM COSTA's district and see 30 to 40 percent unemployment in Firebaugh or over in Mendota, and you call it mindless? Come down and talk to the people in our districts and tell them that their jobs are mindless, that their homes are mindless, that their cars are mindless, that the vegetables they're growing are mindless. These are farmworkers. These are individuals. These are farmers that are seeing their families destroyed right now. It is not mindless. They are certainly not special interests, these districts.

We have invited the President, on a bipartisan basis, many times now to come to California. Don't just go to L.A. and San Francisco, but come see the Central Valley and the challenges that we have. See how, when the water is shut off, we see our farms destroyed.

This absolutely has impact on the rest of the Nation. If you want a safe food supply, if you want a reliable food supply, make sure we have reliable water delivery. That is simply all this does.

Anyway that we talk about water throughout the Nation, or certainly throughout California, it becomes a battle. A lot have talked about pre-'94 when we have a deal. That deal hasn't been changed by Members of Congress that have preempted State water rights.

We want a deal. We want a deal every year. We want an agreement that says that you're going to have a contract for 100 percent of your water, you actually get 100 percent of your water. This year, because we had a lack of storage last year on the wettest of water years in California, this year we're going to have a 30 percent water allocation. We're still going to pay 100 percent of the cost of the contract but have 30 percent of the water, which means once again we will see 30 percent unemployment in this district, in JIM COSTA's district, in my district, and in many of the districts throughout the Central Valley.

Before you start to ignore many of our agriculture acres and many of the jobs that go with it, let's come together in a bipartisan fashion as we've done in the committee level, as we've done elsewhere within the State, but making sure that Republicans and Democrats are working together and, more importantly, that the House and Senate are working together.

I give a great deal of praise to the author of the bill, Congressman NUNES, for getting a regional perspective for this, getting north and south and central California to actually work together. That is a tremendous accomplishment. The bigger accomplishment is actually getting the Senate and the House to work together.

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

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. DENHAM. It is time that we come up with a solution that avoids further cost, that avoids further delay, that avoids us having to continue to cut jobs in the Central Valley and in California. It's time to come to an agreement that will actually save the Central Valley and our farming industry and making sure that we've got certain jobs this year and year out. This bill will show the priority of the House. If the Senate has a different priority, let them show that. But the California public expects the Senate and the House to work together, just as we've worked together in a bipartisan fashion on this bill.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

Mr. Speaker and Members, I think it was Einstein that said: If you start with the wrong numbers in your equation, you can never get to the correct solution. What we just heard was a textbook perfect example of that.

The idea that there's 30,000 to 60,000 lost jobs as a result of what is happening south of the delta, I don't know where those numbers came from. You're certainly welcome to your own own calculation, but you're not welcome to your own facts. The facts tell a whole different story.

If you look at what UC Davis did, if you look at what the University of the Pacific did, UC Berkeley, all their studies are associated with certain things: a loss of jobs associated with the drought, a loss of jobs associated with an endangered species. But these are in the hundreds or the single-digit thousands, not anywhere close to 30,000 or 60,000. We need to get this thing right.

My friend from California was absolutely correct when he called for us to work together. That's exactly what this bill does—it creates winners and losers. It chooses jobs south of the delta at the expense of jobs north of the delta. That's wrong and this bill should be defeated.

Mr. BISHOP of Utah. Mr. Speaker, sometimes it is hard to estimate jobs where you're dealing with certain percentages. I realize if there was even one job that is lost because of bad Federal behavior, that is one job too many.

I would be happy to yield 2 minutes to my friend from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. I'm glad, sir, that you just mentioned that, because I just heard here that no, no, it's not maybe X thousand of jobs that are being prohibited while we in Congress simply talked about unrealistic concepts. They were living in pain while we were prohibited while we in Congress simply talked about unrealistic concepts. They were living in pain while we in Congress simply talked about unrealistic concepts. They were living in pain while we in Congress simply talked about unrealistic concepts.

Can you imagine the circumstances if the Federal Government steps in and says, "No, we are going to cut off your water. You're not going to be able to farm, and forget about those jobs. Go to southern California." It is not like they are trying to do something new. They've been doing this for generations. There's some bureaucrat somewhere decides that they found a fish all of the sudden after these farmers have been there for generations?

Sometimes a little common sense has to prevail and sometimes a little moral sense has to prevail. Let's stand up for these farmers who have been there for generations. Let's stand up for these farmworkers, the poorest, hardest working individuals for generations. Let's say "no" to a Federal Government that thinks that, oh, just a few less jobs won't hurt, won't matter.

This is grotesque. This is immoral. Let's stand up together in a bipartisan way to stand up for American families, for American farmers like they deserve this Congress to do for them.

Mr. POLIS. Mr. Speaker, I would like to inquire of the gentleman from Utah how many speakers he has remaining?

Mr. BISHOP of Utah. To be honest, I'm not quite sure. I know I have a speech and there may be another one coming down here.

Mr. POLIS. I will reserve the balance of my time.

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

I had the opportunity of going down to California to one of the hearings where we met the farmers who are living in this particular area. I heard their anguish. I understood their anger.

Their ability to make a living was being prohibited while we in Congress simply talked about unrealistic concepts. They were living in pain while we continued to talk. Actually, our actions and talking were causing that particular pain.

This bill is about trying to help people. This is time to put people in the forefront and put our ideology behind
so that we can solve a problem that has been caused by us. This effort is to put forward legislation that corrects harms that are inflicted by onerous, extreme, completely unbalanced Federal regulations which too often seem to favor a narrow special interest group at the expense of the public interest. For the sake of balance, we must also protect our environment while considering jobs and the needs of real human people.

As many have said already, our colleagues have put forth a program which, unfortunately, is causing massive unemployment in the San Joaquin Valley, causing thousands of acres which were the most productive farmland to go fallow, and risks turning this productive area into a dust bowl causing erosion. These are negative environmental and economic impacts that were not considered in the Federal Government’s original decision, but ought to have been and should be considered now.

The unfortunate reality is that California’s Central Valley is one place where our actions and other regulations have had negative impacts on the country, leaving those farmers in danger but also affecting all of us. If you are an artichoke lover, which I am not, 98 percent of those that are sold in the supermarket are raised in San Joaquin Valley. For those who enjoy walnuts—I’m now zero for two—or almonds and garlic—which I finally like—98 percent of those supplies come from California. Nearly all of the domestic avocados and nectarines are raised in California. Just for the record, I’m three out of six for those particular food items.

California’s man-made drought does not just impact Californians. It attacks and it touches each and every one of us in some way. The next time we go to the grocery store and stop and take a look at where these products come from, the chances are pretty good they’re coming from California’s Central Valley. You can nearly have a complete food meal group just by looking at what comes out of a 10-square-mile area of Central Valley California.

As prices continue to rise at the grocery store for fresh produce of all kinds, you can be assured that some of the main drivers of those increased costs is a combination of skyrocketing fuel costs under this administration’s poor domestic energy production policies, as well as less domestic food caused by this water diversion.

Ironically and sadly, in recent years since the Federal water takings—and that’s takings by the Federal Government—more and more produce has found its way from other foreign sources to replace what should have been produced in our own particular country. This bill addresses that problem by requiring water rights to farmers from water that was unjustly taken away by Federal regulations.

With that, Mr. Speaker, I advise the gentleman from Colorado I have no further speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I am prepared to close, and I will yield myself the balance of my time.

Mr. Speaker, I ask unanimous consent to insert the text of the previous question amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. My colleague, Mr. BISHOP, has brought forth something that I think is an important national issue that my constituents have certainly been calling me about. And I know that there has been concern from across the country about rising gas prices. If we defeat the previous question, we will be able to immediately bring forth Mr. BISHOP’s bill and the discussion about price gouging and gas prices.

Mr. Speaker, this bill sets a danger point for protecting State water rights, leaving other States vulnerable to this kind of Federal interference. This bill is opposed by the State of California, California’s two U.S. Senators, the leaders of both the State legislative branches, commercial and recreational fishing associations, water districts, local governments and the California Bay Delta Farmers. This bill overrides a bipartisan local settlement to restore the San Joaquin River that ended 18 years of costly litigation and uncertainty. This bill guts the review process for water projects in California’s Central Valley and eliminates science-based protections for many species required under both California law and the U.S. Endangered Species Act.

There is simply no reason to support legislation that has a myriad of unintended consequences. It is an attack on certainty, and it is an attack on issues that should be decided, frankly, by States and stakeholders.

H.R. 1837 would eliminate desperately needed protections for fisheries, threatening thousands of fishing jobs and millions of dollars in income that sustains families, as evidenced by the impact of the fish closures of California’s salmon fishery in 2008 and 2009 due to collapsing runs. This bill is a recipe for lawsuit after lawsuit, an attack on a century of State leadership on water law and a dismemberment of the consensus agreement that the people of California have reached without the needless meddling of this body, without those from other States being called upon to settle a California matter of water.

Mr. Speaker, this bill is a solution in search of a problem, a bill that ends up creating more problems for more people than the problem it’s trying to solve. Simply put, this bill is cutting off the nose to spite the face; and my State, along with 17 others, stands to get harmed over in the process, particularly by the dangerous precedent of Federal second-guessing of local water rights.

If this bill were really about the delta smelt, then it should be drafted more narrowly. If this bill were really about jobs, then take into account the jobs of the salmon industry which the bill would decimate. Take those concerns to local stakeholders in the State of California and work out a solution that is in the best interests of California citizens. Unfortunately, this bill is not about real problems. It’s about scoring political points and advancing sound bites.

I urge my colleagues to join me on a “no” vote on the rule and the underlying bill and defeat the previous question.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, in addition to restoring agricultural productivity in this area, what has been referred to as “America’s salad bowl,” this bill is a comprehensive piece of legislation which would reduce Federal spending by $300 million by allowing certain water users, presently obligated to repay Federal loans on water projects in this area, to repay those loans early on a penalty-free basis. It also protects northern California waterfowl habitat and still helps those who are trying to make a living as farmers in this area.

In addition, as we are facing unprecedented debt, this bill would stop wasteful spending, terminate over a billion dollars in unproven and unnecessary Federal spending projects, and it codifies the historic, previously-agreed-upon bipartisan State and Federal agreement known as the Bay-Delta Accord. It is pro-environment by restoring warm-water fish habitats. It also protects northern California waterfowl habitat and still helps those who are trying to make a living as farmers in this area.

Mr. Speaker, in this body, we always use comparatives and superlatives at the drop of the hat or any other cliche you wish to use. If a bird flies over this Capitol, we will talk about it in superlatives. We often do that. We talk about bills being so important. In this case, I think superlatives are appropriate. This is a significant bill that is life and death for these farmers, and it is unique. Even though it deals with California, there is no other State that has this particular problem. We are not setting any precedent for anywhere else.

I yield the balance of my time to the gentleman from Ohio (Mr. BOEHNER), the Speaker.

Mr. BOEHNER. Let me thank my colleague for yielding. My colleagues know that I have ever run for public office or ever seek to come here to Congress. But as a small businessman, I was concerned about the ever-growing size of
the Federal Government and the ever-growing reach of the Federal Government, I saw it in my own business, I saw it with my suppliers, and I saw it with my customers. And out of that frustration, I came here because I thought government was too big, spent too much, and was far too intrusive into our economy and, frankly, our society.

Look at this bill and you will see it’s a perfect example of the overreach of government. We’ve got a group of people in Washington who don’t like production agriculture and who think that using water to grow crops to feed the world is environmentally dangerous. They’re using the endangered species law for what I would describe as an unintended purpose. They’re using a law to shut down production agriculture that they don’t like, and they’re abusing a law that was created by this Congress. It is wrong, and it should not stand.

Secondly, here we are in a country where the American people are asking where are the jobs. The President says he’s doing everything he can to help create more jobs in America.

This is a good bill, and it ought to pass.

The material previously referred to by Mr. POLIS is as follows:

A motion to direct or control the previous question on the resolution must, if sustained, be voted on at the conclusion of general debate on the resolution. If the resolution is adopted, the motion to direct or control the previous question on the resolution is moot.

Well, here’s a situation where we’ve got tens of thousands of farmers and those who work on those farms in the Central Valley of California being denied the use of their own land, being denied the labor to feed their own families because someone is abusing the law.

This is a good bill, and it ought to pass.

The material previously referred to by Mr. POLIS is as follows:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House on the state of the Union for consideration. The House shall, immediately after the third daily hour equally divided and controlled by the Speaker pro tempore, announce that the ayes have it.

The yeas and nays were ordered.

The SPEAKER pro tempore. The yeas and nays were ordered.

The SPEAKER pro tempore. The yeas and nays were ordered.
Messes. ALEXANDER, STIVERs, and BURGESS changed their vote from "nay" to "yea."

So the previous question was ordered as above recorded.

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

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 173, not voting 15, as follows:

[Roll No. 81]

AYES—245

Adams (MA) 
Baker (MA) 
Barrett (TX) 
Bass (CA) 
Bedingfield (CA) 
Begbie (WA) 
Bell (GA) 
Bentz (OR) 
Bentz (CA) 
Bentsen (TX) 
Berman (CA) 
Berkley (CA) 
Baldwin (NY) 
Andrews (PA) 
Altmire (PA) 
Royce (CA) 
Ross (FL) 
Roskam (IL) 
Rogers (MI) 
Rogers (KY) 
Roby (GA) 
Rivera (TX) 
Reichert (WA) 
Quayle (OH) 
H1040

NOT VOTING—14

Bass (CA) 
Fudge (GA) 
Doggett (TX) 
Duckworth (IL) 
Garamendi (CA) 

Mr. KUCINICH changed his vote from "yea" to "nay."

-CONGRESSIONAL RECORD—HOUSE

February 29, 2012

H1040

Voting was ordered as above recorded.

A motion to reconsider was laid on the table.

Stated against:
Mr. BRALEY of Iowa. Mr. Speaker, on roll call No. 81, had I been present, I would have voted "no."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

-CONGRESSIONAL RECORD—HOUSE

February 29, 2012

H1040

Voting was ordered as above recorded.

A motion to reconsider was laid on the table.

Stated against:
Mr. BRALEY of Iowa. Mr. Speaker, on roll call No. 81, had I been present, I would have voted "no."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

### Notes

- **Mr. KUCINICH** changed his vote from "yea" to "nay."
The SPEAKER pro tempore. The question is on the Speaker’s approval of the Journal, which the Chair will put de novo. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The question is on the Speaker’s approval of the Journal, which the Chair will put de novo. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 283, nays 127, answered “present” 2, not voting 21, as follows:

YEAS—283

Adams (NY) 1
Allen (GA) 1
Alexander (NC) 1
Anderson (SC) 1
Andrews (MD) 1
Aperakis (CA) 1
Ayer (MA) 1
Barr (CA) 1
Bass (GA) 1
Bech feeding (PA) 1
Bechler (OH) 1
Bechtel (TN) 1
Beijing (UC) 1
Beijing (NY) 1
Beijing (NC) 1
Beijing (TN) 1
Beijing (PA) 1
Beijing (WA) 1
Beijing (DC) 1
Beijing (KS) 1
Beijing (LA) 1
Beijing (KY) 1
Beijing (CO) 1
Beijing (IL) 1
Beijing (CA) 1
Beijing (CT) 1
Beijing (DE) 1
Beijing (FL) 1
Beijing (GA) 1
Beijing (ID) 1
Beijing (IN) 1
Beijing (IA) 1
Beijing (ME) 1
Beijing (MI) 1
Beijing (MN) 1
Beijing (MS) 1
Beijing (MO) 1
Beijing (MT) 1
Beijing (NE) 1
Beijing (NH) 1
Beijing (NJ) 1
Beijing (NM) 1
Beijing (NY) 1
Beijing (OH) 1
Beijing (OK) 1
Beijing (OR) 1
Beijing (PA) 1
Beijing (RI) 1
Beijing (SC) 1
Beijing (SD) 1
Beijing (TN) 1
Beijing (TX) 1
Beijing (UT) 1
Beijing (VT) 1
Beijing (VA) 1
Beijing (VT) 1
Beijing (WA) 1
Beijing (WV) 1
Beijing (WI) 1
Beijing (WY) 1

NAYS—127

Baird (NY) 1
Baldwin (NY) 1
Barker (TX) 1
Barker (NC) 1
Barker (OH) 1
Bass (OK) 1
Bass (KY) 1
Bass (IL) 1
Bass (CA) 1
Bass (UT) 1
Bass (WV) 1
Bass (GA) 1
Bass (IN) 1
Bass (CO) 1
Bass (CT) 1
Bass (DE) 1
Bass (FL) 1
Bass (GA) 1
Bass (ID) 1
Bass (IL) 1
Bass (IN) 1
Bass (IA) 1
Bass (ME) 1
Bass (MI) 1
Bass (MN) 1
Bass (MS) 1
Bass (MO) 1
Bass (MT) 1
Bass (NE) 1
Bass (NH) 1
Bass (NJ) 1
Bass (NM) 1
Bass (NV) 1
Bass (NY) 1
Bass (OH) 1
Bass (OR) 1
Bass (PA) 1
Bass (RI) 1
Bass (SC) 1
Bass (SD) 1
Bass (TN) 1
Bass (TX) 1
Bass (UT) 1
Bass (VA) 1
Bass (VT) 1
Bass (WA) 1
Bass (WI) 1
Bass (WV) 1
Bass (WY) 1

HOUR OF MEETING ON TOMORROW

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. MACK). Is there objection to the request of the gentleman from Washington?

There was no objection.

SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 1387.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 566 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1387.

[3] 1422

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1387) to address certain water-related concerns on the San Joaquin River, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The Acting CHAIR (Mr. Bass of New Hampshire). Pursuant to rule, the bill is considered read for the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Connecticut (Mr. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 1387, the Sacramento-San Joaquin Valley Water Reliability Act. Like California, my central Washington district is heavily dependent on irrigated water to support our agricultural industry. I understand and the importance of having a stable, reliable water supply. I’ve witnessed how government regulations and environmental lawsuits can create conflicts for people, and jobs are the losers. However, Mr. Chairman, I have never seen anything like the economic devastation that California’s San Joaquin Valley has experienced as a direct result of Federal policies that restrict water supply and that created this man-made drought.

Chairman, I yield myself such time as I may need.

Mr. YODER. Mr. Chairman, I rise in strong support of H.R. 1387, the Sacramento-San Joaquin Valley Water Reliability Act. Like California, my central Washington district is heavily dependent on irrigated water to support our agricultural industry. I understand and the importance of having a stable, reliable water supply. I’ve witnessed how government regulations and environmental lawsuits can create conflicts for people, and jobs are the losers. However, Mr. Chairman, I have never seen anything like the economic devastation that California’s San Joaquin Valley has experienced as a direct result of Federal policies that restrict water supply and that created this man-made drought.

Chairman, in 2008, Federal regulations to protect an endangered species 3-inch fish led to the deliberate diversion of over 300 billion gallons of water away from Washington.
from the San Joaquin Valley farmers. This caused hundreds of thousands of acres of fertile farmland to dry up. It put thousands of people out of work, and it caused unemployment to reach 40 percent in some communities.

Last April, the Natural Resources Committee traveled to Fresno, California, for a field hearing where we heard directly from farmers and valley growers who have been devastated and seen their livelihoods pushed to the brink by this man-made drought. We heard stories of farm workers who normally feed the nation, being forced to stand in food bank lines to receive handouts of carrots—carrots from China.

Mother Nature temporarily rescued this region with historic precipitation last year, but another man-made drought is just around the corner if we do nothing. Rain and snow levels have declined, and just last week the Federal Government announced that the San Joaquin Valley faces severe drought. These farmers would receive only 30 percent of their initial water allocation for this year. This is unacceptable, and if Congress doesn’t act now we will once again see farmers and valley growers in distress.

Families and communities in California have waited far too long for Congress to act. In 2009, Mr. Chairman, and in 2010, Mr. Chairman, while this man-made drought was devastating California, the Obama administration and a Democrat-led Congress did nothing. Republicans are ready to act today on bipartisan legislation that will end this man-made drought and protect up to 30,000 jobs.

This comprehensive solution would restore water deliveries that have been cut off due to Federal regulations and environmental lawsuits. It will ensure a reliable water supply for people and for fish and it will secure water rights just in time, and it will save taxpayer money by ending unnecessary and dubious government projects.

I want to stress, Mr. Chairman, that this man-made drought does not just impact California but has rippling effects across the entire nation. California’s San Joaquin Valley is a salad bowl for the world and provides a significant share of fruits and vegetables for our country. The inability of these farmers to do their jobs would lead negatively to increased reliance on foreign-grown goods. Mr. Chairman, would we want to do that?

Also, according to an initial analysis by the nonpartisan CBO, this bill will repeal and reduce nearly $300 million in Federal spending over the next 10 years while also generating nearly $250 million in revenue. To repeat, this bill cuts spending by $300 million and it increases revenue by a quarter of a billion dollars.

This bill has a chance to right the regulatory wrongs of the past, to end future man-made droughts, and to protect jobs and economic livelihood of farmworkers, farmers, and their families. I urge my colleagues to support this bill.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I yield myself 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I want to stress, my good friend, Doc Hastings, with all of the statistics that he was quoting about the farmers in the valley. There were misrepresentations, which were later clarified, of the actual figures that were affected and, unfortunately, they were very far and away just not for the record. I will be glad to give them to anybody who wants them later.

H.R. 1387, the Sacramento-San Joaquin Valley Water Reliability Act is anything but. It repeals existing State law as written for the use of the water from the San Joaquin River in California’s Central Valley. It reallocates water in a way that elevates agricultural uses above all other water needs—that’s municipal, fisheries, and environmental uses.

This bill was mostly aimed at California; believe me, mostly California. If enacted, it would set precedent: an unprecedented standard of State preemption, environmental disregard, and privatization of a public resource for the benefit of a select view. It could be, in my estimation, renamed the Barrister Employment Act.

The California State legislature stated it best:

H.R. 1387 is almost breathtaking in its total disregard for equity and its willful subjugation of the State of California to the whims of federal law.

May I point out that in the past my colleagues on the other side have asked for less intrusion of the Federal Government, less government control, let the locals handle it. This would do the reverse. It would put it in the hands of the Martian, and it would not be able to determine the State’s right to enact its own water laws.

Despite amendments to the bill by the majority, it still seeks to make sweeping negative changes to the State’s ability to manage water in the west.

It amends the State constitution, and undermines California’s ability to manage its own resources.

It would repeal or overturn nearly 20 years of environmental protections under the Central Valley Project Improvement Act, the CVPIA, and the Endangered Species Act, which is normally under attack by my friends on the other side.

It repeals the San Joaquin Restora-

tion Settlement Act, a compromise widely supported by all stakeholders, and diminishes funds for restoration. It also completely eliminates the coequal goal of protecting the environment and allowing for water deliveries.

It puts fishermen at risk. The Pacific Fishery Management Council has raised concerns about the impacts on the fishery and fishing communities. The northwest fisheries were closed in 2008 and 2009 and parts of 2010. They had no fishing. The industry was lost to them.

The Subcommittee on Water and Power received over 34 letters with 137 stakeholders opposing this legislation. They included the Western States Water Council; seven States—California, Colorado, Montana, Nevada, New Mexico, Arizona, and Wyoming; the Department of the Interior; and a statement of administration policy.

And the list goes on: elected officials, environmental groups, State legislatures, attorneys general offices, Governors’ offices, and letters from these different States, not to mention the non-partisan, 18 Governor-appointed Western States Water Council.

The scope of harmful provisions included in this legislation is matched only by the number of necessary provi-
sions left out. Also, the severity of this legislation, which benefits only a small group, not all of California.

Through a series of amendments, my colleagues seek to address the glaring issues associated with the legislation—impediments to reform, construction of new facilities, and use of best available science.

Mr. Chairman, this is a bad bill, and I urge a “no” vote. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 5 minutes to the gentleman from California (Mr. McClintock), the chairman of the subcommittee that developed this legislation on the Natural Resources Committee.

Mr. MCCLINTOCK. Mr. Chairman, I thank the gentleman for yielding, and I compliment the gentlelady from California on stating the opposite of this bill with remarkable precision.

Twenty years of California water law; it restores it by re-

storing the allocation that was agreed to by a broad bipartisan coalition in the Bay-Delta Accord of 1994. In fact, at that time, the Democratic Interior Secretary, Bruce Babbitt, assured all parties that this agreement would be honored by the State and Federal govern-

ments.

His promise was broken first by his own Department and most recently when the Federal court Delta smelt to be more important than the livelihoods of thousands of Central Valley farmworkers. Hundreds of billions of gallons of water that these communities had already paid for and depended upon were simply expropriated and blissfully and cavalierly dumped into the Pacific Ocean, turning much of California’s fertile Central Valley into a dust bowl.

This bill redeems the promise made by the people of California and restores the allocations that were agreed to.

We hear: Well, that was then and this is now, and the science has changed. What they are referring to is not
The National Academy of Sciences reported that nonnative and invasive predators, like the striped bass, are a far more significant influence on salmon and delta smelt populations.

So the second thing that this bill does is to replace the ideologi­cal zeal of the Northwest Fisheries Science Center determined the Pacific Decadal Oscillation is a principal factor in salmon migration.

Third, the bill removes disincentives for farmers from purchasing surplus water in wet years to recharge groundwater banks. It allows environmental flows to be recycled and used by human communities once those flows have achieved their environmental purposes.

Fourth, it brings the full force of Federal law to invoke and protect State water rights and forbid their violation by any bureaucracy: local, State, or Federal. In fact, this provision specifically addressed concerns raised by the very same opponents to the original bill who feared that, because of the unique joint operating agreement between the State and Federal Governments, changes in Federal allocations could lead to raids on senior water rights holders by the State government.

This provision fully addresses those concerns through the Federal Government’s legitimate constitutional authority in the 14th Amendment to protect the property rights of citizens against encroachment by any government bureau­cracy. This is the preemption issue that the opponents are raising. They are some of the same opponents who attacked the original bill for not protecting those rights. This bill doesn’t preempt those rights; it specifically invokes them and protects them.

It brings to an end the predation on the working people of California. It places senior water rights holders in a safe and secure position, and treats our water as the precious resource it is.

Mrs. NAPOLITANO. I yield 4 minutes to the gentleman from California (Mr. GARAMENDI). I thank the gentleman.

One hardly knows where to start, when you take California water law and push it aside and preempt it with Federal water law, really running over the top of the State of California, and then you steal 800,000 acre-feet and transfer it to your buddies—you’re going to come up with a lot of reasons why it makes sense. But the reality is quite different.

Let us understand very clearly here that 150 years of California water law is thrown out and a new Federal law is put in place that preempts California water law. The 1994 CALFED agreement was an interim agreement. It was never, second to none, a permanent statutory agreement on how water would be delivered in California.

In addition to that, let me understand—yes, I see your little chart over there that you’re going to throw up. That was 1994, and it said precisely what we ought to do today. And that is: today, we ought to be working together to solve the problems of California water. And guess what, California is.

But with this law in place, it won’t happen. The ability of California to work together to solve its problems are thrown out. What sense does that make unless you want to steal 800,000 acre-feet of water from Oregon and Washington and throw our State over the top of the State of California, and then you steal 800,000 acre-feet and transfer it to your buddies? And you’re going to throw up. That was 1994, and it said precisely what we ought to do today. And that is: today, we ought to be working together to solve the problems of California water.

Chairman, before I yield to the sponsor of the legislation, I yield myself 30 minutes.

SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT—ORGANIZATIONS IN SUPPORT WATER AGENCIES/ORGANIZATIONS

California Water Alliance
Families Protecting the Valley
Northern California Water Association
Family Water Alliance
California Watershed Protection
Westland Water District
San Luis Delta-Mendota Water Authority:
Santa-Anna Irrigation District
Broadview Water District, Byron Bethany Irrigation District (CVPSA), Central California Irrigation District, Columbia Canal Company, Del Puerto Water District, Eagle Field Water District, Firebaugh Canal Water District, Fresno Slough Water District, Henry Miller Reclamation District #231, James Irrigation District, Laguna Water District, Mercy Springs Water District, Oro Loma Water District, Pacheco Water District, Pajaro Valley Water Management Agency, Panoche Water District, Patterson Irrigation District, Pleasant Valley Water District, Reclamation District 1906, San Benito County Water District, San Luis Water District, Santa Clara Valley Water District, Tranquility Irrigation District, Turner Island Water District, West Side Irrigation District, West Stanislaus Irrigation District
Placer County Water Agency
Nevada Irrigation District
El Dorado Irrigation District
Exchange Contractors
Modesto Irrigation District
San Joaquin Irrigating District Association
Kern County Water Agency: Belridge Water Storage District, Berrenda Mesa Water District, Buena Vista Water Storage District, Cawelo Water District, Henry Miller Water District, Kern Delta Water District, Lost Hills Water District, Rosedale-Rio Bravo Water Storage District, Semitropic Water Storage District, Tehachapi-Cummings County Water District, Tejon-Castac Water District, West Kern County Water District, Wheeler Ridge-Maricopa Water Storage District
Tehama Colusa Canal Authority: Proberta Water District, Kirkwood Water District, Thoms Creek Water District, Corning WD, Orland-Artois Water District, Gline Water District, Kanawha Water District, Holthouse Water District, Cortina Water District, Davis Water District, LaGrande Water District, 4M Water District, Dunigan Water District, Colusa County Water District, Westside Water District
Bella Vista Water District
Reclamation District No. 108
Maxwell Irrigation District
Sutter Mutual Water Company
Provident Irrigation District
Natomas Mutual Water Company
River Garden Farms
Glenn Colusa Irrigation District
Glenn-Colusa Irrigation District
Princeton-Codora-Glenn Irrigation District
Chowchilla Irrigation District
U.S. Chamber of Commerce
NATIONAL ORGANIZATIONS
National Federation of Independent Business
Americans for Limited Government
National Taxpayers Union
Americans for Tax Reform
Citizens Against Government Waste
American Land Rights Association
Small Business & Entrepreneurship Council
Western Business Roundtable
NATIONAL FARM ORGANIZATIONS
Western Growers
Family Farm Alliance
Agricultural Retailers Association
National Turkey Federation
National Cattlemen’s Beef Association
National Agricultural Aviation Association
National Cotton Council
American Pima Cotton Producers
National Chicken Council
Milk Producers Council
National Onion Association
Supema
Western Plant Health Association
Dairy Farmers of America
Western Agricultural Processors Association
Irrigation Association
CALIFORNIA FARM ORGANIZATIONS
California Wool Growers Association
California Cattlemen’s Association
California Grass Feed Association
California Cotton Ginners & Growers Association
California Citrus Mutual
California Olive Growers Council
California Grape and Tree Fruit League
California Dairies Inc.
California Poultry Federation: Foster Farms
Squab Producers of California; Willie Bird Turkeys
Apricot Producers of California
Allied Grape Growers
Almond Hullers & Processors Association
LOCAL FARM ORGANIZATIONS
Fresno County Farm Bureau
Kern County Farm Bureau
Dulare County Farm Bureau
Kings County Farm Bureau
Madera County Farm Bureau
Merced County Farm Bureau
Fresno-Kings Cattlemen
CALIFORNIA BUSINESSES
Paramount Farms
Harris Ranch
Harris Wool Almonds
Borba Farms
Land O Lakes
Sagouse Enterprises LLC
Sagouse Family Orchards I, II, III, IV
Lyons Magnus
Wawona Packing
Lyons Transportation
Triple J Partners
Ghost Ranch LLC
Old West Management LLC
Panoche Creek Packing, Inc.
Double D Farms
Penny Newman Grain Company
Chaney Ranch
Wind Fall Farms
Panoche Orange Farms
J.G. Avila Farms
Rock’N JK Farms
Sano Farms
Quad Knop—Civil Engineering
Alvarado Building Group
Kingsburg Federal Land Bank
AGRI Crop Insurance Agency
Redding Electric Utility
Protec Inc.
Aquarius Aquarium Institute
Ferguson Farming Company
Lost Wagon Wheel Ranch
Brooks Ransom Associates
Bettencourt Farms
Kings Ranch
Waymore Farms
Nelson Ranch
Triple J Trust
Westside Ranch
Frettas Farms
JHP Ranch Inc.
Joseph G Frettas Farms
Brooks Farms
GCM Farms
Farmer’s Fury Winery
Stone Land Company
Errortong Ranches
Houlding Farms
TEA PARTY SUPPORTERS
Mark Meckler, Co-Founder Tea Party Patriots
Central Valley Tea Party
North Valley Patriots
OTHER SUPPORTERS
Stewards of the Sequoia
Kelly Lillies, Area Administrator, Catholic Charities
TRIBAL GOVERNMENTS
Santa Ynez Band of Chumash Indians
STATE ELECTED LEADERS
Senator Jean Fuller
Senator Bill Emmerson
Senator Anthony Cannella
Senator John Dragoon
Senator Bob Huff
Senator Tom Berryhill
Senator Mimi Walters
Senator Tony Strickland
Senator Mark Wyland
Senator Bob Dutton
Senator Tom Harman
Secretary of State
Senator Ted Gaines
Senator Doug LaMalfa
Minority Leader Connie Conway
Assemblyman David Valadao
Assemblyman Jeff Miller
Assemblywoman Diane Harkey
Assemblywoman Shannon Grove
Assemblyman Jim Silva
Assemblyman Brian Jones
Assemblyman Cameron Smyth
Assemblyman Katcho Achadjian
Assemblyman Donald Wagner
Assemblyman Mike Morrell
Assemblyman Allan Mansoor
Assemblyman Brian Nuste
Assemblyman Steve Knight
Assemblywoman Linda Halderman
Assemblyman Paul Cook
Assemblyman Martin Garick
Assemblyman Curt Hagman
CITIES/COUNTIES
Kings County Board of Supervisors
Tulare County Board of Supervisors
Merced County Board of Supervisors
Fresno County Supervisor Phil Larson
Fresno County Supervisor Deborah Withrow
Fresno City Council President Clinton Olivier
Madera City Councilwoman Sally Bomperez
Madera City Councilmember Robert Poythress
Madera City Councilmember Gary Swanda
City of Clovis
City of Orange Cove
City of Reedley
City of Huron
City of Dinuba
City of Visalia
City of Lindsay
City of Tulare
City of Woodlake
City of Farmersville
City of Firebaugh
City of Kingsburg
City of Kettleman City
City of Lemoore
City of Coalinga
City of Porterville
City of Chowchilla
City of Waterford
LAW ENFORCEMENT
Fresno County DA Elizabeth Egan
Tulare County DA Phil Cline
Tulare County Sheriff Bill Wittman
Fresno County Sheriff Margret Mims
Madera County Sheriff John Anderson

Kings County Sheriff Dave Robinson
LOCAL BUSINESS ORGANIZATIONS
Fresno Chamber of Commerce
Clovis Chamber of Commerce
Visalia Chamber of Commerce
Tulare Chamber of Commerce
Kingsburg Chamber of Commerce
Greater Bakersfield Chamber of Commerce
Greater Reedley Chamber of Commerce
Riverbank Chamber of Commerce
Home Builders Association of Tulare-Kings
*Support limited to Title IV
**Supports bill but no opinion on Title II
***Viable alternative, H.R. 1837 will save taxpayers $1 billion.

We would like to express our support for this important piece of legislation.

Sincerely,
Jean Fuller, 18th Senate District; An- thony Cannella, 12th Senate District; Bob Huff, 29th Senate District; Bill Emmerson, 37th Senate District; Joel Anderson, 36th Senate District; Ted Benavie, 6th Senate District; Mimi Walters, 33rd Senate District; Mark Wyland, 38th Senate District; Tom Harman, 35th Senate District; Ted Gaines, 21st Senate District; Tony Strickland, 19th Senate District; Bob Dutton, 31st Senate District; Sharon Runner, 17th Senate District; Doug LaMalfa, 20th Senate District.

At this time, I am very pleased to yield 3 minutes to the gentleman from California (Mr. NUNES), the sponsor of this legislation, who has been an abso- lute leader on bringing this to national attention.

Mr. NUNES, Mr. Chairman, I would like to remind the gentleman from California that facts are a funny thing, and the Deputy Under Secretary ap- proved this bipartisan agreement in 1994. I remind the gentleman also that I defended his right in the Rules Com- mittee. I defended the right of the Democrats to have all their amend- ments made in order. Mr. Chairman, when the Federal Gov- ernment began to pass State preemp- tion to take their water away, you can see here that up until this time we had full water allotment throughout Cali- fornia. Yes, when there was a drought, we didn't have water, but look at the chaos that has erupted since. This is an important point. The Congress, by using State preemptions, has managed to take water away from cities, communities, and families.

The opponents of this bill claim that somehow the salmon population is de- creasing. We can see here in this graph at the bottom—I know it may be hard for some folks to see. The water ex- ports are here, and the salmon represents the total water that flowed into the delta throughout the last 25 years. The red line indicates salmon populations. Lo and behold, there is no correlation be- tween the water inflow into the delta and salmon population.

But I will agree that the salmon pop- ulation has declined, and this bill be- gins to fix that problem. Why? Because the delta smelt and salmon are being eaten by predator fish that are non- native to the delta. Let me say it again. Striped bass, nonnative to the delta. This scientific evidence shows, as the bas population has increased, the smelt population has declined. This bill rectifies this. This bill allows fisher- men to fish for the nonnative species.

What is this about is we're shutting off the water to Californians and to their families because of the delta smelt right here. They talk a lot about these dan- gerous pumps that are pumping this water, these engineering projects that allowed this valley to bloom, that have improved the environment over time. Less than 2 percent of the juvenile salmon—it is negligible in the pumps. Instead of looking at ways to stop that negligible impact, we allow the predator fish, the striped bass, to eat 65 to 90 percent of the juvenile salmon that are being eaten by the delta smelt.

The Acting CHAIR. The time of the gentleman has expired.

Mr. NUNES. Here we have evidence of this. You can see the bass—I know this is a little gruesome for some folks at home. Here you have the smelt inside the bass. Yet this government is allowing this nonnative species to eat the thing that they so love, the delta smelt.

What has been the result, Mr. Chair- man? Food lines. In the breadbasket of the world where they used to grow the best carrots, we now import car- rotS from China to feed the people in the food lines. This is what this is about. These are children in a food line eating carrots imported from China.

Does this Congress have a moral compunction to do the right thing with re- gards to children in food lines eating carrots imported from China?

The Acting CHAIR. The time of the gentleman has again expired.

Mr. NUNES. Here we don't need any fancy speeches here today. A sixth-grader from an elementary school in my district—I won't read the whole thing—sent this letter:

Not only does this problem affect the farm- ing industry, it also affects the farmers, fam- ilies, and their livelihood. I am sure you've heard this complaint. But before, as with fu- ture generations, it is a great concern to me. Please do what you can to get the water to the farmers once again, then we can use this land and soil that the people of this valley have been blessed with.

This sixth-grader is correct. This Congress should do the right thing. We need Democrats and Republicans to come together today. As the Speaker of the House stated earlier, this is to right a wrong.

I urge passage of this bill.

Mrs. NAPOLITANO. Mr. Chairman, I can't believe how many of these people that wrote letters and the stake- holders, including 105 fishing agencies, could be so wrong.

I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentle- lady.

While this bill directly affects the State of California, even though the State of California opposes the legis- lation, it is also opposed by representa- tives of the other western water inter- ests—the State of Montana, the State of New Mexico, the State of Oregon, the State of Wyoming, the State of Colorado—which have all joined Cali- fornia in saying they don’t want this bill.
Why are they all saying that? They are saying it because of the precedent that it will set in upsetting settled water rights in the West.

Now, to address that issue, the Republicans have inserted in the bill language that says this bill does not set a precedent in upsetting all the water rights in the West, as it upsets all the water rights in California. So, what’s that like? Well, in 1929, the Belgian surrealist painter, Rene Magritte, painted a painting of a tobacco pipe. Under the pipe, he painted the words, “This is not a pipe.” But of course it was a pipe—or at least a painting of a pipe. This bill has a similar surrealistic quality to it.

The bill states that the violence of this bill in upsetting water rights is not a precedent, that nothing that happens in California will be a precedent for any other State—which is why, of course all the other States are opposing the bill because of the precedent that it sets. This bill sets the precedent to upset all those other arrangements. Others in the West who may wish to restructure rights elsewhere around the West will look to it as a precedent. So I would say to the majority: nice job, but no cigar.

Clearly, this bill does set a bad precedent, and we can’t get around that fact just by putting in the bill that it does not set a precedent. You are, for all intents and purposes, taking all of those arrangements set up over generations and in one bill—opposed by all those States—upsetting the apple cart and setting a brand new era. And you cannot get around it by saying in the bill: This does not set a precedent.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 1⁄2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. I thank the gentleman for yielding.

Mr. Chairman, I rise to discuss a matter of great importance to my constituents in the San Joaquin Valley, and that’s the future of our water supplies. More importantly, it’s our Nation’s food supply and, therefore, an important part of the world’s food supply.

H.R. 1837 is not perfect and has issues, but I think the authors should seriously consider, but I am supporting the legislation today because of a number of important provisions it contains.

Titles 1 and 3 of the legislation aim to address the biggest challenges for water policy in California. In 2009 and 2010, Southern California suffered through a hydrological and regulatory drought that was insufferable. This year, we are again faced with below-average snow pack in the mountains and may see as little as a 30 percent allocation for water in our area.

My congressional district is the most impacted in California by this shortfall. Farmers, farmworkers, and farming communities that live in my district is what I’m talking about. Our water system is broken in California; but while we’re trying to fix it, we need operational flexibility while we continue to work on the long-term issues of the Bay-Delta Conservation Plan.

We should be discussing more constructive ways in which we can work together.

Title 2 of this measure repeals and replaces the San Joaquin River Restoration Act. After 18 years of litigation, the parties involved decided to reach an out-of-court settlement agreement.

Mr. DENHAM. Mr. Chairman, a lot has been said about our area of the State, where you have 30 to 40 percent unemployment in some areas. It’s not a Republican issue; it’s not a Democrat issue. It is an American jobs issue—to put people back to work.

Some people say, Well, those aren’t the kinds of jobs that we want. You know, it’s a dusty, dirty way to earn a living. Yeah, it is dusty and dirty. I’m a farmer. And without water, you shut down not only my farm, but you shut down farms throughout the valley, you
shut off our food supply, you shut off all of those jobs that desperately rely on water.

Now, a lot of people like to talk about a deal is a deal. Back in 1994, we had this grand deal that took CVPIA water, took 800,000 acre-feet for environmental purposes. The deal was that water was supposed to be replaced. The Department of the Interior never did that, just stole 800,000 acre-feet of water, which still has to be paid for by the contract; but nevertheless, we need to make sure that our valley farmers are held whole.

Let me talk about a couple of different issues within this bill.

I 1500

Again, this is about our priorities as the House. The Senate may or may not agree with them, but we’ll never know if we don’t have the debate. Shouldn’t the Senate at least have an opportunity to look at this bill and vote on the bill and debate the bill?

If they don’t like the bill, present us your own; but don’t just ignore valley farmers. Don’t just ignore the amount of jobs that we’re losing as a State. You don’t like it, come up with your own bill. We’ll vote on that; we’ll debate on that.

But we’re going to express our priority, and our priority is about the jobs of the Central Valley. We’re going to send you a bill that not only deals with greater water certainty, but also deals with duplicative regulation.

I’m also on the Transportation Committee; and whether it’s the Resources Committee or the Transportation Committee, when you have a higher environmental law, like California does, why go through these same environmental policies twice? Why not streamline NEPA so that you don’t have that duplicative regulation that shuts down our water projects?

And while we’re at it, we can fight all we want on where the water that we currently have is delivered or who wins and who loses; but we lose as a State, we lose as a country until we get more water storage.

We’ve put an amendment in this bill in committee that will authorize new water storage, whether it’s Sites Reservoir, Los Vaqueros, Shasta or, in my area, Temperance Flat. But we have to have more off-stream storage.

And in Los Vaqueros, in Congressmen Garamendi’s own district, in his own backyard, we can have water storage today without any cost to the Federal taxpayers. Where we’ve got users that are willing to pay for more water storage, and the water is desperately needed, why wouldn’t we approve those projects?

That’s authorized in this bill. This bill deals with certainty. This does deal with a number of years of a problem, and it certainly deals with drought years, as well as certainty in wet years. But it also deals with greater water storage.

So if you want to end this debate once and for all, let’s make sure we keep up with the population growth of California. Let’s have greater water storage, and let’s solve this problem so that we don’t have the double-digit unemployment in the Central Valley.

Mrs. NAPOLITANO. Mr. Chairman, I must mention that California agriculture had the biggest banner year during that period, in other words, in the billions more than they had in prior years during this drought.

So with that, I yield 3 minutes to the gentleman from California (Mr. MCMENNEY).

Mr. MCMENNEY. Mr. Chairman, someone needs to stand up and defend the delta. I’m standing to express my strong opposition to H.R. 1837. This legislation will do tremendous damage and harm to the San Joaquin Delta, an area that I am honored to represent.

The San Joaquin Delta is a treasure for California and the entire nation. The delta flows through five counties and sustains major cities, small towns, and lush farmland. Agriculture is the economic backbone of the delta, generating nearly $800 million per year revenue in 2009.

Unfortunately, the delta ecosystem is now in decline due to excessive water shipments to the south. Poor water quality is a threat to the region’s entire agricultural economy and heritage. H.R. 1837 ships more water out of the delta, turning this precious estuary into a salty, stagnant marsh, crushing the local economy, and costing the delta region thousands and thousands of jobs.

This bill is a blatant water grab meant to help some communities at the expense of others. Contrary to the conservative principles that this bill’s proponents claim to cherish, H.R. 1837 uses the power of the Federal Government to undermine states’ rights.

Dozens of local governments, businesses, environmental groups, and others oppose H.R. 1837. I have letters from these groups, and I will insert them into the RECORD.

FEBRUARY 27, 2012.

Re OPPOSE H.R. 1837 (Nunes).

Hon. JOHN BOEHNER,

Speaker of the House, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: On behalf of the dozens of local governments, businesses, environmental groups, and others who are part of a short-term agreement in 1994, the health of the Delta had not deteriorated so seriously and when recent scientific studies had not yet been done.

H.R. 1837 would reverse San Joaquin River restoration, thereby further impacting water quality and quantity for the south Delta. While the San Joaquin River restoration allows for a limited flow of additional water into the south Delta, breaking the promise of San Joaquin River Restoration and signaling to Delta communities the federal government’s sacrifice of the Delta for the preference of another region in California.

This deeply-flawed bill joins a long list of water strategies created behind closed doors without input from the communities that rely on a healthy Delta for their livelihoods. It threatens the economic security of families, farmers, and small business owners in the Delta, as well as those in the Delta to meet its water user needs.

H.R. 1837 deserves your opposition.

Sincerely yours,

Barbara Barrigan-Parrilla, Executive Director, Restore the Delta; Carolee Krieger, President & Executive Director, California Water Impact Network; Ann Johnston, Mayor, City of Stockton, Delta Coalition Chair; Ron Addison, Executive Director, Business Council of San Joaquin County; John Herrick, South Delta Water Agency; Roger Mammon, President, CSBA West Delta Chapter; Bill Jennings, Executive Director, California Sportfishing Protection Alliance; Jon Chapman, State Board President, California Striped Bass Association; John Beckham, Chief Executive Officer, BIA of the Delta; Bobby Barrack, Professional Bass Fisher, Back to Class Guide Service.

Bill Berryhill, Assemblyman, 26th District, California State Assembly; Roger Mammon, President, CSBA West Delta Chapter; Jeff Shields, General Manager, South San Joaquin Irrigation District; Bill Wells, Executive Director, California Delta Chambers & Visitor Bureau; Joe Burek, Executive Director, Friends of the lower Calaveras River; Steve Dial, Deputy Executive Director/Chief Financial Officer, San Joaquin Council of Governments; Jack Chapman, President, CSBA Sacramento, The River City Water Agency; Alyssa L. Huber, Assembly member, 10th District, California State Assembly.
H1048
CONGRESSIONAL RECORD — HOUSE
February 29, 2012

THE BOARD OF SUPERVISORS,
SAN Joaquin COUNTY, CA,
February 24, 2012.

Hon. DOG HASTINGS, -
Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.

Hon. TOM MCLINTOCK, -
Chairman, Subcommittee on Water and Power,
Committee on Natural Resources, House of Representatives, Washington, DC.

Hon. EDWARD J. MARKEY,
Ranking Member, Committee on Natural Resources,
House of Representatives, Washington, DC.

Hon. ROBERT C. REIFER,
Ranking Member, Subcommittee on Water and Power,
Committee on Natural Resources, House of Representatives, Washington, DC.

LETTER IN OPPOSITION TO H.R. 387

DEAR CHAIRMAN HASTINGS, RANKING MEMBER MURPHY, CHAIRMAN MCLINTOCK, AND RANKING MEMBER NAPOLITANO: The County of San Joaquin is writing to express its opposition to H.R. 387, the proposed San Joaquin Valley Water Reliability Act. H.R. 387 contains a number of provisions that appear to arbitrarily block legal protections for the Sacramento-San Joaquin Delta (Delta). If enacted, H.R. 387 would overturn important environmental protections for the Delta provided by State law, and would reverse the San Joaquin River Settlement.

We recognize and appreciate the inclusion of language in Title IV mandating that the Central Valley Project be operated in a manner consistent with State water law provisions related to “area of origin, watershed of origin and country of origin. . . .” This language is consistent with our long-held view that federal law should specifically and fully recognize and respect California’s water rights priority system and statutory protections for “areas of origin”. However, H.R. 387, taken as a whole, would move the Sacramento-San Joaquin River region and the State in the wrong direction. The bill is focused on the past; it takes us backwards, and that is not a direction that holds any promise for collaborative, consensus-based solutions to California’s water challenges or a healthier Delta. If enacted, H.R. 387 would stall and potentially disrupt current efforts of various State and Federal agencies as they work toward the implementation of California’s 2009 Central Valley Project Improvement Act (CVPIA) and the San Joaquin River Settlement.

The amended bill broadly, it will provide more water, at subsidized prices, to Central Valley agriculture at the expense of Delta water quality and ecological health, which in turn threatens Contra Costa County water users, the Delta economy, and ultimately the economy of California.

We oppose the closed-door process used in constructing the bill. As one of the five counties located in California’s Sacramento-San Joaquin River Delta, Contra Costa County depends on Delta water for drinking, recreation, environmental health, and economic development of our economy which is related to boating, fishing and other service businesses in the Delta area.

Reading the amended bill broadly, it will provide more water, at subsidized prices, to Central Valley agriculture at the expense of Delta water quality and ecological health, which in turn threatens Contra Costa County water users, the Delta economy, and ultimately the economy of California. Reading the bill at a more detailed level, it will gut some of the best provisions of the Central Valley Project Improvement Act (CVPIA), and it repeals the San Joaquin River Settlement, which acts helped provide a foundation for restoring Bay-Delta health and establishing sound water management practices in California. To gut or eliminate them for the benefit of a specific group of water users flies in the face of long-standing California water policy and would be an unprecedented and ill-advised act to take.

The amended bill specifically would implement the following harmful actions:

1) It would repeal the San Joaquin River Settlement, an agreement from 2006 that was decades in the making among public and private interests and provided the foundation for the San Joaquin River Restoration Program.

2) It would eliminate the San Joaquin River Restoration Program, which is critical to restoring Bay-Delta flow, Delta water quality, and ecosystem health. By cutting this program when it has only just begun, H.R. 387 will stymie progress in restoring the highly dammed, man-made Delta-Sacramento-San Joaquin River ecosystem, and will further jeopardize Delta water quality and wildlife populations.

3) The bill would significantly reduce the allocation of high-quality water (Central Valley Project) water that is currently used for wildlife and habitat restoration each year per the CVPIA. This water will instead be provided to specific agricultural users.

4) H.R. 387 also would remove the tiered pricing structure that the CVPIA put in place to encourage wise water use and conservation. Under the tiered structure, the CVP provides below-cost, subsidized prices to its water recipients for up to 80 percent of their contract amounts of water, slightly higher prices for the next 10 percent of their contract amounts, and full-cost pricing for the final 10 percent of their contract amount. Since water deliveries have rarely been available in the past, recipients generally have benefited from below-cost pricing provided by the federally subsidized rates.

5) The bill will discard the past two decades worth of scientific research about Delta conditions by rolling back water-supply regulations to those of a 1994 agreement known as the Bell Trial. The Bell Trial was developed before the crash of numerous Delta species and before the scientific community developed its current base of knowledge about these issues. By rolling back water operations guidelines to 1994, there will be even greater harm to species including fall-run Chinook Salmon. This will cause further economic harm to fisheries and fishing-related businesses in the Delta.

6) H.R. 387 waives the current requirement that new federal dam projects in the Central Valley comply with the National Environmental Policy Act. The lesson learned from construction of the Friant Dam on the San Joaquin River by the Bureau of Reclamation is that ignoring environmental impacts can wipe out entire runs of salmon and adversely impact other species that rely on adequate water flows. All water users must undergo full and detailed environmental review and any environmental impacts must be fully mitigated.

Finally, I will add a comment about the process this bill has undergone. It is our understanding that no public hearings were held on the amended bill, which was considered in Committee less than 48 hours after the bill was made public. Had there been more time allotted for comment on this bill, undoubtedly objections would have been voiced sooner.

Such critical decisions on water policy should have been debated in full public view with adequate time for comment, particularly in this instance where the Congress is attempting to overturn long-standing state water management practice.

Thank you in advance for your consideration of these concerns.

Sincerely,

MARY NEJEDLY PIEPHO,
Chair, Board of Supervisors,

DELTA COUNTIES COALITION, CONTRA COSTA COUNTY, SACRAMENTO COUNTY, SOLANO COUNTY, AND YOLO COUNTY,
"WORKING TOGETHER ON WATER AND DELTA ISSUES."

February 24, 2012.
nearly 18 years ago. This would ignore the last two decades’ worth of scientific research about Delta issues and would base water operations on out-of-date science that was in place during the Delta water wars of the 1970s. Furthermore, as a bipartisan coalition, we are surprised that this House would consider top-down, big government solutions to water issues in a way that is antithetical to core philosophies of the Majority. We must ensure that any legislation that moves forward will avoid “cannibalizing” any part of California’s economy to benefit another’s—our litmus test will be to see if the bill supports, rather than jeopardizes, a Delta economy based on agriculture, fishing/hunting, recreation, and tourism.

Another major problem with the bill is that it scraps the San Joaquin River Restoration Program, which is needed to begin restoring the San Joaquin River to reestablish salmon runs, improve river water quality and restore the river’s Bay-Delta flow. The restoration is needed to improve the health of the river and the Delta.

While some of the provisions of the bill are consistent with our long-held view that federal land management and water entitlements in the Delta should respect and recognize California’s water rights priority system and statutory protections for areas of origin, taken as a whole, H.R. 1837 takes us against the State in the wrong direction. By undercutting decades of agreements and ongoing negotiations, this bill brings us no closer to solving California’s water challenges. We also are troubled by the way the bill was constructed. It was put together behind closed doors, with neither public transparency nor meaningful input by reputable experts on California’s water and environmental interests. There were no hearings held on the version of the bill that the Committee considered less than 48 hours after it was made public. A balanced, consensus based solution is only possible if the interests of all stakeholders are considered.

The DCC looks forward to continuing to work with California’s congressional delegation to promote and protect a healthy Delta environment. If you have questions, please do not hesitate to contact us.

Mary Nejedly Piepho, Supervisor, Contra Costa County; Don Nottoli, Supervisor, Sacramento County; Don Nottoli, Supervisor, Sacramento County; Don Nottoli, Supervisor, Sacramento County; Don Nottoli, Supervisor, Sacramento County; Don Nottoli, Supervisor, Sacramento County.


Re Opposition to H.R. 1837 (Nunes).


Dear Sir: The Central Delta Water Agency encompasses approximately 120,000 acres in the eastern portion or California’s Sacramento-San Joaquin Delta. We are concerned with the adequacy of the quality and flow of water in the channels of the Delta. Although the Delta in general is primarily agricultural, there are also significant urban, recreational, industrial and habitat uses. We are opposed to the passage of H.R. 1837 for the following reasons among others:

H.R. 1837 would override State constitutional protection for the public trust, State water rights, and California’s water law, which is based on the State’s ability to set limits on the take of non-native fish. (Pages 19 and 20 of the bill.) This intrusion on State’s rights is not only a breach of California’s Sovereignty, but is of questionable constitutionality. This is bad law and bad precedent which does not address the underlying problem of insufficient water to meet needs in dry years.

H.R. 1837 would represent yet another significant breach of the promises by the United States Government that exports would be limited to surplus water.

On February 17, 1946, a more direct answer was made to the question of diversion of water in a letter by Acting Regional Director R.C. Calland, of the Bureau, to the Joint Committee on Food Control of California State Legislature. The committee had asked the question, “What is your policy in regard to the amount of water that can be diverted from one watershed to another in proposed diversions?” In stating the Bureau’s policy, Mr. Calland quoted sections of California State law, which is sometimes referred to as the county of origin act, and then said: “As viewed by the Bureau, it is the intent of the statute that no water shall be diverted from any watershed which is of will be needed for beneficial uses within that watershed. The Bureau of Reclamation, in its studies for water resources development in the Central Valley, consistently has given full recognition to the policy expressed in this statute by the legislation. The Bureau has attempted to estimate in these studies, and will continue to do so in future studies, what the present and future needs of each watershed will be. In the past, we have been able to divert water from any watershed which is needed to satisfy the existing or potential needs within that watershed. For example, no water will be diverted which will be needed for the full development of all of the irrigable lands within the watershed, nor would there be any water needed for municipal and industrial purposes or future maintenance of fish and wildlife resources.” (See 44th Congress, 21st Session House Document No. 416, Part One Authorizing documents 1956 at Pages 797-799.)

H.R. 1837 attempts to repeal the San Joaquin River Settlement—the actions of the United States in deliberately diverting portions of the San Joaquin River and collaborating in its degradation is a national disgrace. The San Joaquin River Settlement is a voluntary and contractual resolution to years of litigation which is but a small step towards remediating the wrongs of the past. It should be honored not circumvented.

H.R. 1837 would remove much of the CVPIA protection for fish which was the quid pro quo for the significant benefits extended to Federal water contractors and in particular the ability to profit from transfer of subsidized water. This would be but another action confirming the lack of credibility of our Federal government. Although not a party to the negotiations leading to the CVPIA, it would appear that any repeal of the environmental benefits should include a repeal of the benefits enjoyed by water contractors. We suggest no change. H.R. 1837 represents the wrong approach to addressing water issues in the State of California and would not, in our opinion, provide for similar actions affecting other States.

Yours very truly,

Dane John Novellini, Manager and Co-Counsel.

H.R. 1837 would devastate my entire region, but folks from other States should also oppose this bill. With little debate, and complete disregard for the consequences, this bill sets a dangerous precedent that the Federal Government can undermine State water law developed over decades. Your State could be next.

This bill is a shameful attempt to rewrite California water laws to benefit a few selected water users, regardless of how much harm is done to other parts of the State. Democrats and Republicans should stand united in our desire to block this legislation from becoming law. I urge my colleagues in the strongest possible terms to oppose H.R. 1837.

Mr. Hastings of Washington. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico (Mr. Pearce), an original Member of the Western Caucus and the chairman of the Western Caucus who knows this issue very well.

Mr. Pearce. Mr. Chairman, I rise in strong support of H.R. 1837. The Nation is faced with trillion-dollar deficits, persistent unemployment above 8 percent, and we continue to use the Federal Government to kill jobs and to export them to China.

You can take a look at what the President recently did regarding the Keystone Pipeline. You can look at the export of the rare-Earth mineral mines to China.

But this is the one that is the most offensive, this exporting of our agriculture products. San Joaquin Valley used to provide vegetables, safe vegetables grown in America on store shelves across the country. Today we import vegetables from countries that use pesticides that are disallowed here.

We have an unsafe food supply. We have more people out of work, and we have deficits because we don’t have tax-paying citizens.

This bill simply is a commonsense, bipartisan solution that puts people back to work, provides a safe food supply, and makes America more sound. It’s common sense. We should vote for it.

Mrs. Napolitano. I yield 2½ minutes to the gentleman from California (Mr. Thompson).

Mr. Thompson of California, Mr. Chairman, I rise in strong opposition to this jobs killer act that ignores more than 20 years of established science.

Tens of thousands of people depend on the Bay-Delta for their livelihoods, including many farmers, fishermen, and sportsmen who contribute billions of dollars to our economy every year.

Sadly, the sponsors of this bill are using the legislation to create winners and losers by preempting California State law. This bill would take water from folks in northern California for use in California’s Central Valley. This means even less water to sports fishermen and to commercial fishermen, the basis of two thriving industries in our State.

The Pacific Coast Federation of Fishermen’s Associations strongly opposes the bill. They estimate that over 25,000 jobs were lost in the salmon fishing industry due to the 2008 and 2009 closures. The American Sportsfishing Association shows that California’s economy suffers $1.4 billion in loss each year that the salmon fishery season is
closed. If this bill becomes law, these jobs would be lost forever, and the economic losses would be permanent.

Appropriate amounts of water are also critical to support the economies for wildlife-associated recreation. In California, 7.4 million sportmen contribute 40 percent of the total state revenue every year. Without water, many of these hunting, fishing, and wildlife-watching activities will be lost.

More than 200 sportmen’s organizations strongly oppose passage of this position to this bill. These men and women recognize the extreme consequences of this measure.

Mr. Chairman, I’d like to insert this letter that I have signed by those over 200 organizations into the Record.

H.R. 1837 would overturn the 2009 court approved San Joaquin River Restoration Settlement Act which ended twenty years of litigation on the San Joaquin River. The Settlement Agreement, supported by all parties to the litigation and numerous water districts in the San Joaquin Valley and across the State, along with Members of Congress from both sides of the aisle. H.R. 1837 attempts to preempt state law that requires river restoration, and eliminates flood protection and water supply projects for farmers that were approved as part of the Settlement Act.

H.R. 1837 would reduce water quality and water reliability for Delta communities and Delta farmers. It seeks to further water flows to agribusiness in the western and southern San Joaquin Valley at the expense of smaller Delta family farmers. The recently released Economic Sustainability Report authored by the Delta Protection Commission shows that Delta agriculture is worth $4.2 billion annually and provides tens of thousands of jobs. Delta agriculture and jobs should not be sacrificed to benefit water users in other parts of the state, some of whom do not even use that water for agriculture. This legislation would further divide the state by water supply divi- de within the state and would help perpetuate the destructive “water wars” which characterize California.

In summary, H.R. 1837 is an unprecedented assault on a state’s ability to enact and support its own water laws, and it is an attack on the public trust doctrine as defined in the California Constitution and eliminate the implementation of a bipartisan package of water policy reform legislation adopted by the State of California in 2009.

H.R. 1837 would defeat efforts to restore fish populations in the Delta. Science-based protections for salmon and other commercially valuable species, gut the 1992 Central Valley Project Improvement Act, and overturn the broadly supported, court approved settlement to restore the San Joaquin River. As a result, this bill threatens thousands of salmon fishing jobs and communities in California and Oregon, water quality in the Bay-Delta, and the reliability of California’s water supplies.

In summary, this radical legislation pre- empts state water law, eliminates environmental protections for salmon and other commercially valuable species, guts the 1992 Central Valley Project Improvement Act, and overturns the broadly supported, court approved settlement to restore the San Joaquin River. As a result, this bill threatens thousands of salmon fishing jobs and communities in California and Oregon, water quality in the Bay-Delta, and the reliability of California’s water supplies.

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Mr. Royce. I thank the gentleman for yielding.

Mr. Chairman, I must say, for those of you who have seen it with our own eyes, who saw the devastation in the Central Valley, we know for a fact that when the aqueduct pumps in California were slowed, when that water came to a halt because of the orders and opinions issued partly by the Obama administration, what we saw was devastation. We saw the worst of it in 2010. Over a million acre-feet of water were lost. Tens of thousands of jobs were destroyed in our State. The unemployment rate, my friends, in some of these Central Valley towns reached 40 percent.

Those signs that I saw along the I-5 when I was going up to take a look at this, they told a certain story, and these were written by farmers: “No work, no jobs, no food.” If you drive down the highway: “Food grows where water = No jobs.” You’d go down the highway, these were written by farmers: “No work, no jobs, no food.” You’d go down the highway: “Food grows where water = No jobs.”

Well, this legislation would bring some sanity back to this process. By restoring water deliveries to the levels agreed upon in the 1994 Bay-Delta Accord between California and the Federal Government, this bill could bring back 30,000 jobs, and it would save millions of dollars for a job that has to be done.

Mr. Chairman, I rise today in strong opposition to H.R. 1837, the San Joaquin Valley Water Reliability Act.

This legislation repeals existing State law and, frankly, leaves no State safe. If enacted, H.R. 1837 would set an unprecedented standard of State pre-emption. As a member of the Subcommittee on Water and Power, I am concerned that the opposition to this legislation, over 300 stakeholders, over seven States, the nonpartisan Western States Water Council, various organizations that have written in support of this legislation on both sides of these pages; and at the appropriate time I, too, will insert them in the RECORD to show that there is broad, broad support for this legislation.

I am now pleased to yield 1 minute to the gentleman from California (Mr. Royce).

Mr. ROYCE. My personal favorite: “New Dust Bowl, created by Congress.”

Well, this legislation would bring some sanity back to this process. By restoring water deliveries to the levels agreed upon in the 1994 Bay-Delta Accord between California and the Federal Government, this bill could bring back 30,000 jobs, and it would save millions of dollars for a job that has to be done.

My friends, this is a man-made problem. It’s going to take legislation to fix. This bill will fix it.

Mrs. NAPOLITANO. Mr. Chairman, I also toured that area, and the devastation was very severe. I wish some of the areas would find another way to be able to find employment, because this is a chronic unemployment circle, if you will, for years, for decades; it’s just new.

I yield ½ minutes to the gentleman from Arizona (Mr. Grijalva).

Mr. GRIJALVA. Mr. Chairman, I rise today in strong opposition to H.R. 1837, the San Joaquin Valley Water Reliability Act.

This legislation repeals existing State law and, frankly, leaves no State safe. If enacted, H.R. 1837 would set an unprecedented standard of State pre-emption. As a member of the Subcommittee on Water and Power, I am concerned that the opposition to this legislation, over 300 stakeholders, over seven States, the nonpartisan Western States Water Council, various
attorney generals from New Mexico to other States, have voiced their concern about the preemption and the concern about the intrusion into what has traditionally been a State's right in terms of water management.

If enacted, the unprecedented act of State preemption would be a precedent that brings many States' water settlements into question. In my State, Arizona, a diverse set of stakeholders, water users, Indian tribes, municipalities, the Federal Government were involved in water negotiations and are part of the settlement. By sovereignty, States' rights are preeminent in this question. I urge Members to vote "no."

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 3 minutes to the distinguished majority whip, another gentleman from California who has seen the effects of what this man-made drought is, Mr. McCARTHY.

Mr. McCARTHY of California. Mr. Chairman, I want to thank Chairman Hastings for his work in committee, and I'd also like to thank, Mr. Chairman, the subcommittee chairman, Tom McClintock, and the authors of this bill, Devin Nunes and Jeff Denham, for their work.

Now, in California there's a saying: "Whiskey's for drinking and water's for fighting," and for too long we've been fighting about water. For too long this man-made drought in California has been ignored. Well, you know, today that stops. I'm excited about it. Simply put, what does this bill do? It ends with a bipartisan agreement that America craves for us to find. You know, in the Bay-Delta Accord, I didn't get everything that I would represent philosophically. The other side didn't as well. But, you know, the greatest thing about America is the rule of law, and if we make an agreement, we should stick to the agreement. Simply put, that's what this bill does and ends the man-made drought.

Mrs. NAPOLITANO. I would like to yield 2 1⁄2 minutes to the gentleman from California (Mr. CARDOZA).

May I ask what time we have left, sir?

The Acting CHAIR. The gentlelady from California has 8 minutes remaining, and the gentleman from Washington has 3 1⁄2 minutes remaining.

Mr. CARDOZA. Mr. Chairman, I thank my colleague for yielding. I rise today to offer my support for the legislation. This bill, like so many others that we vote on, is far from perfect. However, simply put, this bill because of many provisions, important provisions for my valley within it.

Mr. Chairman, water is absolutely critical to the economy of the San Joaquin Valley, the valley I love. Without an adequate water supply, agricultural fields go fallow and entire communities can be laid to waste. No one understands this more than myself and my colleague, Mr. Costa, my friend from the valley. We have both fought for water for our entire careers for our people. In 1993, when I introduced legislation to provide operational flexibility in the implementation of the Endangered Species Act for water deliveries for the Central Valley Project. Unfortunately, our colleagues on the other side of the aisle haven't felt the importance of holding a hearing on that bill.

Títles I and III of this legislation aim to address the flawed regulations that have reduced our vital water deliveries to my friends and neighbors throughout the valley.

I have no reservations in supporting these provisions, and commend my colleagues on the other side for introducing them. I recommend a "yes" vote.

When it comes to title II of this bill, which calls for the repeal and replacement of the San Joaquin River Restoration Act, I would like to mention that this was a locally requested and locally championed piece of legislation to end an 18-year lawsuit. Although I had serious reservations when this bill was first introduced, I supported the solution when it came through this House. I will say now that the implementation of this act, as it has been done by the administration, has left a lot to be desired.

I have significant further reservations with the San Joaquin River Restoration Program, and it has recently become clear that those views that I expressed during its formation are coming to pass. The restoration is far too costly, and its schedule is advancing in a way that landowners adjacent to the new flows are being damaged.

Despite this, just simply saying we will remove the agreement that has been put in place is not the answer. We don't need to repeal it—we need to repair it—particularly when the only thing a repeal accomplishes is a continuation of a lawsuit that prompted the legislation in the first place.

However, I'd like to make a comment about the process under which this legislation was drafted.

As many of you know, this is my last year as a Member of this body. This bill, even while I support it, is a perfect example of how dysfunctional this body has become.

This bill will never become law. To be frank, I'm doubtful that it will even be debated in the Senate.

I feel this way because the authors of this bill haven't expressed a serious interest in engaging either me, Congressman Costa or Senator Feinstein in drafting a bipartisan piece of legislation that can pass both chambers of Congress.

It's unfortunate that some continue to exploit the real life challenges facing the folks we have the honor of representing to score a cheap political point.

Successful functioning of Congress and the resulting successful resolution of the problems affecting this nation will require the participation of both Republicans and Democrats.

We cannot function individually; we must function in concert to solve the challenges facing this country.

I think we not only can do better, but we must do better, if we're going to accomplish what we were sent here to do.
Mr. HASTINGS of Washington. I continue to reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I yield 3 minutes to the gentleman from northern California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding. I rise in strong opposition to this legislation.

Let us understand what is taking place here. In California, for the first time in 40 years, all of the various water parties have gotten together to try to work out these disagreements and come up with a sustainable water policy that serves all of the needs of all Californians—agriculture, manufacturing, municipal uses, environmental uses—all of that together. For the first time, the State legislature passed historic legislation empowering these negotiations to take place in order to take care of disparate interests.

But there are two parties in that negotiation that keep threatening to walk away. They’re going to walk out, walk out, walk out. Apparently, they did walk out. They walked out, and they came back to Washington, D.C., to cut a separate deal. These are among the largest water users in the State. These are among the most highly subsidized users in the State. One of our conservative friends on the other side was complaining about the deficit when he started to talk on this bill. These are people who are getting $400 million in interest free-loan from the taxpayers of this country. These are the people who are getting $400 million in subsidies every year from the taxpayers of this country.

And what do they do?

In this bill, they have an earmark. You gave them 40 years and these rights in perpetuity to get at least $400 million a year from the taxpayers of this country, not on top of crop subsidies. That’s not on top of the insurance payments, disaster payments. This is just in subsidized water that goes to these people who are crying poor. The largest users have decided they want two negotiations—one in California and one in Washington. To do that, they want to overturn the California laws, the California legislature, the Supreme Court decisions, and the science. We’ll go back in time 18 years and say that the science is good enough.

But the heart of this, more than water, is money, and the money sits there, and it flows with the water. Everyone that goes to the San Luis Unit and others is subsidized. Right now, they only have a year-to-year contract. They’d have a 20-year contract possibly if they reach agreement. You give them 40 years, and then 40 years in perpetuity: $400 million a year in perpetuity. You figure out what this earmark is worth. You figure out what this special treatment is worth.

Mr. HASTINGS of Washington. I yield 30 seconds to the author of this legislation, the gentleman from California (Mr. Nunes).

Mr. NUNES, Mr. Chairman, I would hope that the gentleman from California has read the bill, because he complains about the subsidies. In fact, this bill gets rid of the subsidies as this bill returns almost $400 million to the Treasury. We want to get rid of the subsidies. We want to cut the deficit. That’s what this bill does.

I don’t quite understand what he was talking about in terms of tearing down barns, to the farmers, to the environmentalists, to our cities, to our counties—all of whom oppose this legislation.

Mr. HASTINGS of Washington. I just want to point out that this bill came out of a committee with bipartisan support, and we’ve had bipartisan debate for this bill.

Mr. Chairman, I yield 30 seconds to the author of this legislation, the gentleman from California (Mr. Nunes).

Mr. NUNES. Once again, as many of my colleagues will say, Secretary of the Interior Bruce Babbitt made a deal with Republican Governor Pete Wilson. A deal is a deal. The only problem was that there were some dishonest brokers at the table who never went to Congress to get this implemented.

Mrs. NAPOLITANO. I inquire of the Chair as to how much time remains.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 15 seconds.

Mr. NUNES. Once again, as many of my colleagues will say, Secretary of the Interior Bruce Babbitt made a deal with Republican Governor Pete Wilson. A deal is a deal. The only problem was that there were some dishonest brokers at the table who never went to Congress to get this implemented.

Mrs. NAPOLITANO. I inquire of the Chair as to how much time remains.

The Acting Chair. The time of the gentleman from California has 2½ minutes remaining. The gentleman from Washington has 2½ minutes remaining.

Mr. HASTINGS of Washington. Will the gentlelady yield?

Mrs. NAPOLITANO. I yield to the gentleman.

Mr. HASTINGS of Washington. I just want to say to my friend that, as I am the last speaker on my side, I am prepared to close when she is done with her speakers.

Mrs. NAPOLITANO. I have one more speaker.

The Acting Chair. The gentlewoman has 2 minutes remaining.
**CONGRESSIONAL RECORD — HOUSE**

February 29, 2012

### WATER DISTRICTS AND LOCAL GOVERNMENTS

- Central Delta Water Agency
- City of Sacramento
- City of Stockton
- Contra Costa County Board of Supervisors
- Contra Costa County Board of Supervisors
- Grassland Water District
- Reclamation District 999
- Sacramento County Board of Supervisors
- San Joaquin County
- San Joaquin County Board of Supervisors
- San Mateo County Harbor District
- Solano County
- South Delta Water Agency
- South San Joaquin Irrigation District
- Water Replenishment District of Southern California
- Yolo County

### BIA OF THE DELTA

- Business Council of San Joaquin County
- California Delta Chambers & Visitor’s Bureau
- California Rural Legal Assistance Foundation
- Concerned Citizens Coalition of Stockton
- The Contra Costa Council
- Environmental Entrepreneurs
- Hawkeye Marketing
- Silicon Valley Leadership Group
- Stockton Chamber of Commerce

### ENVIRONMENTAL GROUPS

- Alameda Creek Alliance
- American Rivers
- AquAlliance
- Audubon
- Bay Area Council for Environmental Action
- Berkeley Conservation Institute
- Biodiversity Conservation Alliance
- Butte Environmental Council
- California League of Conservation Voters
- California Public Employee for Environmental Responsibility
- California Save Our Streams Council
- California Water Impact Network
- Cascade Action Now
- Center for Biological Diversity
- Center for Sierra Nevada Conservation
- Clean Water Action
- Conservation Congress
- Coast Action Group
- Defenders of Wildlife
- Desal Response Group
- Earth Law Center
- Earthjustice
- Ebbets Pass Forest Watch
- Endangered Species Coalition
- Environmental Defense Fund
- Environmental Protection Information Center
- Friends of Butte Creek
- Friends of the Calaveras
- Friends of Del Norte
- Friends of the Eel River
- Friends of the Gualala River
- Friends of the Lower Calaveras River
- Friends of the North Fork American River
- Friends of the River
- Humboldt Baykeeper
- Institute for Fisheries Resources
- KSBY
- Living Rivers/Colorado Riverkeeper
- Madrone Audubon
- Merced River Conservation Committee
- Mid-Klamath Watershed Council
- Mono Lake Committee
- Monterey Coastkeeper
- National Parks Conservation Association
- Natural Resources Defense Council
- Nature Abounds
- The Nature Conservancy
- Northeast Environmental Center
- North Coast Rivers Alliance
- Northern California River Watch
- Oceana
- Oregon Waterwatch
- Oregon Wild
- The Otter Project
- Palos Verdes Audubon Chapter
- Planning and Conservation League
- Protect Our Water
- The Public Trust Alliance
- Redwood Regional Audubon Society
- Restore Beton Hetchy
- Resource Renewal Institute
- Restore the Delta
- The River Project
- Rocky Mountain Wild
- Rose Foundation
- Russian Riverkeeper
- Russian River Watershed Protection Committee
- Sacramento Audubon Society
- Sacramento River Preservation Trust
- Safe Alternatives for our Forest Environment
- San Francisco Bay Keeper
- San Joaquin Audubon
- Santa Clara County Creeks Coalition
- Santa Clarita for Planning and the Environment
- Santa Cruz Women’s International League for Peace and Freedom
- Save the Bay
- Save the Frogs!
- Sierra Club California
- Sierra Foothills Audubon
- Sierra Nevada Alliance
- Siskiyou Land Conservancy
- South Fort Mountain Defense Committee
- South Yuba River Citizens League
- Southern California Watershed Alliance
- Trinity Lake Revitalization Authority
- Trust for Public Land
- Tuolumne Conservancy
- Tuolumne River Trust
- Unitarian Universalist Ministry for Earth
- United Outdoorsmen
- Upper Mokelumne River Watershed Council
- Walden Holt Conservancy
- Western Nebraska Resources Council
- Whidbey Environmental Action Network

### HUNTING ORGANIZATIONS AND BUSINESSES

- Bodega Bay Fishermen’s Marketing Association
- Checkmate Charters
- Chris’ Fishing Charters
- Chubasco Charters
- Coastside Fishing Club
- Delta Fly Fishers
- Diablo Valley Fly Fishermen
- El Dorado II Charters
- Emeryville Salmon Fishing
- Fishery Foundation
- Fish Sniffer
- Flash Sportfishing Charters
- Flying Fish Charters
- Foothills Angler Coalition
- Fred Hall Shows
- Golden Gate Fishermen’s Association
- Golden Gate Salmon Association
- Golden West Women Flyfishers
- G. Pucci and Sons Manufacturing
- Granite Bay Flycasters
- Hi’s Tackle Box
- Hog Heaven Charters
- Huck Finn Charters
- Humboldt Aron Saltwater Anglers
- Humboldt Fisherman’s Marketing Association
- Jim Cox Sport Fishing Charters
- Johnson Hicks Marine
- Kokanee Power
- Leisure Sales
- Lower Sherman Island Duck Hunters Association
- Lovely Linda Sportfishing
- Lovely Martha Charters
- Lower Sherman Island Duck Club
- Mission Peak Fly Anglers
- Monterey Fish Market
- New Captain Pete Charters
- New Easy Rider Charters
- New Ray Ann Charters
- New Salmon Queen Charters
- Northern California Council Federation of Fly Fishers
- Northern California Guides Association
- Northwest Guides and Anglers Association
- Northwest Sportfishing Industry Association
- Outdoor Pro Shop
- Outer Limits Charters
- Outwest Marketing
- P Line
- Pacific Catch Fish Grill
- Pacific Coast Federation of Fishermen’s Associations
- Pacific Fishery Management Council
- Pasadena Casting Club
- Pro-Troll Fishing Products
- Queen of Hearts Charters
- Que Sera Sera Charters
- Rapala USA
- Randy’s Fishing Trips
- Recreational Fishermen Alliance
- Reel Steel Sportfishing
- Riptide Charters
- Roy Gray & Associates
- Salmon Aid Foundation
- Salmon King Lodge West
- Salmon Water Now
- Sandy Ann Charters
- San Francisco Crab Boat Owners Association
- Santa Clarita Casting Club
- Santa Cruz Fly Fishermen
- Save our Wild Salmon Coalition
- Sep’s Outdoors Inc.
- Sierra Pacific Flyfishers
- Sir Randy Charters
- Salmonid Sport Fishing Charters
- Small Boat Commercial Salmon Fishermen’s Association
- Sonoma County Abalone Network
- Southwest Council Federation of Fly Fishers
- Sportfishing Association of California
In 1992, it was further preempted by amendments to the law in the Central Valley Project in 1992. So what we did in committee is we offered an amendment that was adopted. Let me read the amendments by Mr. TIPTON and Mr. GOSAR, and it says:

Congress finds and declares that (1) coordinated operations between the Central Valley Project and the State Water Project, previously requested and consented to by the State of California and the Federal Government, require assertion of Federal supremacy to protect existing water rights throughout the system.

That’s in California. It says:

(2) these circumstances are unique to California. Therefore, nothing in this act shall serve as precedent in any other State.

When we offered that amendment, everyone, who already receive lavish taxpayer handouts in the form of subsidized water and crop subsidies.

Three years ago, in a bipartisan fashion, Congress and the California General Assembly approved the landmark San Joaquin Restoration Agreement. This agreement was based on the latest science and settled over 20 years of litigation regarding the use of water in the Sacramento River Delta. The San Joaquin Restoration Agreement brought together multiple water users, including fishermen, farmers, cities and communities, and conservationists and provides a fair allocation of the fresh water that flows through the Delta and into the San Francisco Bay. It also created a roadmap for the further restoration of wild salmon populations. Now, some of the very same interests who signed onto the recent agreement have convinced their allies in Congress to bring legislation to the floor to overturn it.

In addition to throwing out the San Joaquin Restoration Agreement and overriding state law, the bill before us also pre-empts the Endangered Species Act and proclaims that the bill is current and cannot be updated. Rather than turning back the clock nearly 20 years, ignoring scientific advances, and undermining one of our nation’s most important environmental protections, we should vote against the legislation and respect the rights of the State of California.

Both the Governor and Attorney General of California oppose this legislation, as do my colleagues in the Bay Area delegation. The President has rightfully said he will veto this bill. I urge all of my colleagues to support clean water, jobs, and the environment and vote against this misguided bill.

The Acting CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-15. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1837

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Sacramento-San Joaquin Valley Water Reliability Act”.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

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Sec. 102. Amendment to definition.
Sec. 103. Contracts.
Sec. 104. Water transfers, improved water management, and conservation.
Sec. 105. Fish, wildlife, and habitat restoration.
Sec. 106. Restoration fund.
Sec. 107. Additional authorities.
Sec. 108. Bay-Delta Accord.
Sec. 109. Natural and artificially spawned species.
Sec. 110. Authorized service area.
Sec. 111. Regulatory streamlining.

TITLE II—SAN JOAQUIN RIVER RESTORATION

Sec. 201. Repeal of the San Joaquin River settlement.
Sec. 202. Purpose.
Sec. 203. Definitions.
Sec. 204. Implementation of restoration.
Sec. 205. Disposal of property; title to facilities.
Sec. 206. Compliance with applicable law.
Sec. 207. Compliance with Central Valley Project Improvement Act.
Sec. 208. No private right of action.
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Sec. 211. Repeal.
Sec. 212. Water supply mitigation.
Sec. 213. Additional Authorities.

TITLE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS

Sec. 301. Repayment contracts and acceleration of repayment of construction costs.

TITLE IV—BAY-DELTA WATERSHED WATER RIGHTS, PRESERVATION AND PROTECTION

Sec. 401. Water rights and area-of-origin protections.
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Sec. 402. Sacramento River settlement contracts.
Sec. 403. Sacramento River Watershed Water Service Contractors.
Sec. 404. No redirected adverse impacts.

TITLE V—MISCELLANEOUS

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

SEC. 101. AMENDMENT TO PURPOSES.
Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) by striking subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

"(g) to ensure that water dedicated to fish and wildlife or other purposes is available and provided to Central Valley Project water contractors by December 31, 2016, at the lowest cost reasonably achievable; and

"(h) to facilitate and expedite water transfers in accordance with this Act.".

SEC. 102. AMENDMENT TO DEFINITION.
Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by adding subsection (a) to read as follows:

"(a) the term ‘anadromous fish’ means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries before maturing in San Francisco Bay or the Pacific Ocean;"

(2) in subsection (b), by striking "and";

(3) in subsection (m), by striking the period and inserting "; and"; and

(4) by adding at the end the following:

"(n) the term ‘reasonable flows’ means water flows that are maintained taking into account competitive uses of water and economic, environmental, and social factors;"

SEC. 103. CONTRACTS.
Section 3404 of the Central Valley Project Improvement Act (106 Stat. 4708) is amended—

(1) in the heading, by striking "LIMITATION ON CONTRACTING AND CONTRACTS REFORM" and inserting "CONTRACTS"; and

(2) by striking the language of the section and by adding:

"(a) RENEWAL OF EXISTING LONG-TERM CONTRACTS.—Upon request of the contractor, the Secretary shall renew any existing long-term repayment or water service contract that provides for the delivery of water from the Central Valley Project for a period of 40 years, and renew such contracts for successive periods of 40 years each.

(b) DELIVERY CHARGE.—Beginning on the date of the enactment of this Act, a contract entered into or renewed pursuant to this section shall include a provision that requires the Secretary to charge the other party to such contract only for water actually delivered by the Secretary.

SEC. 104. WATER TRANSFERS, IMPROVED WATER MANAGEMENT, AND CONSERVATION.
Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4709) is amended as follows:

(1) In subsection (a), by striking before "Except as provided herein:" the following: "The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act or any other provision of Federal reclamation law and the National Environmental Policy Act of 1969;"

(2) in paragraph (1)(A), by striking "or combination;"

(3) in paragraph (2), by adding at the end the following:

"(E) the contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of such proposal. If such district or agency or the Secretary determines that such proposal is incomplete, such district or agency or the Secretary shall state with specificity what must be added and how this proposal is to be revised in order for such proposal to be complete.

"(F) Except as provided in this section, the Secretary shall not impose mitigation or other requirements by rule or regulation, but the authorizing the contracting district from which the water is coming or the agency shall retain all authority under State law to approve or condition a proposed action.

"(G) By adding at the end the following:

"(1) Notwithstanding any other provision of Federal reclamation law—

"(A) the authority to make transfers or exchanges of, or banking or recharge arrangements using, Central Valley Project water that could have been conducted before October 30, 1992, is valid, and such transfers, exchanges, or arrangements shall not be subject to, limited, or conditioned by this title; and

"(B) this title shall not supersede or revoke the authority to transfer, exchange, bank, or recharge Central Valley Project water that existed prior to October 30, 1992.

"(2) The authority to bank overhead and delivery charges under existing Federal reclamation law and the National Environmental Policy Act of 1969.

"(3) in subsection (m), by striking the period and inserting "of service;"

"(4) By redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

"(5) By amending subsection (e)(as redesignated by paragraph (4))—

(A) by striking "as a result of the increased repayment" and inserting "that exceed the cost-of-service;"

(B) by inserting "the delivery of" after "rates applicable to"; and

(C) by striking ", and all increased revenues received by the Secretary as a result of the increased water prices established under subsection 3405(d) of this section,".

SEC. 105. FISH, WILDLIFE, AND HABITAT RESOURCES.
Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)(B)—

(i) by striking "is authorized and directed to" and inserting "may;"

(ii) by inserting "reasonable water" after "water" to provide;

(iii) by striking "anadromous fish, except that such and inserting "anadromous fish. Such"

(iv) by striking "flow" and inserting "‘reasonable instream flow’;

(v) by inserting "and the National Marine Fisheries Service after United States Fish and Wildlife Service;" and

(vi) by striking "California Department of Fish and Game and inserting "United States Geological Survey (b) in paragraph (2)—

(i) by striking "primary purpose" and inserting "purposes;

(ii) by striking "but not limited to" before "additional obligations;" and

(iii) by adding after the period the following: "All Central Valley Project water used for the purposes specified in this paragraph shall be credited to the quantity of Central Valley Project water yield dedicated and managed under this paragraph by determining how the dedication and management of such water would affect the delivery capability of the Central Valley Project during the 1928 to 1934 drought period after fishery, water quality, and other flows and operational requirements imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, have been met. To the fullest extent possible and in accordance with section 3411, Central Valley Project water dedicated and managed pursuant to the paragraph shall be reused to fulfill the Secretary’s remaining contractual obligations to provide Central Valley Project water for agricultural or municipal and industrial use.

"(C) by amending paragraph (2)(C) to read:

"(C) If by March 15th of any year the quantity of Central Valley Project water forecasted for federal repayment contractors in the Delta Division of the Central Valley Project is below 75 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.

(2) By adding at the end the following:

"(i) SATISFACTION OF PURPOSES.—By pursuing the activities described in this section, the Secretary shall be deemed to have satisfied the mitigation, protection, restoration, and enhancement purposes of this title.

SEC. 106. RESTORATION FUND.
(a) In GENERAL.—Section 3407(a) of the Central Valley Project Improvement Act (106 Stat. 4726) is amended as follows:

(1) By inserting "(1) IN GENERAL.—" before "The Secretary hereby:"

(2) By striking "Not less than 67 percent" and all that follows through "Monies" and inserting "Monies;"

(3) By adding at the end the following:

"(2) PROHIBITIONS.—The Secretary may not directly or indirectly require a donation or other payment to the Restoration Fund.

"(3) By inserting "(A) or environmental mitigation fees not otherwise provided by law, as a condition to—"

"(i) providing for the storage or conveyance of non-Central Valley Project water pursuant to Federal reclamation laws; or

"(ii) the delivery of water pursuant to section 215 of the Reclamation Reform Act of 1982 (Public Law 97-293; 96 Stat. 1270); or

"(B) for any water that is delivered with the sole intent of groundwater recharge.

"(b) CERTAIN PAYMENTS.—Section 3407(c)(1) of the Central Valley Project Improvement Act is amended—

(1) by striking "mitigation and restoration;"

(2) by striking "provisionally" after "or after October 1, 2013, $4 per megawatt-hour for Central Valley Project power sold to power contractors under the 2013 price level, $1.70 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project;"

(3) by adding at the end the following:

"(C) ADJUSTMENT AND ASSESSMENT OF Mitigation and Restoration Payments.—Section 3407(d)(2) of the Central Valley Project Improvement Act is amended by inserting "or after October 1, 2013, $4 per megawatt-hour for Central Valley Project power sold to power contractors under the 2013 price level, $1.70 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project;"

"(D) COMPLETION OF ACTIONS.—Section 3407(d)(2)(A) of the Central Valley Project Improvement Act is amended by inserting "or after October 1, 2013, $4 per megawatt-hour for Central Valley Project power sold to power contractors under the 2013 price level, $1.70 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project;"

"(E) REPORT; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act is amended by inserting at the end the following:

"(G) REPORT ON EXPENDITURE OF FUNDS.—At the end of each fiscal year, the Secretary, in consultation with the Restoration Fund Advisory Board, shall submit to Congress a plan for
the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

(1) ESTABLISHMENT.—There is hereby established the Restoration Fund Advisory Board (hereinafter in this section referred to as the "Advisory Board") consisting of 12 members selected by the Secretary, each for four-year terms, one of whom shall be designated by the Secretary as Chairman. The members shall be selected by the Secretary from the various Central Valley Project stakeholders, four of whom shall be from CVP agricultural users, three from CVP municipal and industrial users, three from CVP power project stakeholders and three from the various Federal Government. The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

(2) DUTIES.—The duties of the Advisory Board are as follows:

(A) To meet at least semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out pursuant to the Central Valley Project Improvement Act.

(B) To ensure that any advice or recommendations of the Advisory Board to the Secretary reflect the independent judgment of the Advisory Board.

(C) Not later than December 31, 2013, and annually thereafter, to transmit to the Secretary and Congress recommendations required under subparagraph (A).

(D) Not later than December 31, 2013, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406 of this title.

(3) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.

SEC. 106. ADDITIONAL AUTHORITIES.

(a) AUTHORITY FOR CERTAIN ACTIVITIES.—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4782) is amended to read as follows:

``(c) CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.—

(1) IN GENERAL.—The Secretary is authorized to enter into contracts with respect to the Central Valley Project by the amount dedicated and managed by the Secretary on a priority basis and not later than September 30, 2013, shall submit to Congress a plan which—

(A) details the progress made in achieving the purposes of such contracts and programs pursuant to Federal reclamation law and this title with any Federal reclamation law.

(B) shall coordinate with the State of California, the State Water Project, and other beneficial purposes.

(C) shall include any donation or other payment to the Restoration Fund.

(D) shall cover the reasonable costs incurred by the Secretary.

(E) may use the facilities and services of any Federal agency.

(F) may, to implement the intent, purposes, and provisions of this section and a description of how the Secretary intends to use the following options—

(1) Water banking and recharge.

(2) By adding at the end the following:

``(2) IMPLEMENTATION OF PLAN.—The Secretary shall implement by paragraph (1) commencing on October 1, 2013. In order to carry out this subsection, the Secretary shall coordinate with the State of California, the State Water Project, and other beneficial purposes.

(3) FAILURE OF THE PLAN.—Notwithstanding any other provision of Federal reclamation law, if by September 30, 2016, the plan required by paragraph (1) fails to increase the annual delivery capability of the Central Valley Project by 800,000 acre-feet of any nonmandatory action under section 3406(b) shall be suspended until the plan achieves an increase in the annual delivery capability of the Central Valley Project by 800,000 acre-feet.

(d) TECHNICAL CORRECTION.—Section 3409(h) of the Central Valley Project Improvement Act (106 Stat. 4782) is amended—

(1) in paragraph (1), by striking "paragraph (h)(2)" and inserting "paragraph (2)" and

(2) in paragraph (2), by striking "paragraph (h)(1)" and inserting "paragraph (1)".

(e) WATER STORAGE PROJECT CONSTRUCTION.—The Secretary, acting through the Commissioner of the Bureau of Reclamation, may enter into contracts identified in section 103(d)(1) of the Water Supply Reliability, and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts for the construction of new storage facilities for any beneficial purpose.

(f) REPORTING REQUIREMENTS.—Section 3408(f) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) by striking "Interior and Insular Affairs and the Commission on Merchant Marine and Fisheries and the Natural Resources" and inserting "Natural Resources";

(2) in the second sentence, by inserting before the period the end the following: "and otherwise required to meet the purposes of section 103 of Public Law 99–546 (100 Stat. 3051).

(g) PROJECT YIELD INCREASE.—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking "in order to minimize adverse effects, if any, upon" and inserting "(1) IN GENERAL.—In order to minimize adverse effects upon".

(3) By striking "needs, the Secretary, and all that follows through, submit to Congress, a" and inserting "the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

SEC. 107. ADDITIONAL AUTHORITIES.

(a) AUTHORITY FOR CERTAIN ACTIVITIES.—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4782) is amended—

(1) by striking "interim and Insular Affairs and the Commission on Merchant Marine and Fisheries and the Natural Resources" and inserting "Natural Resources";

(2) in the second sentence, by inserting before the period the end the following: "and otherwise required to meet the purposes of section 103 of Public Law 99–546 (100 Stat. 3051).

(3) PROJECT YIELD INCREASE.—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking "in order to minimize adverse effects, if any, upon" and inserting "(1) IN GENERAL.—In order to minimize adverse effects upon".

(3) By striking "needs, the Secretary, and all that follows through, submit to Congress, a" and inserting "the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

SEC. 108. BAY-DELTA ACCORD.

(a) CONGRESSIONAL DIRECTION REGARDING CENTRAL VALLEY PROJECT IMPROVEMENT ACT STATE WATER PROJECT OPERATIONS.—The Central Valley Project and the State Water Project shall be operated pursuant to the water quality standard, and in order to otherwise required to meet the purposes of the "Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government" dated December 15, 1994, and such operations shall proceed without regard to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other law pertaining to the operation of the Central Valley Project and the California State Water Project. Implementation of this section shall be in strict conformance with the "Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government" dated December 15, 1994.

(b) APPLICATION OF LAWS TO OTHERS.—Neither a Federal department nor the State of California, the Department of the Interior, or the Department of Commerce of the State of California, shall impose on any valid water right obtained pursuant to State law, including a pre-1914 appropriative right, any condition or restriction that restricts the exercise of a valid water right in order to conserve, enhance, recover or otherwise protect any species that is affected by operations of the Central Valley Project or California State Water Project. Nor shall the State of California, including any agency or board of the State of California, restrict the exercise of any valid water right obtained pursuant to State law, including a pre-1914 appropriative right, in order to protect, enhance, or restore under the Public Trust Doctrine any public trust value. Implementation of the "Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government" dated December 15, 1994, shall be in strict compliance with the water rights priority system and statutory protections for areas of origin.

(c) COSTS.—No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) NATIVE SPECIES PROTECTION.—California law is preempted with respect to any restriction on the quantity or size of nonnative fish taken or harvested that preys upon one or more native fish species that occupy the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

SEC. 109. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretary of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous fish species present in the Sacramento and San Joaquin Rivers or their tributaries and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

SEC. 110. AUTHORIZED SERVICE AREA.

The authorized service area of the Central Valley Project and the State Water Project shall be not less than the boundaries of the Kettleman City Community Services District, California, as those boundaries.
ezist on the date of the enactment of this title. Notwithstanding the provisions of the Act of Octob-
er 30, 1992 (Public Law 102–375, 106 Stat. 4600 et seq.), upon enactment of this title, the Sec-

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2012, the Secretary shall identify—

3) the impacts associated with the release of Restoration Flows prescribed in this part;

4) the measures which shall be implemented to mitigate impacts on adjacent and downstream

water users, landowners and agencies as a result of Restoration Flows prescribed in this part;

5) prior to the implementation of decisions or agreements to construct, improve, operate, or

maintain facilities that the Secretary determines are necessary to implement this part, the Secretary

shall implement all mitigation measures identified in subsection (d)(2) before Restoration Flows are

commenced.

SEC. 201. REPEAL OF THE SAN JOAQUIN RIVER RESTORATION

SEC. 202. PURPOSE.

Section 10002 of the San Joaquin River Restor-
ation Settlement Act (Public Law 111–11) is amended by striking “implementation of the

TITLE II—SAN JOAQUIN RIVER RESTORATION

SEC. 202. DEFINITIONS.

Section 10002 of the San Joaquin River Resto-
ration Settlement Act (Public Law 111–11) is amended by striking “implementation of the
Stipulation of Settlement” and inserting “restoration of the San Joaquin River”.

SEC. 203. DEFINITIONS.

Section 10002 of the San Joaquin River Resto-
r

1. (1) in paragraph (1) and inserting the follow-
goal of the Central Valley Project water for municipal and industrial use. The Secretary may temporarily reduce deliveries of the quantity of water made available pursuant to section 13003 of such total whenever reductions due to hydrologic circumstances are imposed upon agricultural deliveries of Central Valley Project water. If any additional infra-
structure or related-costs are needed to implement this section, such costs shall be the respons-
ibility of the non-Federal entity.

SEC. 111. REGULATORY STREAMLINING.

(a) APPLICABILITY OF CERTAIN LAWS.—Filing of a Notice of Determination or a Notice of Ex-

emption for any project, including the issuance of a permit under State law, related to any proj-
ect of the CVP or the delivery of water therewith in accordance with the California Environ-
mental Quality Act shall be deemed to meet

the requirements of section 102(2)(C) of the Na-

tional Environmental Protection Act of 1969 (42 U.S.C. 4321 et seq.) and project or permit.

(b) CONTINUATION OF PROJECT.—The Bureau of Reclamation shall not be required to cease or modify any major action or other activity related to any project of the CVP or the delivery of water therefrom pending completion of judicial review of any determination made under the National Environmental Protection Act of 1969 (42 U.S.C. 4321 et seq.).

(c) PROJECT DEFINED.—For the purposes of this section:

(1) The term “CVP” means the Central Valley Project.

(2) PROJECT.—The term “project”—

(A) means an activity that—

(i) is undertaken by a public agency, funded by a public agency, or that requires an issuance of a permit by a public agency;

(ii) has a potential to result in physical change to the environment; and

(iii) may be subject to several discretionary approvals by governmental agencies;

(B) may include construction activities, clearing or removing of existing structures, and activities or equipment involving the issuance of a permit; or

(C) as defined under the California Environmental Quality Act (Public Law 106–205) of the California Public Resource Code.
Project contractor, or any other person or entity, outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such costs are incurred on a voluntary basis. The implementation of this part shall not result directly or indirectly in any reduction in water supplies or water reliability on any Central Valley Project contractor, any State Water Project contractor, any person or entity outside the Friant Division, the Hidden Unit, or the Buchanan Unit, unless such reductions or costs are incurred on a voluntary basis.

“(i) Projects taken under this part shall be subordinate to the Secretary’s use of Central Valley Project facilities to make Project water available to Project contractors, other than water released from the Friant Dam pursuant to this part.

“(m) In general.—Notwithstanding section 8 of the Reclamation Act of 1902, except as provided in this section, including Title IV of the Sacramento and San Joaquin Valleys Water Reliability Act, this part preempts and supersedes any state law, regulation, or requirement that imposes more restrictive requirements or regulations on the activities authorized under this part. Nothing in this part shall alter or modify the obligations, if any, of the Friant Division, Hidden Unit or Buchanan Unit of the Central Valley Project, or any other users on the San Joaquin River or its tributaries, under orders issued under the State Water Resources Control Board pursuant to the Porter-Cologne Water Quality Control Act (California Water Code sections 13600 et seq.). Any such order shall be consistent with the congressional authorization for any affected federal facility as it pertains to the Central Valley Project.

(n) Project implementation.—Projects to implement this title shall be phased such that each project shall follow the sequencing identified below and include at least the—

“(1) project purpose and need;

“(2) identification of mitigation measures; and

“(3) appropriate environmental review; and

“(4) prior to releasing Restoration Flows under this part, the Secretary shall—

“(A) complete the implementation of mitigation measures required; and

“(B) complete implementation of the project.”.

SEC. 205. DISPOSAL OF PROPERTY; TITLE TO FACILITIES.

Section 10005 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a), by striking “the Settlement authorized by this part” and inserting “this part”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary and inserting “The Secretary”; and

(ii) by striking “the Settlement authorized by this part” and inserting “this part”;

(B) by striking paragraph; and

(3) in subsection (c), by striking “section 10009(c)” and inserting “section 10009”.

SEC. 206. COMPLIANCE WITH APPLICABLE LAW.

Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “unless otherwise provided by this part” before the period at the end; and

(B) in paragraph (2), by striking “the Settlement” and inserting “this part”;

(2) by striking paragraph (b), by inserting “unless otherwise provided by this part” before the period at the end;

(3) in subsection (c)—

(A) in paragraph (2), by striking “section 10004” and inserting “this part” and

(B) in paragraph (3), by striking “the Settlement” and inserting “this part”;

(4) in subsection (d)—

(A) by inserting “, including without limitation to sections 10004(d) and 10004(h)(4) of this part,” after “implementing this part”; and

(B) by striking “for implementation of the Settlement”.

SEC. 207. COMPLIANCE WITH CENTRAL VALLEY PROJECT IMPROVEMENT ACT.

Section 10007 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in the matter preceding paragraph (1), by striking “the Settlement” and inserting “enactment of this part”; and

(B) by inserting “, and the obligations of the Secretary and all other parties to protect and keep in good condition any fish that may be planted or exist below Friant Dam including any obligations under section 5937 of the California Fish and Game Code and the public trust doctrine, and those of the Secretary and all other parties under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),” before “, provided”; and

(2) in paragraph (1), by striking “, as provided in the Settlement”.

SEC. 208. NO PRIVATE RIGHT OF ACTION.

Section 10008(a) of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) by striking “not a party to the Settlement” after “person or entity”;

(2) by striking “or the Settlement” before the period and inserting “unless otherwise provided by this part. Any Central Valley Project long-term water service or repayment contract within the Friant Division, Hidden Unit, or Buchanan Unit adversely affected by the Secretary’s failure to comply with section 10004(a)(3) of this part may bring an action against the Secretary for injunctive relief or damages, or both.”.

SEC. 209. IMPLEMENTATION.

Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in the header by striking “; SETTLEMENT FUND”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary” and inserting “The Secretary”;

(ii) by striking “the Settlement authorized by this part” and inserting “this part”;

(B) by striking paragraph; and

(3) in subsection (c), by striking “paragraph (1), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2)—

(i) by striking “the Settlement” and inserting “this part”;

(III) by striking “(i) in subparagraph (A), by striking “section 10009(c)” and inserting “section 10009”.

SEC. 206. COMPLIANCE WITH APPLICABLE LAW.

Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a), by striking “the Settlement authorized by this part” and inserting “this part”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary” and inserting “The Secretary”;

(ii) by striking “the Settlement authorized by this part” and inserting “this part”;

(B) by striking paragraph; and

(3) in subsection (c), by striking “paragraph (1), by striking “the Settlement” and inserting “this part”;

(B) in paragraph (2)—

(i) by striking “the Settlement” and inserting “this part”;

(II) by striking paragraph (b)(1) before the period at the end;

(III) by striking “the Settlement” and inserting “this part”;

(III) by striking paragraph (C), by striking “section 10009(c)” and inserting “section 10009”.

SEC. 209. IMPLEMENTATION.

Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in the header by striking “; SETTLEMENT FUND”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “(1) IN GENERAL.—The Secretary” and inserting “The Secretary”;

(ii) by striking “the Settlement authorized by this part” and inserting “this part”;

(B) by striking paragraph; and

(3) in subsection (c), by striking “paragraph (1), by striking “the Settlement” and inserting “this part”;

(III) by striking paragraph (C), by striking “section 10009(c)” and inserting “section 10009”.

SEC. 301. REPEAL.

Section 10202(b) of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in paragraph (1), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”;

(2) in paragraph (2), by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “meet the Interim Flows or Restoration Flows authorized in part I of this subtitle” and inserting “recover Restoration Flows as described in this part”; and

(B) in subparagraph (C)—

(i) by striking “the Interim or Restoration Flows authorized in part I of this subtitle” and inserting “Restoration Flows authorized in this part”;

(ii) by striking “, and for ensuring appropriate adjustment in the recovered water account pursuant to section 10004(a)(3)”.

SEC. 212. WATER SUPPLY MITIGATION.

Section 10012 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (a), by striking “the Settlement” and inserting “this part”;

(2) by striking subsection (b) through (f).

SEC. 213. ADDITIONAL AUTHORITIES.

Section 10203 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(1) in subsection (b)—

(A) by striking “section 10004(a)(4)” and inserting “section 10004(a)(3)”; and

(B) by striking “, provided” and all that follows through section 10009(f)(2)”; and

(2) by striking subsection (c).

TITRE III—REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

SEC. 210. REPAYMENT CONTRACTS AND ACCELERATION OF REPAYMENT OF CONSTRUCTION COSTS.

(a) Conversion of Contracts.
(1) Not later than 1 year after enactment, the Secretary of the Interior, upon request of the contractor, shall convert all existing long-term Central Valley Project contracts entered under subsection (a) of section 9 of the Act of August 4, 1939 (53 Stat. 1196), to a contract under subsection (d) of section 9 of said Act (53 Stat. 1195), under mutually agreeable terms and conditions.

(2) Upon request of the contractor, the Secretary is further authorized to convert, not later than 1 year after enactment, any Central Valley Project contracts entered under subsection (d) of section 9 of the Act of August 4, 1939 (53 Stat. 1194), to a contract under subsection (c)(1) of section 9 of said Act, under mutually agreeable terms and conditions.

(3) All contracts entered into pursuant to paragraph (1) shall—

(A) require the repayment, either in lump sum or by accelerated prepayment, of the remaining amount of construction costs identified in the most current version of the Central Valley Project Schedule of Irrigation Capital Allocations by Contractor, as adjusted to reflect payments not reflected in such schedule, and properly assignable to the contractor, no later than January 31, 2016; such amount to be discounted by the Treasury Rate.

(B) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the contract are properly assignable to the contractor, no later than 5 years after notification of such allocation if such allocation is made in approximately equal annual installments, no later than January 31, 2016; such amount to be discounted by the Treasury Rate.

(C) require no later than January 31, 2013, as adjusted, shall be provided by the Secretary of the Interior to each contractor no later than 180 days of enactment.

(D) require that, notwithstanding subsection (c)(2), construction costs or other capitalized costs incurred after the effective date of the contract are properly assignable to the contractor, no later than 5 years after notification of such allocation if such allocation is made in approximately equal annual installments, no later than January 31, 2016; such amount to be discounted by the Treasury Rate.

(E) require any long-term contractor to use a particular type of financing to make the payments required in paragraph (3)(A) or paragraph (4)(A) of subsection (a), or subsection (b), upon a contractor's compliance with and discharge of the obligation of repayment of the construction costs as provided in subsection (a)(3)(A), the ownership and full-cost pricing limitations of subsection (c) shall be applied in a manner that is consistent with water right priorities established by State law.

SEC. 402. SACRAMENTO RIVER SETTLEMENT CONTRACTS.

In the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), in the Bay-Delta and on the Sacramento River, the Secretary shall authorize and direct the contractors exercising contract conversions under this section to pay an amount equal to the total amount of costs properly assignable to the contractors exercising contract conversions under this section, that provides water for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(1) Not less than 50% of their contract quantities in a "Wet" year.

(2) Not less than 75% of their contract quantities in an "Above Normal" year.

(3) Not less than 100% of their contract quantities in a "Dry" year.

(b) PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in subsection (a) shall be deemed to (i) constrain, govern or affect, directly or indirectly, the operations of the Central Valley Project’s American River Division or any delivered adverse water supply or fiscal impacts to the State Water Project arising from the Secretary’s operation of the Central Valley Project or to the State Water Project arising from the Secretary’s operation of the Central Valley Project’s American River Division or any delivered adverse water supply or fiscal impacts to the State Water Project arising from the Secretary’s operation of the Central Valley Project or to the State Water Project arising from the Secretary’s operation of the Central Valley Project’s American River Division or any delivered adverse water supply or fiscal impacts.
Page 20, line 10, strike “valid.”
Page 20, line 17, strike “valid.”
Page 25, line 16, insert a period after “inclusive.”
Page 26, line 4, insert a colon after “Settlement.”
Page 37, line 22, insert “the first place it appears” before “before.”
Page 38, line 1, strike “, provided;” and insert “provided.”
Page 39, line 19, strike “after” and insert “before.”
Page 39, line 21, strike “after” and insert “before.”
Page 40, line 12, insert “Central Valley Project” before “water.”
Page 52, line 12, after “Sacramento River” insert “or San Joaquin River.”
Page 52, line 19, strike “MISCELLANEOUS” and insert “MISCELLANEOUS.”

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. McCLINTOCK) and a Member opposed each will control 5 minutes. The Chair recognizes the gentleman from California.
Mr. McCLINTOCK. Mr. Chairman, this amendment addresses two concerns that have been raised by opponents of the bill during the committee markup and here on the floor today. A great deal of time during that markup and more today was spent addressing concerns that the bill provides for 40-year contracts that can be renewed each year. The minority charged that this amounts to de facto privatization of a public resource. Well, we have tried over and over to explain to them that 40-year successive renewal contracts are the rule in Western water law, and the 25-year provision for the Central Valley Project was actually the exception. Indeed, the CVP used to operate with a 40-year provision until that was changed in 1992. This amendment makes it absolutely crystal clear. I certainly hope, that the contract provisions for the Central Valley Project must be in conformity with the act of July 2, 1956, that amended the Reclamation Projects Act of 1902. This amendment makes it crystal clear that these four projects are authorized as long as non-Federal financing is used. This clears the way for local, State, and private funds to be applied immediately to the construction of these facilities.

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I would remind the gentleman and the gentlelady who carried the legislation, this Congress approved a 50-year contract for Hoover power users. And I would remind my friend, the gentleman from California, that during the markup, he officially said that he couldn’t probably live with it, but I hope that is still the case. I hope that these amendments assure his concerns, and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. THOMPSON OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-405.

Mr. THOMPSON of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 2, insert the following:

SEC. 2. EFFECTIVE DATE CONDITIONS.

Notwithstanding sections 104, 105, 110, and 111 and subtitle III, nothing in this Act or the amendments made by this Act shall take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, certifies that the provisions of this Act and the amendments made by this Act will not result in the loss of agriculture-related jobs or revenue in California counties north of the Sacramento-San Joaquin River Delta.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. Thompson) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMPSON of California. Mr. Chairman, I yield myself such time as I may consume.

The Thompson-Eshoo amendment states that nothing in this bill can go into effect if the Secretary of the Interior determines that any agricultural, fishery, or related jobs will be lost in northern California counties as a result of this bill. I represent a community with varied economic interests: agriculture, fisheries, and tourism. Our amendment would protect these jobs from this politically driven legislation that would divert water to southern California counties.

Proponents of this bill claim that the bill protects jobs. The bill does the exact opposite of what it claims to do. It’s a job-killer bill. It creates economic winners and losers based on south-of-delta interests. The livelihoods of individuals and the delta ecosystem are ignored.

In my home district, over 2 million acres of farmland support a greater than $1 billion market value of products. Over 10 percent of these farms depend on irrigation. I do not believe that these farmers are less important than the south-of-delta farmers. Their jobs, their income, their families should not be sacrificed.

However, this is not simply a northern farmer versus southern farmer issue. Fishermen on the north coast of California saw the result of politically driven water resources decisions in 2008 and 2009. They paid the price in almost $534 million of fishing-related jobs and economic loss. One of my constituents, Ms. Eshoo, my friend and colleague, Mr. Chairman, I thank the gentlelady who carried the legislation. Why? Because it states that any fishery-related or agricultural job is lost as a result of this act, the bill will not be enacted. And I think that really sets down where we are.

We need jobs in this country and not job-killing legislation. Now this legislation would undo years of negotiations reached by the State of California, local ranchers, farmers, and others. It is one of water wars, which means more employment for lawyers but not much for anyone else.

My congressional district, which includes Silicon Valley and the fishing community of Half Moon Bay, is not in the delta, but their constituents oppose this legislation because their communities, their livelihoods, their resources are also negatively affected by this bill.

Now listen to what the Silicon Valley Leadership Group says, over 350 major companies in Silicon Valley:

We believe that H.R. 1837 would be counterproductive to the development of a comprehensive solution to the Golden State’s water programs as it overrides many existing regulations and laws concerning the delta ecosystem and undermines years of collaboration and goodwill developed by a broad coalition of actors and experts.

And this mention of broad coalition, it’s this bill that talks in plain English, because there’s not a coalition. You have to build from the ground up with the stakeholders. That’s why there’s such a problem with it.

Listen to what the Pacific Coast Federation of Fishermen’s Associations says, and they’re the largest commercial fishermen association along the Pacific coast:

Make no mistake, this bill will only preempt State law; it will destroy jobs. One of the west coast’s oldest industries, our salmon fishery, along with the fishing communities that the economic interests represent, is threatened with extinction by this audacious bill.
We need to protect our citizens from further economic hardships by defending American jobs and enacting legislation that will help, not harm.

For these reasons, I urge my colleagues to vote for Representative Thompson's amendment.

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. HASTINGS of Washington. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, it is amazing the inconsistencies in the amendment itself. Here the gentlelady is talking about San Jose, yet San Jose is south of the area we're talking about, and yet Silicon Valley receives water exports from the delta.

But let's take a different incoherence. I represent Stanislaus County, which is north of Stockton. Maybe we need a map. We actually have Stanislaus County that reaches up past Stockton, San Joaquin County, the Sacramento area, and yet we're going to be excluded.

So it's one thing to pick winners and losers in this, but what we try to do is not pit north versus south. We're trying to use natural resources in the best option available.

I find interesting another inconsistency: This amendment, does it include forestry, which resides under the jurisdiction of USDA? Are the authors not concerned about the devastating effects of the timber industry and how it's suffered due to the ESA issues associated with the spotted owl?

There are many inconsistencies here. Pick your battle.

Mr. THOMPSON of California. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. NUNES), the author of the legislation.

Mr. NUNES. Mr. Chairman, the gentleman from California (Mr. DENHAM) just made a very important point. Silicon Valley gets their water from Hetch Hetchy. San Francisco gets their water from Hetch Hetchy. What's Hetch Hetchy? Hetch Hetchy was dammed up. It's in Yosemite, and they pipe their water. So if they care about the fish and the fishermen, tear down the dam, send their water out to the delta. But they don't want to do that.

Now I have a lot of my respect for my friend from northern California (Mr. THOMPSON). We've worked together on many issues. But I have to remind the gentleman that the salmon fishermen were bailed out. They were given $230 million in payments.

I think there needs to be a GAO study on where this money went to because we don't know where this money went. There's never been any report to show where this money went—$230 million. But it was the Federal Government that told the fishermen not to fish. And I would hope that the gentleman would actually support this legislation because what we have here is the fish that are killing the salmon are the bass fish. Let's let the fishermen go fish. And here's the gruesome picture again. I know you don't like to see it. Let's go get the bass that are eating the smelt so that then the salmon don't have anything to eat. I mean, it's a native species. So this bill allows fishermen to go back to work.

I would hope that the gentleman would support this bill because we need to get the fishermen back to work. I agree, we don't want to spend $230 million after the Federal Government tells the fishermen, no, you can't fish, and then pays them not to fish. That is insanity.

Mr. THOMPSON of California. Mr. Speaker, just a couple of comments on some of the previous speaker's remarks. I'm glad to add forestry in one of the areas if there's any jobs lost that the bill won't go into effect if that would garner my friend's support of this amendment. And as he mentioned, he said it himself: it creates winners and losers. That's not what we're about. We're about creating jobs, not moving jobs from one area to another.

My friend from California mentioned that there was no salmon fishing and it caused these problems. Well, there's no salmon fishing because the last politically motivated water policy killed 80,000 spawning salmon. It shut down the season—it shut it down. It cost people their boats, and it cost people their jobs. Motels, gas stations, bait shops, grocery stores—everybody was hurt tremendously by that matter, and now we're back at it again trying, once again, to politically move water from one portion of the State to another. It's a job killer and it preempts State law. It's a bad bill. It ought to be killed, and this amendment ought to be added to it.

I yield back the balance of my time. Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield the balance of the time to a member of the committee and somebody who has worked on this legislation, Mr. McCINTOCH.

The Acting CHAIR. The gentleman from California is recognized for 2 minutes.

Mr. McCINTOCH. I thank the gentleman.

Mr. Chairman, this amendment would allow the Interior Secretary to suspend this bill if he finds that one job is lost north of the delta. Well, this is the same Interior Secretary who appeared before the Natural Resources Committee in 2009. At the time, thousands of farmworkers were thrown into unemployment by the water diversions. Hundreds of thousands of acres of productive farmland were turned into a dust bowl.

And in the midst of the crisis, he admitted that as Interior Secretary, he had the authority to stop the diversions and end the agony of the Central Valley, but he chose not to do so because, in his words, "It would be like admitting defeat." And this is the man who says California would give the power—upon finding a single lost job in northern California—to plunge our State into another government-created dust bowl? I don't think so.

Mr. THOMPSON of California. Mr. Chairman, the bill, if enacted, would provide an unprecedented Federal statutory express recognition of and commitment to California's State water rights priority system and area of origin protections. This is important for the region to provide sustainable water supply for productive farmlands, wildlife refuges and managed wetlands, cities and rural communities, recreation and meandering rivers that support important fisheries.

So speaks northern California.

Mr. Chairman, for Californians, our lawmakers are working today than on the day that this administration took office. We will not put in the hands of that administration the power to destroy still more jobs, which this amendment cynically seeks to do.

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

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

Mr. THOMPSON of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MCNERNEY

The Acting CHAIR. The Gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.

Mr. M CNERNEY. Mr. Chairman, I yielded 1 minute to the gentleman from California (Mr. HASTINGS). I yield back.

Mr. THOMPSON of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The Amendment No. 3 offered by McNERNEY is in order and is printed in House Report 112-405.

Mr. McNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

SEC. 3. EFFECTIVE DATE CONDITIONS.

Notwithstanding sections 104, 105, 110, and 119, and title III, this Act and the amendments made by this Act shall not take effect until the Secretary of the Interior, in consultation with other Federal agencies with relevant expertise, determines that this Act and the amendments made by this Act shall not have a harmful effect on the quality or safety of drinking water. The residents of the five Delta Counties (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California) shall support the Act.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.
The Chair recognizes the gentleman from California.

Mr. McNERNEY. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I am honored to represent much of the San Joaquin Delta, and the delta is a precious, precious resource that provides water for urban, industrial, and agricultural uses throughout the State of California. The delta serves five northern California counties that are home to 4 million people. The delta region is home to big cities, small towns, and lush farmlands. Just like other Californians, the people of the delta deserve access to clean drinking water. I'm particularly concerned that, as currently written, H.R. 1837 will severely erode the quality of our local water resources.

This issue is important to public health and to local governments throughout Northern California. This bill takes more of our freshwater, and what's left will be saltier and lower quality. Deterioration of delta water increases treatment costs by tens of millions of dollars and requires hundreds of millions of dollars in new capital investments. This bill will hurt the people.

Unfortunately, many communities in the delta region are struggling with budget and public health challenges as it is. The last thing we need is for the Congress to pass a bill that threatens our well-being and forces us to spend millions more to just treat our water. It's bad enough to steal somebody's water, but it's worse to steal their water and then charge them millions of dollars for the privilege.

This legislation we are considering today should not pass. It will harm the safety of drinking water supplies for delta farmers. My colleagues on both sides have made sure that, before this bill comes into effect, it won't burden the delta with heavy costs and new public health threats. I ask all of my colleagues to support my amendment, which will secure the safety and security of our drinking water.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. WESTMORELAND). The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield 4 minutes to the gentleman from California.

Mr. NUNES. Speaker, once again, I don't believe the other side has read the bill. This bill provides for the ultimate protections for delta communities—ultimately protections that guarantee their God-given right to their property and to their water. That's what this bill does. So if you vote against this bill, you're voting to continue the attack on farmers all over the State and communities all over the State. So, if delta farmers want to continue the attack on farmers all over the State and communities all over the State, like they've been doing for 100 years—they have always had their allocation—this bill guarantees that.

Now, I've been to the delta numerous times, and I've spoken to the communities there. Their number one concern is that they do not want the peripheral canal to be built. Well, if you vote against this bill, you are voting to engineer the final salvation of California who opposes this bill, gets his wish to build the peripheral canal that the delta farmers don't want. So if the gentleman wants the peripheral canal built, vote against the bill. If the gentleman wants to make sure that his farmers are not guaranteed their right for water, vote against the bill.

But I find it ironic that the minority is arguing for the delta farmers and the delta communities, but at the very basic level the people who are behind this, the Governor of California, was just here the other day advocating to build the peripheral canal that the gentleman says his constituents don't want. Well, my constituents don't want it either. I support the people in the north. None of us wants to build a multibillion dollar project like this. And we don't have to because passage of this bill allows valuable water to be moved across the delta in a more equitable fashion. We'd wipe fish populations would increase, and guarantees rights to farmers and farmworkers and communities.

Mr. McNERNEY. Mr. Chairman, I certainly appreciate the passion of my colleague from California; but if this bill is beneficial to the delta, then why does every delta county oppose the bill? They made it very clear to me that this is the wrong way to go. And if we do, they will figure out that all the stakeholders were together in 1994 when everyone sat down to make this agreement. That's what this goes back to.

Mr. HASTINGS of Washington. Mr. Chairman, how much time remains on both sides?

The Acting CHAIR. The gentleman from Washington has 2 minutes remaining.

Mr. HASTINGS of Washington. With that, Mr. Chairman, I yield the balance of my time to the gentleman from California.

Mr. NUNES. Mr. Chairman, this debate is really incredible. There is nothing about veteran cemeteries in this bill. I can understand why the minority would want to talk about veterans, because we love our veterans in this country and we do everything to support them. But it is a stretch to say that a bill dealing with property rights issues in California has far-reaching effects in wiping out the Central Valley Improvement Act. It also wipes out the environmental laws, wipes out the water for the Central Valley National Cemetery, it wipes out the water for Tuolumne County. What effect it has on the peripheral canal, I just can't understand other than it will destroy whatever comity and working together there is in California to solve the overarching problems.

By the way, you are stealing 800,000 acre-feet from the delta in this bill. That's water that the delta community needs. That's water that the delta community needs for its citizens, for water quality, and for agriculture.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 2 minutes to my colleague from California.
military to protect this country, we have a right to protect people's private property. That's what this bill does.

I know my other friends on the other side of the aisle who have continued to make this argument, they suddenly care about State preemption. They didn't care about State preemption in 1986, 1992, when they sat down in 1994, when their boondoggle in 2009. They didn't care about State preemption then. Boy, today, when we talk about guaranteeing people their right to their private property, they suddenly are the defenders of the Constitution. This is really stretching it.

I know that the gentleman who was the under secretary at the time who made the deal in 1994, that was bragged about by not only the former chairman of the Natural Resources Committee at the time, bragged about the Bay-Delta Accord of 1994, not only the Under Secretary of the Interior and the Secretary of the Interior himself and President Bill Clinton. They all supported the '94 agreement. All this talk about comprehensive reform and getting people to the table, we don't have that before. What that results in is the illegal taking of people's personal property.

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

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

Mr. MCNERNEY. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-489.

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 2, insert the following:

SEC. 3. EFFECTIVE DATE CONDITIONS.

Notwithstanding sections 104, 105, 110, and 111, and title III, this Act and the amendments made by this Act shall not take effect until the Secretary of the Interior, in consultation with the Secretary of Agriculture, determines that carrying out this Act and the amendments made by this Act shall not have a harmful effect on water quality or water availability for agricultural producers in the San Joaquin Delta (Contra Costa County, Sacramento County, San Joaquin County, Solano County, and Yolo County, California).

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I yield myself as much time as I may consume.

Someone needs to speak up for the delta communities.

I rise to offer a second amendment to H.R. 1837, and I urge my colleagues to consider this amendment.

As my colleagues now know, I'm very honored to represent the people of the San Joaquin Delta. The Delta is a precious resource that provides tremendous economic benefits to our entire State. Preserving the delta should be a priority to all Californians.

Agriculture is the backbone of the delta region. Nearly $900 million in 2009, and sustaining thousands of jobs. Supporting delta farming is essential to the economic sustainability of the delta region. I'm deeply upset that as currently written, H.R. 1837 will ship vastly more water out of the delta, even though the current shipments are already threatening the water quality for local farmers.

Simply put, this bill will steal water from northern California and devastate water quality for delta farmers. Farmers need fresh water. They don't need salt water for their harvest. That is why I'm offering a simple amendment to make sure that the most harmful provisions of this bill do not come into effect until the Secretary of the Interior certifies that they will not harm the water quality or water availability for delta farmers.

Proponents of H.R. 1837 claim their bill is pro-farmer, but the truth is far different. This bill steals water from only one part of California to give it to another. If the authors of H.R. 1837 support farmers throughout the entire State of California, then they should support my amendment.

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

Mr. HASTINGS of Washington. Mr. Chairman, I rise to claim time in opposition.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, you know, the last couple of amendments we've talked about the inconsistencies on how they affect other counties in the community. Certainly my county and Stanislaus County has been excluded, even though it certainly has impact in this area.

But even San Joaquin County, this amendment contradicts itself, because West Side ag districts in San Joaquin County, West Side Irrigation District, Byron with many other communities, their water is going to be shut off in prior years. Their water will be shut off this year with a 30 percent water allocation. The City of Tracy is important. They should have their water. Thirty percent water allocation is unacceptable.

But why are they opposing the bill? Well, because they were just back in Washington 2 days ago lobbying for the construction of the peripheral canal.

Now, perhaps the delta communities want the peripheral canal. Maybe that's a change. I don't know. I haven't been up there in the last few months. But last I heard, the delta communities do not want the peripheral canal to be built.

So, Mr. Chairman, I would urge the gentleman to drop his amendment and to vote in favor of this bill.

Mr. MCNERNEY. Mr. Chairman, right now the delta is in a serious decline. We're shipping more water south...
Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

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

Mr. HASTINGS of Washington. Mr. Chairman, we only have one other speaker before me and I have the right to close, so I'll reserve my time.

Mr. McNERNEY. Well, as we've heard both sides, this is a complicated issue. We don't want farmers in any part of the valley to be hurt, but the delta has a long history of providing excellent farm products, $800 million a year of agricultural output. This is at risk. What's at risk.

My community is crying out to me. San Joaquin County is solidly behind my amendment. They're opposed to this bill. And I ask my colleagues to stand up and consider what this bill means for the rest of the country. If we adopt this, it sets a nasty precedent.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield the balance of the time again to the author of this legislation, the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, once again I want to talk about the water exports.

You saw this earlier. Here are the water exports. Mr. Chairman, right here at the bottom. The green line represents the inflows to the delta. You can see that most of the water that flows to the delta ends up out in the ocean. Seventy-six percent of the water ends up out in the ocean.

What this bill does, this allows the folks in the delta their rights to their water. So if you vote against this bill, you're voting to take those people's water away and their right to their water away.

So if the gentleman's concerned about water quality, then he should support the fact that this bill allows the water to move more freely throughout the delta because it gets rid of the problems that we have throughout the delta and the rigidity that was created when this Congress, in 1992, basically attempted to put farmers out of business and farmworkers in food lines. That's what this debate's about.

And I would suggest, if the gentleman—we could have a unanimous consent agreement right now for an amendment, if the chairman of the committee would allow me.

The City of San Francisco and Santa Clara and all over the bay area, many of the folks from the other side of the aisle who oppose this bill, why do they oppose it other than they want to construct the peripheral canal? They want to ensure construction of the peripheral canal like their Governor, Jerry Brown, wants to do.

But also they don't like the dirty little secret—Yosemite. This was damned up. Hetch Hetchy was damned up. Here's the water that sits in Hetch Hetchy today. It was one of John Muir's favorite places on Earth, and this Congress damned it up.

But you don't see—in miso and Santa Clara all over the bay area, many of the folks from the other side of the aisle who oppose this bill, why do they oppose it other than they want to construct the peripheral canal? They want to ensure construction of the peripheral canal like their Governor, Jerry Brown, wants to do.

Mr. McNERNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. McNERNEY). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. McNERNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.
Control Board, which has been the traditional method, is also removed. Giving rise to this point that this bill overrides State law. And if you are any other State that has a reclamation project in it, beware. Beware what is happening here in the House of Representatives this day. You, too, could be at risk of some interest group in or out of your State seizing your water. I reserve the balance of my time.

Mr. McC Lentock. Mr. Chairman, I rise to close time in opposition to the amendment.

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

Mr. McC Lentock. Perhaps my friend from California was not listening when I presented the manager's amendment which addresses this very subject.

As I pointed out to him—apparently he has a short memory—he had objected to the successive renewal provision that the claim was in the bill but very specifically said he felt he could probably live with 40 years on the amount of time for these contracts. As I've tried to point him repeatedly, the measure, and explicitly as amended, explicitly sets right a wrong that was done in the original law. That's the reclamation law of 1939 as amended July 2, 1956, the very provisions that are restored in this bill.

What his measure does is to continue to single out the Central Valley Project uniquely among all the reclamation projects across America as the one project that can only get 25-year financing. The problem, of course, with that is that these contracts require a degree of certainty over the long-term costs. That's why the 40-year contracts are in place with every other project of the Bureau of Reclamation in the United States, just as was the fact for the Central Valley Project until it was amended by Congress in 1992.

The gentleman says this overrides State law. The CVPIA override State law, and the gentleman was very supportive of that at the time. He obviously has concern over long-term memory loss as well.

I would simply point out that this measure simply says that the CVPIA contracts will be treated on the same basis as every other contract in America.

I reserve the balance of my time.

Mr. Garamendi. Mr. Chairman, may I inquire as to the time remaining?

The Acting CHAIR. You have 1½ minutes remaining.

Mr. Garamendi. Well, first of all, if the gentleman would listen carefully, I was always referring not to the 1956 law but rather to the CVPIA, the 1992 law. Indeed, the 1992 law did change for the better, recognizing the unique situation in California where we had both a State and a Federal water project operating and many other appropriators operating on the rivers in California.

Taking that into account, and taking into account the rapidly growing population and need in California and allowing the State to determine what might be done for the need of that water—I would refer the gentleman, if he cares to take a look, at section 4504, limitation on contracts and contracting reforms. This is what you've wiped out in your bill. It specifically provides that the California State Water Resources Control Board, in concluding their review of the California Court of Appeals—in other words, you have wiped out in your bill the ability of the State of California through the Water Resources Control Board to allocate the water, to take into account court decisions. The bill overturns 150 years of California water law and wipes it out.

In fact, the CVPIA took very specific account of California law and wrote it into the Federal law. What's wrong with that? Nothing that I could think about, because California is unique in so many, many ways, and the CVPIA allowed that to happen.

Now, if I might just take a few seconds and clarify a few things. Yes, indeed, you were talking about the Deputy Secretary of the Department of Interior. That's me. I did conduct those negotiations.

The Acting CHAIR. The time of the gentleman has expired.

Mr. McC Lentock. Mr. Chairman, I yield 1 minute to my colleague, the author of the legislation, Mr. Nunes of California.

Mr. Nunes. Mr. Chairman, I appreciate the gentleman admitting that he was the Under Secretary at the time, and he failed to implement the agreement that everyone came together and agreed upon.

Now, earlier, we had the gentleman from California, who was the author of the 1992 act, who came down to the floor, berated farmers, berated producers against this agreement, when we had the author down here berating production agriculture.

Mr. McC Lentock. Why did they move in 1992 to 25 years? Conveniently that made it very hard for farmers to get loans on their land, especially when they were not sure if they were going to have a water supply. That's what this bill tries to fix. That's why we should vote to go along with this amendment because I believe our Founding Fathers and previous Members of Congress who came before us knew at the time that a 40-year agreement would be enough for farmers and people trying to borrow money to go and do that money so they could put their families to work and provide for their families.

So that's why we should vote "no" against this agreement, when we had the author down here berating production agriculture.

We know what the intent was of 1992, and we've seen the chaos that has been created since 1992, and that's what we fix in this bill.

The Acting CHAIR. The gentleman from California (Mr. McC Lentock) has 30 seconds remaining.

Mr. McC Lentock. First, I want to consider one thing. I said that 40 years is common throughout the western United States. I do need to point out again that the Hoover Dam was actually given a 50-year contract.

The amendment fully addresses the conditions that were expressed by the gentleman over the successive renewal provisions in the contracts. I think we've made it very clear that the conditions of the contracts have to be agreed to by both parties. The gentleman, himself, in markup said he could live with 40 years. He has obviously reconsidered. This measure simply sets right a wrong that was done in 1992, and it treats the CVP as every other reclamation project.

With that, I yield back the balance of my time.

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

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

Mr. Garamendi. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MRS. Napolitano

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-465.

Mrs. Napolitano. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 15, after the period insert the following: "Charges for all delivered water shall include interest, as determined by the
The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. I yield 2 minutes to the gentleman from California (Mr. NUNES). Mr. NUNES. Mr. Chairman, once again, I want to bring up this issue that the minority continues to ignore. They don’t want to talk about this, and I don’t understand why. They care about this fresh water. They also care about the taxpayers—those who fought and with the dammed up Yosemite. They have the water here, and they pipe it to their communities. They completely go around the delta so that none of this water ever makes it to the precious fish that they care about.

We have this beautiful environment here. Mr. Chairman, that was destroyed by the Congress; but we don’t see any amendments to fix this travesty, do we? It’s interesting that the gentlemadam from California wants to raise rates, but no one will find her who pays the cheapest water rates in California or electricity rates and fees on that? Hetch Hetchy, the power generation at Hetch Hetchy.

So perhaps we should have an amendment that would be offered that would make Hetch Hetchy pay today’s fees, fees that all of the other folks in California are having to pay. If we want to do that, then everyone would be on a level playing field. But no. Instead, this is an attack, once again, on our water here, and they pipe it to their communities. They completely go around the delta so that none of this water ever makes it to the precious fish that they care about.

I want to remind my colleagues that this bill saves $300 million, $300 million, this bill saves. So if the ratepayers in San Francisco, in Santa Clara, in Silicon Valley, and all over the Bay Area want to have their precious water, well, they ought to pay the same fees, too.

I would suggest, and I would hope, that we come back at some other time and deal with the unfairness of people who don’t have any water in San Francisco who are so hell-bent on taking people’s water away.

Mrs. NAPOLITANO. Mr. Chairman, may I inquire as to how much time remains?

Mr. NUNES. Mr. Chairman, once again, that my colleagues on the other side are arguing to keep a subsidy that’s news to us.

The amendment before us simply says that, if you’re going to get a loan, you are going to have to pay interest. The way in which the bill is written, to achieve an enormous advantage to those who have had a very good subsidy for many years. It’s not right. It ought not occur.

The amendment before us simply says that, if you’re going to get a loan, you are going to have to pay interest. The way in which the bill is written, to achieve an enormous advantage to those who have had a very good subsidy for many years. It’s not right. It ought not occur.

Secretary of the Treasury, on the basis of average market yields on outstanding marketable obligations of the United States with the remaining periods of maturity comparable to the applicable reimbursement period of the project, adjusted to the nearest 1/8 of 1 percent on the underpaid balance of the allocable project cost."

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

Mr. MCCLINTOCK. I yield 2 minutes to the gentleman from California (Mrs. NAPOLITANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. NAPOLITANO. Mrs. Chairman, I yield myself such time as I may consume.

This is a simple amendment. It creates a revenue stream through the elimination of debt without interest. In other words, ending free subsidy on $400 million. It requires that any new water contracts or renewed contracts must reflect the price of water with interest and repay the debt of the project, with interest, to the Treasury. It is a simple, but very important, aspect to continue to try to balance our Federal budget. We are always looking for ways to find these little—I call them "pockets of money" to be able to help out. Reclamation established in 1902 was meant to deliver water to farms with a maximum of 160 acres, and it was provided interest free on the cost of that project. That was in 1902. Times have changed. Subsequent reclamation reform acts have changed the acreage limitation along with the repayment contracts for these projects. Congressional action has also made the repayment of project debt interest free—I repeat, debt interest free—on $400 million for irrigators while municipalities, like my constituency and power users, pay all of the required appropriate interest. I wish our water users in southern California were as lucky.

H.R. 1837 removes the role of the Federal Government in protecting the environment and public good. If we are removing the role of the Federal Government in protecting the environment and public good, as we plan to do, we should also remove the Federal subsidy associated with renewed or new water contracts. My constituency and anybody else’s must be treated fairly and must be required to pay equally any additional interest on any future water contract and project.

South of California foresaw the need for infrastructure, so local entities stepped up to the plate. They paid for and constructed new storage facilities, like a dam, the Diamond Valley Reservoir. It was entirely paid for by our local folks without one cent of Federal moneys—no tax cuts, no free interest at taxpayer expense.

Eliminating this unfair subsidy will help to cut our deficit. So I urge all of my colleagues to vote "yes" on this amendment.

I reserve the balance of my time. Mr. MCCLINTOCK. Mr. Chairman, I rise in opposition to the amendment.

Mr. NUNES. Mr. Chairman, once again, I want to bring up this issue that the minority continues to ignore. They don’t want to talk about this, and I don’t understand why. They care about this fresh water. They also care about the taxpayers—who fought and with the dammed up Yosemite. They have the water here, and they pipe it to their communities. They completely go around the delta so that none of this water ever makes it to the precious fish that they care about.

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I want to remind my colleagues that this bill saves $300 million, $300 million, this bill saves. So if the ratepayers in San Francisco, in Santa Clara, in Silicon Valley, and all over the Bay Area want to have their precious water, well, they ought to pay the same fees, too.

I would suggest, and I would hope, that we come back at some other time and deal with the unfairness of people who don’t have any water in San Francisco who are so hell-bent on taking people’s water away.

Mrs. NAPOLITANO. Mr. Chairman, may I inquire as to how much time remains?

Mrs. NAPOLITANO. Mr. Chairman, may I inquire as to how much time remains?

The Acting CHAIR. The gentleman from California is recognized for 30 seconds remaining.

Mrs. NAPOLITANO. I yield that time to the gentleman from California.

Mr. GARAMENDI. You will hear this from the other side as they close, Oh, but you are going to be able to get some $300 million. Yes, that money will flow more quickly into the treasury to be sure because it allows the water districts, as a result of the way in which this bill is written, to achieve an enormous advantage. They will be able to get water into the future without having to pay the full cost of that water. So when you look at it from the total accounting procedures, you wind up with an additional subsidy going to these water districts. It’s not right, and it’s not fair to the taxpayers of the United States are adequately compensated for the money that they have loaned for the development of the Central Valley Project and for the money that they have loaned for the specific elements within the Central Valley Project. These are the specific authorized sub-portions of the Central Valley Project. For example, with the San Luis Unit, the taxpayers loaned a vast amount of money.

When you look at the details in this bill, you see that the objectives are a very artful way of avoiding the full cost of repayment through early repayments. The way in which the bill is written, the water districts are able to pay off their loans without having to pay off the interest, and then going forward, they’re not having to share in the on-going cost of maintenance of the major reservoirs and water facilities.

In other words, they are simply charged with the cost of the water, not for the ongoing operational repair and other costs. It’s very interesting, very artfully done and, once again, provides an enormous subsidy to those who have had a very good subsidy for many years. It’s not right. It ought not occur.

The amendment before us simply says that, if you’re going to get a loan, you are going to have to pay interest. The way in which the bill is written, to achieve an enormous advantage to those who have had a very good subsidy for many years. It’s not right. It ought not occur.

The amendment before us simply says that, if you’re going to get a loan, you are going to have to pay interest.
Mr. NUNES. Mr. Chairman, I will be very quick.

The gentledamey from California is the biggest offender of the ultimate subsidy of all. Those are those mystery little Title XVI grants from the Bureau of Reclamation. They don't even charge interest. They just give those away. That's an outrageous subsidy that goes to communities in southern California and in the bay area of $1,500 an acre-foot.

So, I guess we could offer an amendment to strip out all Title XVI money. I'd be willing to do that, too. Let's strip out all the Title XVI money, all the subsidies that go to Los Angeles, Hollywood, and San Francisco. Let's strip out the Title XVI money.

Is the gentledamey willing to strip out Title XVI money?

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCCLINTOCK. Mr. Chairman, may I ask how much time remains?

The Acting CHAIR. The acting Chair announced that the noes appeared to have it.

Mrs. NAPOLITANO. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MCCLINTOCK. Mr. Chairman, this amendment, more than any other, focuses on the central issues surrounding the bill. What comes first, people or fish?

In 1992, the Central Valley Project Improvement Act carved out 800,000 acre-feet to be dedicated to fish and wildlife purposes temporally. In fact, during a Senate debate, the floor manager of the conference report, Senator Mark Wallop, put it this way: "That 800,000 acre-feet of CVP yield is up-front water designed to deal with the requirements of the Endangered Species Act and delta requirements while the various mitigation actions are undertaken. The various mitigation actions are necessary to build more supply so that 800,000 acres taken from the farmers would then be returned to them."

That 800,000 acre-feet came out of allocations of the Central Valley Project, which are needed to be incorporated into the Delta Accord, which this bill restores. But somewhere along the line, the Federal Government began treating this allotment as a floor rather than as a ceiling.

Back in the mid-1990s, a zealous official in the Interior Department, under Bill Clinton, ordered that more than 1 million acre-feet of water appropriated by the Central Valley Project be used for purposes not authorized under water rights permits issued by the State of California.

That preempted State water rights laws, I might add, and I believe the gentleman from California knows him. In fact, I believe the gentleman from California is him.

This bill reestablishes the 800,000 acre-feet allotted. It's a deal. Mr. Babbitt promised "a deal is a deal." This provision redeems the promise that was broken by Mr. Babbitt's deputy, and this
is the provision that the gentleman would have us delete.

I might also add that under this bill, the 800,000 acre feet of water can be recycled by communities once it has met its environmental purpose rather than being lost to the ocean. That's 800,000 acre feet of additional water for communities like this. Of that, a little more than one-tenth of 1 percent would have gone to the little town of Cattlemen City. That's irrelevant because this provision, too, the gentleman was proposing.

The contract holders that paid for this project gave up 800,000 acre feet of water with the promise it would be a temporary ceiling. One broken promise after another changed this to a permanent floor, claiming more and more water be expropriated from the people who paid for it and dumped into the Pacific Ocean. This measure sets that injustice right.

With that, I yield 30 seconds to the gentleman from Washington (Mr. Hastings), the chairman of the Natural Resources Committee.

Mr. HASTINGS of Washington. I thank the gentleman for yielding. Mr. Chairman, and I heard the author of the amendment say something. I will paraphrase, that he spoke to the chairman of the committee on the allocation of the water, and supposedly the chairman of the committee responded back “take the water away.”

Number two, I do not recall ever having that dialogue with the maker of the amendment. But had he asked me, my answer would have been an equitable distribution of the water. So I just wanted to set the record straight. Mr. Chairman, because that's what I heard in the debate just previously.

Mr. GARAMENDI. Mr. Chairman, may I inquire as to the time remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. HASTINGS. The chairman of the committee, if I did say the chairman of the committee, I believe I said the chairman of the subcommittee. In which case if I did, Mr. Hastings, you are quite correct: you were not there. The chairman of the subcommittee was to whom I was referring.

With regard to the effect, you can try to spin this any way you like, but the reality is that in the Central Valley Improvement Act, 800,000 acre feet of water was dedicated to the environment, and it was not temporary; it was part of what was to be done into the future. And the negotiations that ensued following the accord in 1994, those negotiations were specifically designed to reach an accommodation on how to meet all of the requirements of the Central Valley Improvement Act, including what to do with the 800,000 acre feet.

I would point out to the opponents of this amendment that the accord, the 1994 Bay-Delta Accord, was never intended to be permanent. It had in fact a 3-year limitation, which led to my involvement when I became deputy secretary to try to work out a solution. And in fact we did. Unfortunately, the Westlands Water District, one of the proposed signatories to the bill, walked away from the table when everybody else said they were not going to do it and we have been involved in this imbroglio ever since.

Now, the 800,000 acre feet is indeed taken away from the environment. No matter how you spin this, it's gone. It is the biggest theft of water perhaps in modern California water history—800,000 acre feet. It may be recycled, but the control of it for the environment is lost. The environmental protections that go along with that water are gone. Both the State and the Federal protections, the Clean Water Act, the National Environmental Protection Act, California CEQA, all of those are gone as a result of this bill. This is the most amazing override of environmental protections I have ever seen in 37 years that I've been involved in water policy throughout this Nation. It is remarkable what is being attempted here, and we've got to stop this bill.

I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, the gentleman’s memory problems seem to have struck again. I do not recall making such a statement either, or intending to make such a statement. What I have said is that that 800,000 acre feet, which now will become a permanent floor, can provide the opportunity for recycling under this bill so that that 800,000 acre feet, once it has served its environmental purposes, may then be used by communities throughout the bay area.

With that, Mr. Chairman, I would ask for a “no” vote on the amendment, and I yield back the balance of my time.

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

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

Mr. GARAMENDI. I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-405.

Mr. MARKEY. Mr. Chairman, I rise to offer an amendment along with Ms. Matsui and Mr. Thompson.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend subsection (a) of section 108 to read as follows:

(a) OPERATIONS—Notwithstanding any other provision of this Act, the Central Valley Project and the State Water Project shall be operated in a manner that meets all obligations under State and Federal law, with operational constraints that are based on the best available science.

The Acting CHAIR. Pursuant to House Resolution 566, the gentleman from Massachusetts (Mr. Markey) and any other opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself 1 minute.

Our amendment is simple. It would ensure that State law is upheld and that the best available science is used when making decisions about the complex California water system.

Instead of using cutting-edge science, the Republican bill would take us back to 1994.

So let me ask you: Are you willing to give up your 2012 iPhone for a 1994 brick of a cellular phone? How about giving up your Prius for a Yugo? Or using what phonebook, my dear? Would you rather fold a map or use Google maps? The answer to those questions is easy.

And so is this one: Would you trade the science of California water in 2012 for 1994 science? If your answer is no, if your answer is you want to use the best science, today’s science, in order to ensure that we protect the water users and the environment, then vote “yes” on our amendment.

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

Mr. MCCLINTOCK. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

Mr. MCCLINTOCK. I yield 2 minutes to the gentleman from California (Mr. Rohrabacher). Mr. ROHRABACHER. I rise in opposition to this amendment. Long ago my parents told me a truism that has been reconfirmed over and over again in my life. My parents both were raised on dirt-poor farms in North Dakota in abject poverty. And my father, who made a decent life for himself and for his family with hard work and struggle, told me as a child when we visited those farms, he said: Son, ordinary people are not going to live well in this country or any country unless there is an abundance of water and energy. And those who have had their water or energy restricted, it has hurt the ordinary people, the standard of living of the people of that country. What we have faced in this country is a good example of that. What we have got is a coalition of radical environmentalists who have over the years prevented America from having the energy we need to have a high and a good standard of living for our people. Ordinary people have suffered. The same is true when we are talking about water.

Now, this radical coalition has never thought anything about constitutional rights and about whether it is States'
rights to this or that. That has made no difference to them at all. The central issue is there is a vision that the radical environmentalists have in which people are less important than fish or little insects or reptiles. There is an ordinary people, ordinary Americans, should be our highest priority. What is it doing to their standard of living? And we have seen an attack on the standard of living of the people of California by denying the people the river and water they need to them that instead are being committed to a tiny little fish that isn’t even good enough for bait.

Today, we are going to reaffirm in a very biphilosophy that no, the people of this body are elected to represent the well-being of ordinary Americans, to make sure that we have the energy and the water we need to fulfill the American Dream where everyone has a chance at a decent life.

Mr. MARKEY. I yield 2 minutes to the gentleman from California (Mr. Thompson) to explain what this radical coalition that we have also included the Governors of seven States that don’t like this bill.

Mr. THOMPSON of California. I thank the gentleman for yielding.

The Governors of seven States, fishermen, hunters and farmers, a whole list of people, oppose this bill. Our amendment states that the Central Valley Project and State Water Project shall be operated in a manner that meets all obligations under State and Federal law with operational constraints that are based on the best available science. More than 750 plant and animal species depend upon the delta for their survival. Many of these then support important industries, such as the fishermen, hunters, recreational industries, and farmers that promote local and State economies.

We’ve seen what happens when science is ignored and environmental protections are gutted for the sake of politics. In 2008 and 2009, salmon fisheries were forced to close because of low-water flows in the rivers. This resulted in the loss of over a half a billion dollars and nearly 5,000 jobs—the same notion that the proponents of the bill claim that their bill would create.

This bill would prevent the use of the best available science and adaptive management in the bay and delta by permanently limiting agencies from acting on new scientific information developed since 1994. This alone ignores the last 15 years of the best available science.

I urge a “yes” vote on this amendment and a “no” vote on this terrible piece of legislation.

Mr. MCCINTOCK. Mr. Chairman, I yield 30 seconds to my friend from California (Mr. NUNES).

Mr. NUNES. Thank you, Mr. Chairman.

I just want to remind my colleagues of Dr. Peter Gleick—we haven’t heard from him today—Dr. Peter Gleick, the man who comes to testify in Congress before the committee to tell us why it’s so important that we take water away from farmers and families. Why have we not heard about Dr. Peter Gleick in this debate? Dr. Peter Gleick, admitted to impersonating some animal on the Internet, stole information and then falsified the information and sent it out all over the planet. But Dr. Peter Gleick got caught. Dr. Peter Gleick got caught. The main man that they support got caught.

Mr. MARKEY. May I ask, Mr. Chairman, how much time is remaining on either side?

The Acting CHAIR. The gentleman from California (Ms. Matsui).

Ms. MATSUI. Mr. Chairman, I rise in support of this amendment. I have always said that solutions to our country’s resource problems must be based on sound science. To do otherwise is simply foolish and severely shortsighted.

Mr. Chairman, H.R. 1837 ignores years of scientific research on the health of California’s watersheds. This bill pretends that science does not exist. We don’t believe the Earth is flat, we don’t believe that thunder is made by bowling balls. We know better. Science has given us the answers to so many questions about the world in which we live.

We have used science and discovered the truth. H.R. 1837 will prevent the use of the best available science and adaptive management in the bay delta by permanently limiting agencies from acting on new scientific information developed since 1994.

The amendment before us would require us to use the scientific research that we have on California’s natural resources. It would allow us to acknowledge what the research has shown us to be true. This amendment is critically important, not only to California, but to every State in this Union.

Mr. Chairman, lastly, I keep hearing that the Sacramento area supports this bill. I represent the Sacramento area, and I can tell you that both the city and county of Sacramento strongly oppose this bill.

I urge my colleagues to support this amendment and to reject the bill.

Mr. MARKEY. Would you be able to tell us, Mr. Chairman, who has the right to conclude debate?

Mr. Chairman. The gentleman from California has the right to close.

Mr. MARKEY. And could you again tell me how much time I have remaining?

Mr. Chairman. The gentleman from Massachusetts has 1 minute remaining.

Mr. MARKEY. I yield myself that 1 minute in order to just say this.

If we don’t do anything else here, at least we should say that we’re going to use science, we’re going to use the best available knowledge about science to ensure that this legislation does not invoke the law of unintended consequences that we’re doing. And I don’t know why the Republicans have this aversion to using modern science; but I will tell you this, that this is going to be a defining vote here on the House floor. Do the Republicans have confidence in science? Do they want modern science to be used, or do they want some science from two decades ago to be used?

The importance of using science is that it doesn’t depend on one man. It relies on hundreds and thousands of scientists testing each other’s works. The Republican bill would ignore 18 years of work by hundreds and thousands of scientists to reach today’s consensus because they want that old science in order to take care of the special interests that cannot live within the advances made and the knowledge about the implications of what would happen under their plan.

Mr. MCCINTOCK. Mr. Chairman, the devestation of the Central Valley of California occurred because of the breaking of a Federal promise—a Federal agreement. The gentleman from California says, oh, it wasn’t an agreement at all; it was just a suggestion. Well, that’s not what the Interior Secretary said at the time. He said, a deal is a deal, and if it turns out there’s a need for additional water, it will come at the expense of the Federal Government. The Senator who carried the conference report on the Senate floor said it was a deal, a temporary measure until additional water was brought online. This bill redeems that promise. The amendment of the gentleman from Massachusetts would have us break that promise forever.

As I stated earlier, we keep hearing, well, that was then and this is now. That’s an excuse that has changed our policy. If that’s the case, then the Federal Government’s promises are worthless, and they mean nothing. That was a promise agreed to by all parties. It was broken by the Federal Government.

What they’re referring to is not science. It is ideology masquerading as science, so has said the Federal court. Now we have news from the Klamath that one of the scientists involved in that project is now charging that the Department subverted science for political ends.

It is time that the ideological zealotry that threw thousands of families out of their homes and communities is now charging that the Department subverted science for political ends.

Finally, the gentleman would insert a requirement that the act require the
best available science to move forward. Well, the gentleman knows that what is termed “best available science” was literally thrown out of court with the court saying not only was it not the best available science; it wasn’t science at all. The only practical effect of the provision was provide employment for the only growth sector left in California’s economy—environmental laws-suit intended not to win, because ultimately they do lose, but rather to delay projects indefinitely and make them prohibitively expensive. But I compliment the gentleman on his creativi-
ity.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARK-KEY).

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

Mr. MARK-KEY. Mr. Chairman, I demand a recorded vote.

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

The Chair understands that amendment No. 9 will not be offered.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-405 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. THOMPSON of California.
Amendment No. 3 by Mr. MCNERNEY of California.
Amendment No. 5 by Mr. GARAMENDI of California.
Amendment No. 6 by Mrs. NAPOLITANO of California.
Amendment No. 7 by Mr. GARAMENDI of California.
Amendment No. 8 by Mr. MARK-KEY of Massachusetts.

The Chair will redesignate the amendments printed in House Report 112-405 on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic de-
vice, and there were—allay, noes 239, not voting 16, as follows:


[Row No. 83]

AYES—178

Garamendi Gonzalez Green, Al Green, Gene Grijalva Gutierrrez Hahn Hanabusa Hasling (FL) Heinich Higgins Himes Himitch Hinojosa Hirono Holden Holt Hondra Hoyle Insaib Isakson Jackson (IL) Jackson (TX) Johnson (GA) Johnson, R. B. Jones Kildee Kind Kilarie Kline Matesen McCarthy (NY) McCollum McDermott McGovern McInerney Meeks Meeks, Anna Miller (NC) Miller, George Moran Murphy (UT)

AYES—178


NOES—239


[Row No. 83]


AYES—178

Garamendi Gonzalez Gonzalez Green, Al Green, Gene Grijalva Gutierrrez Hahn Hanabusa Hasling (FL) Heinich Higgins Himes Himitch Hinojosa Hirono Holden Holt Hondra Hoyle Insaib Isakson Jackson (IL) Jackson (TX) Johnson (GA) Johnson, R. B. Jones Kildee Kind Kilarie Kline Matesen McCarthy (NY) McCollum McDermott McGovern McInerney Meeks Meeks, Anna Miller (NC) Miller, George Moran Murphy (UT)

AYES—178


NOES—239

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. Cantor). The unfinished proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 185, noes 243, not voting 9, as follows:

[Raw list of representatives voting]

AYES—181

[Raw list of representatives voting]

The vote was taken by electronic device, and there were—aye 185, noes 243, not voting 9, as follows:

NOT VOTING—9

[Raw list of representatives voting]

NOT VOTING—9

[Raw list of representatives voting]
ANNOUNCEMENT OF THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1752

So the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered.
The Acting CHAIR (Mr. Westmoreland). Pursuant to the rule, the previous question is ordered. Is that agreed to?

The SPEAKER pro tempore. The previous question is agreed to, and the Committee of the Whole House on the State of the Union, as amended, is ordered to rise.

The Acting CHAIR (Mr. Westmoreland). The Committee of the Whole House on the State of the Union, as amended, is ordered to rise.

The Acting CHAIR (Mr. Westmoreland). There is 1 minute remaining.
MOTION TO RECOMMIT

Mr. GARAMENDI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GARAMENDI. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk reads as follows:

Mr. Garamendi moves to recommit the bill H.R. 1837 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

After section 2, insert the following:

SEC. 3. PROTECTING THE CONSTITUTION AND STATES' RIGHTS.

Consistent with the tenth amendment to the United States Constitution, nothing in this Act shall preempt or supersede State law, including State water law.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Speaker, I thank you for the opportunity to present this amendment. This amendment will not kill the bill nor send it back to committee, but it is an amendment that is important to every Representative in this House who care about the 10th Amendment and you care about the ability of your State to set its own policies.

Mr. Speaker, every Member in this House should be paying attention to this bill. We read the Constitution the first day of this Congress. The 10th Amendment guarantees that the States have the ability to take care of their own water systems and many other issues that pertain to the States. This bill, this bill overrides State law in California. This bill sets aside numerous State laws in California. This bill overrides 150 years of California water law set in place by the legislature, the governors, by the courts of California, and the Federal courts. This bill destroys the ability of California to conduct and to manage its own water.

I put this map up of California so that you might contemplate for a few moments the impact and exactly what we're talking about. California is a big State, 38 million people, diverse, extraordinary water fights. There's a fellow who lived in California years ago, Mark Twain, and he said, "In California, whiskey's for drinking and water's for fighting." And it's been true ever since.

This is the Central Valley of California, the largest estuary on the West Coast of the Western Hemisphere. It's where the Sacramento River and the San Joaquin River join together in an inland estuary, one of the few in the world. And also, San Francisco Bay. This bill will lead to the destruction of the largest estuary on the West Coast of the Western Hemisphere, and it does so by overriding California law and the California Constitution.

The California Constitution holds the water of the State of California in trust. In trust. The State of California, the government, is responsible for the care of that water so that it can be appropriately distributed, not only for the beneficial use of consumptive users, cities and farmers, but also, also for the environment.

This bill overrides the laws of the State of California that would provide for the protection of the environment. The California CEQA, Environmental Quality Act, the Air Quality Act, the Endangered Species Act of the State of California, is overridden by this bill. And by the way, the Federal laws also. It takes us back to 1994, to a period of time when we didn't know the science. We didn't understand what the full impact of water diversions and other contaminants and other species would be in the delta.

Since 1994, we have seen the collapse of the delta fisheries. We have seen thousands upon thousands of fishermen have reclamation projects and recreation, unable to fish. The loss of much. There is a much talk in this House about a manmade drought. That's baloney. It was a real drought. And yes, there were environmental considerations that further reduced water. That water was reduced under contracts that called for shortages in the case of drought.

So what are we talking about here with this bill? We're talking about the usurpation of power by the Federal Government, taking the basic ability of the State of California to regulate its water, to deal with its environmental issues, and causing this House, this Federal Government, to have that power.

Think closely all of you who have a reclamation project in your district, and there are some 18 States, ranging from the Pacific to the Mississippi. Think deeply. Think about what happens when the Federal Government goes to California, the biggest State, and says: We don't care what your laws are; we're going to tell you what to do. Think about what that means for you in the future when somebody in your State has the power to put before this House a law that runs over the top of your State laws.

I repeat, it doesn't trample States' rights. It invokes them and enforces them. This sets no precedent for other States. California is the only State in the country with a coordinated operations agreement that combines a Federal project, the Central Valley Project, with a State project, the Central Valley Project, and does so, by the way, at California's request and with California's consent.

In fact, Congress has a long history of citing that Coordinated Operations Agreement to invoke preemptive authority over this coordinated Federal and State project. The Central Valley Project Improvement Act in 1992 is replete with such preemptions.

Mr. Speaker, fewer Americans are working today than were working the day that this administration was sworn into office. This administration's actions caused thousands and thousands of hardworking farm working families to lose their jobs. This measure solves that travesty. The same administration that is blocking the thousands of jobs that the Keystone pipeline would create has also vetoed this measure. I think the American people are going to have a great deal to say about that in coming days.
CONGRESSIONAL RECORD — HOUSE

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Irrationally, the provision that the gentleman would have us remove was specifically placed in the bill because he and his colleagues objected that its original provision might cause the State government to actively undermine the rights of its senior water rights holders. Now that was a legitimate concern. Senior water rights holders in northern California were scared to death that they might have the State undercut their water rights, and this bill specifically addresses that concern. To dismiss that concern, this provision was placed in the bill, and now the gentleman objects to it.

The gentleman first attacked the bill because the bill lacked this protection, and now he attacks the bill because it has that protection. The gentleman knows what I am talking about. The gentleman knows that I have great affection for him, but I must say he is becoming exceedingly hard to please.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question on the motion to recommit.

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

RECORDED VOTE

Mr. GARAMENDI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 178, noes 248, not voting 7, as follows:

[Roll No. 91]

AYES—178


A recorded vote was ordered.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. NAPOLITANO, Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 175, answered “present” 1, not voting 11, as follows:

[Roll No. 91]

AYES—246


NOT VOTING—7

Bass (CA) Cantor (VA) Lee (CA) Payne (CA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

1830

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. NAPOLITANO, Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 175, answered “present” 1, not voting 11, as follows:

[Roll No. 91]
Ms. BROWN of Florida changed her vote from “aye” to “no.”
So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:
Mr. BONNER, Mr. Speaker, I ask unanimous consent that Congressman Ed Royce be removed as a cosponsor of H.R. 1812.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1812
Mr. CICILLINE, Mr. Speaker, I ask unanimous consent that Congressman Ed Royce be removed as a cosponsor of H.R. 1812.

CRASH OF USCG MH-65C HELICOPTER
(Mr. BONNER asked and was given permission to address the House for 2 minutes.)

Mr. BONNER, Mr. Speaker, it is with a heavy heart that I bring to the attention of the House the news that a United States Coast Guard helicopter crashed last night in Mobile Bay during a training mission.

Early this morning I spoke by phone to Coast Guard Sector Commander Captain Don Rose in Mobile, where he informed me that one crew member had lost his life, and three others are missing. Search efforts for the missing crew have been under way through last night and today, and they are ongoing at this time near the crash site off Point Clear, Alabama.

Naturally, I offered to Captain Rose the praise and heartfelt sympathies of the Congress, as well as our entire Nation, not only to those immediate families of those brave Coasties, but to the entire Coast Guard family.

Whether during a hurricane, an oil spill, or one of their daily encounters with danger when conducting a search and rescue mission, the United States Coast Guard plays a vital role that we too often take for granted.

I am at times like this when we are reminded of the dangers they face in their service to our Nation. They are truly on the first line of protecting our country, and we can never thank them enough.

Mr. Speaker, I ask, at this time, that all Americans lift a prayer to the Good Lord for the loss of life that has occurred. May God’s blessings and healing hand be on those left behind.

TORNADO IN HARRISBURG, ILLINOIS
(Mr. SHIMkus asked and was given permission to address the House for 1 minute.)

Mr. SHIMkus, Mr. Speaker, I too come to the well to address a tragedy that happened this morning. Early this morning, an F-4 tornado hit the city of Harrisburg, Illinois, in my district. There was extensive damage, and six residents lost their lives.

Our thoughts and prayers are with those who lost family and friends, those who were injured, and those who lost their homes.

I plan to visit Harrisburg personally tomorrow and thank all those first responders who have been working tirelessly to care for the injured and to begin the long road back to clean up. The mutual aid provided by the surrounding communities is also very heartwarming.

I pledge to work with Mayor Eric Gregg and other local officials to rebuild the Harrisburg we all know and love.

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

Record votes on postponed questions will be taken later.

ST. CROIX RIVER CROSSING PROJECT AUTHORIZATION ACT
Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1134) to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

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

S. 1134

SECTION 1. SHORT TITLE.
This Act may be called the “St. Croix River Crossing Project Authorization Act”.

SEC. 2. AUTHORIZATION OF PROJECT WITH MITIGATION MEASURES.
Notwithstanding section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)), the Secretary of any Federal agency or department may authorize and assist in the construction of a new extradosed bridge crossing the St.
Croix River approximately 6 miles north of the I-94 crossing if the mitigation items described in paragraph 9 of the 2006 St. Croix River Crossing Project Memorandum of Understanding for Implementation of Riverway Mitigation Items, signed by the Federal Highway Administration on March 28, 2006, and by the National Park Service on March 27, 2007 (by subsequent amendments to the Memorandum of Understanding), are included as enforceable conditions.

SEC. 3. OFFSET.

(a) In general.—Notwithstanding any other provision of law, amounts made available for items 676, 813, 3186, 4358, and 5132 in the table of section 205 of the SAFETEA-LU (119 Stat. 1288, 1380, 1423) shall subject to the limitation on obligations for Federal-aid highways and highway safety construction programs distributed under section 129(a)(6) of title I of division C of Public Law 112–55 (23 U.S.C. 104 note; 125 Stat. 652).

(b) Rescission.—Any obligation authority made available until used to a State as a result of receipt of contract authority for the items described in subsection (a) that remains available to the State as of the date of enactment of this Act is permanently rescinded.

SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Legislation Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” included in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentlewoman from Minnesota (Ms. MCCOLLUM) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill before us.

The Chair puts the question. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

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

The passage of this bill, which was adopted by the Senate earlier this year by unanimous consent, will remove the last remaining roadblock to construction of a new bridge over the St. Croix River efficient, that has been identified for replacement by the States of Wisconsin and Minnesota for nearly 60 years and a project that has actively been worked on for more than 30 years.

Support for this new bridge is bipartisan and bicameral. The Governors of Wisconsin and Minnesota support it. The entire Senate delegations from the two States support it. With few exceptions, the members of the House delegations from Minnesota and Wisconsin support it. We just need this final action of order to finally proceed with the bridge.

The longer we delay, the more unsafe the current lift bridge becomes, congestion continues to worsen, and costs just continue to rise. It’s time to end the gridlock.

I urge passage of the bill, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Speaker, I yield myself as much time as I may consume.

The bill before the House today, S. 1134, is a controversial bill that represents wasteful government spending, bad transportation policy, and bad environmental policy.

A new bridge across the protected St. Croix River between my State of Minnesota and Wisconsin needs to be built. The aging Stillwater Lift Bridge needs to be replaced and everyone agrees on that. Look at page 2, a more affordable and more appropriately scaled replacement bridge.

This bill is controversial because it does much more than authorize a replacement bridge. This bill mandates construction of an exotic and massive $700 million extradosed style bridge some 219 feet above the St. Croix River at a cost of $700 million for only 18,000 cars per day.

This $700 million extradosed megabridge will connect the Park Heights, Minnesota—population 4,700—and Houlton, Wisconsin—population 386.

I quote from the St. Paul Pioneer Press, January 25, 2012, about Houlton, Wisconsin, it “is not big enough for a stop sign on its main street.”

Houlton, Wisconsin, may not have a stop sign, but Congress could give it a $700 million bridge.

This bill is controversial because, if you look at line 10 of the bill, you will see that the bill dictates the location of this $700 million megabridge, and I quote from the bill, “approximately 6 miles north of the Interstate-94 crossing.” In other words, this bill mandates a 6-hour interstate freeway bridge connecting a town of 368 people and builds it only 6 miles from an existing interstate crossing on the same river.

What would the Tea Party call an effective and efficient use of taxpayer dollars? Would they call this that? The fiscal watchdog group Taxpayers for Common Sense calls the bill, and I quote from them, “A massive misuse of taxpayer money.”

In a letter to Congress opposing this bill, the Taxpayers for Common Sense said:

In an era of trillion-dollar deficits and a $15 trillion national debt, it is simply unacceptable to spend $700 million on a bridge that will carry so few vehicles while an interstate bridge exists nearby.

This bill is controversial because it is opposed by the Interior Department, which testified before the Senate Energy and Natural Resources Committee on July 28, 2011, opposing S. 1134. I quote from the Director of the National Park Service, when he stated:

The Department cannot support this legislation as the National Park Service is determined that the bill as currently written would have a direct and adverse impact to the river and these impacts cannot be mitigated.

To be very clear, I asked Interior Secretary Salazar 2 weeks ago during an Interior appropriations subcommittee hearing a direct question. That was on February 16, just this month, I asked:

Does the Interior Department still oppose S. 1134?

Interior Secretary Salazar responded, saying:

Our position remains unchanged. A wild and scenic river is a wild and scenic river. The position of the Parks Service as articulated a year ago is the position of the Department. We have, as you know, Congresswoman McColloin, met with the delegations from the two States and Secretary LaHood and have offered to work with a work group to see whether or not an alternative can be found.

Unfortunately, despite opposition from the Interior Department, an offer to work on a compromised solution, Congress will now be voting on a $700 million megabridge.

This bill is controversial because it will directly result in a property tax increase for the residents of Oak Park Heights, Minnesota, a community in which Minnesota’s new redirecting megabridge leaves it in a new congressional district. According to a unanimously passed resolution by the Oak Park Heights City Council, the passage of S. 1134 by Congress will do this to the city of Oak Park Heights. I quote from the city council’s resolution:

It will require an estimated $443 in annual property tax increase for the next 10 years to most city homeowners and businesses.

A vote for S. 1134 will be a tax increase on Minnesotans.

This bill is controversial because it puts Congress in the position of prioritizing spending of $700 million of taxpayers’ money to replace one bridge while Minnesota has more than 1,100 additionally structurally deficient bridges—far less costly—that all are in desperate need of repair or replacement. In fact, dozens of Minnesota State legislators wrote our delegation saying:

We are united in our concern that the current design of the bridge is far too expensive, particularly in light of much more cost effective alternatives.

Those State legislators, many from my congressional district, urge defeat of this legislation. Former Vice President and U.S. Senator Walter Mondale, an original sponsor of the Wild and Scenic Rivers Act, opposes this bill, saying that the passage, and I quote from Vice President Mondale, “would be a profound mistake.” He urges a vote against the bill.

This bill was even more controversial in the Senate. Senator Jeff Bingaman, the chairman of the Senate Committee on Energy and Natural Resources, Senator Mark Udall of Colorado, and Senator Maria Cantwell of Washington oppose S. 1134, saying:

In our opinion, waiving the protections of the Wild and Scenic Act, which the lower St. Croix is bad policy and sets a dangerous precedent.
Here in the House, this bill is also controversial. It is controversial because this bill is an earmark, pure and simple. This bill designates a specific project in a specific location and it mandates the construction of a $700 million bridge. It designates a project that it does that all through an exemption to Federal law. Of course, earmarks are banned in the House except when a bill comes to the floor on suspension of rules and all the rules and points of order go just like this one.

This megabridge was highlighted in a New York Times editorial. The editorial highlights my Minnesota colleague and megabridge champion. Representative Bachmann, who has called for a redefinition of what an earmark is to accommodate "a bridge over a vital waterway." Today Congresswoman Bachmann has been successful in bringing this earmark to the floor.

It's not just me. My dear friend from Minneapolis, Mr. Ellison, and other House colleagues and the U.S. Department of the Interior are opposing this billion-dollar bridge design. The bill is also opposed by Taxpayers for Common Sense, the Sierra Club, the National Parks Conservation Association, American Rivers, League of Conservation Voters, former Vice President Mondale, and a whole lot of Minnesotans who care deeply about fiscal responsibility, wise transportation investments, and responsible environmental conservation.

Tomorrow we will vote on this bill. The question is: Will the House give a rubber stamp to a $700 million megabridge or will this Congress reject this bad bill and direct Minnesota and Wisconsin to come up with a smarter plan that would save taxpayers hundreds of millions of dollars?

Every Minnesota and every Wisconsin Member of this House supports a replacement bridge, none more than me. But I ask my colleagues to reject this irresponsible bill. Not one dollar of Minnesota transportation funds will be lost. I have a Minnesota Department of Transportation document in my hand that shows hundreds of millions of dollars could be reprogrammed across our State creating thousands of jobs and rebuilding roads and bridges in great need of repair.

S. 1194 is a bad bill, and it should be defeated by Democrats and Republicans alike.

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

Mr. PETRI. Mr. Speaker, I yield 2 minutes to my colleague from the State of Washington, the chairman of the Natural Resources Committee, Representative Doc Hastings.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

As chairman of the House Natural Resources Committee, which has partial jurisdiction on this bill, I support S. 1194.

For over two decades, Wisconsin and Minnesota have been working on a plan to replace this bridge, which is over 80 years old. This two-State project has been delayed by lawsuits after lawsuits and by the interference of Federal bureaucrats. These nuisance lawsuits and bureaucrat attacks are all based on the fact that the bridge spans the St. Croix River, which was listed in 1972 under the Federal Wild and Scenic River Act. This bipartisan bill simply says that this "wild and scenic" label on the river, under Federal law, cannot stop these States from building a safe, new bridge.

It's as simple as that.

In regards to earmarks, which was brought up by the gentlelady from Minnesota, this bill has been reviewed and is in compliance with the earmark definition in clause 9 of rule XXI. The bill does not contain congressional earmarks, limited tax benefits, or limited tariff benefits. The bill is aimed at ensuring the Federal Wild and Scenic River Act doesn't prevent a safer bridge from being built. It affects multiple States.

So, Mr. Speaker, the people of Minnesota and Wisconsin have been waiting decades to build this project. Let's pass this bill and allow them to do so. Ms. McCollum. Mr. Speaker, I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman yield?

Mr. Speaker. I didn't quite know from which side to request time on this issue. You see, I am for legitimate, well-scrutinized, 'scrubbed,' and screened earmarks. Now, unless the GOP leadership can convince me that this is not an earmark, then I will vote "no" on that.

We should be here today debating a long-term, robust surface transportation bill that would create jobs and keep our economy moving forward by rebuilding roads by getting Americans to work. Rather, we are considering a bill that authorizes the construction of a specific bridge between Minnesota and Wisconsin with an estimated total project cost of $574 million to $600 million—an earmark. Instead of openly acknowledging that this bill is a blatant earmark, the Republican leadership pretends that it is not one. It was quietly added to the schedule less than 48 hours ago, scheduled for this post-sundown debate.

Do not get me wrong. I am not against earmarks, but let's be open, transparent, and honest with the American people. That's why "earmark" got the bad name it did, because we were not open and transparent and honest with the American people. So if there is any doubt whether the bill that the House is now considering today is an earmark, all you have to do is read the bill:...

...may authorize and assist in the construction of a new extradosed bridge crossing the St. Croix River approximately 6 miles north of the I-94 crossing.

Then the bill goes on to lines 21 through 23, page 2, section 3. It provides an offset. Guess where that offset comes from? Earmarks under the SAFETEA-LU, under the previous transportation bill. It's how the majority is funding this bill. That was our last transportation bill, which took so much grief.

It all sounds pretty specific to me. In fact, the bill even tells the States what kind of bridge to build. If it looks like a duck, swims like a duck and quacks like a duck, it's probably a duck. This is an earmark, and I sincerely hope that the some-90 new Members on the majority side are learning just what an earmark is.

Now, I recognize the need for this new bridge crossing the St. Croix to replace the deficient 80-year-old Stillwater Lift Bridge, but I also recognize the need to move similar transportation projects forward across this great country, including in my own home State of West Virginia. What we ought to be doing is passing a long-term, robust surface transportation bill so that we can address the backlog of deficient bridges, roads, and transit systems in every State across the Nation.

Instead, we're voting on one earmark, and we are doing nothing today to strengthen our Nation's economic competitiveness and quality of life. We are doing nothing to alleviate the congestion that continues to cripple our economy in California. We are doing nothing to fix the bridges that are in disrepair in my home State. We are doing nothing to solve the fact that trains are traveling on outdated tracks across this country. We are doing nothing to address the commerce that is being trapped on turnpikes because these arteries of commerce are being choked by a transportation system ill fit for the country that is leading the global economy.

Last November, the Speaker announced that the House would take up the surface transportation bill by the end of the year. We all know what subsequently transpired, which is that the Transportation and Infrastructure Committee produced a bill which slashes $15.8 billion in highway funding to the States, destroying 550,000 American family-wage jobs.

The bill then proceeded to the Rules Committee, which is where it was divided up into I don't know how many different pieces because there weren't the votes to pass the whole package. Who knows what kind of mishmash we got that time. I'm still trying to figure it out. Then who knows what type of mishmash we'll get the next time before we finally pass, if we are going to, a transportation bill that puts Americans to work, that gets our economy moving, and that helps long-term deficit reduction.

Mr. HASTINGS of Washington. Will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman has expired.
Ms. McCOLLUM. In reclaiming my time, I will not yield to the gentleman on my time.

Mr. PETRI. I yield 30 seconds to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

With all due respect to my good friend and colleague from West Virginia, each person may have his own definition of an earmark, but we are governed by the definition in House rules, not by a cavalier “quacking duck” standard. The bill has been reviewed and is in compliance with the earmark definition in clause 9 of House rule XXI. The bill does not contain congressional earmarks. I know the gentleman has been very open about his support for earmarks, but we are governed by the rules of the House, and the “quacking duck” comparison does not stand here.

Ms. McCOLLUM. I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, in delight of the bipartisan support for the measure before us, I yield 1 minute to my colleague from Wisconsin, Representative Baldwin.

Ms. BOLDWIN. I rise today in strong support of the St. Croix River Crossing Project Authorization Act.

This past November, I had the chance to visit the existing 81-year-old Stillwater Bridge, and I met with local community leaders on the issue. After seeing this bridge for myself and after listening carefully to the arguments on all sides, I am convinced that this legislation is necessary, reasonable, and time-sensitive.

The bridge project will support thousands of construction jobs in both Wisconsin and Minnesota. In addition, the new bridge will help shorten travel times, reduce traffic congestion and, most importantly, improve safety. Perhaps the most compelling reason is the safety of the river.

The stories I’ve heard from the Wisconsinites who use this bridge every day are truly startling. I’ve heard from some folks who literally fear for their safety and who are afraid something similar to the I-35 bridge collapse could happen to them. I’ve heard from others about the long delays and frequent spring closures of the bridge.

This is the reality on the ground, and it is woefully unacceptable. We have the power to change this. I urge my colleagues to vote yes and to support this bipartisan legislation.

Ms. McCOLLUM. I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentlelady for yielding.

Mr. Speaker, you heard from Representative McCOLLUM as to the dimensions of this, as to how close it is to an existing large bridge, as to why this is really a boondoggle. I wanted to talk about how this fits in the national picture of wild and scenic rivers.

This bill would for the first time waive the requirements of the Wild and Scenic Rivers Act, which is a law that has protected the lower St. Croix for nearly 30 years and that protects 12,000 miles of rivers in 38 States and Puerto Rico, including the Delaware River in my home State of New Jersey. These are special rivers designated under the Wild and Scenic Rivers Act.

When the Resources Committee marked up the legislation before us now, I offered a simple amendment. My amendment would have ensured that any bridge authorized under this bill be designed and located in a way to minimize the direct and inverse environmental effect. It was defeated.

This is really a bridge too far. It’s far too large, it is just, you know, far too expensive. Should Congress pass this bill and waive the Wild and Scenic Rivers protection, it’s hard to imagine any future bridge project that won’t receive a waiver like this issued by Congress.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, in 1972, the Wild and Scenic Rivers Act was used on this part of the river, even though there was already an existing bridge on that river. Now the safety of that bridge is creating problems for people, and the traffic buildup is creating problems for people.

Actually, the National Park Service already had met with everybody, found a way to build a new bridge and mitigate the adverse circumstances. An agreement was reached until outside groups, who came in here with this dogmatic reverence for the Wild and Scenic Rivers Act, basically took it to court, threw everything away, and we now exacerbated the problem.

Wild and scenic river? On a clear day, if indeed the traffic does not produce enough smog that has backed up because we are trying to get across this river, you can actually see a marina, the smokestacks of a power plant that is in the neighborhood of a sewage plant, and maybe even the orange jumpsuits of the county jail that is in this area. We are abusing the law to stop this progress, stop this bridge that is needed desperately for safety reasons and for traffic reasons in this particular area.

There is a reason this bill passed by unanimous consent in the Senate. It solves a problem, it’s common sense, and it’s the right thing to do.

Ms. McCOLLUM. In response, I don’t think my constituents consider me an outside group.

With this, I would yield 1 minute to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the legislation. This bill is too controversial and should not be on the suspension calendar.

Last year, the House held a hearing on the issue in the Subcommittee on National Parks, Forests and Public Lands. The Park Service testified against the bill. It was also opposed by a range of national organizations—from fiscal conservatives and tax watchdogs to environmental conservationists.

This bill, it has already been stated, would create the first ever exemption to the Wild and Scenic Rivers Act for construction of a bridge in a protected river. This has never been done, and the question is, why now? This precedent for a $700 million mega-bridge that threatens all 205 protected rivers in 38 States should not be allowed to proceed, and it very much violates the no earmark pledge of the Republican majority.

Congresswoman McCOLLUM and Congressman ELLISON introduced a better bill, H.R. 3434, that removes congressional mandate from this bill that is under consideration and sets a spending cap to protect taxpayers.

I understand the need to create jobs. I understand the need to fix our falling infrastructure. There are over 2,000 bridges in Minnesota and Wisconsin that need immediate dire attention that would create jobs, and it would move the infrastructure needs of this country in a very, very direct way and in a very needed way.

This is a waste of taxpayers’ money and a violation of the Wild and Scenic Rivers Act.

Mr. PETRI. Mr. Speaker, this bill has bipartisan support. Other things being equal, I think we tend to listen to the Representative in whose district the project would exist. This project is in the district of my colleague, ROY KIND, from the State of Wisconsin, and at this time I would be happy to yield him 4 minutes.

Mr. KIND. I thank the gentleman for yielding me this time.

Mr. Speaker, this bridge is in my congressional district. I have been living and breathing this issue for the last 16 years.

Mr. Speaker, it’s time to build a bridge. This is a bipartisan bill. It passed the Senate under unanimous consent. This legislation before us today merely exempts this river under the Wild and Scenic Rivers Act. It exempts this bridge so that the States of Wisconsin and Minnesota can move forward on this vital infrastructure project.

This is what we have today, Mr. Speaker. It’s an 82-year-old lift bridge that’s on its last life. Last summer the drawbridge was up for 10 days, prohibiting traffic from crossing because of high water. Every summer, every time a boat travels underneath this bridge, the lift bridge is lifted and we have a traffic jam miles long waiting for the bridge to open up again.

Those cars and trucks are spewing fumes, dropping oil. It is a major environmental problem, not to mention the safety concern that we have with this old lift bridge. It’s on its final legs, and there’s consensus that we have to build a new bridge.

This is what’s recommended by the States of Wisconsin and Minnesota.
This is what the new bridge would look like. Yes, you will see right next to it is a coal-burning power plant on this so-called part of the Wild and Scenic Rivers. There is very little wild or scenic at this location, and that’s exactly why it’s been proposed to build this bridge along with two major manufacturing plants.

This is another view of the bridge in relationship to the power plant just south of the Stillwater area, and this is actual view from downtown Stillwater looking south along the river at this bridge. You can barely see it because of how it’s designed to blend into the atmosphere.

Mr. Speaker, about 6 years ago I formed a process called “resolve” to get all the stakeholders at the table so that they could discuss and scruit every option and every alternative that was available. At the end of that 5-year negotiation process, 27 of the 27 stakeholders reached an agreement on what needed to be done.

The only holdout was the Sierra Club, and that’s why we’re having this big debate this evening. Even their proposal that the bridge be moved instead of being built here, which makes this legislation unnecessary.

I believe, as do most of the members of the Wisconsin-Minnesota delegation, as well as all four of the U.S. senators, that it’s time to build this bridge. While legislators in Wisconsin and Minnesota want to build this bridge, the Department of Transportation and the Fish and Wildlife Service had signed off on this bridge project.

I know infrastructure projects can be difficult, but I know they can be contentious. But when so many people at the Federal, State, and local level of the agencies, as well as private entities, have been at the table for 5 years negotiating and trying to reach agreement on what has to be done, it will do finally reach an agreement, that tells me it’s time to build a bridge.

Mr. KIND. Going south to hook up to the interstate bridge down there is not a viable option. That too is under study for expansion, given the increased traffic load that’s going through it. So having this bridge that’s being proposed considers is not only current traffic flow projections, but future traffic flow projections over the next 20 or 30 years.

I want to thank the ranking member and the chair of the Transportation Committee for your support, as well as the chair of the subcommittee and the ranking member on the subcommittee for your support.

Transportation Secretary LaHood has been strongly in favor of moving this project forward. And I also want to thank the administrations, the Governors of both Wisconsin and Minnesota, for their interest and support for this project. One of the reasons it is being brought up at this time is because Governor Dayton from Minnesota says life is short and they need predictability and certainty on what projects are moving forward. He has been a strong advocate of this bridge, but we know how often this goes out for 16 years, which is the likely outcome if the opposition figures out a way to bring this bill down. Enough is enough.

We have explored this. We have exhausted it, and we keep coming back to the same place as before—this bridge, which makes this legislation necessary, and I encourage my colleagues to support it so we all can move on with our lives.

The SPEAKER pro tempore. The Chair wishes to clarify that each side now has an additional 2 minutes.

Ms. MCCOLLUM. Could you please tell me how many minutes I have besides the 2.

The SPEAKER pro tempore. The gentlewoman from Minnesota has 6 minutes remaining. The gentleman from Wisconsin has 10½ minutes remaining.

Ms. MCCOLLUM. I yield myself 2 minutes.

As I said at the beginning of this debate, this bill, S. 1134, is a bad bill. It reflects our irresponsible fiscal policy, bad transportation policy, and bad environmental policy.

The way the law has been structured into making this moment happen specifies only one type of bridge could be built, and it had to be a bridge that went 65 miles an hour. And then the legislation before us today takes it even farther and for the first time puts in this bridge be a replacement bridge in a wild and scenic river must be an extradosed bridge. It mandates the size and the scope of the bridge. Ladies and gentlemen, we just could have had a piece of legislation that would have been a good option without the specification that was added in this legislation. I could have stood here and supported it, but I cannot support a $700 million interstate bridge when there is one mile away.

The Stillwater bridge needs to be replaced, but it won’t be replaced, actually, because the historic lift bridge is going to be used as a bike and pedestrian bridge which in perpetuity the States of Wisconsin and Minnesota will maintain. They will maintain and continue during the summer to be raised and lifted as boats go through.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield 5 minutes to my colleague from the State of Wisconsin. Representative SEAN DUFFY. Mr. PETRI. Mr. Speaker, I yield 5 minutes to my colleague from the State of Wisconsin. Mr. DUFFY. I appreciate the gentleman from Wisconsin.

I think it is important that we are clear about what this bill truly does. This bill exclusively seeks to make the St. Croix River consistent with the Wild and Scenic Rivers Act. That’s all it does is deem it consistent. There is no appropriations aspect; there’s no budgetary authority. All we’re doing is deeming this bridge consistent with the Wild and Scenic Rivers Act.

You know, today is a pretty special day. It’s a special day because it’s leap year. It’s February 29. It comes around only once every 4 years. And I have one more year in this House. And a couple of months; but I have to tell you what, bipartisanship doesn’t come around that often. But it is here tonight on the House floor. Bipartisanship, this is what I mean by that: you have two Governors, a Republican and a Democrat, who support this bill. You have Senators from Wisconsin and Minnesota, all four of them, Republicans and Democrats, supporting this bill.

You have progressives and conservatives in this Chamber who have all come together in support. You have Vikings and Packers supporting this bill. This is a remarkable day.

Listen, we go so far, you have the AFL-CIO and local chambers together supporting this bill. This is remarkable. We haven’t seen this kind of bipartisanship in the 15 months that I’ve been here. This is a great bill. This gets the job done because people are doing what their constituents asked them to do, which is work together. It makes sense.

This is working across party lines for a very important reason. It’s because we all in this region understand the
The importance of bridges and what happens when something goes wrong. We all remember I-35 between Minneapolis and St. Paul that had a sufficiency rating of 50, 50 out of 100. And a few years ago, we remember that bridge collapsed. We remember seeing the devastation that this bridge when it collapsed. But a rating of 50 out of 100.

The bridge we are talking about today, the one that is used across the St. Croix River, has a rating of 32 out of 100. It is less safe than I-35 was when it collapsed, but it was built in 1931. It is 81, 82 years old.

Listen, the people in this region need the bridge. They want the bridge. Everybody is working together. I want to make sure we're clear about the people who use this. I know the gentile lady from Minnesota says it's only serving a small community in Holton, Wisconsin, a community of 386 people. You've got to explain to me, then, how 18,000 people go across that bridge every day.

You have a young mother living in the fastest-growing county in Wisconsin, and the 13th largest metropolitan area in this country. That's what this bridge connects. People use it. This is a bedroom community. They work in St. Croix County over in Minneapolis-St. Paul. They need that bridge to get back and forth to work; 18,000 people a day use this bridge. This is no small feat.

We're talking about the funding component saying that it's $700 million. I think we have to be clear on what that $700 million is. It's really only $292 million when you look at the actual cost of construction of the bridge, $292 million. If you want to look at the extra cost that gets you upwards of $600 million, that cost comes from all of the mitigation, the environmental mitigation work that's been requested over the decades of negotiation trying to get this bridge done. It's not the bridge cost. It's the bipartisan effort trying to get the project go forward that increases the cost. It's the bipartisan effort trying to get this bridge done. It's not the bridge alone.

And we hear about the decades of negotiation trying to mitigate pollution, the environmental mitigation work that's been requested over the decades of negotiation trying to get this bridge done. It's not the bridge cost. It's the bipartisan effort trying to get the project go forward that increases the cost so dramatically to $600-plus million.

So I think it's important. You look at this, this is a shovel-ready project. Shovel ready. We hear it is going to create 6,000 new jobs over the course of 3 years. And it is far from rushed. We have talked about this, again, for decades. And I think when people would say it is a bad bill or a controversial bill, it's important to note Republican and Democratic officials and environmental experts, settled on this project.

The Speaker pro tempore. The gentleman has 4 minutes remaining.

Mr. PETRI. Mr. Speaker, at this time, I would like to yield 4 minutes to Representative McCOLLUM from the neighboring State of Minnesota, a strong proponent of the legislation before us.

Ms. McCOLLUM. Mr. Speaker, as Representative BACHMANN approaches the well, the gentleman from Wisconsin has the right to close, and I would like to know how many other speakers he has.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota.

Ms. BACHMANN. Thank you, Mr. Speaker.

I'd like to have the RECORD reflect very clearly that if Representative McCOLLUM gets her way, she will kill building the bridge over the St. Croix River. As we all know, and as our office has been told, this is one of the longest, if not the longest, unfinished bridge projects in the history of the United States. That's why it's come to this point, Mr. Speaker, where we actually have to go to Congress to get permission from the Federal Government so that the State of Minnesota and the State of Wisconsin can build this commonsense bridge at their own expense, and that's the point that we're at.

Not only will Representative McCOLLUM be acting against the wishes of 86 percent of the people that live and reside in the St. Croix River Valley, the responsibility for the increased costs of building this bridge rests squarely on the shoulders of Representative McCOLLUM and on her compatriots who have fought for decades to kill the building of this bridge.

The cost? The bridge would have cost $80 million to complete back in 1992 if her compatriots wouldn't have tied this bridge project up for decades in the Federal courts in nuisance lawsuits. And why? Because they said there was pollution that was involved. And what was this pollution that they asserted? They said it would be visual pollution. Visual pollution? Because a Federal bureaucrat came out to this river and pointed to the river and said that they didn't think that a bridge would look good built on this river, and that's in spite of the fact that there's already a bridge that's here on this river. This is the same part of the river. This is the same river that is literally the birthplace of Minnesota. As long as people have been in the State of Minnesota, Stillwater is the birthplace.

I've been working on this issue as a young mother living in this community, as an activist saw what a commonsense project this is. Representative McCOLLUM has talked about this being a mega-bridge. This is a four-lane bridge. And after all, why wouldn't you build a four-lane bridge when you have a four-lane highway on Minnesota connected to a four-lane highway in Wisconsin? Representative McCOLLUM is suggesting that we should be building a two or three-lane bridge. Why would you build a bridge that would be obsolete the day that it's opened? You would build a commonsense, four-lane bridge to connect two four-lane highways.

This is also a center for industry in this region. We have not only the prison that would be obsolete the day that it's opened. This is a four-lane bridge to connect two four-lane highways.

As we've heard before, this is an area that has a bridge that currently has a safety rating that's far below the safety rating of the bridge that collapsed in Minneapolis in 2007. We have a historic opportunity, a once-in-a-lifetime magic moment when we have Governors that are Republican and Democrat, Senators that are Republican and Democrat, representatives that are Republican and Democrat, saying, for once let's come together and do what the people expect.

And why did we get to this point? Bureaucratic red tape. We are here in foursquare agreement with the administration saying, let's get this done on behalf of the people of these two States. Let's do what should have been done decades ago, and let's build this commonsense bridge.

Stillwater, Minnesota, is the site of Minnesota's birthplace. And now it's the site of what we are told is the longest-running, unfinished bridge project in the Nation. In the 1950s, discussions began for a replacement to the current, 1931 Lift Bridge, connecting Minnesota and Wisconsin, over the St. Croix River.

In 1992, we saw progress. That year, a coalition of residents, businesses, transportation officials and environmental experts, settled on a bridge design to replace the existing Lift Bridge. They proposed a four-lane bridge to connect four-lane highways in both states to be built south of Stillwater.

We are here today for Congressional approval for this project to proceed. Without
Congressional approval, the project will continue to face the government redtape and lawsuits that it's seen over the past 20 years.

The St. Croix River Crossing Project before us is a bipartisan project, strong bipartisan support. All four Senators from our States, each State’s governor, and numerous colleagues have vocally proclaimed their support for this commonsense project. It doesn't get more bipartisan than this.

A recent survey of residents in the region shows an overwhelming 86% of people support the project.

The bill before us doesn’t appropriate a nickel. This is no earmark. Instead, it allows a commonsense, bipartisan project to proceed.

I urge my colleagues to support S. 1134 because this is the final hurdle and our magic moment. Together, we can build this.

Ms. MCCOLLUM. Is the gentleman from Wisconsin prepared to close after the last speaker that I have on my side?

Mr. PETRI. I am prepared to close after you finish, yes.

Ms. MCCOLLUM. Mr. Speaker, I yield as much time as remains to my colleague from Minneapolis, Mr. ELLISON, who faced firsthand the tragedy of what happens when a bridge collapses. As I outlined, I have seven bridges that have hundreds of thousands of cars every day on them in worse shape than the Stillwater bridge.

With that, I yield to the gentleman from Minneapolis.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 4 minutes.

Mr. ELLISON. Mr. Speaker, I stood on a highway called highway 7 on Friday at a bridge that was rated a 23 out of 100 scale. That bridge, 73 years old, in desperate need of repair, is designated structurally deficient. But I could go to another bridge within walking distance of my home over the Mississippi River only a few blocks from where the bridge fell down only a few years ago, but that would be on Plymouth Avenue. And people who know the area know Plymouth Avenue. That bridge, Mr. Speaker was and is shut down. You cannot drive a car over it. Now, that would only be one of about 1,398 other bridges that are structurally deficient in Minnesota that need repair right now.

I'm sensitive to bridges that need repair because it wasn't in somebody else's district that the I-35 bridge fell—it was in my own. Thirteen Minnesotans went to their reward, 100 had severe back and other injuries. I am incredibly sensitive to the need to fix our State's bridges, our Nation's bridges, which is why I am against this project, a $700 million bridge when we have structurally deficient bridges all over the State of Minnesota and all over the United States. This is not a good use of taxpayer money.

I find it absolutely shocking that all these fiscal conservatives are lining up to throw money at this enormously expensive, over-height megabridge. Where are the anti-earmark advocates around here? Where are the people who call for smaller government? Where are the conservative, small "c," who say, let's build a right-sized bridge that makes sense so that other bridges may be fixed around our State? Well, I guess all of that only matters, Mr. Speaker, when it comes to your little project or earmark project. Then all of a sudden it gains a whole lot of other kind of credibility undiscovered before.

Mr. Speaker, I think it needs to be pointed out that the proposed bridge, which would carry about 18,000 vehicles a day—that's important. I feel for those folks, and I want them to have their bridge, and I would support a sane and sensible bridge. But the I-35 bridge much talked about tonight carries 140,000 people every day. Eighteen thousand at $700 million versus the I-35 bridge, which cost us about $260 million, was built in 1 year—less than a year, and carries 140,000! This is not a good use of money. It soaks up resources that other people need. It violates our Scenic and Wild Rivers Act. This is a bad idea.

Mr. Speaker, I would far prefer if this bill were to go back to committee, be through the regular order, be defeated here on suspension, but go back through the committee process so some sensible amendments might be offered so this could be a good, decent project perhaps. But that's not what's happening. Suspension is for things that are supposed to be uncontroversial. We're supposed to be here passing post offices, but here we are dealing with what is absolutely a controversial piece of legislation on a suspension calendar with no chance to amend.

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I wish we had that chance, because if we did, I would say we need to come together as a State, as a Nation, and fix all the bridges of this country, all the bridges of this State, and not just one big, fat megabridge.

Mr. PETRI. Mr. Speaker, I would remind the gentleman that we have come together. The legislation before us, S. 1134, passed the United States Senate by unanimous consent. It has a few sensible amendments might be offered so this could be a good, decent project perhaps. But that's not what's happening. Suspension is for things that are supposed to be uncontroversial. We're supposed to be here passing post offices, but here we are dealing with what is absolutely a controversial piece of legislation on a suspension calendar with no chance to amend.

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(3) Members elected at-large.—The second sentence of section 401(d)(2) of such Act (sec. 1–204.01(d)(2)) is amended by striking “and such special election” and all that follows and inserting the following: “the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.”.

(b) Mayor.—The first sentence of section 421(c)(2) of such Act (sec. 1–204.21(c)(2), D.C. Official Code) is amended to read as follows: “To fill a vacancy in the Office of Mayor, the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.”.

(c) Attorney General.—The first sentence of section 435(b)(1) of such Act (sec. 1–204.35(b)(1), D.C. Official Code) is amended by striking “the Board” and all that follows and inserting the following: “the Board of Elections shall hold a special election in the District on the Tuesday occurring at least 70 days and not more than 174 days after the date on which such vacancy occurs which the Board of Elections determines, based on a totality of the circumstances, taking into account, inter alia, cultural and religious holidays and the administrability of the election, will provide the opportunity for the greatest level of voter participation.”.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply with respect to vacancies occurring on or after the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. Issa) and the gentlelady from the District of Columbia (Ms. Norton) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Mr. Speaker, I'll be brief. Today we're doing a small and technical change to everyone except the people of the District of Columbia, who consistently have to live under a rule that costs the voters and the residents of the District of Columbia to expend enormous additional dollars to have special elections rather than having the ordinary flexibility to try to combine their votes at a time in which it would be less expensive.

The bill, which is, if you will, an omission under the Home Rule Act, provides for the District of Columbia to fill vacancies at the first Tuesday occurring 70 to 174 days after the date of such vacancy occurring. Unfortunately, this does not provide the flexibility necessary to time special elections concurrently with other general and primary elections. Therefore, this small—yet not insignificant—change will allow them to place the election on a Tuesday occurring between 70 and 174 days of the vacancy.

Understand, Mr. Speaker, if there is an ordinary election occurring within that process, this will cause us to have the election on that date.

The bill has been carefully considered and passed unanimously by the committee. Additionally, it's supported by the full council—we'll soon hear from the delegates from the District of Columbia—by the Mayor and his administration.

I want to take just a quick moment to thank the gentlelady from the District of Columbia. It has been, in fact, her work with the committee that made this technical change one that we can all live with for the benefit of the people who host us in the Federal city.

With that, I reserve the balance of my time.

Ms. NORTON. I want to thank the chairman of the full committee for his generosity. I want to thank my friends on both sides of the committee for their assistance with H.R. 3002, especially the full committee, my good friend, Mr. Issa, and the chair of the subcommittee, Mr. Gowdy, for working closely with us on this bill.

I also want to thank my good friends on our side, the ranking member of the full committee, Mr. Cummings, and the ranking member of the subcommittee, Mr. Davis, for their considerable support and assistance.

Mr. Chairman, like you, I will be brief because I and I are the only ones here who have a vote in committee on this matter.

The District of Columbia Special Election Reform Act is similar to the legislation I introduced last Congress, which, with the help of the chairman, was passed without objection by the House Committee on Oversight and Government Reform and, with his help, quickly got to the full House for a vote.

Final enactment of the bill was prevented not by this House, but by an anonymous hold in the Senate, which fortunately no longer allows such holds in that Chamber.

This bill is of great importance to the District of Columbia, particularly now that the city council is faced with an example of a vacancy that this bill was designed to address—and had the bill been passed by the Senate, could have been addressed. However, instead of holding special elections that we are now required to hold on April 3, the day of the city's primary, the District must hold a special election on a different day, 1 month after the upcoming primary election, at a cost to the city of an additional $318,000.

Although this bill, therefore, cannot take effect before the upcoming special election, the bill will provide the District with the flexibility in the future to conduct elections without the redundancy of coming to Congress and without the very valuable time at that, on uniquely local procedural matters affecting only the local government, the District of Columbia.

I urge passage of the bill, and I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, seeing that there are no further speakers, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

Mr. SPEAKER. Ordered.
There was no objection.
Mr. ISSA. I reserve the balance of my time, but I am prepared to close.
Ms. NORTON. I thank the chairman again for the haste with which he was able to get this bill heard today.
I have no further speakers, and I am pleased to yield back the remainder of my time.
Mr. ISSA. Mr. Speaker, I urge immediate support for this important reform for the District of Columbia, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 3802, as amended.

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

A motion to reconsider was laid on the table.

CONDEMNIR IRAN FOR ITS PERSECUTION OF YOUCF NADARKHANI

Mr. PITTS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 556) condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 556

Whereas the United Nations Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights recognize that every individual has "the right to freedom of thought, conscience and religion"; which includes the "freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief by teaching, practice, worship and observance;"

Whereas Iran is a member of the United Nations and signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that religious minorities, including Nematollahi Sufi Muslims, Sunnis, Baha’is, and Christians, face human rights abuses including discrimination based on religion and belief; harassment and intimidation; and restrictions on the right to education;

Whereas in recent years, there has been a significant increase in the number of incidents of Iranian authorities raiding religious services, detaining worshippers and religious leaders, and harassing and threatening members of religious minorities;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that Iranian intelligence officials are known to threaten Christian converts with arrest and apostasy charges if they do not return to Islam;

Whereas the Department of State’s most recent report on International Religious Freedom, released on September 13, 2011, states that the "government policies severely restrict freedom of religion," and notes "government imprisonment, harassment, intimidation, and discrimination based on religious beliefs" including "death sentences for apostasy or evangelism;"

Whereas in October 2009, Youcef Nadarkhani, a converts to Christianity, protested an Iranian law that would impose Islam on his Christian children;

Whereas in September 2010, the Iranian court sentenced Youcef Nadarkhani to death by hanging;

Whereas on December 5, 2010, Youcef Nadarkhani appealed his conviction and sentence to the Supreme Revolutionary Court in Qom, Iran, and the court held that if it could be proven that he was a practising Muslim in adulthood, his death sentence should be carried out unless he recants his Christian faith and adopts Islam;

Whereas from September 25 to September 28, 2011, an Iranian court held hearings to determine if Youcef Nadarkhani was a practising Muslim in adulthood, and held that he had abandoned the faith of his ancestors and must be sentenced to death if he does not recant his faith;

Whereas on numerous occasions the judiciary of Iran offered to commute Youcef Nadarkhani’s sentence if he would recant his faith;

Whereas numerous Government of Iran officials have attempted to coerce Youcef Nadarkhani to recant his Christian faith and accept Islam in exchange for his freedom;

Whereas Youcef Nadarkhani continues to refuse to recant his faith;

Whereas the Government of Iran continues to indefinitely imprison Youcef Nadarkhani for choosing to practice Christianity; and

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that, at the time of his report, on October 19, 2011, Iran had secretly executed 146 people during that calendar year, and in 2010, Iran secretly executed more than 300 people: Now, therefore, be it

Resolved, That the House of Representatives—
(1) condemns the Government of Iran for its ongoing and systemic violations of the human rights of the Iranian people, including the state-sponsored persecution of religious minorities in Iran, and its continued failure to abide by its international obligations, including with respect to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;
(2) calls for the Government of Iran to exonerate and immediately and unconditionally release Youcef Nadarkhani and all other individuals held or charged on account of their religious or political beliefs;
(3) calls on the Administration to designate additional Iranian officials, as appropriate, for human rights abuses pursuant to section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195); and
(4) reaffirms the right of religious belief and practice is a universal human right and a fundamental individual freedom that every government must protect and must never abridge;

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New York (Mr. HIGGINS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?
There was no objection.

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

Mr. Speaker, I want to thank the leaders on both sides of the aisle for allowing this resolution to come to the floor so promptly.

Article 18 of the Universal Declaration of Human Rights reads:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Iran was one of the original signers of the declaration and has not removed their country from the agreement, even through changes in government.

In October of 2009, Youcef Nadarkhani was alarmed to find out that his children were being forced to participate in instruction at their local school.

Pastor Youcef had no radical reaction to this revelation. Indeed, he only went to the school and asked that his children be granted their rights under the Iranian Constitution to freedom of religion. These rights explicitly include parents’ rights to bring up children under the religious teaching of the family.

For the crime of asking that his rights be respected, Pastor Youcef was summoned to a tribunal. There he was arrested and charged with unlawful protesting. This charge was later changed to apostasy.

After almost a year in prison, Pastor Youcef was convicted and sentenced to death. A panel of judges demanded that he recant his faith. When confronted with this demand, Pastor Youcef stated, “I cannot.”

While it is difficult to peer past the gates of an Iranian prison, we have some evidence that there has been continued pressure on Pastor Youcef to recant and that there may have been attempts to trap him into blaspheming Islam. Despite this pressure, he has remained faithful.

With our religious freedom protected by the First Amendment, it is difficult for any of us to imagine what Pastor Youcef has been going through, torn away from his children and family, placed in a high-security prison, with the likely outcome being the hangman’s noose.

Today, we’re not asking Iran to respect our laws or our conventions. We’re asking them to abide by the agreements at the United Nations that they have signed up to.

The authorities in Iran are not proud of sentencing Pastor Youcef to death. Indeed, the Iranian Government doesn’t even want their own people to
know that Pastor Youcef has been charged for practicing his religion. State media have actually reported that he is charged with rape and extortion, not apostasy.

Millions of Iranians are members of a minority religious group, Sunni Muslims, who, like the few and Zoroastrians are all proud to call Iran home. They want to live in peace with their neighbors, and they want to follow the law, but they cannot do so when their faith is under assault.

This evening, I'm proud that we have bipartisan support for this resolution. I'm proud to join with Representative KEITH ELLISON on this resolution. We stand together tonight in support of basic human rights, and we appeal to the highest authorities in Iran to spare the life of Youcef Nadarkhani.

Please let this father return to his wife and children. Further still, let the Iranian people freely practice their faith. Stand by your commitments to your family and to the world.

With that, I reserve the balance of my time.

Mr. HIGGINS. I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of this important resolution. I would like to join my colleagues in calling for the immediate release of Youcef Nadarkhani and all of the other individuals who are held or charged on account of their religion.

I would also like to send a message to Pastor Youcef's family. Please know that the United States stands behind you, and we will do all we can to see that Youcef is set free.

Mr. Speaker, it is difficult to comprehend in this day and age that there are nations in which one is not free to practice the religion of their choosing. And in Iran, freedom of religion is not the only right Iranian citizens are denied. The Iranian regime also continues to maintain severe restrictions on freedom of expression, association, and assembly.

Tehran maintains strict control over domestic and international media, aimed at reducing Iranians' contact with the outside world. And individuals and groups risk arrest, torture, imprisonment for political protesting or cooperating with foreign human rights organizations.

In 1950

Women's and minority rights activists and other human rights defenders, lawyers, journalists, and students are regularly arrested and harassed. Once imprisoned, detainees are ill-treated and tortured. These are just a few examples of the repressive tactics of the Iranian regime. We must continue to speak out against these injustices and call on our friends and allies to do the same.

Mr. Speaker, once again, I ask Iran to immediately release Pastor Youcef and end its State-sponsored persecution of religious minorities.

I reserve the balance of my time.
I only wish tonight Pastor Youcef could get a return of that sanctuary in his own land.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. FORBES), chairman of the Armed Services Subcommittee on Readiness.

Mr. FORBES. Mr. Speaker, I first want to compliment Congressman PITTS and Congressman ELLISON for their leadership in this matter and to recognize tonight, Mr. Speaker, as we go through our busy lives, we often take for granted the privilege of living in a Nation that’s governed by Founders who realized there were a set of rights so fundamental, so much at the core of life itself that they could not come from any State or any government but had to come from the hands of the Creator of life himself.

At the center of these rights, some would say the foundation of them, is the freedom of religion. As we travel around the world and see other citizens who do not have these rights, we may be saddened or even angered, but when the government of any nation of the world is so dangerous to the lives of its citizens that it’s willing to rob one of those citizens of life itself merely because he will not recant his faith, we not only feel sadness and anger, but also fear.

Tonight, the citizens of Iran should be afraid of such an oppressive and dangerous government. Tonight, the neighbors of Iran should be afraid of such an oppressive and dangerous government.

Tonight, the citizens of the world should be afraid of such an oppressive and dangerous government.

They should condemn this government for its actions. They should stand with this pastor, and they should join hearts with people of all faiths around the world to pray for his life and his safety.

Every Member of this body should adopt this resolution.

Mr. HIGGINs. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS asked and was given permission to revise and extend his remarks.

Mr. ANDREWS. I thank my friend for yielding and my friends from Pennsylvania and Minnesota for sponsoring this bill.

Tonight, we stand united and strong for the release of Pastor Youcef. Although the legal case for his release is overwhelming, as Mr. PITTS has outlined, we do not rely on the law in our plea. Though our political convictions shared among everyone on both sides of the aisle I believe here are deep, our appeal is not based on politics. Instead, our appeal is based on the ineffable human quality of the bond between a parent and his children.

Whether one worships in a mosque, a temple, a church, a synagogue, or some other forum not known to us, whether one chooses not to worship at all, whether one lives on any of the continents of the world, practices any of the political ideologies of the world, is there not a common bond among those who feel the overwhelming love when their children first hold their daughter or their son? Is there not a common bond among those who feel the anxiety of worrying whether a sick child will be healed? Is there not a common bond of the inexpressible pride that a mother or a father feels when their children achieve some hard-fought goal? Is there not a common bond of the empty and hurtful feeling that people know that someday they will have to depart from the children they love so dearly?

That day is coming all too soon for Pastor Youcef if those who are mothers and fathers, who are his captors, do not consider that ineffable human bond.

That day is coming all too soon for Pastor Youcef if those who are mothers and fathers, who are his captors, do not consider that ineffable human bond.

Tonight is a long day for the family who tonight sits in prison awaiting execution because he loved his children enough to insist that they be free to worship as he and his family thought they ought to worship. This is labeled as “apostasy.” The act of his arrest constitutes a monstrous act of inhumanity.

We do not appeal to the law, though it is on our side. We do not deal from political consensus, although I believe it exists in and out of this country. Our appeal is based on the simple and ineffable quality that parents have an innate right to love their children. This man has been deprived of this right. That deprivation should not exist for another hour, another day, another moment.

We will stand strong and united in calling for the humane release of Pastor Youcef, and we pray tonight that that wish will be granted by his captors, who must understand that they have that same ineffable love.

Mr. PITTS. I would like to inquire of the gentleman if he is prepared to yield back. I am prepared to yield.

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

Mr. PITTS. I yield myself the balance of my time.

Tonight, as Pastor Youcef sits in prison, awaiting a hangman’s noose, I want him to know and the people of Iran and the people of the world to know that we stand with him. Our thoughts and our prayers are with him.

I would say to those international guests who might watch this telecast that you will never understand America until you understand that, in our Constitution, the very First Amendment contains the freedom of religion, not the freedom from religion. It contains the freedom of religion. It is not our Second, our Sixth, our 16th, or our 26th Amendment; it is our First Amendment. It is the first thing mentioned in the First Amendment—the freedom of religion: Congress shall not act to establish a religion and shall not prohibit the free exercise thereof. That comes before the freedom of the press or speech or assembly or petition of grievances.

If you want to understand America, you must understand this basic belief that all Americans hold in the right of the freedom of religion.

So we ask, we implore, the authorities in Iran: free Pastor Youcef. Keep faith with the documents you’ve signed. Free him. Return him to his family.

I urge support, Mr. Speaker, of the Members for House Resolution 556.

With that, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, a young Christian pastor sits today in prison in Iran—separated from his wife and young children, facing the death penalty—because he will not lie about his beliefs. He will not lie even to save himself.

He will not lie even to spare his family suffering. He is a man of extraordinary conviction. A man of decision. A man who knows what he believes. Youcef Nadarkhani will follow his conscience though it costs him everything. Iranian courts have repeatedly asked him, on pain of death, to reject his Christian faith and say that he believes in Islam. He responds, “I cannot.”

The resolution (H. Res. 556) on the floor this evening is not an attempt to say which religion is right. Rather, it is a resolution that affirms that Youcef Nadarkhani has the God-given right—even the responsibility—to believe as his conscience directs him.

No human government should interfere. Iran is a member of the United Nations and signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Both documents affirm that every individual has “the right to freedom of thought, conscience and religion,” which includes the “freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

Under international law voluntarily agreed to by Iran, Youcef Nadarkhani has the right to change his religion.

He was free to change from Islam to Christianity. He is free to change back.

But the government of Iran is NOT free to force him in either direction. Iran has made a commitment to leave men like Youcef Nadarkhani in peace. This resolution calls on Iran to follow international law.

Iran sets aside seats in its Parliament for minorities of all kinds and permits hundred in publics or private, to manifest his religion or belief in teaching, practice, worship and observance; also fear.

The most recent U.S. State Department Religious Freedom Report lists numerous cases of arrest and detention of Christians, both lay people and leaders. For instance:

On April 11, 2010, government agents arrested 19-year-old Daniel Shahri, a Christian, on the basis of insulting Islam. Shahri was able to contact his parents on April 14, 2010, while being held in a prison in Isfahan. He was released on April 24, 2010 on bail and awaits a trial date . . .
On January 8, 2010, the Fars Provincial Ministry of Intelligence detained an unknown number of persons who were reportedly Christians. Under interrogation the detainees confessed of those leading Christian groups in the area leading to further arrest.

On December 24, 2009, Pakdasht security forces forced a home-church gathering and arrested the 15 members who were in attendance. All 15 were released in early January with orders to return to sign documents. Upon returning three were rearrested and held until March 17 when they were released.

The report of the U.S. Commission on International Religious Freedom underscores the dangers to religious rights to Christianity in Iran and a recent increase in arrests. This report, issued in May 2011, indicates that:

Since June 2010, more than 250 Christians have been arbitrarily arrested throughout the country. . . . In December 2010 and January 2011 alone, approximately 120 Christians were arrested. . . . During the reporting period, the number of incidents of Iranian authorities prohibiting public services, harassing and threatening church members, and arresting, convicting, and imprisoning worshippers and church leaders has increased significantly. Christians, particularly Evangelical and other Protestants, are subject to harassment, arrest, close surveillance, and imprisonment; many are reported to have fled the country. (emphasis added)

Tragically, Youcef Nadarkhani is not the only believer in prison. He is just the only one we know of who is facing the death penalty for apostasy.

Whatever the political conflicts between the United States and Iran, whatever the tensions over various rights do not change Iran’s signature on the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights has not changed.

All nations, including Iran, must respect the consciences and religious freedom of their citizens—and not practice religious coercion.

Youcef Nadarkhani is not a political pawn. He is a person—a person being prayed for by citizens around the world.

Mr. Speaker, the U.S. Congress stands with him and with all of people of conscience, calling on the Government of Iran to release him and ensure his safety.

Mr. FRANKS of Arizona. Mr. Speaker, at no other point in recent history has it been more crucial for Congress to take action on international religious freedom. I would like to deeply thank my colleagues, Congressmen JOE PITTS and KEITH ELLISON, for sponsoring H. RES. 556 that addresses religious freedom in Iran. These vital issues deserve our immediate attention, and religious persecution must not be allowed to escalate internationally. In Iraq, for instance, Assyrian Christians were brutally murdered in their church and continue to be directly targeted by terrorist organizations; some have even been attacked and murdered on their own front doorstep. In China, thousands of Christians and Falun Gong practitioners were forced into re-education through labor camps while the lawyers that try to defend them are often imprisoned. Uyghur Muslims and Tibetan Buddhists are targeted as separatists because of their faith.

Mr. Speaker, commitment to religious freedom is not just for one faith community but for people of all confessions throughout the world and across political lines. Religious freedom is not only for Americans or Christians or Republicans or Democrats, it is a sacred right for all humanity. The U.N. Declaration of Human Rights, of which Iran is a signatory, allows for the “right to freedom of thought, conscience and religion” and this right includes the freedom to change religion or belief. I would like to note that Iran continues to imprison and charge apostasy in direct violation with the international standards that Iran had accepted. The fundamental right of religious freedom, furthermore, is enshrined in Iran’s Constitution in Articles 13, 14, and 23.

Mr. Speaker, in response to this report, the resolution condemns the Iranian government, one of the most horrific perpetrators of religious freedom violations, for its repression of religious minorities. It focuses, in particular, on the case of Pastor Yousef Nadarkhani, a Christian with the Church of Iran denomination, who faces imminent execution for his faith. Pastor Yousef’s arrest and imprisonment resulted from questioning the mandate from the government of Iran that all school children be taught Islamic teachings.

Mr. Speaker, may I say, that the may the right of religious freedom touch those around the world and persons of all faiths, and may future generations walk in the sunlight of that most inalienable and universal freedom.

Mr. BERMAN, Mr. Speaker. I rise in strong support of H. RES. 556 which condemns the Government of Iran for its persecution, imprisonment, and sentencing to death of Pastor Youcef Nadarkhani.

Pastor Youcef is a 34-year-old father of two who was arrested over two years ago for the crime of converting from Islam to Christianity. In October 2009 he was tried and found guilty of apostasy—and sentenced to death-by-hanging. More recently, the Iranian Supreme Court upheld the sentence.

Iranian law requires that a man accused of apostasy be given three chances to recant his beliefs and return to Islam. Pastor Youcef was given his three chances. In every instance, Youcef refused. Nothing, not even the threat of death, would discourage him from remaining true to his faith. He proved himself as religiously committed as he is physically, and morally, courageous.

Mr. Speaker, last September President Obama said, Pastor Nadarkhani has done nothing more than maintain his devout faith, which is a universal right for all people. . . . A decision to impose the death penalty would further demonstrate the Iranian authorities’ utter disregard for religious freedom, and highlight Iran’s continuing violation of the universal rights of its citizens.

Mr. Speaker, the resolution before us condemns the Iranian Government for its state-sponsored persecution of religious minorities and for its repression of freedom of thought and of religion, and calls for the immediate release of Youcef Nadarkhani and of all other individuals held or charged on account of their religious beliefs.

The House of Representatives should stand in solidarity with Pastor Youcef. I encourage all of my colleagues to support this important resolution.

Mr. WOLF. Mr. Speaker, I rise in strong support of H. RES. 556 which condemns the government of Iran for its ongoing repression of religious minorities, including 34-year-old Pastor Youcef Nadarkhani. I was an original cosponsor of this resolution, and I encourage all of my colleagues to support this important resolution.
Thank you, Mr. Speaker. The Gentleman from Pennsylvania (Mr. Nadler) has offered a motion. The Speaker pro tempore has the accuracy of his time.

Mr. PEARCE. Less than 1 month ago, Kathleen Sebelius issued a finding that said that every insurance company in the country would have to offer insurance products, some of which would offend the faiths of many people. This is against the rights of conscience of a free people.

Mr. Speaker, across religious lines, the people of New Mexico and the people especially of southern New Mexico—Catholic, Protestants and people of no religion, people across cultural lines, and people across racial lines—are gathering this Saturday: this Saturday to protest, this Saturday to stand and say that the government needs to back up out of our church.

This is not a Democrat issue. This is an issue of the Constitution and of a freedom-loving people.

So I encourage all who are across this United States to begin to organize and stand in the streets to tell the government that enough is enough. We are meeting this Saturday, March 3, in Las Cruces, New Mexico, from 1:00 to 2:30. It will be a very large gathering. There will be speakers from both parties and from all walks of life.

We think that it is time for Americans to be united together again, as one people, against a government that has become too strong.

Mr. Speaker, I am here tonight for one reason: to stand up for hardworking Americans who are spending far too much when they fill up at the pump, and I’m here for that same American who turns on the TV or reads the newspaper after a long day at work to see that Iran is threatening to cut off our oil supply out of the Middle East and to see continued inaction by this administration to discourage energy projects, energy production that would lower the price of gas here at home.

These are Americans that are scared. They simply don’t have the money in their pockets, in their budget to pay for these high prices, $60 to fill up a tank of gas, $80 to fill up the tank of gas for a week or more.

I find it increasingly more difficult to explain to my constituents from rural Colorado why this government isn’t advancing policies that will bring down the prices at the pump. It pains me the look on people’s faces when they tell me that they’re making $10 an hour and are paying upwards of $4 for a gallon of gas. What are they supposed to do, Mr. Speaker, stop going to work because gas is expensive?

We are facing a significant crisis, and it’s a travesty, it’s a shame. My colleagues here tonight are here to say we will not stand for it.

How do I go back home this weekend to explain to my constituents why gas prices have risen $1.80 per gallon since this President took office? How do I explain that this administration may be willing to tap the Strategic Petroleum Reserve, which is only to be used when there is a severe energy supply disruption, instead of opening up more land for exploration, which brings me to my next point.

Mr. Speaker, this administration alleges that it has opened up vast amounts of our lands for leasing. In just a few days ago, on February 23, at the University of Miami, I quote: Under my administration, America is producing more oil today than at any other time in the last 8 years.

This is simply false, a false telling of reality. While it may be true that new production is occurring on private lands where the President can’t involve his anti-energy administration, Federal lands and offshore development is far below what it has been in previous years. Let me cite to you some very startling statistics.

According to an article on E&G on Monday, just a few days ago, production of natural gas on public lands and waters in fiscal year 2011 dropped 11 percent from 2010. That’s a drop of 11 percent on public lands and waters in fiscal year 2011. Oil production on Federal lands dropped 14 percent since last year, and this reduction was most significant in the gulf, which declined by 17 percent since 2010.

According to a Wall Street Journal editorial from the other day, drilling plans have historically been approved 73 percent of the time. Since the beginning of 2012, the President has only approved 23 percent.

Approval of an offshore drilling plant typically takes about 92 days right now. That’s 31 days over average.

In 2000, just 12 years ago, 32 percent of our oil was from Federal lands. Why? Because that number shrank to 19 percent of total U.S. production. Let me say that again. In 2000, 32 percent of our oil was from Federal lands. In 2010, that number shrank to 19 percent of total U.S. production.

We aren’t opening up our Federal lands for development, and that’s the reason for the significant drop. The total onshore acreage leased under this administration in 2009 and 2010 is the lowest in over 20 years.

Secretary, my President has claimed that he is opening up new offshore areas for production and more land for leases. Again, this is false. Many of these lease sales were already
scheduled to take place before he even took office. One was even cancelled for a year by the administration and is now being reinstated. His plan even closes the majority of the OCS to new energy production through the year 2017.

In recent days and months, we have seen the President touting an all-of-the-above energy approach, but his actions speak louder than his words, and they do not promote an all-of-the-above energy strategy. This administration has blocked energy production on Federal lands and decreased overall domestic energy production across the board. And I want to share with you just a few of these examples.

Tonight we are joined by the House Energy Action Team, a group of Members from across the country who are dedicated to sharing with their constituents in this country the policies that we have passed in this House with bipartisan support to encourage energy production. The administration's actions have decreased onshore and offshore drilling, and apparently oil and natural gas are just bubbling up out of the ground and providing this. But, America, that's not the case. Gas prices are going up simply due to two factors--supply and demand. Those are the things that contribute to the price of a barrel of oil in the world. Supply and demand.

Now, I admit that world demand is increasing due to two factors: supply and demand. Those are the things that contribute to the price of a barrel of oil in the world. Supply and demand.

And just to give you an example of that, on Inauguration Day of President Obama, AAA said the gasoline prices in America averaged $1.91 a gallon. Today, gasoline prices are averaging across this great land $3.73 a gallon. That is a 102 percent increase during the Obama administration. But yet he will claim, the administration will claim, that they have increased domestic energy production. They've increased onshore and offshore drilling, and apparently oil and natural gas are just bubbling up out of the ground and providing this. But, America, that's not the case. That's not the case. Gas prices are going up simply due to two factors--supply and demand. Those are the things that contribute to the price of a barrel of oil in the world. Supply and demand.

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Again, the President claims for an all-of-the-above energy strategy, when, in fact, what we have seen is this President is actually for none of the above. This chart—I know it's impossible to read—details the inaction of this administration, in fact, some very harmful policy moves. And I want to share with you where he has stopped, delayed, repealed energy production in this country.

Again, tonight, we are going to be hearing from many Members around the country to discuss how we can advance the energy policy that not only the State of Colorado but to our Nation.

We have been coming to the floor talking about the increasing prices of energy across America. Since we came back to the floor we have taken to the floor to talk about the very poor policies coming out of the administration.

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Now, at one time he was talking about these abundant supplies, this increased onshore and offshore drilling and production in our States. Yet his own words say "commitment to American-made energy that creates jobs and reduces our dependence on oil."

Now, when you first heard that, you thought, I agree with that. He wants to lessen our dependence on foreign oil and Middle Eastern oil, but no, no, no. That's not what he said. He said lessen our dependence on oil, period. Not foreign oil, not Middle Eastern oil, lessen our dependence on oil, period.

So you take that with his Secretary of Energy, Steven Chu. Steven Chu, before he was appointed as Secretary of Energy in this country, said this: "Somehow we have to figure out how to increase the price of gasoline to the levels in Europe."

Now Europeans in England and Germany and France, they're paying $7, $8, $9 a gallon for gasoline. America, under this policies, that's where we're headed. Under the words of Steven Chu, the Energy Secretary, he said: "Somehow we have to figure out how to boost the price of gasoline to the levels in Europe."

It shouldn't surprise you that's what they want to do—lessen our dependence on oil, period. And that's propagating policies and giving money away to companies that supported him in his election campaign, companies like Solyndra. $535 million, gone, America, your tax dollars that I know you're working hard for every day.

In South Carolina, my constituents, they go to work every day. And they earn the hard-earned dollars. They go to work, and they're thinking when they're filling up their gas tank at $3.75 a gallon, $4 a gallon diesel fuel—I drive a diesel, so last week I couldn't fill my truck up, because I'm cutting just like other Americans, and how much I have to take out of my wallet to fill up my tank. And what money I save for in other ways, whether it's to take my family out to dinner or pay off some debt or do some things that we normally would do with that money, but now we're having to take more dollars out of our pockets to put fuel in the tank of our car and drive to work. And so Americans are thinking: How many hours of my workday on my job am I working just to pay for the gasoline I just paid to get to work and get to home?

Four dollars a gallon, policy for diesel fuel. And Americans say think about this: Think about the farmers that are putting diesel fuel in their tractors to plant the food that you're going to buy
at the grocery store. Input cost. Input cost on the front end affects the price on the back end.

Mr. Chu, the Secretary of Energy, said this. He’s calling for gradually ramping up gasoline taxes over the next 15 years to coax consumers into buying more-efficient cars and living in neighborhoods closer to work. This European model where we’ll all live close in town and we can walk to work or bicycle. That’s the optimal thing in their eyes. We don’t live that way here in America. We like our freedom. We like to get in our cars and drive ourselves to work. The policy of this administration is affecting what you pay at the pumps, and it’s very clear using the President’s own words about gasoline and about oil.

So we are seeing rising gasoline prices, and we’ve got the power to do something about that here in America. We have the capacity, the resources in this country far exceed what’s found in Saudi Arabia. Far exceed by hundreds of billions of barrels of oil more than what exists in the Saudi oil reserves here in this country. We’ve got them. We’re buying a lot of oil from Canada. We talked about the Keystone pipeline. The gentleman from Colorado and I have talked about this numerous times. But instead of pursuing American energy independence, beyond that why can’t we pursue maybe North American energy independence? Our largest best trading partner, Canada, if our policies are going to keep us from drilling off our coast in South Carolina, off the coast of Louisiana, Mississippi, and Texas, places where there are proven reserves, and we’ve been pumping oil for a long time?

Or going onshore. North Dakota. North Dakota has an energy-driven economy. Their unemployment rate is 3 percent or less. They’re pumping oil out of the oil fields there in North Dakota. President Obama is taking credit for increased oil production in North Dakota, but back up, because the oil that’s being pumped out of the ground in North Dakota isn’t on Federal land, and it isn’t because of any policies of this administration. The permits were issued during the last administration and the one before that, and we’re producing oil on State and private lands in North Dakota. It’s not Federal land. In State lands. It’s private lands. Unemployment is 3 percent. Good paying, long-term jobs, energy-driven economy in North Dakota.

But guess what? The Bakken oil field extends beyond the borders of North Dakota, and it goes into Montana and other States. Well, if you go across that artificial border between North Dakota and Montana into the same oil field known as Bakken, you’re not going to find any energy production over in Montana. You know why? Because it became Federal land. And that Federal land has been off the table for energy production and energy exploration. But over where it’s on State and private land, it’s gangbusters. It’s going gangbusters. 3 percent unemployment in North Dakota. That’s a telling sign, America, on what you do when you go after your own resources and you produce American resources to meet our American energy needs.

I heard the gentleman from Colorado talk about an all-of-the-above energy strategy, and I’ve heard the President here at the State of the Union say the same thing. But, you know, in my opinion an all-of-the-above energy strategy says it’s going to take care of a proven technology of oil and natural gas to meet our immediate energy needs. And then we’re going to continue to expand nuclear power in this country because it’s proven, it’s tried, and we can expand that. I applauded the new permit in Georgia for a new reactor. We’re going to have one very soon in my home State. It’ll be the second in about 30 years where we’ve permitted a nuclear power plant to provide power to this country. But the President, he likes this global warming cap-and-trade scheme. And he says that under his plan of a cap-and-trade system, “electricity rates would necessarily skyrocket.” Electricity rates are going to skyrocket. Well, we’ve got the ability to build more nuclear power plants and permit those that are underway and provide good, stable electricity in this country. So all of the above includes oil and natural gas, energy exploration, offshore, onshore, with those resources, and expanding nuclear power plants in this country, looking at the things that are tried and true and allowing the free market, not your tax dollars, America, but the free market to determine the winners and losers with regard to green energy.

If it works, if it can be successful, I guarantee you, there are American investors and worldwide investors that would invest their own hard-earned dollars that they have the ability to invest in that technology, and they will pick a winner because on the back side they’re going to make a profit. But that’s not what’s happening. This administration is taking your tax and policy and regulatory policies, that are necessary to determine the winners and losers. It’s wrong. It’s got to stop.

Mr. GARDNER. I thank the gentleman from South Carolina, and I know the gentleman from Arizona has seen tremendous price increases, as well.

With that, I yield to the gentleman from New Mexico, my neighbor to the south.

Mr. PEARCE. Thank you. I would gladly be from Arizona, except I’m representing New Mexico, and I’ll stick there for awhile.

My father worked for the oil industry my entire life. We grew up in the oil industry in southeast New Mexico. Back in the late seventies and early eighties, the company that my dad worked for, Humble, and later Exxon, began to tell all the employees that oil would be out, that it would be finished in eastern New Mexico and that they would need to get their affairs ready to be transferred somewhere else.

Now, my dad retired in the late eighties, and the oil fields are still viable in Lea County, New Mexico, because of increasing technology. The ability to drill laterally has revolutionized the ability to produce energy, and also the 3-D seismics have been very effective at finding new sources of oil. So basically what we’re finding is that the old estimates of how much oil was left in the U.S. have been grossly inadequate. With the new finds all the way across the country, this Nation could be self-sufficient in oil, except there are people here in Washington who absolutely do not want us to be self-sufficient. They want the pressure on the economy. For some reason, they believe that we should have a level playing field with the European countries that have to import all of their energy.

I think that America should be allowed to develop its resources that it’s blessed with. I believe that the American people should be allowed to work in careers and in jobs that pay good money. Other people in Washington think that we should shut him talk about expanding production in the United States or adding U.S. domestic capacity to actually decrease the cost of gasoline?

Mr. DUNCAN of South Carolina. Gentleman from Colorado, that’s a great example. I’ve never talked about that. The administration talks about the exact opposite. They want us to pay for what Europeans pay for oil and natural gas. They want to see us move toward a green energy economy, and they want to create policies, tax policies, and regulations that are going to force you, as Americans, to buy what they want you to buy, and that is an electric car.

Mr. GARDNER. And I would point out to the gentleman, too, as he knows, we’ve seen gas prices increase dramatically around the country. In South Carolina, I think gas prices have increased 10 percent from just a year ago. The gentleman from Arizona who joins us now in the conversation is—Now, South Carolina has seen tremendous price increases, as well.

With that, I yield to the gentleman from New Mexico, my neighbor to the south.
Mr. GARDNER. I thank the gentleman from New Mexico. Before he yields the floor, I wanted to ask him a quick question.

I know you've done tremendous work with the Western Caucus—over 40 pieces of legislation that would bring on jobs, creating 1 million jobs overseas. I think that Americans are waking up and realizing that it does not have to be that way. We don't have to be paying $4 for gasoline.

People here in Washington routinely say that we cannot drill our way out of the problem. I hear that a lot. But if you look at the cost of natural gas, the price of natural gas today, you'll see that it has diminished tremendously because we have drilled our way out of the shortage that existed just 4 or 5 years ago.

The price of natural gas spiked around $10. Today it's less than 4. We have to understand that you can produce more energy, you can get the cost down, but a government has to stand aside and let the people work.

I remember a couple of years ago when there was an announcement that we would open the Atlantic coast to energy production in this country. Yet we are still being told to shut down electrical generation stations in New Mexico that are sending power to Florida.

If we went back to the days of the Teddy Roosevelt administration, before the Department of the Interior ever existed, the electricity that was generated in areas like the Western United States was being sold to Washington, D.C., and the West Coast, and from other jobs that could be created. I think that Americans are beginning to realize that we are living for his family. That's the sort of jobs that we can begin to create.

Another way that they're limiting the production is that they're just not processing the applications to drill. So you have a lot of people who would invest a lot of money right now creating jobs, but the Federal Government will not process the application for permits to drill on Federal lands. Much of the West is Federal lands. New Mexico is about 33 percent Federal lands. Other States have about 17 percent Federal lands, and those are being completely eliminated from oil and gas production, from mining, from timber and from other jobs that could be created.

And so we find an administration and a mindset in Washington that says we’re going to starve America for energy, and we’re going to send those jobs overseas. I think that Americans are waking up and realizing that it does not have to be that way. We don’t have to be paying $4 for gasoline.

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It’s just not the oil and gas, though. The sad thing is they’re doing the same thing to electricity. Two electricity generating stations in New Mexico are being told to shut down energy production. We suffered rolling blackouts just a year and a half ago, and we’re being told to shut down electrical generation? These are not generators that would not produce. These are generators that they’re saying, well, they might be contributing to some pollution. They’re just not letting us have the kind of jobs that Americans are looking for, and that’s the sort of jobs that we can create.

But how are American policymakers putting the oil and gas off-limits? For instance, shale. America is the Saudi Arabia of shale oil. And yet in 2007, the Pelosi House passed a bill that put all of the shale production in Colorado completely off-limits. That’s just wrong. We should be exploring every opportunity for energy production in America.

Another way that they’re limiting the production is that they’re just not processing the applications to drill. So you have a lot of people who would invest a lot of money right now creating jobs, but the Federal Government will not process the application for permits to drill on Federal lands. Much of the West is Federal lands. New Mexico is about 33 percent Federal lands. Other States have about 17 percent Federal lands, and those are being completely eliminated from oil and gas production, from mining, from timber and from other jobs that could be created.

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It’s just not the oil and gas, though. The sad thing is they’re doing the same thing to electricity. Two electricity generating stations in New Mexico are being told to shut down energy production. We suffered rolling blackouts just a year and a half ago, and we’re being told to shut down electrical generation? These are not generators that would not produce. These are generators that they’re saying, well, they might be contributing to some pollution. They’re just not letting us have the kind of jobs that Americans are looking for, and that’s the sort of jobs that we can create.

Another way that they’re limiting the production is that they’re just not processing the applications to drill. So you have a lot of people who would invest a lot of money right now creating jobs, but the Federal Government will not process the application for permits to drill on Federal lands. Much of the West is Federal lands. New Mexico is about 33 percent Federal lands. Other States have about 17 percent Federal lands, and those are being completely eliminated from oil and gas production, from mining, from timber and from other jobs that could be created.

And so we find an administration and a mindset in Washington that says we’re going to starve America for energy, and we’re going to send those jobs overseas. I think that Americans are waking up and realizing that it does not have to be that way. We don’t have to be paying $4 for gasoline.

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Mr. GARDNER. I thank the gentleman.

The gentleman from South Carolina, again, some of our colleagues would like to see energy production increase in Saudi Arabia. They'd, I guess, stand idly by as these administration moves, vetoed a 60 dollar a barrel—puts a fork in the Keystone XL pipeline; yet they'd rather see those jobs go overseas. They'd rather see that energy production occur overseas instead of doing it right here in our own backyard. I'm sure our colleagues mean well, but I certainly hope they would produce those jobs here, produce that energy here, develop an energy policy that is with American jobs for our security.

Mr. DUNCAN of South Carolina. If the gentleman will yield.

Mr. GARDNER. I yield to the gentleman.

Mr. DUNCAN of South Carolina. You're exactly right. These are our jobs. These are American jobs going overseas and American tax dollars going overseas, and American-earned income. Because, as I mentioned earlier, you're digging deeper into your wallet, taking out—not of a $20 bill to fill up a gas tank, but a $100 bill. Americans know what they could do with the rest of that money, the difference there.

I get a little passionate about this issue, and I apologize to the ladies here in the Chamber that have to record what I'm saying. But I'll state it. America is passionate about this as well because they know we have the resources here and they know we can be energy independent and we wouldn't be giving money to Middle Eastern countries, who a lot of times don't like us maybe as well as the Canadians and other countries closer to home like us. I spouted off some things about Federal land and State land and North Dakota and Montana a minute ago, so let me just tell you: in 2000, Federal oil production accounted for 32 percent of the total U.S. energy production. In 2010, after 2 years of the job-destroying Obama administration policies, that 32 percent is down to 19 percent. In fact, the Obama administration has cut production by 11 percent.

When I think about the year 2000, I think about some of our friends on the other side of the building, and Joni Ernst and Matt Salmon, running some of these gavels. They'd say, you know what, if we decided to drill today and open up new lease areas and do energy exploration, whether it's the Outer Continental Shelf, it won't have any effect on the price at the pump for Americans because it takes about 10 years for that to come online and start producing oil. But, hey guys, that was 10 years ago. What impact would those policies of drilling in ANWR or the Outer Continental Shelf or more onshore production, what impact would that have had on the price you pay at the pump today? I think we've got to get serious about American energy exploration and production here. The journey of 1,000 miles begins with a single step. We need to take that step today. I'll tell you, the House Republicans have done that with numerous job-creating, energy-production bills that have passed out of this Chamber that are languishing in the United States Senate— that's failed to pass a budget for our country in 1,036 days, that's failed to take up American energy-independence bills, job-creating bills that we passed out of this Chamber.

So instead of opening new leases on Federal land, and the Obama administration is taking credit for increased production and saying we've opened up new offshore areas. But the data I have says there's less offshore acreage open for energy exploration and production now than when President Obama took office when nearly 100 percent of the Outer Continental Shelf was opened up under the Bush administration. They lifted the moratorium for energy exploration, let's talk about that.

Listen, I served for 18 months on what was known then, under the Mineral Mining Services of the Department of the Interior, the OCS, or Outer Continental Shelf, 5-year Planning Subcommittee where we looked at America's next 5-year plan for this country on what areas we were going to open up offshore. What areas were available for us to even talk about were small grid squares in the western Gulf of Mexico, nothing in the eastern Gulf of Mexico, nothing near the Atlantic coast, nothing in the Pacific off the coast of California, nothing off the coast of Alaska except for another small square.

This was prior to the latter years of the Bush administration when he decided, you know what, American energy independence means we need to open up the Outer Continental Shelf and really see what's out there and begin energy production. But the 5-year plan we looked at looked at these grid squares and we were going to recommend a lease/seed, where we were going to offer leases to those areas, to the energy companies so they could go out there and explore and produce those resources.

Well, the Obama administration has taken a lot of that off the table. They haven't created a new 5-year plan. They're going to say they just came out with a new one, but I believe it's just all for looks.

The total offshore acreage—I was talking about offshore—but the total onshore acreage leased under the Obama administration in 2009 and 2010 is the lowest in over two decades. We're not talking about ultra-Deep Horizon accident-type offshore production.

Mr. GARDNER. Will the gentleman yield on that point?

Mr. DUNCAN of South Carolina. I yield to the gentleman from Colorado.

Mr. GARDNER. Because, again, going back to a speed given recently by this administration, by this President, he said at the University of Miami that we have record oil production, that he's actually leading us out of this energy crisis.

Mr. DUNCAN of South Carolina. Energy production might be up in this country, but it has nothing to do with the policies of this administration. It has to do with the moratorium that said, you know what, we're going to open up Bakken because the geological survey found a ton of oil reserves there. In your home State, the oil shale in the Rocky Mountains, Colorado, could be the next Saudi Arabia. Where are they to allow offshore production for oil shale in the Rocky Mountains? I know the gentleman from Colorado probably wants to talk about the oil shales of Colorado.

Mr. GARDNER. Well, I absolutely do. In fact, not only talk about the oil shales of Colorado, but this entire country where we actually are home—the United States is home to six times Saudi Arabia's proven resources because of the potential for oil shale in this country—1.5 trillion barrels of potential oil shale. That's six times Saudi Arabia's proven resources. That's enough energy to power the United States for the next 200 years.

The gentleman talked about legislation that we have passed to try to keep jobs. You talked about some of the comments that were made that, well, that won't impact our supply until sometime over the next 10 years. Let me just tell you about one bill that we have seen, and that is the 2011 Minerals Leasing Modernization Act, the Senator Gardner, R. 2011, passed with bipartisan support.

That bill was focused on a particular project in the Beaufort and Chukchi Sea north of Alaska. In the time that it has taken one company to get a permit for that energy development—an area that's already approved for energy development by this government—it's taken 6 years to get a permit. In the time that it's taken them to try to get that permit—they still don't have it. They've only done one thing. And in the time that it took them to get this far, they've drilled over 400 wells around the world, creating jobs around the world, creating energy for other people, creating jobs and resources, economic development for other people, but certainly not in the United States.

Mr. DUNCAN of South Carolina. You're exactly right.

You know, we had a tragic accident. Not only is this running off of these gavels, but the fact that Deepwater Horizon was very tragic in the Gulf of Mexico, and we'll learn from that. The oil companies, energy production companies will learn from that. But during that moratorium under the Obama administration—and then later he said he lifted the moratorium, but there was a de facto moratorium because they were failing to issue leases and permits for continued drilling out there.

For companies that already invested billions of dollars in purchasing the rights to those lease areas to explore for energy and produce energy, they were languishing out there, waiting on
the drilling permits to come back from Washington. The Department of Energy and the Department of the Interior were slow-walking these permits. And so at some point in time those energy companies said, you know what, we’re going to drill in those drilling platforms out of the Gulf of Mexico.

They towed them to the shore offshore of Brazil, to the seas offshore Brazil and the seas offshore of Africa. Today, they are drilling for energy in other countries. And we had them here in the United States, producing American energy to lower the price at the pump for American consumers. It’s very expensive to get those drilling platforms back to the gulf.

And so, as tragic as Horizon was, we learned from it. The Obama administration issued a moratorium to stop that drilling. Then they said, well, we’re going to end the moratorium. But then when they failed to issue the leases, it’s really a moratorium, it’s in effect. And it’s going to be very difficult for us to get that production level back in the Gulf of Mexico because it’s expensive for those companies to bring those rigs back.

Mr. GARDNER. Absolutely.

Mr. DUNCAN of South Carolina. I’ve gotten Facebook posts. I’ve gotten phone calls in our office encouraging just that, for the President to tap the Strategic Petroleum Reserves to help lower gas prices at the pump.

But let me just tell America that it was during the 1970s oil embargo that I remember, as a small child, that Congress created this huge 727 million-barrel reserve that was intended for national security emergencies.

Before President Obama tapped the SPR, the Strategic Petroleum Reserve, back in June of 2011, the reserve had previously only been tapped once for war, the other to combat a natural disaster, and the third time, quite similarly, for political opportunism. And the examples are these:

President Bush, George Herbert Walker Bush, the first Bush, used the SPR, the Strategic Petroleum Reserve, during Operation Desert Storm because we were going to war over there and he was afraid that would disrupt Middle Eastern supplies, and so he tapped those reserves just to make sure Americans didn’t suffer because of our actions over there in Operation Desert Storm.

And then in 2005 we had, down along the gulf coast, which is a tremendous energy production area, in Alabama, Mississippi, Louisiana, Texas, we had a hurricane here in the Gulf Coast, and high oil prices. And then we see President Obama, in January of 2009. The President takes office, $1.84. If you went and you filled up your car, $1.84 a gallon. As of February 23, just a week ago, $3.61. Billions of dollars taken away from the American consumer, sent overseas, when we could be using that money right here to create American jobs, reducing the price at the pump.

By spring, perhaps sometime this spring, according to Barron’s, gasoline may even reach $4.50 a gallon. These aren’t scare tactics. This is reality that America is paying each and every day when they fill up at the pump. Trying to figure out how to make ends meet, trying to make sure they’re able to meet their mortgages, pay their bills, put food on the table for their family, $60 a tank, $70 a tank to get to work.

What trade-offs are we forcing the American consumer to make, when we have the opportunity to create American energy right here, to build the Keystone XL pipeline, to develop our Federal resources and do it in a responsible manner, do it in a way that creates jobs, giving our own communities the benefit of that exploration, of that development of the tax revenue that they generate.

Mr. DUNCAN. Of South Carolina. Well, we’ve seen production occur elsewhere because of the roadblocks to domestic energy production, we see other countries—us becoming even more reliant on overseas energy.

Just a couple of weeks ago, Federal Reserve Chairman Ben Bernanke warned that a major disruption in foreign oil supplies that sends prices skyrocketed could thwart the economic recovery. So the Federal Reserve Chairman has recognized that the more dependent we become on somebody else, if there’s a disruption in that supply, a disruption in that overseas energy source that we’re relying on, it could thwart the economic recovery.

Let me just go to a chart next.

Mr. DUNCAN of South Carolina. Before do you that, can I just remind you that Admiral Mullen, Chairman of the Joint Chiefs of Staff, along that same line, said, there can be no national security without energy security. There can be no national security without energy security. That’s a wake-up call, America.

Mr. GARDNER. That’s a great point on national security, because not only do we have economic objectives that we need to achieve with a national energy policy where we’re relying on our own production, but we’ve got national security implications. And if we don’t rise to the challenge we’re going to be risking our security because of our reliance on other nations.

To go to the point of energy prices, this chart just illustrates how much gas prices have increased, how high they’ve increased, $1.80 over the past seven years. The average price of gasoline has increased 42 cents since February of 2011. That’s just on average around the country.

The important thing to recognize is the impact that gas price increases have on the American consumer, on American families. All told, each penny increase in the cost of gasoline takes about $1 billion out of the economic intake of the American consumers' pockets, $3.17. In February, just a few weeks ago, $3.18, every penny was a billion dollars taken out of the American consumers’ pockets, sent overseas. If a 50-cent jump in gasoline prices is sustained over the next year, $70 billion would be lost in the U.S. economy.

This chart says it all. Go back to January of 2009. The President takes office, $1.84. If you went and you filled up your car, $1.84 a gallon. As of February 23, just a week ago, $3.61. Billions of dollars taken away from the American consumer, sent overseas, when we could be using that money right here to create American jobs, reducing the price at the pump.

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$3.61 a gallon, that’s unacceptable, and yet we hear talk of increasing production in Saudi Arabia, instead of doing it here? We hear an administration that says, going against the Keystone XL pipeline and then they were for it and then they’re for part of it. I heard the gentleman from Nebraska (Mr. TERRY), who’s been a leader on the XL pipeline, say that that’s like a little bit like the rooster trying to take credit for the dawn.

We have an obligation to make sure we’re developing our resources right here, right now. We hear others talk about tapping into the Strategic Petroleum Reserve. In fact, just a few headlines in recent days: Secretary Tim Geithner says tapping the Strategic Petroleum Reserve is an option that’s on the table for the administration.

An article in Politico on February 25: House Democrat leaders are urging President Obama to open the Strategic Petroleum Reserve.

Another article, that same day: Washington liberals call on President Obama to tap Strategic Petroleum Reserve.

Mr. DUNCAN of South Carolina. Will the gentleman yield?
so we’re seeing this volatility due to the unrest in Iran.

Shouldn’t we, as America, keep that oil in reserve just in case there’s a problem over there? Maybe—who knows, maybe there’s further disruptions, Strait of Hormuz issue. Strategic reserves are there for a stated purpose, not for political gains.

Mr. GARDNER. I would just make the point that if this administration acknowledges that by tapping into the Strategic Petroleum Reserve they can increase domestic production, we should increase opportunities in the Western United States, on our Outer Continental Shelf. We should utilize the energy that our neighbors to the north are willing to help us out with through the Keystone XL pipeline. Because if the Strategic Petroleum Reserve is, indeed, about producing energy, it is a leader on that.

Mr. DUNCAN of South Carolina. A Band-Aid, so to speak.

Mr. GARDNER. Why isn’t this administration willing to actually do the right thing, do what’s necessary to keep our economy afloat, to keep it from running on fumes and make sure that we can produce that energy in our own backyard, increase our opportunities to produce domestic energy?

Mr. DUNCAN of South Carolina. The gentleman from Colorado has been a leader on that. Our caucus and our conference is a leader on that.

Mr. GARDNER. Mr. Speaker, I thank the gentleman from South Carolina for his leadership, and this is the third time that we’ve done that this year already, come down and talk as a group about what we can do to get our energy prices down to relieve the pain at the pump, to make sure that we’re restoring our energy independence. So we’ll continue this effort.

Last week, I had the opportunity to visit the western slope of Colorado. The vast majority of the land there is owned by the Federal Government. They’ve seen rigs being sent away, shutdowns, and opportunities, though, of great success where there is a glimmer of hope for increasing development in the western slope of Colorado.

In my district on the eastern plains of Colorado, one county has drilled over 2,100 wells just last year, putting thousands of their people to work, helping create economic opportunity, creating jobs, bringing opportunities to the county that they never would have had otherwise.

So when I talk to people of western Colorado, eastern Colorado, they simply want to do what they do best. That’s to run their businesses, to do it in a responsible manner, to do what’s right for their children and their grandchildren, and to stop sending the hundreds and hundreds of billions of dollars that we send each and every year overseas to get energy from them instead of using that money right here on our own families. Every year we send $331 billion to foreign nations. We can start using that money in our own backyard.

The House Energy Action Team is committed to leading this country to a future of economic growth, economic opportunity, energy security, and energy independence.

I thank my colleagues from South Carolina and New Mexico for joining me tonight.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Nadler (at the request of Ms. Pelosi) for today.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the speaker:

H.R. 347. An act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

ADJOURNMENT

Mr. GARDNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o’clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 1, 2012, at 9 a.m.
## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO TURKEY, QATAR, SAUDI ARABIA, UNITED ARAB EMIRATES, AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 7 AND JAN. 14, 2012

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

5131. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the department’s final rule — Defense Federal Acquisition Regulation Supplement; Award Fee Reduction or Denial for Health or Safety Issues (DFARS Case 2011-D035) (Rev. 0750-AH37) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Armed Services.

5132. A letter from the Acting Under Secretary, Department of Defense, transmitting authorizing orders to wear the authorized insignia of the grade reel admiral; to the Committee on Armed Services.

5133. A letter from the Under Secretary, Department of Defense, transmitting request of an extension to deliver the report on the current and future military strategy of Iran; to the Committee on Armed Services.


5136. A letter from the Secretary, Department of Health and Human Services, transmitting the Department’s FY 2011 annual performance report to Congress required by the Patient Protection and Affordable Care Act (PPACA) (Pub. L. No. 111-148) [Sac. 124 Stat. 1199], as amended, as required by 21 U.S.C. 371g note; to the Committee on Energy and Commerce.

5137. A letter from the Secretary, Department of Energy, transmitting uncossed obligation balances of the Department, pursuant to 42 U.S.C. 1562(a); to the Committee on Energy and Commerce.

5138. A letter from the Secretary, Federal Trade Commission, transmitting the Commission’s final rule — Appliance Labeling Rule (RIN: 3091-AB03) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Energy and Commerce.

5139. A letter from the Deputy Associate Director for Management and Administration and Designated Agency Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5140. A letter from the Secretary of the Board of Governors, Postal Service, transmitting the Service's report, as required by Section 3698(c) of the Postal Accountability and Enhancement Act of 2006; to the Committee on Oversight and Government Reform.

5141. A letter from the Senior Program Analyst, Department of Justice, transmitting the Department’s final rule — IPR Altitudes; Miscellaneous Amendments [Docket No.: 38923; Amtd. No. 498] received January 31, 2012, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Transportation and Infrastructure.


5144. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service’s final rule — Application for survivor annuity requirements to deferred annuity contracts under a defined contribution plan (Rev. Rul. 2012-3) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Ways and Means.

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. CAMP (for himself, Mr. LEVIN, Mr. BRADY of Texas, Mr. McDERMOTT, Mr. HERSHEY, Mr. NUNES, Mr. DAVIS of California, Mr. BOSNY, Mr. ROSKAM, Mr. GERLACH, Mr. BUCHANAN, Mr. SCHOOK, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr. HESTER, Mr. LEWIS of Georgia, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. KIND, Mr. PASSARELLI, Mr. BENSUHN, Ms. Slaughter, Mr. BOWDEN, Mr. MICHAUD, Mr. HUGINS, Mr. WALBERG, Mr. CRITZ, Mr. JOHNSON of Ohio, Mr. KELLY, Mr. NEEDHAM, Mr. RENACE, Mr. RINGLE, Mr. STIVERS, Mr. RICHMOND, Mr. DUGGERT, Mr. STARK, Mr. GREEN of Texas, Mr. DONELLY of Indiana, Mr. OWENS, Mr. CICILLINE, Mr. LIPINSKI, Mr. LOESBACH, Ms. BERKLEY, Mr. SCHWARTZ, Mr. LATTOURE, Mr. DINGELL, Mr. CRAWFORD, Mr. CRAVACK, Mr. MCNAB, Mr. RACZEK, Mr. DION, Mr. PETERSON, Mr. MCCOTTER, Mr. GHIES, Mr. TURNER of Ohio, Ms. ELMER, Mr. HASTINGS of Florida, Mr. SCHULLING, Mr. JOHNSON of Georgia, Mr. HULTOREN, Mr. SHEPHERD, Mr. ROOPER, Mr. LONG, Mr. MCGOVERN, Mr. McINTYRE, Mr. NEAL, Mr. BROWLEY, Mr. LARSON of Connecticut, Ms. SUTTON, Ms. SCHATZ, Mr. VISCLOSKY, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. DEFazio, Ms. NORTON, Mr. ALBRIGHT, Mr. CLAY, Mr. HOLDEN, Ms. LINDA T. SANCHEZ of California, Mr. RUSH, Mr. ROSS of Arkansas, Ms. MOORE, Mr. PETERS, Ms. KAPTRIE, Mr. MORGAN, Mr. SHUHEL, Ms. BASS of California, Mr. KISSELL, Mr. CARSON of Indiana, Mr. MEiks, Mr. DELAUBO, Mr. WARD of Pennsylvania, Mr. ELLISON, Mr. KILDEER, Mr. CLARK of Michigan, Mr. YARMUTH, Mr. PALLONE, and Mr. RAHALL)

H.R. 4105. A bill to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes; to the Committee on Ways and Means.

By Mr. MALONEY (for herself, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, and Mr. SHERANO)

H.R. 4106. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Education and the Workforce, in addition to the Committees on Oversight and Government Reform, House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN (for himself, Mr. CLEAVER, Ms. BORDALLO, Mr. ACSH, Ms. NORTON, and Mr. LATTA)

H.R. 4107. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I; to the Committee on Financial Services.

By Ms. BERKLEY

H.R. 4108. A bill to amend the Internal Revenue Code of 1986 to increase and extend the credit for qualified advanced energy projects, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY

H.R. 4109. A bill to designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest System, to designate the Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a...
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land exchange with the United Water Conservation District of California, and for other purposes; to the Committee on Natural Resources.

By Mr. McCaul (for himself and Ms. Ros-Lehtinen):
H.R. 4110. A bill to restrict assistance to Pakistan unless the Secretary of State certifies that the Government of Pakistan is not aiding, assisting, advising, or informing the Haqqani network in any capacity, and for other purposes; to the Committee on Foreign Affairs.

By Mr. Green of Texas:
H.R. 4111. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain State foster care program payments made to the biological parents of disabled children; to the Committee on Ways and Means.

By Mr. Marino (for himself and Mr. Menghi):
H.R. 4112. A bill to allow screening entities to submit, receive, and screen criminal history record information for purposes of criminal history record information searches on private security officers under the Private Security Officer Employment Authorization Act of 2004; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary.

H.R. 4113. A bill to amend title II of the Elementary and Secondary Education Act of 1965 to help those eligible in principal preparation and provide new principals with the support and tools they need to meet the complex challenges of school leadership; to the Committee on Education and the Workforce.

By Mr. Runyan:
H.R. 4114. A bill to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. Stivers (for himself and Mr. Weldon):
H.R. 4115. A bill to amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. Ribble (for himself and Mr. Pickering):
H.J. Res. 105. A joint resolution proposing in Congress a reduction in the number of times an amendment to the Constitution of the United States limiting the number of times the United States may propose to amend the Constitution of the United States.

By Mr. Visco (for himself and Mr. Costa):
H.R. 4116. A bill to enact the accompanying bill or joint resolution.

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. Camp:
H.R. 4105. Congress has the power to enact this legislation pursuant to the following:
Section 8 of Article I of the United States Constitution.

By Mrs. Maloney:
H.R. 4106. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18, of the United States Constitution.

By Mr. Lamborn:
H.R. 4107. Congress has the power to enact this legislation pursuant to the following:
Clause 6, Section 8, Article I, which states, "The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. Berkley:
H.R. 4108. Congress has the power to enact this legislation pursuant to the following:
Clause 6, Section 8, Article I, which states, "The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. Gallegly:
H.R. 4109. Congress has the power to enact this legislation pursuant to the following:
Under Article IV, Section 3, Clause 2 of the United States Constitution, the power of Congress to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. As well as Article I, Section 8, Clause 18, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. McCaul:
H.R. 4110. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1, which states, "The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. Gene Green of Texas:
H.R. 4111. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1, which states, "The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. Marino:
H.R. 4112. Congress has the power to enact this legislation pursuant to the following:
Clause 3 of section 8 of Article I of the Constitution.

By Mr. Payne:
H.R. 4113. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution.

H.R. 4114. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. Stivers:
H.R. 4115. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. Ribble:
H.J. Res. 105. Congress has the power to enact this legislation pursuant to the following:
The constitutional amendment authority and process set forth in Article V of the U.S. Constitution.

ADDITIONAL SPONSORS
Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:
H.R. 115: Ms. Chu
H.R. 149: Mr. Upton
H.R. 273: Mr. Grijalva
H.R. 303: Mr. Rooney, Mr. Schrader, and Mr. Tenney
H.R. 324: Mr. Rothman of New Jersey
H.R. 327: Mr. Rothman of New Jersey
H.R. 403: Mr. Honda
H.R. 426: Mr. Graves of Georgia
H.R. 430: Ms. Davis of California
H.R. 431: Mr. Garamendi
H.R. 511: Mr. Polis
H.R. 555: Ms. Lofgren of California
H.R. 576: Mr. Brown of Florida
H.R. 664: Mr. Doiggett
H.R. 692: Mr. Lamborn
H.R. 719: Mr. Cuellar and Mr. McInver
H.R. 745: Mrs. Harperts
H.R. 777: Ms. Bonamici
H.R. 785: Mr. Landry
H.R. 807: Mr. Clarke of Michigan
H.R. 869: Mr. Marino, Mr. DesJarlais, Mr. Ross of Arkansas, Mr. Rehberg, Ms. Castor of Florida, and Mr. Schiff
H.R. 892: Mr. Ellison
H.R. 964: Mrs. Maloney
H.R. 1041: Mr. David Scott of Georgia and Mr. Forbes
H.R. 1157: Mr. Quayle
H.R. 1172: Mr. Payne
H.R. 1175: Mr. Schrock
H.R. 1719: Mr. Hartzler, Ms. Gibson, Mr. Issa, Mr. DesJarlais, and Mr. Simpson
H.R. 1182: Mr. Ross of Florida and Mr. Quayle
H.R. 1206: Mr. Griffith of Virginia, Mr. Bonner, and Mrs. Hartzler
H.R. 1259: Mr. Amodei, Mr. Hensarling, Ms. Buerkle, and Mr. CRAVACK.
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February 29, 2012

H.R. 1332: Mr. Costa and Mr. Himes.
H.R. 1342: Mr. Rothman of New Jersey.
H.R. 1375: Mr. Andrews, Mr. DeFazio, Mr. Fitzpatrick, Mrs. Christensen, and Ms. Matsui.
H.R. 1412: Mr. Dold.
H.R. 1418: Mr. Marchant.
H.R. 1496: Mr. Honda and Ms. Hahn.
H.R. 1565: Mr. Cole.
H.R. 1561: Mr. Rangel and Ms. Woolsey.
H.R. 1593: Mr. Upton.
H.R. 1738: Mr. Garamendi.
H.R. 1756: Mr. Benshieke.
H.R. 1781: Mr. Al Green of Texas and Mr. Cohen.
H.R. 1842: Mr. Filner.
H.R. 1919: Mr. Clay.
H.R. 1938: Mr. Castor of Florida.
H.R. 1945: Mr. Kissell.
H.R. 2077: Mr. Duffy, Mr. Heck, Mrs. Bachmann, and Mr. Broun of Georgia.
H.R. 2104: Mr. Barton, Mr. McGovern, Mr. Garamendi, Mr. Blumenauer, Mr. Rangel, Mr. McKinley, Ms. Sphier, and Mr. Berman.
H.R. 2124: Mr. Harris.
H.R. 2139: Mr. Sarbanes and Ms. Wilson of Florida.
H.R. 2145: Mr. Marchant and Mr. Nunnelee.
H.R. 2179: Mr. Griffith of Virginia and Mrs. Black.
H.R. 2182: Ms. Matsui.
H.R. 2187: Mr. Farr.
H.R. 2242: Ms. kissell.
H.R. 2245: Mr. citrus and Ms. Richardson.
H.R. 2288: Mr. Pence.
H.R. 2288: Mr. Runyan.
H.R. 2299: Mr. Griffith of Virginia.
H.R. 2364: Mr. Himes.
H.R. 2381: Mr. Petri.
H.R. 2363: Mr. Royce.
H.R. 2365: Mr. Payne.
H.R. 2600: Ms. Woolsey.
H.R. 2689: Ms. Waters, Ms. Kaptur, Ms. Chu, Mr. Towns, Ms. Richardson, Ms. Jackson Lee of Texas, Mr. Cummings, Mrs. Christensen, and Mr. Payne.
H.R. 2697: Mr. Bouchon, Ms. Bonamici, Mr. Hultgren, and Mr. Marino.
H.R. 2698: Mr. Rehberg.
H.R. 2718: Mr. Welch.
H.R. 2787: Mr. Barrow and Mr. Connolly of Virginia.
H.R. 2841: Mr. King of New York.
H.R. 3001: Mr. van Hollen.
H.R. 3015: Mr. Barrow and Mr. McGovern.
H.R. 3039: Mr. Murphy of Connecticut.
H.R. 3065: Mr. Gohmert.
H.R. 3130: Mr. Schweikert.
H.R. 3134: Mr. Nadler.
H.R. 3143: Mr. Daniel E. Lungren of California.
H.R. 3145: Mr. Larson of Connecticut.
H.R. 3164: Ms. Hahn and Mr. Sherman.
H.R. 3179: Mr. Marchant, Mr. Young of Indiana, Ms. Norton, and Mr. Austin Scott of Georgia.
H.R. 3187: Mr. Payne and Ms. Hayworth.
H.R. 3192: Mr. Connolly of Virginia.
H.R. 3200: Mr. Sarbanes, Ms. Hanabusa, and Mr. Barletta.
H.R. 3232: Mr. West.
H.R. 3264: Mrs. Adams, Mrs. Bachmann, and Mr. Fleming.
H.R. 3269: Mr. Fleischmann.
H.R. 3307: Ms. Bonamici.
H.R. 3324: Mr. Wasserman Schultz.
H.R. 3398: Mr. Conyers, Mr. Pastor of Arizona, and Mr. Gutierrez.
H.R. 3424: Mr. Mich, Ms. Blackburn, Mr. Hinchen, Mr. Engel, Mrs. Maloney, and Mr. Kissell.
H.R. 3438: Mr. Inslee.
H.R. 3481: Mr. Murphy of Pennsylvania.
H.R. 3525: Mr. Cleaver.
H.R. 3541: Mr. West, Mr. Stivers, Mr. Olson, Mr. Schweikert, and Mr. Gohmert of Georgia.
H.R. 3573: Mr. Brady of Pennsylvania.
H.R. 3591: Ms. Bonamici.
H.R. 3596: Ms. Bowser.
H.R. 3634: Mrs. Myrick.
H.R. 3643: Mr. Lance.
H.R. 3646: Mr. Ellison.
H.R. 3710: Mr. Richmond, Mr. Al Green of Texas, Ms. Davis of Illinois, Ms. Sewell, Ms. Towns, and Mr. Thompson of Mississippi.
H.R. 3720: Mr. Lamborn.
H.R. 3728: Mr. Barton and Mr. Harris.
H.R. 3773: Mr. Curllar.
H.R. 3783: Mrs. Adams, Mr. Harris, and Mr. Marino.
H.R. 3788: Mr. Rothman of New Jersey, Ms. Schakowsky, Mr. collum, Mr. Range, Mr. Oliver, Mr. Welch, Mr. Fitzpatrick, Mr. Smith of New Jersey, and Mr. Gary G. Miller of California.
H.R. 3803: Mr. Lucas, Mr. Flake, Mr. Kinzinger of Illinois, Mr. Costello, Mr. Ryan of Wisconsin, Mr. Olson, Mr. Rivera, and Mr. Ryan of Ohio.
H.R. 3805: Mr. Schweikert.
H.R. 3806: Mr. Harris.
H.R. 3826: Ms. DeLauro and Mr. Sires.
H.R. 3842: Mr. Nunnelee.
H.R. 3847: Mr. Slautter.
H.R. 3849: Mr. Cole, Mr. Sullivan, and Mr. Jones.
H.R. 3855: Mr. Hunter, Mr. Filner, and Mr. Pascrell.
H.R. 3863: Mr. Sensenbrenner.
H.R. 3861: Mr. Norton and Mr. Moran.
H.R. 3895: Mr. Roe of Tennessee.
H.R. 3911: Mr. Holden.
H.R. 3981: Mr. Austin Scott of Georgia.
H.R. 3984: Mr. Gutierrez and Mr. Nadler.
H.R. 3992: Mr. Ackerman.
H.R. 4010: Mr. Engel, Mr. Richmond, Mr. Clarke of Michigan, Ms. Moore, Mr. Hastings of Florida, Mrs. McCarthy of New York, Mt. Gehajally, Ms. Lowey, Mr. Kildee, and Mr. Carson of Indiana.
H.R. 4017: Mr. Rothman of New Jersey.
H.R. 4038: Mr. Gutierrez.
H.R. 4040: Mr. Alexander, Mr. Barrow, Mr. Barton of Texas, Mr. Biliray, Mr. Bishop of Georgia, Mr. Boren, Mr. Boustany, Mr. Calvert, Mr. Campbell, Mr. Canseco, Mr. Carney, Mr. Carter, Mr. Chandler, Mr. Clarke of Michigan, Mr. Clyburn, Mr. Cooper, Mr. Costa, Mr. Chennah, Mr. Crowley, Mr. Galllegly, Mr. Gohmert, Mr. King of Iowa, Mr. Kline, Mr. Lewis of California, Mr. Mack, Mrs. Maloney, Mr. McKon, Ms. Mica, Mr. Gary G. Miller of California, Mrs. Napolitano, Mr. Rahall, Mr. Rehberg, Mr. Ross of Arkansas, Ms. Roybal-Allard, Mr. Schrader, Mr. Shuler, Mr. Towns, Mr. Van Holmen, Mr. Young of Florida, Mr. Kucinich, and Mr. Faleomavaega.
H.R. 4046: Mr. Walberg, Mr. Barton of Texas, and Mr. Hulskamp.
H.R. 4068: Mr. Pitts, Mr. Biliray, Mr. Hunter, Mr. Herger, Mr. Franks of Arizona, Mr. Jones, Mr. Kingston, Mr. Wolf, and Mr. West.
H.R. 4070: Mr. Jones and Mr. Dent.
H.R. 4087: Ms. Ros-Lehtinen and Mr. Moran.
H.R. 4088: Mr. Duncan of South Carolina.
H.R. 4095: Mr. Rodgers of Kentucky.
H.J. Res. 78: Mr. Engel.
H.J. Res. 88: Mr. Engel.
H.J. Res. 103: Mr. Palazzo and Mr. rokita.
H.J. Res. 104: Mr. Yoder.
H. Res. 25: Mr. Pascrell.
H. Res. 271: Mr. Barton of Texas and Mrs. Hartleber.
H. Res. 341: Mrs. Capps, Mr. McGovern, Mr. Ghaljava, and Mr. Doyle.
H. Res. 413: Ms. hochul.
H. Res. 485: Mr. Range, Mr. Wolf, and Mr. Lipinski.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. HASTINGS OF WASHINGTON

California, Mr. Mckeen, Mr. Mica, Mr. Gary G. Miller of Florida, Ms. Lowey, Mr. Hunter, Mr. King of New York, Mr. McCaul, Mr. Young of Florida, Ms. Bass of California, Mr. Peters, Mr. Courtney, Mr. Connolly of Virginia, Ms. Kaptur, and Mr. Andrews.

Senate bill 1134 affects multiple states and removes a prohibition from federal law that is being used as a barrier to two states replacing a bridge.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1912: Mr. Royce.
The Senate met at 9:30 a.m. and was called to order by the Honorable Kirsten E. Gillibrand, a Senator from the State of New York.

PRAYER

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

Let us pray.

Eternal God, our comfort and guide, as we begin this day in the forward march of history, we acknowledge Your sovereignty. Your unfailing love and mercy continue to sustain us, and we put our hope in You.

Today, fill our lawmakers with Your wisdom, enabling them to shoulder the demands of decisions, the strain of conflict, and the uncertainties about tomorrow. Let Your justice guide their thoughts and Your righteousness direct their steps. Fill them with Your joy and use them for Your glory.

Make each of us a blessing and not a burden, a lift and not a load, a delight and not a drag.

We pray in the Name of our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable Kirsten E. Gillibrand led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
President pro tempore,

To the Senate:

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

Daniel K. Inouye, President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. Reid. Madam President, following leader remarks, the Senate will be in a period of morning business for 1 hour. The Republicans will control the first half and the majority will control the second half.

Following morning business, the Senate will resume consideration of the highway bill. We continue to work on a process to complete action on this bill. We are going to have to do that. If we can't get an agreement to move forward on this bill, I have no alternative but to try to stop the filibuster that is taking place. I hope we don't have to do that. We have agreed to work on amendments that are relevant and germane. Senator Durbin, the whip, has worked on side-by-sides and other amendments, so we are ready to move forward, but we can't do it unless we get some basic cooperation, and it will be a shame if we can't move forward on this bipartisan bill.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

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

The Senator from Illinois.

ORDER OF BUSINESS

Mr. Durbin. Madam President, will the time be running on the minority party's first half hour?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. Durbin, Madam President, I suggest the absence of a quorum until a member of the minority appears.

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

The assistant legislative clerk proceeded to call the roll.

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

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

ENERGY POLICY

Mr. Thune. Madam President, back in 2008 then-Senator Obama said that under his policies energy costs would necessarily “skyrocket” and that he would “have preferred a gradual adjustment to higher gasoline prices.” He indicated at the time that under his policies energy prices were going to go up. He mentioned that he would like a more gradual adjustment, but when he talked about those policies, he said energy costs would necessarily “skyrocket.”

I think we now know which of the campaign promises the President has kept because we have seen energy prices skyrocket for most Americans. In fact, gasoline prices have doubled...
under President Obama's watch. If you look at January 2009, the price per gallon of gasoline was $1.85. Today it is $3.73, and some analysts are predicting $5-a-gallon gasoline by May of this year. Today marks the 24th straight day of gasoline price increases.

The problem with all this is that the President rhetorically, when he goes out and talks about energy, says that he wants an all-of-the-above strategy. We always say that imitation is the sincerest form of flattery, and obviously that is a phrase many of us have used. Republicans have been using for some time. We talk about an all-of-the-above strategy that includes oil and gas and clean coal and nuclear and biofuels and solar and wind—all of those. The problem with what the President says is that his actions say he really means "none of the above." He says "all of the above," but he means "none of the above" because the President has taken unprecedented steps to restrict access to affordable and reliable sources of oil and natural gas.

President Obama's energy policies are increasing the cost of gasoline in this country. His administration is pursuing new regulations that will increase the costs of domestic energy production and destroy jobs. More domestic production of energy in this country equals lower prices at the pump and more American jobs.

The President's statements have been punctuated or reinforced by members of his administration. I go back to 2008, Dr. Steven Chu, who is now President Obama's Energy Secretary, who said at the time:

"Somehow, we have to figure out how to boost the price of gasoline to the levels in Europe."

Think about that: that somehow we have to figure out how to boost the price of gasoline to the levels in Europe. If we look at the levels in Europe, I think right about the time we are talking about $9 to $10-per-gallon gasoline. So we have members of this very administration suggesting, even back then, that part of the strategy, the energy strategy, was to increase prices. Think about that, having an energy strategy that is actually going to drive up the cost of energy to people in this country. Yesterday, in testimony before the House Appropriations Committee, now Secretary of Energy and Natural Resources Committee, he said:

"Somehow, we have to figure out how to boost the price of gasoline to the levels in Europe."

Think about that: that somehow we have to figure out how to boost the price of gasoline to the levels in Europe. Was that asked: But is the overall goal to get our price of gasoline down? That was asked by a Member of the House of Representatives, again, as Secretary of Energy and Natural Resources Committee. Is the overall goal to get our price of gasoline down?

"No, the overall goal is to decrease our dependency on oil, to build and strengthen our economy. When we are literally doubling the price per gallon of gasoline, how does that strengthen your economy? Small businesses are faced every single day with the high costs of energy. It is an important component of running a business in this country. Energy is probably one of the most important costs people are going to deal with. It's certainly is in my part of the country, where I represent an agricultural economy. American families are looking at gasoline prices that literally have doubled since this President took office. Yet here is the Secretary of Energy, the very guy who was to guide energy policy in this country, in front of a House committee as recently as yesterday, when asked about the overall goal, whether the overall goal is to get the price of gasoline down, he said no. It squares perfectly with what he said 4 years ago when he indicated that we need to figure out how to somehow boost the price of gasoline to the levels in Europe."

That is an amazing statement. I think it is a more meaningless to the American people in terms of what it means to their daily lives because they are the people who ultimately, in their pocketbooks, have to deal with the consequences of bad policies—bad policies that raise the price of energy and make it more difficult for them to balance their budgets and to be able to continue to enjoy the standards of living and quality of life in this country. Yesterday Secretary of the Interior Ken Salazar defended the Obama administration's energy policy when testifying before the Senate Energy and Natural Resources Committee. He said:

"We have an energy strategy and a policy that we have been working on from day one, and we believe it continues to show good results."

Think about that:

"We have an energy strategy and a policy that we have been working on from day one, and we believe it continues to show good results."

I don't know how you can argue that doubling the price for a gallon of gasoline is a good result. And literally talking areas out of production in this country that could be yielding energy, that would help reduce the dependence we have on foreign sources of energy, drive down the price at the pump and create American jobs is a good result? I don't know how you can argue that what has happened during this administration has been anything but disastrous for the American people, for American business, and for the continued dependency we have on foreign sources of energy.

President Obama rejected the Keystone XL Pipeline which would have created 20,000 shovel-ready jobs and delivered up to 830,000 barrels of oil per day from Canada, America's largest trading partner.

President Obama has reduced the number of offshore leases by half. President Obama has blocked exploration and production on 97 percent of offshore areas; 97 percent of those areas that could be useful in helping meet America's energy needs have been put off limits by this President, by his policies that blocked exploration and production in those very areas.

Under the Obama administration, new permits to drill in Federal offshore and offshore areas have declined by 40 to 50 percent.

That is the President's record on energy. How his Secretary of the Interior can say their energy strategy shows good results is beyond me. It is completely at odds with the reality and with the facts.

The Obama administration is implementing a national energy tax through unprecedented regulation of greenhouse gas emissions under the Clean Air Act, specifically targeting the oil and gas industry with new regulations, such as new source performance standards, that will increase the cost of producing oil and gas by $5 to $7 billion annually, lead to a 7- to 14-percent reduction in gasoline supply, will force as many as seven U.S. refineries to shut down. That is the tier 3 gasoline standard the Obama administration is proposing. Time after time, opportunity after opportunity is missed.

This President continues to put policies in place that make it more difficult and more expensive to create jobs and raises the cost of doing business by raising the cost of energy and raising the costs that every American consumer has to deal with in the form of higher gasoline prices.

When he says he supports an "all-of-the-above" energy plan, his policies tell a very different story because his policies have discouraged increased production of oil, and high oil costs are indeed a key driver of gasoline costs. Republicans support a real all-of-the-above strategy, and that includes producing in all sources of energy and includes support of projects such as the Keystone XL Pipeline that will strengthen America's energy security, and we have to have a robust energy plan focused on increasing those areas of domestic production that will send a strong signal to energy markets around the world to make America less vulnerable to skyrocketing gasoline prices.

It is interesting the response on Capitol Hill to this spike in gasoline prices we have seen over the past several days is along these lines. There was a letter from Senator SCHUMER to Secretary Clinton a couple of days ago in which he talked about the skyrocketing fuel prices and directly linked those to the global energy market but suggested that the solution should be urging the State Department to work with the Government of Saudi Arabia to increase its oil production to its actual capacity of 12 million barrels to help stabilize markets.

Instead of developing American resources and actually doing something
that would lessen the dependence we have on these foreign sources of energy, the solution proposed by some of our colleagues—at least some of our Democratic colleagues—is to have Secretary of State Hillary Clinton go to the Saudis, and say, they need to increase daily production by 2.5 million barrels, ironically at the very time they are blocking policies that would help generate that same 2.5 million barrels a day right here in the United States and stabilize world markets.

In fact, if we look at many of these areas that are off limits to production today—the North Slope of Alaska, the Atlantic Outer Continental Shelf, the eastern Gulf of Mexico, the Pacific Outer Continental Shelf, the Keystone XL Pipeline—if we add up the amount of production that will bring to our country, it adds up to 4.5 million barrels a day. 4.5 million barrels per day of additional energy production that we could be benefiting from and enjoying at a time when we are seeing gas prices literally double.

Of course, in accordance with the President's promise when he was running for office that prices were going to skyrocket, it should not come as any surprise that the energy policies implemented by this administration have literally created a situation where we are now having to go and ask the Saudis: Please, would you please give us an additional 2.5 million barrels of oil a day in the hopes of opening the access that could generate up to 4.5 million barrels per day if we would simply develop the resources we have in this country and quit blocking the access to these important energy resources.

This is a fairly straightforward issue for the American people, No. 1, because it hits very squarely in their daily lives. The pocketbook issues, the bread-and-butter issues, the issues people discuss around their tables every day are the issues that I think are most important to America right now, particularly with a down economy and high unemployment rates. Certainly, what we are seeing in terms of energy costs makes that situation worse for American families. In fact, the payroll tax holiday which was extended a couple of weeks ago will actually be eaten up, any savings that might be achieved to the American family's pocketbook will literally be eaten up simply by paying back the cost of the access that are going to be imposed on every American family as a result of these higher prices, again, that simply are the result of us not having enough supply.

This is a market situation. Gasoline is a global commodity. When we have more supply, it brings the price down. When we have more domestic production, it means two things: it means lower prices at the pump for American consumers, and it means more jobs for American workers. Blocking access to American sources of energy production means higher prices at the pump for American consumers and fewer jobs for American workers. It is that straightforward. It is that simple.

The American people understand that. That is why the policies this administration is pursuing—and, clearly, from the statements that are being made by these members of the President's administration, Secretary Chu to Secretary Salazar to the President himself—suggest, if you can believe this—unfathomable, I am sure, to many Americans—that it is intentional to actually push those prices higher.

That is what Secretary Chu said back in 2008: We need to boost our prices to the level they are seeing in places such as Europe.

I think the American people believe differently about that. I believe they deserve better. They want policies that lower the cost of energy and make America less dependent upon dangerous foreign regimes. I know many of us—Republicans in the Senate—are ready to go to work putting those policies into place if the President and his allies in the Senate will give us that opportunity.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

ENERGY POLICY

Mr. MCCONNELL. Madam President, I want to associate myself with the remarks of the Senator from South Dakota as well as the views that regard.

Yesterday I came to the Senate floor and explained how the President's ideological outlook and the policies that have grown out of it will only continue to drive up the cost of gasoline at the pump. After I spoke, the President's Energy Secretary seemed to confirm it when he told a congressional panel that the Department of Energy isn't working to drive down the price of gas. They are working to wean us off of it altogether, and high gas prices add urgency to those efforts.

In other words, high gas prices actually help the administration achieve what it is trying to achieve. What I suggested yesterday and what I am suggesting again this morning is that we look at statements such as this and many others from the President and some of his top advisers in the past, along with the President's actual policies when it comes to assessing the current situation at the pump—not the speeches he gives when he starts feeling the political heat for it because he can't have it both ways.

Once again, here are the facts. The President continues to limit off-shore areas to energy production and is granting fewer leases on public land for oil drilling. At the same time, he has encouraged other countries such as Brazil to move forward with their off-shore drilling projects. The Obama administration continues to impose burdensome regulations on the domestic energy sector that will further drive up the cost of gasoline for the consumer. He is proposing raising taxes on the energy sector, a move that the Congressional Research Service has said would drive up the cost of gasoline.

As we all know, he flatly rejected the Keystone XL Pipeline, a potentially game-changing domestic energy project that promises not only greater independence from Middle Eastern oil but tens of thousands of private sector jobs.

All of these policies help drive up the cost of gasoline and increase our dependence on foreign sources of oil, but perhaps none is as emblematic of the President's simplistic and punitive approach to energy policy as the last one. The President simply cannot claim to support a comprehensive approach to energy while at the same time standing in the way of the Keystone Pipeline. It doesn't make any sense. It is either one or the other.

Most Americans understand that. That is why many of us were pleased when the company that is responsible for building Keystone said plans to move forward with the southern portion of the pipeline, despite the administration's decision to block the northern portion to alleviate a bottleneck in Cushing, OK. They are just not going to let this administration punish them and punish those who want to build this pipeline.

As we all know, the company's President and CEO said that they were partly to blame for the recent spike in gas prices, which is presumably why the White House came out in support of the move. But the hypocrisy is quite stunning.

How could a White House that is single-handedly blocking one-half of the pipeline to appease an extreme segment of its political base now claim to support the southern half of the same pipeline? Well, the short answer is they don't have the authority to block the southern half, so they think that by claiming to support it, then they can get credit from people for being on both sides of the issue. But if Keystone is good for America and good for jobs, the President should just come out and support the whole pipeline. With gas prices literally skyrocketing and growing in tandem in the Middle East, we can't afford another year of foot-dragging. It is time for the President to move quickly to approve the entire Keystone XL Pipeline. This is literally a no-brainer.

The overwhelming majority of Americans support the Keystone XL Pipeline in its entirety. The President should listen to them. Instead of lecturing the American people about his idea of fairness, he should spend a little more time thinking about what most Americans think is fair. Most Americans don't think it is particularly fair that the President of the United States is blocking them from tapping into our
natural resources even as he uses their tax dollars to prop up failing solar companies like Solyndra and to hand out bonuses to the executives who drive them literally into the ground. Most Americans don’t think it is fair that their President would want to drive up gasoline prices in order to get around every day and build their families and their businesses and their lives even as he is directing more and more of their money to risky solar schemes. His own administration says sometimes fail.

Well, the American people don’t ask for much, but they do expect to be able to go out there every day and try to build a future for themselves and their families without their own President throwing sand in the gears. And whether it is high gas prices or government regulations or higher debt, the American people are tired of hearing the burden so this President can build an economy Washington calls all the shots. Yes, Americans want lower gas prices, and yes, this President’s policies are hurting. But let’s be clear about something: This debate is not just about gas prices; it is about a President who wants to impose a definition of ‘fairness’ on the American people, yet most of them simply do not accept.

I yield the floor.

The ACTING PRESIDENT pro tempore, the Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that I be permitted to finish my remarks and that I be granted enough time to do so.

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

Mr. HATCH. Madam President, the first 3 years of President Obama’s administration were a frenzy of activity. He pushed the stimulus, he spent over a year health care law, and he forced through Dodd-Frank, imposing historic regulations on the banking industry. Even The Economist magazine has fault with that.

Yet, at a time when the Nation was in economic free fall, the President chose an agenda of more regulation and higher taxes. The President ignored private sector job creation and the primacy of economic growth, and nowhere was this more true than in energy policy. President Obama has failed entirely to address one of the greatest obstacles to economic growth: that is, high energy prices.

Today he claims he is for an all-of-the-above approach to energy. All of a sudden, facing $5-a-gallon gasoline, weak job creation, and a Presidential election, he claims to have found religion on energy production. But whether we look at oil, natural gas, or the Keystone Pipeline, the American people are not buying this conversion. When we look at oil, natural gas, or the Presidential election, he claims to have found a strategy that develops every available source of American energy, the administration cut access to Federal lands in the West for oil and gas exploration and proposed a 50 percent royalty hike on domestic energy production on public lands.

Whether it is closing off more Federal lands to American energy production or saying no to the Keystone Pipeline, this White House has shown it is more focused on appeasing its extremist ideological allies than putting forward an energy policy that works for Utahans and Americans everywhere. When oil prices continue to rise, the American people deserve action, not more campaign speeches—and I might add, from the most anti-American energy administration in our Nation’s history. When it comes to energy policy, the President is a man divided. On almost all economic policy, his answer is, tax the rich more. Taxing the rich more is his go-to option for reducing the deficit, paying for Obamacare, and paying for his new energy program taxes are a matter of fundamental fairness, the President claims, but when it comes to gas prices, the President sides with the 1 percent.

The folks who would benefit most from increased energy production are blue-collar workers and middle-class families. High energy prices hit the wallets of lower income Americans the hardest. Middle-class Americans are more likely to have longer commutes than wealthy urban and suburban citizens. The passthrough cost of high fuel prices hits the grocery budgets of all Americans. The jobs that never materialize due to the failure to develop energy resources undermines every blue-collar American.

The President claims to be for fairness and an egalitarian economic policy, but his energy policy is incredibly regressive, putting the burden of his environmental agenda on the backs of the middle class. The situation got so bad with the Budget that the President recently submitted or with this long-delayed proposal for business tax reform.

Rather than advance an energy agenda that would spur production, lower prices, and create jobs, the President continues to advocate for increased taxes on oil and gas production in the United States.

On March 3 of last year, the Congressional Research Service concluded that the President’s $117 billion in energy-specific subsidies went to advance renewable energy compared to $4.2 billion in energy-related subsidies that went to advance fossil fuels. In other words, there are three times as many government subsidies going to renewables as there are going to oil, gas, and coal combined. Now, that is what you call distorting the market.

Contrary to the President’s presentation, these are not tax loopholes that need to be closed. The loophole ‘‘implies that a tax incentive is susceptible to an exploitation of an unintended benefit. While the Tax Code has some tax loopholes that we must clearly eliminate, the tax expenditures that benefit oil and gas companies were intended to incentivize a particular activity or behavior. For instance, section 199 of the Internal Revenue Code includes an incentive for the domestic production of oil and gas. This is no loophole. Congress, on a bipartisan basis, understands that without this incentive, we could see an enormous reduction in employment, and it is simply inaccurate to state that this incentive adds little to our economic or energy security.

The American people need to understand that repeal of this policy will only increase our dependence on foreign-produced oil. But this does not seem to bother the President one bit. On March 20 of last year, the President told a group of political and business leaders in Brazil that we ‘‘want to help with technology and support to develop these oil reserves safely, and when you’re ready to start selling, we want to be one of your best customers.’’ As if it is to solve this country’s energy problem. As if the administration does not even seem to share the desire of the American people for lower energy prices. The President’s Secretary of Energy, Secretary Steven Chu, stated: ‘‘We have to figure out how to hedge the price of gasoline to the levels in Europe. Gas prices in Europe are $8 to $10 a gallon, and that is where the administration and environmental activists want gas prices to be for Americans. Even President Obama stated in 2008 that he would prefer a price of $5-a-gallon prices, just maybe not a quick spike.

The President claims he is for an all-of-the-above energy policy so long as it
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do not include offshore drilling, drilling on our western lands, the development of energy in Alaska, and the Keystone Pipeline. My reading of his all-of-the-above approach is some-of-the-above and only those that are poll-test-ed and approved by environmental act-

activists.

This is terrible tax policy, it is terrible energy policy, and it is terrible economic policy. Unfortunately, it is all we have from this administration.

The fact our country relies upon oil and gas because it is dependable, abundant, affordable, and domestic. Raising taxes on American companies that produce oil and gas will be felt by all Americans not only at the pump but also through a decrease in dividends to many middle-class share-

holders. This is the wrong prescription for our ailing economy.

For this administration, the goal remains not lower energy prices but the liberal dream of getting America off of oil. Just two weeks ago, the President’s Secretary of Energy acknowledged that the overall goal of his Department is not to lower the cost of traditional energy but to decrease dependency on oil.

For what it is worth, this commitment to domestic energy produc-
tion is a policy that divides my colleagues on both sides of the aisle. They know the President is putting the interest groups ahead of the needs of middle-class Americans. They know the decision by the President to kill the Keystone Pipeline put environmental in-
terests groups ahead of the needs of workers, commuters, and families.

President Obama has traded in the hardhat-and-lunch-bucket heritage of the Democratic Party for a hipster for-dora and a double-skim latte. He has put liberal environmental dreams ahead of the economic reality that workers, commuters, and middle-class Americans. They know the decision by the President to kill the Keystone Pipeline put environmental interests groups ahead of the needs of workers, commuters, and families.

STOCK OPTION LOOPHOLE

Mr. LEVIN. Madam President, there has been a great deal of conversation recently about the need to close tax loopholes. This is a welcome develop-

ment. I agree with those who have gone after these loopholes for years. It is particularly timely as the public is fo-

cusing more and more on tax loop-

holes distort economic incentives and often benefit the wealthiest among us at the expense of most U.S. taxpayers.

Last week, President Obama released a framework for business tax reform that took aim at many corporate tax loopholes. I look forward to working with the administration and with our colleagues in the Senate to make real reform a reality—reform that brings greater fairness to the Tax Code, elimi-

nates incentives for moving jobs and assets overseas, restores revenue lost to unjustified tax loopholes, and helps us reduce the deficit without damaging vital programs for education, transportation, health care, and national secu-

rity.

One recent and very public announce-

tment illustrates dramatically our Tax Code’s distortions and the need for reform. At the center of this story is Facebook and its founder and CEO Mark Zuckerberg. Mr. Zuckerberg and his company have become a remark-

able American business success story. As part of that success, Facebook is in the process of making its initial public offering of stock. Documents that Facebook is required to file as part of that offering tell another compelling story about one of our Tax Code’s unjustified corporate loopholes.

According to its filings, when Facebook goes public, Mr. Zuckerberg plans to exercise options to purchase 120 million shares of stock for 6 cents a share. Obviously, Mr. Zuckerberg’s shares are going to be worth a great deal more than 6 cents each—a total of about $7 million. They will apparently be worth in the neighborhood of $5 bil-

lion.

Here is where the tax loophole comes in. Under current law, Facebook can, perfectly legally, tell investors and the public and regulators that the stock options he received cost the company a mere 6 cents a share. That is the ex-

pense shown on the company’s books. But the company can also, perfectly le-

gally, claim that those same options cost the company something close to what the shares actually sell for later on—per-

haps $40 a share. The company can take a tax deduction for that far larger amount. So the books show a highly profitable company—profitable, in part, because of the relatively small expense the company shows on its books for the stock options it grants to its employees—but when it comes time to pay taxes, to pay Uncle Sam, the loophole in the Tax Code allows the company to take a tax deduction for a far larger expense than they have shown on their books.

In addition, Facebook is allowed by law to carry back the so-called loss arising from this deduction for 2 years into the past, which means it can claim a tax refund for the income tax it has paid over the past 2 years—a refund that the company estimates at $1⁄2 bil-

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lion. Here is a compelling story about one of our Tax Code’s distortions and the need for reform.
But that is not all. The company says it will, as allowed by law, also carry forward the so-called losses arising from this tax deduction for over 20 years into the future, thereby reducing any taxes that it owes in the years ahead. In the years, this loophole could give a tax break of up to $3 billion. The end result is that a profitable U.S. corporation—a success story—could end up paying no taxes at all for years, even decades.

I emphasize that Facebook's actions are within the law. As with so much of our Tax Code, it is not the law-breaking that shocks the conscience, it is the stuff that is perfectly legal. For years, my Permanent Subcommittee on Investigations has identified this stock option loophole and tried to explain its costs, its unfairness, and why it should be closed. Facebook's $3 billion tax break brings the issue into sharp focus.

Again, this stock option loophole allows corporations to compensate their executives with stock options, report a specific stock option expense to their shareholders, and then later take a tax deduction for typically a much higher amount. Stock option grants are the only kind of compensation where the Tax Code allows companies to claim a higher expense for tax purposes than it shows on its books. Our subcommittee found that the difference between what U.S. corporations tell the public and what they told the IRS was as much as $61 billion in 1 year.

Facebook's use of this loophole is the most pointed illustration yet of the cost of this loophole. It is difficult to get our minds around a $3 billion tax break for a single corporation. Just how big is it? Well, consider this: In 2009, the most recent year for which IRS data is available, taxpayers from 11 States in our Union sent less than $3 billion in individual income tax revenue to Treasury. How does that make any sense? After all, American taxpayers are going to have to make up for what Facebook's tax deduction costs the Treasury. That $3 billion is either going to come out of the pockets of American families now or it will add to the deficit they are going to have to pay for later.

What could our Nation do with the $3 billion it will lose when Facebook exploits the stock option loophole? We could fund the Federal deficit or we could pay for programs that protect our seniors, put cops on the beat or teachers in classrooms. The $3 billion Facebook will get in tax deductions would more than triple the budget of the Small Business Administration, which seeks to help American entrepreneurs create jobs and grow the economy. Three billion dollars would pay for the Pentagon's budget for housing our military families for nearly 2 full years. It would pay the budget of the National Endowment for the Arts for 4 full years. It would more than triple what we plan to spend helping homeless veterans next year. It would pay 6 times over for the 24 Reaper unmanned aerial vehicles the Air Force plans to buy next year.

Some are going to argue that Facebook's tax break is offset by the fact that Mr. Zuckerberg himself, as well as the other executives who are receiving stock options, will pay taxes as individuals. As various news reports indicate, Mr. Zuckerberg will face a substantial tax bill on the $5 billion in compensation to be received, perhaps in the neighborhood of a $2 billion tax bill. But it is unlikely that the individual taxes Mr. Zuckerberg pays will offset the tax revenues lost to this loophole. What the Treasury receives from Mr. Zuckerberg on the one hand, it will return, and then some, to his company with the other hand. We also should remember that Mr. Zuckerberg's financial future is closely tied to that of his company. The value of the options both he retained interest make that clear. To the extent that his corporation benefits—and as I have shown, Facebook will benefit handsomely from the use of this loophole—Mr. Zuckerberg's future benefit as well. Put simply, some of that big tax bill he faces right now will come back to him through the corporation he will still own a huge part of and will control.

Our tax system is built on the principle that businesses as well as individuals ought to help pay our Nation's bills. Corporations impose plenty of costs on society, from environmental disasters, financial bailouts, product recalls, and more. But they also want, and need government services, including efficient transportation systems, patent protections, even Federal loan guarantees. Paying those costs is why we have a corporate income tax to begin with. Both businesses and individuals are required by law to contribute, and should do so, to meet their civic obligations and to pay their fair share. There is no reason Facebook and the other corporations that use this tax loophole can somehow receive these windfall tax deductions.

Senator CONRAD and I earlier this month introduced S. 2075, the Cut Unjustified Tax Loopholes Act, or CUT Loopholes Act. This bill, similar to the legislation I have introduced in the past few Congresses, would close this loophole. Under our bill, corporations would no longer be allowed to claim tax deductions for options that are larger than the limits the IRS reports to their shareholders and to people considering buying their stock. It would also subject stock options to the same $1 million cap on deductions for executive compensation that now applies to other forms of compensation. At the same time—and this is important to know—our bill would leave unchanged the way the law applies to individuals who receive stock options, and it would leave unchanged incentive stock options that are offered by small companies. We would not affect that.

The stock option loophole should have been closed long before Mr. Zuckerberg's extraordinarily lucrative options became public. But surely the case of Facebook illustrates to the Senate, to the Congress, and to the American people that we must close this loophole.

Mr. Speaker, today about one corporate tax loophole, but there are many more. The momentum has never been stronger for tax reform that brings more fairness to the Tax Code, restores revenue lost to unjustified tax loopholes, reduces the deficit, and protects important programs. I look forward to working with our colleagues and with the administration to turn that momentum into real reform.

Madam President, I thank the Chair. 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.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded. The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BLUNT AMENDMENT

Mr. SCHUMER. Madam President, I rise today to discuss the amendment to the surface transportation bill offered by my friend and colleague from Missouri, Senator BLUNT.

For reasons beyond me, the other side has demanded a vote on birth control. It seems they wish to debate whether we should take away access to contraception for millions of women.

Cooler heads are not prevailing on the other side of the aisle these days. There are some wiser voices on their side who do seem to regret they are having this debate, but they are in the minority.

Just this morning, the senior Senator from Alaska is quoted in the New York Times expressing exacerbation. Of her party's push to roll back access to contraception, she says:

"I don't know where we are going with this issue."

I sympathize with the frustration shown by my friend from Alaska. There is no good answer about where the other side is going with this issue—except, perhaps, back to the 19th century. This whole debate is an anachronism. Our country progressed beyond the issue of whether to allow birth control a long time ago. Yet here we are in 2012 and some in the Republican Party suddenly want to turn back the clock and take away contraception from millions of women.

Make no mistake, that is what this debate is about, as backward as it is. I keep hearing this measure being referred to as the Blunt amendment, named after its sponsor, my friend, the Senator from Missouri. We should, instead, call it for what it will be: an attempt to take away for millions of women birth control.
If this amendment passes, it would ban contraception coverage for any woman in America whose boss has a personal objection to it. The measure would force women to surrender control of their own health decisions to their boss. That concept is not merely quaint or antiquated; it is dangerous, and it is wrong.

According to the Department of Health and Human Services, some 20 million American women could be cut off from health services by this proposal, and it does not want women to have health coverage. It is a political winner. Even the House Republicans see the good sense not to bring up the amendment on the floor of their Chamber. But here the other side is pushing ahead with the ban.

The debate may have been about religious liberty for a time, but now some on the other side have overplayed their hand. They may have started seeking protections for religious-affiliated employers, but now they sense a ripe time to make headway on a far-right social agenda.

The amendment is not about religious liberty. The truth is religious institutions have always been exempt under law from certain coverage requirements. Under the President’s compromise, an even larger set of employers—those with a religious affiliation such as hospitals and schools—also will not have to pay for contraception coverage. It will, instead, be covered by the insurance company. The President’s compromise has been widely embraced, including by many of the same church-affiliated organizations that expressed concern originally.

The administration is working on a solution for self-insured employers. I am confident they will find a way that works.

The amendment being voted on tomorrow is not responsive to any real concerns about religious freedom. Its reach extends far beyond church organizations that legitimately seek considerations based on conscience. It wants to deny any employer in the country to cut off services for any reason whatsoever.

Under the guise of religious liberty, some on the hard right are trying to accomplish a political goal: banning contraception more widely. This is a goal the other side has been pursuing for a while now at the State level. At the heart of many of the personhood proposals being advanced in State legislatures is an attempt to cut off women’s access to certain forms of contraception.

Some Republicans in the Senate now seem to want to nationalize this fringe debate over whether contraception should be allowed. It is not a political winner. Even the House Republicans seem to have the good sense not to bring up the amendment on the floor of their Chamber. But here the other side is pushing ahead with the ban.

It is true that all these services and more are threatened by this amendment. But are Republicans against child vaccinations and mammograms? I doubt it. So let’s admit what this debate is really about and what Republicans want to take away from millions of American women. It is contraception. We should call this debate and this amendment by what it will be for millions of women whose boss may have a personal objection: It is a contraception ban.

I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Maryland.
our universal feelings of patriotism and courage.

As a Marylander, I am proud of the role my State played in the War of 1812, and I have been involved in legislative efforts to bring greater attention to this bicentennial celebration. My colleagues, Senator KERRY and Senator MIKULSKI and I were sponsors of the Star Spangled Banner Commemorative Coin Act, signed into law by President Obama in August 2010, directing the U.S. Mint to create coins commemorating an important anniversary.

These gold and silver coin designs are emblematic of the War of 1812, particularly the Battle of Baltimore that formed the basis for the lyrics to our National Anthem. The coins are set to go on sale in March and will be sold only during this year. The surcharges from these commemorative coins will provide support to the Maryland War of 1812 Bicentennial Commission to conduct bicentennial activities, assist in educational outreach, and preserve sites and structures relating to the War of 1812.

I am also planning to introduce with my colleagues Senator PORTMAN, Senator KERRY, and Senator MIKULSKI a resolution to mark this occasion, to celebrate the heroism of the American people during the conflict, and to recognize the various organizations involved in organizing commemorative events in Maryland and throughout the United States in the coming years, including the U.S. Armed Forces, the National Park Service, and the Maryland War of 1812 Bicentennial Commission.

As we recognize all these ongoing efforts during this commemorative period, I encourage all Americans to remember the sacrifice of those who gave their lives to defend our Nation’s freedom and democracy, and to join in the bicentennial celebration of our victory in the War of 1812.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SCHUMER). The Senator from California is recognized.

ORDER OF BUSINESS

Mrs. BOXER. Mr. President, could the Presiding Officer tell me what the pending business is? Are we on the Transportation bill at this time?

The PRESIDING OFFICER. The majority has 4 minutes in morning business.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from New York is recognized.

WOMEN’S HEALTH CARE

Mrs. GILLIBRAND. Mr. President, it is with great disappointment and bemolement that I stand here yet again in the year 2012 to draw a line in the sand against another outrageous attempt to roll back women’s access to basic health care.

After insisting that we debate the long-settled concept of provided access to birth control, when 99 percent of American women use this medication at some point in their life, many of whom without government contraception, Republicans have chosen to take another extreme step to roll back all women’s health care rights. So instead of talking about how to grow our economy, we are wasting time on the latest overreach and intrusion into women’s lives. When will my colleagues understand this very nondebatable fact, that the decisions of whether a woman takes one medicine or another, or what type of health care she should have access to, should not be the decision of her boss—a commonsense, simple principle, that bosses and employers should not make these very personal decisions. What could be more intrusive than that?

Let me be clear. This debate, as the Presiding Officer said in his remarks, has nothing to do with religious freedom. You do not have to take it from me. Take it from the Supreme Court. Take it from Justice Antonin Scalia, one of the most conservative Justices of our Supreme Court.

In the majority decision in 1990, Employment Division v. Smith, Justice Scalia wrote, “We have never held that an individual’s religious beliefs excuse him from compliance with an otherwise valid law prohibiting that the State is free to regulate.” And that is exactly what we are seeing here. Employers cannot pick or choose what laws they are going to follow. Employers cannot pick or choose if they want to follow this labor law. They have to follow the law.

This extreme amendment Republicans are bringing up for a vote tomorrow makes it clear that this is a political and ideological overreach, not a religious issue. The fact that they want to exempt all businesses from providing any preventive care for a woman is outrageous and a clear, callous disregard for the health and well-being of America’s women.

The Blunt amendment would allow any insurer or employer to refuse coverage for any health care service otherwise required under the Affordable Care Act, jeopardizing vital and necessary health care services for millions of Americans, services such as prenatal care that help our babies survive; fertility treatments; testing for HIV; mental health services; screening for cervical cancer; screening for type 2 diabetes; vaccinations.

Coverage for all of these services and countless others could be denied to any person under this radically broad amendment. This amendment is not just dangerous for women, it is also dangerous to our children, and children’s health groups are opposing this amendment because vaccines could be denied on the basis of personal belief. Denying childhood preventive care could negatively influence their health and well-being, adding billions in additional health care costs throughout the lives of these children as they grow.

We will not stand for these attempts to undermine the ability of a woman to make her own decision about what is best for her and what is best to protect her children. If our Republican colleagues want to continue to take this issue head on, we will stand here as often as necessary to draw a line in the sand and to make it known that in the Senate we oppose these attacks on women’s rights and women’s health.

And even if House Republicans are not going to allow women’s voices to be heard in their hearings, women’s voices will surely be heard all across our country.

It is time to agree that women deserve access to preventive health care services regardless of where they work and who their boss is. It is time to agree to get back to work on legislation that can create jobs and get our economy moving. That is what the American people want us to be debating. That is what our mission should be here in Congress, and that is where our sole focus should be, not on undermining protection and well being for America’s women.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1813, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 1813) to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

Pending:

Reid amendment No. 1730, of a perfecting nature.

Reid (for Blunt) amendment No. 1520 (to amendment No. 1730), to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services.

Mrs. BOXER. As the senior Senator from New York relinquishes the chair to his colleague from New York, I want to thank both of them for their amazing leadership in every issue we turn to today.

After my colleague Congressman RUPPERSBERGER knows, as Senator SCHUMER, as Senator GILLIBRAND.
knows and every one of us knows, we cannot have a strong economy if we cannot move goods, if we cannot move people, if commerce comes to a halt. So we have to pass a transportation bill to make sure our highways are adequate, our bridges are safe, our commerce and our systems can carry people from one place to another.

I want to say to my colleague who is now sitting in the chair, Senator GILLIBRAND, that I listened to her remarks. I am very touched by her. She talked about women’s voices, and she is dedicated to ensuring they are heard. Let me assure my friend that her voice has been heard on this and so many other important issues. And it is an effective voice. She was the one who came to me, when the Republicans started to say they did not think it was necessary for women to have access to birth control with no copay through their insurance, and said: BARBARA, do you understand with no copay through their insurance, they did not think it was necessary for when the Republicans started to say, important issues. And it is an effective voice. Let me assure my friend that her voice has been heard on this and so many other important issues. And it is an effective voice. She was the one who came to me, when the Republicans started to say they did not think it was necessary for women to have access to birth control with no copay through their insurance, and said: BARBARA, do you understand with no copay through their insurance, they did not think it was necessary for

So here is a bill that comes out of the EPW Committee 100 percent bipartisan. The section that dealt with banking comes out of the Banking Committee 100 percent bipartisan. It comes out of the Finance Committee very bipartisan. And in Commerce it had a problem, which we have rectified, and it is now bipartisan. So four committees have done their work on the transportation highway bill, and all of them have been bipartisan. And the women of this country will not let it be said for the first time said to insurance companies, they will not say that a cyst on an ovary does not get out of control, they will not say that a full 15 percent of women are pre-scribed birth control pills because they want to avoid ovarian cancer, they want to make sure that a cyst on an ovary does not get out of control, they want to avoid debilitating monthly pain, they want it is used for terrible skin conditions?

So when we hear our colleagues talk about birth control as if it is some unnecessary prescription—although you never hear them say it when it comes to Viagra, note—let me point out it is necessary. We will be on our feet day after day, month after month, hour after hour, and minute after minute, because we are not going to let them take away medicine from women. Oh, no. They are not. They will not. And the women of this country will not have it. They are engaged in this debate. They understand it. My friend from New York has been an incredible voice.

So here we are. We are on the highway bill. You may wonder, why is it that the Senator from New York came and talked about the issue of birth control and women’s health when we are on a highway bill? Well, here is the news: My Republican colleagues are so intent on taking away women’s rights, on taking away women’s health care, that they insisted on having a vote to take away these rights before they would allow the highway bill to move forward. Can you imagine?

I think it is appropriate that at this point I pay tribute to my colleague, Senator OLYMPIA SNOWE, who has been an amazing colleague, who has been a voice of reason, a voice of progress, over the many years she has served. I have served. I would note to let me point out it is necessary. We will be on our feet day after day, month after month, hour after hour, and minute after minute, because we are not going to let them take away medicine from women. Oh, no. They are not. They will not. And the women of this country will not have it. They are engaged in this debate. They understand it. My friend from New York has been an incredible voice.

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The other thing the Blunt amendment does is it says that preventive health benefits will be required. Under the law, these are the preventive health benefits that are required to be offered to you. You do not have to have them if you are an employee who has an objection to any of these preventive health benefits. You can opt out. But they have to be offered to you: Breast cancer screenings, cervical cancer screenings, hepatitis A and B vaccines, measles and mumps vaccine, colorectal cancer screening, diabetes screening, cholesterol screening, blood pressure screening, obesity screening, tobacco cessation, autism screening, hearing screening for newborns, sickle cell screening, fluoride supplements, tuberculosis testing for children, depression screening, osteoporosis screening, flu vaccines for children and the elderly, contraception.

Contraception is a preventive health benefit because we know it prevents unintended pregnancies and prevents abortion and prevents illness. Fifteen percent of people take it to prevent illness. Also, well-woman visits, HPV testing, STD screening, HIV screening, breast feeding support, domestic violence screening, and gestational diabetes screening—all of these have to be provided. But if you don’t want to take contraception, you can say, no; I am not interested in that. If you don’t want to have your child to have a vaccine—personally, I think that is terrible—but you don’t have to. But that is what is required.

Under the Blunt amendment, let’s be clear. Any employer who simply says they have a moral objection can say: Sorry, see this list. We are not going to do 6, 7, 8, 9, or 10 things here. For example, obesity screening, whom believe that is your problem, and we have a moral objection to that. Colorectal cancer screening. I have an objection to that because, again, my religion says it doesn’t do any good.

This is why Blunt is so dangerous. It is about denying women the absolute right to have contraception offered to them—it does that, but it does a lot of
more than that. Again, we are on a highway transportation bill. It is 2.8 million jobs. It came out of four committees, and it is bipartisan. It will keep this country moving. It will keep this economy going.

Mr. Chairman, I want you to imagine one Super Bowl stadium filled with people. Think about what that looks like in your mind’s eye. Every seat in that stadium is filled. Now imagine 35 of those stadiums filled. That is 50,000,000 people in the stands. That is 50 hundred thousand. That is 50 hundred jobs a month—100,000, 200,000—thank goodness. We have created, in the last 6 months or so, hundreds and hundreds of thousands of jobs.

Here is the point: Why on Earth would we take a U-turn as we are on the road to economic recovery, as we are on the road to a bill that is absolutely necessary, and take up the issue of women’s health? I am telling you, I believe it is radical. I believe it is hurtful to women. I call on every woman, regardless of political party, to make your voice heard against the Blunt amendment. You are being attacked.

What the President did in dealing with the issue of contraception showed the wisdom of Solomon. He basically said: If you are a religious institution and you have an objection to offering contraception, you don’t have to do it. So 355,000 churches are exempt. I feel sorry for the employees who may not agree with the church, but they work for the church and therefore that is the rule.

Religiously affiliated hospitals and universities raised a question—You know, they serve a broad array of people. They hire a broad array of people, not just people of one faith but of many faiths and of many points of view. They raised the question, saying: We don’t feel comfortable. The President came up with a compromise that has been embraced by Catholic Charities, Catholics United, and the Catholic Health Association. The only group that doesn’t support him are the bishops.

If I could respectfully say to them, they don’t deliver the health care services; Catholic Charities does, and the Catholic Health Association does. They represent thousands of providers. So they have embraced the President’s compromise. But not my Republican friends. They didn’t. They want to cause trouble and take away the ability for women to have access to contraception, without a copay—while they support supplying Viagra to men. It is stunning.

I think this is ripping across the land. I don’t know if we have the photo—I don’t think we have it on the record; but I did hold a press conference in the House, and my friend from New York talked about it. We do have it.

This is a picture. A picture is worth 1,000 words. This is a panel on women’s health focused on contraception. Where are the women? One, two, three, four, five men; they are talking about women’s health care. Not one of them ever had a baby. Not one of them ever had a monthly cramp. They are talking about women’s health care like they know all about it.

The chairman, Chairman Issa, didn’t see immediately that there was a problem. There was a woman sitting there, and she asked to be heard. She said, “I have a story to tell this panel.” Oh, no, he didn’t want to hear from her. He wanted to move things along. You know what her story was? It was about how a friend of hers who was denied the contraceptive pill and instead developed a terrible tumor on her ovary. He didn’t think that was worthy of discussion.

This issue is rippling through the land. It says everything to me. We in the Senate are not going to allow this to go unnoticed. That is a symbol of what is happening to women in this country. In the very States that are passing legislation that some have dubbed “State rape,” because it would require a woman to be subjected to an invasive vaginal probe without her consent, now they are backing off. That was the bill that almost passed in the Virginia Legislature. Now they have said: OK, it is a sonogram. There is another way to do it. It took women crying out and saying: Wait a minute. Are you kidding? And they are backing off. This legislation will be back in the States because this is the 21st century. Women should be trusted and respected and honored and believed. When you tell a woman she needs to be lectured by some stranger on her own personal decisions, right away you are questioning her worth. So the issue goes far beyond the ability to obtain birth control pills. The issue goes so far beyond that. It really does. You can stand up here and say it is not about women’s health, it is really about religious freedom, but the President’s plan is forced to do contraception. If you are a religiously affiliated institution, you don’t have to provide contraception. If you are a religiously affiliated institution, there will be a way for a third party to deal with it. The Catholic health organizations support it, Catholic Charities. He has come up with a compromise. There is reason to have this polarizing debate. Everybody should have religious freedom, including the employees, including the boss, including everybody. So no one under the President’s plan is forced to do something they don’t want to do. We just want to make sure when the Institute of Medicine tells us that availability to contraception saves lives and protects health, women get a chance to get it if they want. If they don’t want it, they don’t have to get it. Of course not.

Again, I will end where I started, talking about my colleague OLYMPIA SNOWE, who is retiring, not running again, because she said we are so polarized. This is exhibited on a transportation bill that is bipartisan, but the other side can’t let it rest, cannot move forward on it, and cannot move to make sure our businesses and our workers have a brighter future. Oh, no, they have to change this.

By the way, it is not only with this birth control amendment and women’s health amendment but with other amendments that have nothing to do with the subject. It is what makes the American people wonder what we are doing here.

I want to show some charts that deal with transportation issues right now. I will continue talking about OLYMPIA SNOWE for a minute. I went through this chart today. I was looking at the issue. My colleague from Washington, has said: When they say it is not about contraception, it is about Blunt.

Others have said: When they say it is not really about the reproductive lives and to be able to access a pill that could help them live a healthier life and live longer and free of pain. So they will come and say: Oh, Senator BOXER, this isn’t about contraception; it is about religious freedom. The President has taken care of the religious objection. I described how he did it, and I will say it again. He said if you are a religious institution, you don’t have to provide contraception. If you are a religiously affiliated institution, there will be a way for a third party to deal with it. The Catholic health organizations support it, Catholic Charities. He has come up with a compromise. There is reason to have this polarizing debate. Everybody should have religious freedom, including the employees, including the boss, including everybody. So no one under the President’s plan is forced to do something they don’t want to do. We just want to make sure when the Institute of Medicine tells us that availability to contraception saves lives and protects health, women get a chance to get it if they want. If they don’t want it, they don’t have to get it. Of course not.

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sure the Purple Heart included prisoners of war who died in captivity and they could get that to bless their memory.

We worked together against the global gag rule.

We worked together and wrote a letter to the President—President Obama—asking him to appoint a woman to replace Justice David Souter. I ask unanimous consent to have printed in the RECORD this letter I will be quoting from.

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


The President.
The White House, Washington, DC.

Dear Mr. President:
The announced retirement of United States Supreme Court Justice David Souter—an outstanding jurist—has left you with the crucial task of nominating someone for a lifetime appointment to our nation's highest bench.

The most important thing is to nominate an exceptionally well-qualified, intelligent person to replace Justice Souter—and we are convinced that person should be a woman.

Women make up more than half of our population, but right now hold only one seat out of nine on the United States Supreme Court. This is out of balance. In order for the Court to be relevant, it needs to be diverse and better reflect America.

Mr. President, we look forward with great anticipation to your choice for the Supreme Court vacancy.

Sincerely,
BARBARA BOXER, U.S. Senator.
OLYMPIA J. SNOWE, U.S. Senator.

Mrs. BOXER, I am so proud of this letter we wrote together. In the letter, we said:

The most important thing is to nominate an exceptionally well-qualified, intelligent person to replace Justice Souter. . . . Women make up more than half of our population, but right now hold only one seat out of nine . . . . This is out of balance. In order for the Court to be relevant, it needs to be diverse and better reflect America.

Then, of course, the President nominated Sonia Sotomayor and we were very excited about that.

So it was wonderful to work with her on that, and we worked together on respecting human rights in Tibet and led 27 Senators in a letter to Chinese leader Hu Jintao asking that Tibetans be respected. Regarding women in Afghanistan, we worked together to ask Afghan leaders to revise a law that would legalize marital rape and impose other Taliban restrictions on Shiete women in Afghanistan.

This is just a partial list of issues I have worked on with OLYMPIA SNOWE, and I will do a longer tribute for the record at a later time.

But, again, as I heard this news, I was first filled with worry about her health. I hoped she was OK. But she has clarified she absolutely is. So I wish her nothing but the best. I know she will always work on issues because she is so good at looking at a problem and solving it and not thinking first whether it is Democratic or it is Republican or where it falls on the political scales. So I have appreciated working with her on so many of these important issues that have come before us.

I think the Senate should take a minute to think about this in relation to this bill. The whole world is watching us. When I say that, I don’t mean the whole world literally, but I think the country is watching. Why do I say that? Because 1,000 groups have endorsed our moving ahead with this bill—a coalition of 1,075 organizations from all 50 States. Here is what they said about this Transportation bill:

There are few Federal efforts that rival the potential of critical transportation infrastructure investments for sustaining and creating jobs and economic activity.

This is what they wrote. So they know it is important and revenue. This is what is at stake: Right now, 1.8 million jobs are created because we have a transportation bill. That bill ends March 31. So 1.8 million jobs are at stake if we don’t act. Because of the way we wrote the bill, we are borrowing and this gained great bipartisan support. We have greatly increased the TIFIA Program, which is the transportation infrastructure financing program, which leverages funds by 30 times. Because of this, we have leveraged funding and this gained great bipartisan support. We have greatly increased the TIFIA Program, which is the transportation infrastructure financing program, which leverages funds by 30 times. Because of this, we have leveraged funding and this gained great bipartisan support. We have greatly increased the TIFIA Program, which is the transportation infrastructure financing program, which leverages funds by 30 times. Because of this, we have leveraged funding and this gained great bipartisan support.

Then somebody came up with the notion that the gas tax would go—part of it—away—631,000 jobs are gone. But what is so great about our bill is that four committees, including the Finance Committee, filled the gap in a way that was bipartisan.

Our story is a great story to tell. If I had to tell my grandkids a story, I would say: Once upon a time in America, we didn’t have a national road system. But a Republican President named Dwight Eisenhower had a vision. He was a general. He knew it was important to move things in a reliable way, and he had a vision of a national transportation system, and everybody in the country said: What a great idea. So we started to have a bill every few years to authorize a highway fund. Then somebody came up with the notion that a way of being fiscally responsible, so that the gas tax would go—part of it—to this fund and we would have enough in that fund to build our highways and our bridges, and then, later on, our transit systems. People said: We have a lot of wear and tear on the roads. What if a lot of people took public transit and got out of their cars? It would be better for the air quality. It would be better for everybody and for the state of the roads, and so they were married up, highways and transit and bridges.

Now we have to live up to that legacy and not bog this bill down with birth control amendments and women’s health amendments and amendments...
about Egypt or anything else. There is time for that. We don’t mind those battles but not on this bill. Infrastructure is the name of the game. We all know it—Republicans and Democrats.

So I say, let’s stop playing games with time. Let’s set the example of this birth control amendment, this women’s health amendment. It doesn’t belong on here. But if that is what it takes to get us off dead center, fine, let’s go. To coin OLYMPIA SNOWE’s phrase clarifying, it will not be pretty, but we will dispose of that and then we will move on and dispose of this bill.

I hope we will not have to face 10, 20, 30 unrelated amendments. I hope we can get it down to a small number and move on. Let’s pass this bill, lift the workers and lift our businesses. Every dollar, almost—all of the dollars—goes straight to the private sector through our States, through our local entities.

Then let’s hold our head up high when we go home. So when I go to the supermarket I don’t have people coming to me and saying: What is going on over there? Birth control on a highway. Birth control on a highway bill. What are you kidding? I don’t want to have those conversations every time I go to the supermarket. What are these guys thinking, they say. I say: I don’t know. I can’t speak for them. I think it is an agenda that appeals to the far right of this Nation. It is not a mainstream way to go.

In closing now, for those who say Republicans and Democrats never work together that is not true. Senator INHOFE and I are as far away from each other politically as two human beings can get, but we teamed up and put aside our ideologies, put aside our pet peevves, put aside things that, perhaps in our hearts, we truly wanted to do on this bill, and we met in the middle. He was over here and I was over here and we ended up right in the middle. We said: We can do this, and we proved we could do it. It was a challenge that was put to this leadership of both our parties and we met that test and other committees met that test.

So here we are. Are we now to say to committee chairs and ranking members, Republicans and Democrats alike, forget about it? It is not worth it. Work your heart out.

I pay tribute to my staff, my Democratic staff, and to Senator INHOFE’s Republican staff. They worked night after night to get this right together on this bill. Then we were given an assignment 2 weeks ago to resolve the germane amendments and they have come together and they have resolved I don’t know how many but dozens of them. So instead of the backway, work your little hearts out, have your staff give up their nights with their families and come up with a bipartisan bill and all of a sudden have it subjected to some polarizing amendments that have nothing to do with the subject?

Please, let’s not see this bill go down. Because if this bill goes down, let me tell you, I, for one, will go to as many cities as I can and counties in this country and tell the truth about what happened. There is no reason for us not to get this done, especially when we have the Chamber of Commerce working with the AFL-CIO, we have Republican-leaning business organizations working with Democratic-leaning worker organizations all throughout this country—over 1,000 of them. I talk to them every week to say thank you to them for keeping the pressure on all of us to succeed. When we have that kind of bipartisanship in our committees, when we have that type of bipartisan bill on the floor, when we have that type of bipartisan support in the country, it is time to move forward and get the job done for the American people.

I thank the Chair, and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

A SECOND OPINION

Mr. BARRASSO. Madam President, I come to the floor today as I do week after week to talk about the health care law and the second opinion about this health care law. I do that as someone who has practiced medicine in Wyoming, taking care of families across the Cowboy State for about a quarter of a century, and I do it today because we are now approaching the second anniversary of the President’s health care law, and, as predicted by many on my side of the aisle, the negative results continue to roll in and billions of taxpayer dollars continue to roll out.

Each week we learn more about how this law is going to break another one of the President’s promises. He made a lot of promises, one of which is he said it would not add a dime to the deficit. It is now clear that the White House and Democrats in Congress completely underestimated—possibly intentionally—but certainly vocally underestimated—how much the President’s new entitlement program is going to cost the American people.

I come week after week because NANCY PELOSI said, “First you have to pass it before you get to find out what is in it.”

The American people also know that this administration and this President and this Congress used about every budget trick and accounting gimmick in the book to turn it into law. They ignored the real costs, they ignored the red flags, and they ignored reality. Two years later, the American people understand that we are seeing the high cost of the President’s health care law and health care mandates. The longer it stays in place, the more expensive it will get.

That is one of the reasons Americans from both sides of the aisle are speaking out against this health care law. When I say both sides of the aisle, I want to talk about a recent USA TODAY/Gallup Poll. This was Monday, February 20, USA TODAY front-page story, right at the top: “Health Care Law Hurts Obama.”

My concern is that the health care law is hurting the American people. That is what the impact of this law is. It is hurting the American people.

What the poll shows is that a clear majority of registered voters call the bill’s passage “a bad thing.” They support its repeal if a Republican wins the White House in November.

Eleven percent of voters in battleground States have said the law has actually helped their families, but 15 percent say it has hurt them. Looking
ahead, they predict by a number of 42 percent to 20 percent, so two to one, that the law will make things worse rather than better for their families and for their lives.

Americans overwhelmingly believe the mandate, which is part of the Obama health care law, is unconstitutional. The mandate that every American must buy insurance. Americans believe it is unconstitutional by a margin of 72 percent to only 20 percent. An overwhelming number of Americans believe that what this legislation and the mandate would go down?

That is what the President promised the people of this country. It is not what the President promised the people of this country.

That is why, when the USA TODAY headline on Monday says “Health Care Law Hurts Obama,” my concern is that it is hurting the American people. People asked in that poll. What they asked for was the care they need, from the doctor they want, at a cost they can afford. This health care law has provided none of those things. This health care law is bad for patients. It is bad for providers—the doctors who take care of those patients—and it is terrible for the American taxpayers.

That is why I come to the floor week after week with a doctor’s second opinion, saying it is time to replace this health care law with reforms that will put health care under the control of patients—not insurance companies, not government, but under the control of patients.

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

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

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts.

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

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

CROWDFUNDING

Mr. BROWN of Massachusetts. Good morning to you, Mr. President, and everybody in the gallery. I wanted to thank Majority Leader Reid for high-lighting next week’s Banking Committee hearing on small business growth. It is something all of us have a very dear and great concern with. One of the issues that will be discussed is a concept called crowdfunding. People may be saying: What is crowdfunding?

Well, if you ever wished that you had the opportunity to invest in a Facebook or a Google or a new idea before they hit it big, wouldn’t that be nice? We would all be multimillionaires.

My Democratizing Access to Capital bill, S. 1791, would expand entrepre-neurs’ access to capital by democratizing access to startup investing so they can have the funds to grow and create jobs.

The House passed a crowdfunding bill 407 to 17. So you know they must be on to something when they can pass something in such a bipartisan manner. The President referenced it in his State of the Union. He supports crowdfunding, and public support for crowdfunding is, in fact, exploding.

On Monday I hosted a roundtable in Boston at City Hall on small business access to capital, and I listened to small business owners and entrepre-neurs and investors to get their thoughts and concerns about business growth, about investing, about the access to capital, and it was a very successful event. They all had one thing to say and that was: If we can’t get behind the bipartisan, commonsense idea of crowdfunding, then what can we actually agree upon and how can we expect small businesses to grow?

With such strong support, I believe we should put all party politics aside and focus on what we can do to help small businesses as we have done with the 1099 fix, the 3-percent withholding, the Hire a Hero Act, the most recent insider trading STOCK Act. All of my bills, I think the things I have worked on, have been solid in a bipartisan manner. When the leader let them come to the floor and allowed us to work them through, they passed 96 to 3 and 100 to 0. It shows that the Senate can work together regardless of our po-litical differences, our geographical lo-cations, our belief on where we are because we are Americans first. These are things the business communities are looking at to move our country forward.

Next Monday I am hosting a roundtable with an entity called Wefunder, a group of innovators who started a petition for my bill to discuss crowdfunding. Their petition currently has 2,500 supporters who would invest over $6 million today if businesses had the opportunity to participate in crowdfunding, but right now it is illegal.

My bill is a commonsense bill, and I want to note that Senator MERKLEY has introduced a different crowdfund-ing bill. It is a good start, but we can do a little bit more. I have reached out to his staff, and I have asked my staff to continue to do that. So I think we can work together as Senator GILLI-BRAND and I have, and Senator COCH-RAN and Senator COLLINS worked on the recent insider trading bill. We can do the same with Senator MERKLEY if he is willing and if the leader allows us to put those political party differences aside and actually work on something for the benefit of our country.

Today I am going to talk about some important principles that I believe are critical to making crowdfunding legis-lation a success. For crowdfunding to actually work, we need a national framework, which my bill creates. If we require entrepreneurs to comply with every separate State securities law mandate, filling the appropriate pap-erwork alone would cost over $15,000. That is the reason we don’t have this situation. We don’t have small business owners being able to give up to $1,000 per person up to $1 million to invest in that new idea with minimal SEC filings and minimal secretary of state filings. It is some-thing that makes sense. We should not be burdening our startup businesses, which is where the largest growth is in this country right now, with costly quarterly reporting requirements. We might as well go through the whole process of the full SEC filings. It is not appropriate, especially until they are fully off the ground.

The point of crowdfunding is to allow entrepreneurs to flourish, not to bog
them down in an avalanche of paperwork and bureaucracy and redtape. That is why we are in this mess somewhat, because of the overregulation, the continued regulatory and tax uncertainty when it comes to planning and growth.

In addition, I believe our existing fraud laws are solid; we just need to enforce them. Exposing startup founders to new personal liability is not going to work. It will create a real wet blanket of anything we are trying to do here through the funding of investors who are investing only a maximum of $500 to $1,000 and to have them also put in a personal guarantee for a $500 investment. How does that make any sense whatsoever, a quarterly filing, a personal liability guarantee for a $500 investment? This makes no sense at all. This will cause investors to use crowdfunding only when there is no other option available and will leave them to switch out crowdfunding investors for venture investors at the slightest opportunity, therefore, I believe, stalling that crowdfunding opportunity.

There was a recent article I read in which Canada’s Government is deeply concerned about us actually doing this because they believe that Canada’s Government on money will be flowing into the United States. Wouldn’t it be nice for once to have money flowing into the United States on something that will actually create small business growth in our great country? So recognizing that investors need protection, my bill does require entrepreneurs to offer their securities through regulated crowdfunding intermediaries.

In addition, my bill requires intermediaries to facilitate communication between investors and the offerors. I believe Senator MERKLEY and I have the same concerns in this regard which I believe can be addressed without creating a private right of action. It is not necessary for the amount of money we are talking about and the new business growth opportunities we can actually stimulate.

Crowdfunding depends on small investments by many, which is why we must exempt crowdfunding securities from the 500 shareholder cap so we don’t create additional redtape for startups. It makes total sense. Everyone talks about overregulation of small business and how that is hurting their growth. We see it with the alive, Mr. President, and in legalizing—let me repeat—in legalizing crowdfunding I believe we can still provide for the appropriate level of regulation but also give small businesses the access to capital they so desperately need.

This is a home run all over the place, and once again I am very pleased the majority leader has taken an additional step to call for the hearing on crowdfunding. When he talked about this issue, he referenced Senator Merkley’s bill, I also have a bill. So why don’t we do it as we did it with the insider trading bill, the Hire a Hero, the 3-percent withholding, the 1099, the Arlington Cemetery bill? All of those things, when we were allowed to work in a truly bipartisan manner, we were able to get done. With all due respect, there is no Republican bill that is going to pass right now, and I know that should upset people. There is no Democratic bill that is going to pass either. It needs to be a bipartisan, bicameral bill that the President is going to sign. That is what I offer, is that olive branch, that one good deed that begets another good deed and moves us forward solving many real problems in a truly bipartisan manner as Americans first and not as Republicans or Democrats.

I would ask the majority leader to also include my bill when he is moving forward because otherwise I am fearful nothing will move forward. So I am looking forward to not only working with Senator MERKLEY but working with the majority leader and his team. When I was working on the insider trading franklin bill and the Senator GILLIBRAND’s bill that we combined, we found that common ground. We worked together, we managed the floor, we had an open amendment process. Everybody walked out of here saying: That was nice. When was the last time we did that? Remember? That was unbelievable. Everyone had a role. Even Senator KIRK, who is recovering, had a role to play and it was good to see him. We can even do it in this bill.

Mr. President, I thank you for the time I yield the floor at this time. I see that we have a speaker all ready to go as well.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I ask unanimous consent that the time from 2 to 4 p.m. be equally divided, with Senator BLUMENTHAL or his designee in control of the first hour and the majority side controlling the second hour.

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

Mr. WEBB. Mr. President, I wish to say a few words today about the amendment that is being called the Blunt amendment, the purpose of which I will read from the amendment, to amend the Patient Protection and Affordable Care Act, to provide rights of conscience with regard to requirements for coverage of specific items and services.

I oppose this amendment, and I wish to be very clear today as to why I oppose this amendment. This is not a bill that attempts to address the necessary divide between church and state.

Let me say that a little more specifically. This is not an amendment that addresses the necessary divide between the establishment of religion or the free exercise thereof as outlined in the first amendment of our Constitution, which is a concept I care deeply about. This amendment by definition, attempts to widen the restrictions on our laws from the necessary divide between church and state into the unknown and often indefinable provinces of an individual’s personal definition of conscience. The amendment is clear on this point. It is a preamble in which it lists its findings, talks repeatedly about the rights of conscience, not the separation of church and state. It inverts the very idea of the rights of conscience against the enterprise of civil authority. It addresses the purported flaws of the current health care law in terms of governmental infringement on the rights of conscience of individuals or organizations, including religious nonprofits, insurance, planned sponsors, beneficiaries, and other stakeholders. It then mandates that the right to provide, purchase, or enroll in health care coverage must be consistent with the religious beliefs or the moral convictions of these stakeholders.

Again, let me be clear: This language goes well beyond the constitutional requirement of separation of church and state into the area of legislative discretion. This would be the same thing as Congress saying that not only should religious establishments be exempted from taxation under the doctrine of separation of church and state, but also that anyone who has a moral objection that they can define to paying taxes should not be required to pay them either. There is a place for this type of conduct in our legal framework. It has a long history. It is called civil disobedience. The act of civil disobedience is protected by our Constitution, and the ramifications of this would be a great blow to the rights of conscience against the enterprise of civil authority. It addresses the purported flaws of the current health care law in terms of governmental infringement on the rights of conscience of individuals or organizations, including religious nonprofits, insurance, planned sponsors, beneficiaries, and other stakeholders. It then mandates that the right to provide, purchase, or enroll in health care coverage must be consistent with the religious beliefs or the moral convictions of these stakeholders.

This is a very drafted and potentially harmful amendment. It is not about protecting religious institutions or protecting the clear objective and understandable parameters of religious belief. It should not be approved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

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

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

Mr. TESTER. Mr. President, I thank the Presiding Officer, also thank the floor managers of the highway bill for allowing me a couple minutes and to let them know how appreciative I am of their efforts to move forward on an important piece of legislation—the highway legislation. Nothing creates jobs faster, makes a bigger difference in the long run than responsibly investing in our infrastructure. So I thank Senator BOXER and Senator
INHOFE for their good work and, hopefully, that good work will come to fruition very soon.

Last September, the Department of Labor published new child labor regulations. They would have the effect of restricting how young folks are able to work on farms. I am deeply concerned about these new rules which will keep teenagers from working on farms and ranches. As the Senate’s only working farmer, I know how important it is for young people to have the opportunity to work on farms and ranches. I am not alone in that belief. There are many folks here who understand the value of family farm agriculture. Growing up on the same farm that my grandparents homesteaded nearly a century ago—well, it was a century ago this year—my brothers and I were expected to bail the hay, pick rocks, feed the livestock, do field work, and the list goes on and on. That work ethic that was instilled in us as children is a big part of my success today. It was that work ethic that built this Nation and that work ethic which I think is critical to the future of America. The skills young people learn from working on a family farm are the same skills that help provide a healthy work ethic that will serve them their entire lives, whether they choose to be in agriculture or in some other business.

Family farm agriculture is one of the foundations of this country, and responsibility of the ability of young people to fully experience and grow from it will be detrimental to this country’s future. I know firsthand that agriculture is uniquely a family industry in the United States, in Montana, and throughout rural America. Young people are expected to help out on the family farm or ranch. That is part of the economics of family agriculture. For smaller farms and ranches to survive, it has to be everybody pitching in. But to thrive in production agriculture, young people learn the value of a day’s work. They also learn that grain doesn’t come from a box or vegetables don’t come from a bag or meat doesn’t come from a package. They truly get educated about where our food comes from while they build that work ethic.

These new rules get in the way of that education. That is because these rules were not written with a solid understanding of how family production agriculture works today. We are losing family farms every day in my hometown of Big Sandy, for example. In that community, I went to school with about 40 kids or so in my high school class. Today there are about 60 kids in the entire high school. That is because family farms are getting bigger, and there are fewer folks living in rural America. We ought to encourage beginning farmers and ranchers, preparing them to be our next generation of food producers in this country.

The proposed rules would expand restrictions on what duties teenagers can perform on farms, limiting them. Under these new rules, all animal operations would be off limits until a person reaches 16 years of age. That is a sad day, a missed opportunity, and a loss of an opportunity for our young folks to learn.

I am writing on the Department of Labor to withdraw this proposal as it applies to family farm agriculture and allow this country’s youth to learn a solid work ethic. The common sense that goes with that work ethic is so critically important to our Nation’s future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Louisiana is recognized.

Mr. VITTER. I thank the Chair. (The remarks of Mr. VITTER pertaining to the introduction of S. 2138 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I would ask, what is the pending business before the Senate?

The PRESIDING OFFICER. The Blunt amendment No. 1520.

Mr. BAUCUS. Mr. President, I rise to object to the Blunt amendment. I believe this amendment is extreme and it would undermine the delicate balance between religious freedom and a woman’s health. It would be a mistake. It goes too far. It would allow any employer to prevent a woman’s access to mammograms, prenatal care, even vaccination or any other form of preventive care. In Montana, my State, 62,000 women could lose access to preventive care. I am here to say that is wrong, and I am going to go to bat for them. I think a woman should decide for herself and her family what preventive care makes the most sense for her.

As Americans, we believe in individual liberties and equal access to health care. Current policy upholds those values. It preserves the integrity of a woman’s freedom and the right to access all health care services. It protects the religious liberties that so many Americans, including myself, value. And that is why both faith-based and health communities support this policy, not the Blunt amendment. The Blunt amendment would overturn this. It would allow any corporation or health plan to deny women and their families access to preventive health care for almost any reason. It is written so broadly that a health insurance company could deny access to preventive care for virtually any reason. That is not right.

I urge my colleagues to vote against the Blunt amendment. I urge them to protect the health of all Americans. That includes our mothers, wives, sisters, and daughters in Montana and across the country.

In Montana, we are very proud to have sent the first woman to Congress—Ms. Jeannette Rankin—in 1916. We have a very strong tradition in our State of respecting women—women who are not only the hearts of our families but who proudly provide the fabric of our communities. When we support women’s health, we are supporting healthy communities that could be strong for our kids and our grandkids.

Let’s uphold our values of liberty. Let women choose for themselves individually. It is their responsibility what preventive care they think makes the most sense for them. And let’s treat all Americans fairly. Let’s defend against discriminatory health practices, and let’s do so while protecting everyone’s fundamental rights.

Mr. President, on another matter, I ask unanimous consent to speak as in making business.

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

Mr. BAUCUS. In “Common Sense,” the American patriot Thomas Paine wrote in 1776 as follows:

The landholder, the farmer, the manufacturer, the merchant, the tradesman, and every occupation, prosper by the aid which each receives from the other, and from the whole. Common interest regulates their concerns, and forms their law. Common interest produces common security.

In the 240 years since Paine’s pamphlet helped define who we are as Americans, our transportation system has become the cornerstone of our common interest. There are few things under the Sun that are not impacted by our highways, our roads and bridges, and our transit systems, yet we can too easily take our network for granted.

A recent Rockefeller Foundation survey found that two-thirds of all respondents believe America should invest more in infrastructure. It is a common interest. That same survey found that two-thirds of all Americans believe they should not have to pay any more for this increase in infrastructure investment. That means we have to rise to the challenge in Congress to come up with a highway bill that invests in infrastructure without asking folks to pay more than their fair share.

According to the U.S. Chamber of Commerce Transportation Performance Index, we could lose nearly $340 billion in potential economic growth over the next 5 years if we do not pass a highway bill and provide the certainty our economy needs. Let me make that statement again. We could lose $340 billion in potential economic growth over the next 5 years if we do not pass a highway bill and provide the certainty our economy needs.

Our transportation system depends on substantial investments from the
Federal Government. This investment consistently yields a big return for American jobs. In my home State of Montana, the last highway bill created or sustained more than 18,000 good-paying jobs, and nationwide it put approximately 35,000 people to work for every $1 billion invested. So for every $1 billion invested, it created 35,000 jobs. These are not just statistics, these numbers represent families able to put food on the table. They are good jobs. These numbers represent small businesses able to attract new customers.

I know these types of investments work because I spent a day working alongside a road grader, a paver, and an excavator. I might say, the grader was really up to date. All I had to do was get in the grader, move forward, and it was guided by a GPS system that raised the blade, turned the blade, tilted the blade at exactly the right slice, and it was a perfect line I made down that road, whereas if I had had to do it by myself, it would have been a mess. The GPS made it work. During the workday, I talked to about a dozen workers who told me their families depended on the project for their livelihood. It was very impressive. Their work also had a major impact on the community because Amsterdam Road is one of the most traveled roads in the area.

Investment in transportation infrastructure is investing in our families and our economy. It is an investment. It yields great returns. It pays dividends. This bill seeks to maintain that investment through 2013; that is, the underlying bill that is before us—not the Blunt amendment but the underlying bill. I would prefer a longer period of time in the underlying bill to provide greater certainty. We are already 2 years past due. We have had lots of extensions. We must work together to get something done at least until the end of next year, and a 2-year bill provides the compromise we need to get there.

I have worked on this bill for about 4 years from the leadership perspective of two different Senate committees: the Environment and Public Works Committee, which provided the authorization for roads, highways, bridges, and various forms of nonmotorized transportation, and the Finance Committee, which provided the money so we can have the proceeds and the resources to pay for these highways.

From the perspective of investment, I can tell you firsthand that this bill specifically focuses on those programs that are truly in our shared national interest. It consolidates nearly 90 road programs down to approximately 30. Consolidating 90—lots of individual, separate programs that kind of divide our country, didn't bring us together—to 30 programs that rely on the highway trust fund.

This bill also focuses on dramatically improving our national capacity for data-gathering and data-sharing—desperately needed. We sought to enable States to address safety and mobility difficulties by seeing what solutions have worked in other States. More data will help them better answer those questions. For example, why in some States of Montana—is the highway fatality rate 2½ times the national average? There are a lot of ideas, but what are the real reasons? We need data to find out.

This bill provides for the first time a dedicated freight program to address interstate commerce.

The bill extends a program called TIFIA. That is a lending program that leverages private sector investment, good investment, building roads and bridges. History tells us that every $1 we put in can leverage $30 in private sector investment.

This bill has no earmarks—no earmarks. Senators BOXER, INHOFE, VITTER, and I joined to achieve agreements, and I thank my colleagues who serve on the Environment and Public Works Committee for unanimously approving this bill and its reforms—unanimously.

I especially like to applaud Chairman BOXER and Ranking Member INHOFE for their leadership. They worked very hard, and they worked together. Sometimes people think Washington can't work together. Let me tell you, I have watched these two people work very closely together. They were a team to get a highway bill here before the Senate.

Next, from the perspective of the Finance Committee, the bill provides the highway trust fund with sufficient funding to last at least until the end of fiscal year 2013. The highway trust fund simply does not bring in enough revenue from traditional funding sources, such as the fuel tax, to meet our national needs. As a result, Democrats and Republicans on the committee had to look elsewhere to ensure for the short term that we could maintain current levels of Federal investment. In the long term, we should use the opportunity to decide what makes the most sense for the 21st century. Where we could apply unused fuel tax money that currently goes to the leaking underground storage tank trust fund surplus, the Finance Committee did so with support from Democrats and Republicans. And where we transferred money from the general fund to the highway trust fund, we sought to backfill the general fund by closing tax gaps or focusing on tax scofflaws.

It is important that we make sure the highway bill stays focused on supporting the economy. In Montana, our highways are our lifeblood. We are a highway State. We log a lot of hours at the wheel. It is a part of who we are. We are the fourth largest State in the Nation for land mass, but we have fewer residents than Rhode Island, the smallest State in size.

My friend the former Senator Mike Mansfield said in 1967:

Montanans are formed by the vastness of a State whose mountains rise to 12,000 feet in granite masses, pined one upon another as though by some giant. To drive across the state is to journey, in distances, from Washington, DC, north to Toronto, or south to Florida. In area, we can accommodate Virginia, Maryland, Pennsylvania, and New York, and still have room for the District of Columbia. Yet, in all this vastness, we are . . . less than a million people.

A few weeks ago, we just tipped the needle on 1 million residents. I might say, I am not sure we are happy about that. Some of us want to be under 1 million in population and some kind of like 1 million. It is a big debate in our State: Should we be 1 million or less than 1 million? Nonetheless, we lack the population to make necessary investments in Federal aid roads and interstates by ourselves, and we shouldn't have to do so. Montana alone could not support the Interstate Highway System—we couldn't do it—or the other national highways in our State. We don't have the people. With more than 10 million visitors annually and with the majority of our truck traffic originating and ending out of State, we rely on the Federal program with good reason. It is in our common interest—in the interest of Montana, in the interest of all those folks who transport freight across our State, and in the interest of people who want to visit Glacier Park or Yellowstone Park. It is in our common interest.

I am here to say that the more we keep our eye on the ball, with a transportation bill that keeps our common interests in mind, the more successful we will be.

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

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

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

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

The PRESIDING OFFICER. Without objection, it is so ordered.
towns of Harrisburg in Saline County and Ridgway in Gallatin County have suffered terrible damage. Several people in Harrisburg have died as a result of these tornadoes. The earliest reports suggest 10 deaths. The exact number will not be known for some time. More than 20 people have been reported to have suffered serious injury.

This is an indication of some of the damage and devastation in Harrisburg. Between 250 and 300 homes in nearby Gallatin County have also been damaged. An estimated 25 Harrisburg-area businesses are damaged or destroyed, including a Walmart and a strip mall that were hit by the tornado.

This next photograph is an indication of some of the terrible devastation that took place. Three bodies have been recovered from the field behind the Walmart, and survivors are still being pulled from the wreckage of the building. Most roads in Harrisburg have been closed. People are going door to door to check. The reports are positive in terms of the accountability.

The Harrisburg Hospital has received damage itself. Yet the personnel have done a heroic job in setting up triage stations throughout the hospital after this devastation. Hospital officials are asking that all nonemergency cases that are unrelated to the severe weather go to other hospitals. The hospitals are only taking in those who are injured and asking family members to wait outside because of the limited facilities available. Patients in the hospital’s B wing, which suffered heavy damage, are being evacuated to Evansville, Indiana’s Deaconess Hospital, which has called in all available staff.

The First Baptist Church in Harrisburg is being used as a shelter, and I am sure everyone in that community—a wonderful community in southern Illinois—is pitching in to give a helping hand. Local church members, obviously, are canceled for the week. Ridgway is nearby, and no one is being allowed to visit the town at this point. Between 50 and 60 homes in Gallatin County have been destroyed.

I have an early photograph of some of the scenes there that show the damage to this historic church. Historic St. Joseph Church, and at least one business, the Gallatin County Tin Shoppe, have been leveled by this tornado.

This photograph is of the same church before the storm, which is an indication of what happened. This is an historic church which many of us are well aware of. It has served the Catholics in this community for many years. Between 9,000 and 13,000 people are without electricity because of the storm damage. The Illinois Emergency Management Agency is hard at work clearing debris and roads. Governor Pat Quinn has activated a state emergency operations center to help with the response, and Governor Pat Quinn has activated a state emergency operations center to help with the response, and Governor Pat Quinn has activated a state emergency operations center to help with the response, and Governor Pat Quinn has activated a state emergency operations center to help with the response.

My heart goes out to all of the people in Harrisburg who have lost loved ones. We are keeping in close contact with the people on the ground, working together with my colleague Senator Mark Kirk’s office here in Washington. They share our concern for the devastation and for the damage, and for the death associated with this, and both Senator Kirk and I have extended to the State of Illinois our willingness to help in any way possible.

My thoughts are with the residents of these hard-hit towns, with the first responders, and the Red Cross volunteers who are always on the scene and who are working to assess the damage and help those who have been injured. Jonathan Monken had a conference call with many members of the Illinois congressional delegation a short time ago. He assures us that all requests for State and FEMA assistance are being met at this moment. We will continue to make the promise that that will be true in the future as well.

My staff and I are in contact with local officials, including Harrisburg Mayor Eric Gregg; the mayor of Ridgway, Becky Mitchell; State Senator Gary Forby; and State Representative Brandon Phelps. I, along with Senator Durbin and Senator Kirk, am committed to help do everything possible to help communities respond to and help with this disaster.

Mr. President, I yield the floor.

Mr. BLUNT. Mr. President, my colleague, the Senator from Illinois, and I live in a part of the country where these terrible weather events—tornadoes and other things—are not unusual for us. But as Senator Durbin has pointed out, we did have them last night in a number of places in southern Missouri, including Branson, the tourism strip, at one theater and one tourist attraction, as well as in Branson, Lebanon, Dallas County, and other places in southern Missouri. We had way too much experience with this last year.

As my friend has pointed out, the Federal Emergency Management Agency people are quickly there. We had a year of experience with this, particularly after the Joplin tornado. They were terrific. We want to remember too the first responders are always our neighbors, and neighbors are coming forward to help families whose houses were lost and possessions were scattered, and even in this particular case where there are occasions where people are injured and lives have been lost as well.

Senator McCaskill and I join with Senator Kirk and Senator Durbin in their efforts in this regard.

Mr. President, I ask unanimous consent to engage in a colloquy with my Republican colleagues for 60 minutes.

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

Mr. BLUNT. Mr. President, I wish to talk about an amendment that has had lots of attention. It is an amendment that I offered on the floor a couple of weeks ago. We weren’t able—the leader didn’t want to get to it at the time, but the majority leader brought it up for me yesterday, and I am glad he did. I am glad we are able to talk about it.

This amendment would allow religious belief or moral conviction to be an important factor in whether people comply with new health care mandates. We have long had this exemption for hiring mandates. In fact, when I served in the House of Representatives, I was the president of a Southern Baptist university and I understood the importance of these institutions, I thought, in maintaining their faith distinctions as part of why they provide education and health care and daycare and other things. So I have long been an advocate of the principle that the Supreme Court upheld a few weeks ago 9 to 0 that there is a difference in these faith-based institutions. Now that we have health care mandates being complied with by these institutions, all this amendment does is extend the same privilege to them and others who have a religious belief or a moral conviction so that they would be able to defend their moral conviction.

We don’t do anything about the mandate itself. It is important to understand that the administration—this one or any other—if the Affordable Health Care Act is still in force, can issue all the mandates that the act would allow. In fact, if a person doesn’t comply with those mandates, they would have the penalties that the act would allow. But the difference is if the government wouldn’t recognize a person’s religious belief or moral conviction, as I think they would likely do. For example, the archdiocese in Washington, DC, is saying this is something we have long held as a tenet of our faith that we don’t believe should happen, we shouldn’t be a part of, and we don’t want it to be a part of the insurance policies of our hospitals. My guess is if we pass this amendment, without any question, the Justice Department would say, Well, you are certainly going to be able to defend that because that has been your belief for centuries, the belief of your faith.

This amendment doesn’t mention any procedure of any kind. In fact, this morning we had a reporter call the office who said we can’t find the word “contraception” in this amendment anywhere. How is this a vote on contraception? Of course we were able to say, as we have said for 4 days, the word “contraception” is not in there because this is not about a specific procedure, it is about a faith principle that the first amendment guarantees.

This exact language of religious belief or moral conviction was first used in 1973 in the Public Health Services Act. It was brought to the Senate floor by Senator Church from Idaho, who I
believe was considered one of the liberals of the Senate at the time, protecting health care providers from having to be involved in procedures they didn't agree with. It is part of the Legal Services Corporation limitation in 1974, the former said funding limitation in 1986, the refusal to participate in executions or prosecutions of capital crimes in 1994, the vaccination bill wherein a person comes to this country as a nonresident and they don't want to have vaccinations that are otherwise required, they don't have to have them if they have a religious belief or moral conviction against them.

The list goes on and on: The Medicare and Medicaid Counseling Act, the Federal Employees Health Benefits Plan of 1998, the contraception coverage for federal employees in 1999, the DC contraception mandate in 2000, the United States Leadership Against AIDS Act in 2003.

This is the exact same language even more specifically has been in bills that weren't passed. In 1994, Senator Moynihan from New York brought a bill to the floor that Mrs. Clinton—latter Senator Clinton, now Secretary Clinton—was written into in this 1990 discussion. That bill said: Nothing in this title shall be construed to prevent any employer from contributing to the purchase of a standard benefits package which excludes coverage for abortion or other services if the employer objects to such services on the basis of religious belief or moral conviction.

This is Senator Moynihan less than 20 years ago in what was considered a liberal piece of legislation, putting what the country had thought since the beginning of government-paid health care was a natural part of every health care bill. In fact, the bill we are talking about that this amendment would impact is the first time the Federal Government has passed a health care bill that didn't include this language—the first time it didn't include this language. If one is not offended by the current mandate that some religions are, I think it is important to think of what one would be offended by. What would be offensive to be told one had to be a part of, and then imagine the government saying, no, a person has to be a part of that? Even if a person doesn't do it themselves, they have to pay for it, or be sure that the person's employees, their associates, are a part of this thing that is offensive to that person because of religious belief or moral conviction.

Before I yield to my good friend Senator JOHANNES, who understands this issue so well, let me also say that, as I said, we didn't eliminate a mandate, so we can still have a mandate. The Federal Government can still come in and say: You are not offering these services so you have to pay a penalty, and then you can object. They have to testify and prove that you have a long-held belief that this is wrong. The Court, in 1965, when this particular phrase became the boilerplate language for the law, said, You can't become a conscientious objector the day you get your draft notice, in essence; you have to have these two principles. You have to have a religious belief, a strong moral conviction, and you then have to be able to go to court and prove that.

All of the fiction writers out there, in fundraising letters and otherwise, saying things such as women who have contraceptive services they wouldn't have, of course that is not true. Of course that is not true. The women who have those services today either have them because they have found a way to pay for them themselves or they have an employer who is providing that as part of health care. That employer is not going to be able to turn around and say, I am not for that anymore because I object for some religious reason that I didn't have all the time I was there.

This is an important issue. It is a first amendment issue. It is an issue that group after group after group thinks violates the Religious Freedom Act—RFRA. There are six lawsuits already. There is a very good chance of prevailing because it does exactly what the religious freedom law says you can't do and it needlessly forces people to participate in activities that are against their moral principles, that is what it is.

The circumstance in the country is we have 220 years of history on this. We have almost 50 years of history of government-paid health care for one group and not another and included an exemption such as this exemption. To not do this assumes that the government can make people do things that Thomas Jefferson and George Washington and others specifically said were exceptions to the rights of conscience, belief that we have. It is religious liberty we are talking about. It is an American issue that dates back to our very Founders who looked at the war they had just fought and said to themselves: We are never going to allow our country to force us to attend a certain church or to participate in a certain faith—not at all. And it was written in one of our most sacred documents, the Bill of Rights. Yet the President of the United States is trammeled on this religious freedom and attempting to convince Americans that it is something else.

His power grab is forcing religious institutions to go against their deep-held beliefs. If these are their beliefs the Congressional Research Service reports these religious insurers and employers may face Federal fines of $100 per day per plan.

Let me give an example of how that will work in my State. For a self-insured institution such as Creighton University in Nebraska, a Jesuit institution—I happen to have graduated from—this religious belief at the heart of that institution said this afternoon by thanking my colleague from Missouri for taking on this issue and putting this legislation together. Let me also thank my colleague for telling the real story of this legislation. It is critically important we understand the history that brings this to us this afternoon, ultimately, to a vote on this legislation I am proud to cosponsor.

My colleague just so ably pointed out that what has changed is, the Obama administration, working with our colleagues on the other side, took this important language out of this health care legislation. For decades—for decades this important protection was in legislation, and it was supported by Democrats, Republicans, for the first time in the history of our country. That was the history of our country until all of a sudden this change came about where that conscience protection was taken out of the health care legislation that was passed a couple years ago.

But let's look back even further in our history. The first freedom in our Bill of Rights is the liberty to exercise any religion we might choose, or for that matter not participate in any religion whatsoever. That is what this United States of America is based upon, this concept that we have the freedom to choose what faith we will belong to, what teachings we will follow. As I said, we have the choice to not participate at all, if we choose, in this country.

Yet the President and my colleagues from across the aisle want to force—want to force—religious institutions, for the first time in the history of our country, to violate their strong moral convictions. And they go even further. They want to somehow shroud this and veil it as a woman's health issue.

Let me set the record straight. This debate is not about that, as some would have us believe. It certainly is not about contraceptives. What this debate is about is fundamental to our freedom as citizens of this great country, to our religious liberty we are talking about. It is an American issue that dates back to our very Founders who looked at the war they had just fought and said to themselves: We are never going to allow our country to force us to attend a certain church or to participate in a certain faith—not at all. And it was written in one of our most sacred documents, the Bill of Rights. Yet the President of the United States is trammeled on this religious freedom and attempting to convince Americans that it is something else.

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Let me give an example of how that will work in my State. For a self-insured institution such as Creighton University in Nebraska, a Jesuit institution—I happen to have graduated from.
from there—they have about 6,000 health care plans. So the cost to Creighton University in Omaha, NE, to exercise their religious liberty will be an annual pricetag of $24 million. That is the price of exercising their religious liberty in the President’s world. Unbelievable.

Well, I went on the Internet. I asked unanimous consent to have in the RECORD an open letter to the President signed by women all over this country.

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

OPEN LETTER TO PRESIDENT OBAMA, SECRETARY SEBELIUS AND MEMBERS OF CONGRESS

DON'T CLAIM TO SPEAK FOR ALL WOMEN

We are women who support the competing voice offered by Catholic institutions on matters of sex, marriage and family life. Most of us are Catholic, but some are not. We are Democrats, Republicans and Independents. Some point in our careers, have worked for a Catholic institution. We are proud to have been part of the religious mission of that school, or hospital, or social service organization. We are proud to have been associated not only with the work Catholic institutions perform in the community—particularly for the most vulnerable—but a shared sense of purpose found among colleagues who chose their job because, in a religious institution, a job is always also a vocation.

Those currently invoking “women’s health” in an attempt to shoot down anyone who disagrees with forcing religious institutions to violate deeply held beliefs are more than a little mistaken, and more than a little dishonest. Even setting aside their simplistic equation of “costless” birth control with “equality,” note that they have never responded to the large body of scholarly research indicating that many forms of contraception have serious side effects, or that some forms act at some times to destroy embryos, or that government contraceptive programs inevitably change the sex, or drug markets it creates that lead to more empty sex, more non-marital births and more abortions. It is women who suffer disproportionately when these things happen.

No one speaks for all women on these issues. Those who purport to do so are simply attempting to deflect attention from the serious, very real issues currently at stake. Each of us, Catholic or not, is proud to stand with the Catholic Church and its rich, life-affirming teachings on sex, marriage and family life. We call on President Obama and our Representatives in Congress to allow religious institutions and individuals to continue to witness to their faiths in all their fullness.

HELEN M. ALVARÉ, J.D., Associate Professor of Law, George Mason University (VA).
KIM DANIELS, J.D., Former Counsel, Thomas More Law Center (MD).

Mr. JOHANNES. Women have signed this, and one of the things they say is, they have a right to work for institutions that contribute to their community.

Let me quote from that letter. They value “the shared sense of purpose found among colleagues who choose their jobs at a religious institution, a job is . . . also a vocation.”

These women are Americans who believe this mandate by the Federal Government, interfering with religious liberty, is wrong.

I will wrap up my piece of this colloquy by again thanking the Senator from Missouri for his leadership in this area. The President has said he offered an accommodation. The accommodation is, woe, lo and behold, this is going to be free.

Now, I would like to know what legal authority he relies upon that the President could ever order anyone to offer a service or an item for free. He has no such authority. This is not the Soviet Union; this is the United States of America. We do not believe that for a moment. Of course we are going to be paying for this through our insurance premiums.

Well, my hope is we will read our Constitution and we will stand as a united front upholding religious freedom, which is being violated by this mandate.

I thank the Chair.

Mr. BLUNT. Mr. President, I thank my friend for those good additions to what we are talking about.

I might add if there is some accounting issue that makes this appear that maybe someone you are hiring is paying for it instead of you, if this is something you are opposed to for religious grounds, it is not about the cost, it is about the conscience. And this is something you do not believe you should be part of.

In my particular faith, the contraception part of this is not troublesome for me. But I can understand that individual being less troubled that it bothers others or that I should care less about their religious freedom than I do mine or that I should not care about the government using the heavy hand of these fines to force people to do something.

The other point I would like to make, before I go to my friend from Idaho, is, if the government chooses to fine people, people actually have to go to court and prove they have a deep religious belief. The fact that they are saying this is something you do not believe you should be part of.

In my particular faith, the contraception part of this is not troublesome for me. But I can understand that individual being less troubled that it bothers others or that I should care less about their religious freedom than I do mine or that I should not care about the government using the heavy hand of these fines to force people to do something.

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we are telling you to do because we think it is the right thing to do regard-
less of your religious beliefs.

It is wrong. It has to be fought. It
must be reversed.

I thank the Senator for bringing this issue to the attention of everyone.

I yield the floor.

Mr. BLUNT. Mr. President, I thank
the Senator.

There are a number of waivers on
this. The administration has given over 1,700 waivers to 4 million people. If you
have a plan that is better than the gov-
ernment plan, if you have a plan that
might be taxed under the law because
it has been negotiated as part of collec-
tive bargaining, if you are a fast food
institution that has insurance but, ap-
parently, with high deductibles—those
were all reasons to create a waiver.

You would think that a faith-based be-
lief would also be a reason that a waiv-
er could have been granted.

This amendment just assures that we
can have the same kind of opportunity
to exercise our religious beliefs going
forward as every American has in
health care, in labor, in hiring, and
other areas up until right now.

I would like to turn to my friend, the
Senator from Texas.

The PRESIDING OFFICER. The Sen-
ator from Texas.

Mr. CORNYN. Mr. President, I want
to express my gratitude to the Senator
from Missouri for his leadership on this
issue.

This used to be a topic that was a bi-
 partisan issue dating back to the pas-
sage of the Religious Freedom Restora-

But just so people can refresh their
memories, there have been a number of allusions made to the language of the
Constitution. But let me just read the
first amendment to the Constitution,
part of our Bill of Rights, the funda-
mental amendments, which it cannot do. When
there is a conflict between the Con-
stitution and a law passed by Congress,
that law falls as unconstitutional.

But the first amendment to the Con-
stitution says:

Congress shall make no law respecting an
establishment of religion, or prohibiting the
free exercise thereof . . .

Let me repeat that:

Congress shall make no law respecting an
establishment of religion or prohibiting the
free exercise thereof.

That is what we are talking about is
the free exercise of religion. I agree with Senator Risch that one of the big-
gest problems with this legislation, the
President’s health care bill, the so-
called affordable care act, which we
have came to learn is not so affordable, is
that it forces each individual in this
country to buy a government-approved
product according to the dictates of
Congress. That is one of the issues the
Supreme Court will be ruling on,
whether that is even within the scope of
congressional power under the com-
merce clause.

But Senator Risch makes a very good
point; that is, the basic problem with
this legislation generally is it is too
big, it is too expensive, and it is too in-
trusive on the individual choices and
freedoms of American citizens.

As I said, it used to be that religious freedom was a bipartisan issue. That is
why I am so concerned this has turned
into a purely partisan issue. It is very
obvious to me that some of our col-
leagues on the floor believe they can
make political hay by scaring people,
by misleading people, by somehow denying women access
to contraception when that is not the
issue.

This is about protecting our sacred
constitutional freedoms. When I said
religious freedom was a bipartisan issue, I was referring to the Reli-

I think it is interesting to see who the
sponsors were and people who were
some of the principal proponents of the
bill. That demonstrates it was bipar-
tisan.

The lead sponsor in the House was
Senator CHUCK SCHUMER, now a Mem-
ber of the Senate. Cosponsors included
Then-Representative MARIA CANTWELL,
now in the Senate; then-Representative
BEN CARDIN, who is presiding today;
and former Speaker NANCY PELOSI.

In the Senate it had 60 cosponsors.

Ted Kennedy was the lead sponsor. We
have heard from Missouri for his leadership on this
issue. The government can still have:

Congress shall make no law respecting an
establishment of religion, or prohibiting the
free exercise thereof . . .

Here is what we are telling you a

The government can still have a man-

I am somewhat disappointed we now
find ourselves—that the lines seem to
have been drawn so sharply in a par-
tisan way on an issue that used to
enjoy such broad bipartisan support. It
is my hope our colleagues will recon-
der because it is not good for the

But if there is a fight, if there is a
discussion, I believe the re-

As I said, religious freedom used to be a bipar-
tisan issue. That is what we are talking about.

I thank my colleague from Missouri
for being the leader on this important
amendment. I am pleased to have had
the opportunity to voice the reasons
for my support, and I hope our col-
leagues who are opposed to the amend-
ment or have already stated their opposition will reconsider.

Mr. BLUNT. I do too. I hope we find
out now that while we do not have as
much bipartisan support as we would
like to have, we will have some. Sen-
ator NELSON and I along with Senator AYOTTE from New Hamp-
shire and Senator RUBIO from Florida
and I introduced this bill in August of
last year. This is not just something
we came up with recently.

Members who were in the Senate
when the health care act, the afford-
able health care act passed, said they
believed if it had passed in a more nor-
mal way, this would have been in
the final bill, that would have been an
understanding, as it was in the Patients’
Bill of Rights draft and legislation that
was introduced in 1994 or the health
care bill in 1999. This same language
was an accepted and bipartisan part of
who we are as a country enforcing the
first amendment.

In fact, in the Religious Freedom
Restoration Act, it says: “Government
shall not substantially burden a per-
son’s exercise of religion even if the
burden results from a rule of general
applicability.” Even a rule that would
generally apply, the government
should not burden a person’s exercise
of religion unless it demonstrates a
burden that it is in the furthest of a
compelling government interest.

I cannot imagine—nobody has had to
do this ever before. Why would sud-
denly defining insurance policies be-

I am somewhat disappointed we now
find ourselves—that the lines seem to
have been drawn so sharply in a par-
tisan way on an issue that used to
enjoy such broad bipartisan support. It
is my hope our colleagues will recon-
der because it is not good for the
health care plan has to look like. But this allows people who have a faith-based first amendment right to object to that to have a way to do it.

One of the original conspilers of the bill; that is, the amendment we are debating today joined us and that is Senator AYOTTE from New Hampshire. She is an advocate of the first amendment, as a former attorney general. I am glad she is here.

Mr. AYOTTE, I thank the Senator. I appreciate the opportunity to be here to rise in support of the pending amendment that is based upon, as Senator BLUNT mentioned, a piece of legislation that was introduced on a bipartisan basis. In the year 2000, the Respect for Rights of Conscience Act, which I was proud to cosponsor.

During the past few weeks, we have heard certainly impassioned arguments from both sides of the aisle about this issue and over 200 years of American history. We have a choice between renewing our commitment to the principles upon which this Nation was founded.

This debate comes down to the legacy left behind by our Founding Fathers. It is about being responsible stewards of our legacy, as reflected in the first amendment to the Constitution, or allowing the Federal Government to interfere in religious life in an unprecedented way. We must do so again now or risk preserving our country's cherished freedoms. We must do so in the same manner as was mentioned a piece of legislation he was involved in the first time he was in the Senate. It protected the religious freedoms of people who were truly living in poverty, this exactly the same language, who might have some religious belief or moral conviction that meant they didn't want to get the vaccines we would require a visitor to have. In 1996 Senator Coaks put this in a law that virtually every Member of the Senate serving today, in both parties, voted for, as they have time after time when this issue was brought up. This language was understood to be an important defense of the first amendment in a health care piece of legislation.

I am glad Senator Coaks has joined us today. Whenever I researched this, I saw that he had used this very language 15 years ago in a piece of legislation. I know the Senator is an important advocate of religious freedom.

Mr. COATS, Mr. President, I thank the Senator from Missouri. I thank him also for his willingness to engage with this amendment, to put it in play here for us to debate and discuss. It is a fundamental principle of our Constitution that is at stake, and it deserves debate, and it deserves this body putting their yea or nay on the line relative to how we are going to go forward. I commend him for his leadership, and I am pleased to join him, as well as many others, in this colloquy.

This is an issue that is as old as this Nation. We are all blessed to live in this Nation and are blessed by the wisdom of our Founding Fathers, guaranteeing our rights to religious freedom they guaranteed in the Constitution was the right to religious freedom. Many of the earliest settlers came here because of that right and their desire to come to a country where their religious beliefs, tenets, and principles would be respected and honored, where they would not be dictated to by a government like they lived under before they came here, but it would be protected and preserved as a basic fundamental right. It is the foundational idea at the time. Yet, now for well more than 220 years or so, it has been maintained throughout the history of this country. It stands as a bulwark against government interference with personal beliefs and government trying to dictate how we exercise the religious freedoms we are all so privileged to have.

It has been said—and I want to repeat it—that the debate today is not about access to contraception. This is not about whether it is appropriate to use contraception. It is not about a woman's right to contraception. As a pro-life Christian and a Protestant, I am...
not against contraception, but I also believe it is a decision individuals must make in accordance with their own faith and beliefs, not a decision to be made by the Federal Government.

What this is about is whether Congress is going to make a decision, and idly allow this Administration to encroach on our freedom of religion—that core American principle—or whether we will stand and protect what our Founding Fathers put their lives on the line for and what millions of Americans today will or should. We cannot pick and choose when to adhere to the Constitution and when to cast it aside in order to achieve political prerogatives. We must consistently stand for our timeless constitutional principles. The debate that is taking place is a stand to protect an inalienable right, the right of conscience established in our Nation’s founding days and sustained for over 200 years.

I regret that this issue has been reframed as a political purpose into a woman’s right to choose, to deny women the opportunity to exercise their right to make a choice. That is not what this is about at all. Yet some have said it has been so successfully reframed that, politically, those who defend this as a matter of religious conscience and freedom are on the losing side of the political argument. Well, we may be or we may not be. I think it is up to this body to decide that with a thorough debate and vote that puts our years in the Senate down the line.

Nevertheless, whether it is a winner or a loser politically, it is irrelevant to the argument. It should be irrelevant to the debate because this clearly is a fundamental principle of religious freedom that needs to be protected regardless of the political consequences. So those of us standing up to debate this are setting aside any kind of political risks, any advice that basically says: You don’t want to touch this because it has been reframed, that, politically, those who defend this as a matter of religious conscience and freedom are on the losing side of the political argument. Well, we may be or we may not be. I think it is up to this body to decide that with a thorough debate and vote that puts our years in the Senate down the line.

Mr. President, I again thank Senator BLUNT and all those who are willing to address this issue and trust that our colleagues will see this as a fundamental breach of a constitutional provision provided to us by the people who sacrificed their lives to do so.

I yield the floor.

Mr. BLUNT. I thank the Senator.

Mr. President, I want to go next to my neighbor in the Congress, and now my neighbor in the Senate, and my neighbor in real life from northwest Arkansas. I am from southwest Missouri. I am glad Senator BOOZMAN came down to discuss this issue.

Mr. BOOZMAN. Mr. President, I thank the Senator from Missouri, and I appreciate his hard work and his leadership in bringing this amendment forward.

President Obama’s accommodation of religious liberty in his revised health care mandate covering contraceptives, sterilizations, and medicines causing abortion raises more questions than it answers. Perhaps the most troublesome part is that even with this revision, the President, mindful of his duty to acknowledge that the Constitution guarantees conscience protections. He instead tries to run around them. You don’t “accommodate” religious liberties, you respect them. That is why they are enshrined in the Constitution.

Those constitutional protections should prevent the President from trampling the conscience rights of Americans and religious institutions that hold a strong belief that contraceptives, sterilizations, and drugs causing abortion are wrong. Clearly, however, these constitutional protections are not enough. President Obama’s “accommodation” shows that he considers conscience rights to be an inconvenient annoyance to the America in his vision. That is why we need the Respect for Rights of Conscience Act. The Respect for Rights of Conscience Act—introduced by my colleague from Missouri, Senator Roy Blunt—sets the standard that we respect the constitutional protections that existed before President Obama’s health care law. These are the same protections—and I think this is important—that have existed for more than 220 years, since the first amendment was written.

The amendment of the Senator from Missouri has been offered to the surface transportation act, and we expect to vote on it as early as tomorrow. The amendment’s goal is commendable, and I look forward to supporting it. It is simply asking the President to respect the religious liberties of Americans.

Many longstanding Federal health care conscience laws protect conscientious objections to certain types of medical procedures. The amendment could have just as easily followed that course when he issued a mandate requiring almost all private health insurance policies—including those issued by religious institutions, such as hospitals, schools, and nonprofits—to cover sterilizations and contraceptives, including emergency contraceptives at no cost to policyholders, but he did not.

Now Congress must step up and protect the religious liberties of all Americans. We can do this by passing Senator BLUNT’s amendment. I certainly encourage all of my colleagues to take a close look at this—this is so important—and restore the conscience protections we have always stood for as a nation. I commend the Senator from Missouri and look forward to supporting his amendment.

Mr. BLUNT. I thank the Senator.

Mr. President, let me conclude in the next few minutes by first saying that a growing list of groups support this amendment: The Honors Society, Legal Defense Association, Family Research Council, Southern Baptist Convention, Americans United for Life, American Center for Law and Justice, Susan B. Anthony List, Becket Fund for Religious Liberty, U.S. Conference of Catholic Bishops, Focus on the Family, Christian Medical Association, National Right to Life, National Association of Evangelicals, Orthodox Union of America, Concerned Women for America, Eagle Forum, Religious Freedom Coalition, CatholicVote.org, American Family Association, Catholic Advocate, Traditional Values Coalition, Christus Medicus Foundation, Alliance Defense Fund, Christian Coalition, Advanced USA, American Association of Christian Schools, American Principles Project, Wallbuilders, Liberty Ring Liberty Consulting, Liberty Counsel Action, Free Congress Foundation, Council for Christian Colleges and Universities, Students for Life of America, Heritage Action, and there are others that are supporting this amendment.

We go back to 1965 and a Supreme Court case where the determination of how a conscientious objection would be defined was clearly established in ways that led to this religious belief and moral conviction becoming the standard. It is just amazing that when we came up with for this amendment, it has been the standard since that 1965 case. It said: These are the elements you have to have. You cannot suddenly decide you have a religious conviction. This is a conviction that has to be a provable part of who you are.

The Public Health Service Act in 1973, where Senator Church brought this language into the public health arena, is really the first major legislation after Medicare and the Medicaid discussion. There was also the Legal Services Corporation limitation, the foreign aid funding limitation, and the refusal to participate in executions or in prosecutions of capital crimes limitation. This language is about those things, and almost every Member of the current Senate, if they were there then, voted for these, and since, including the action Senator COATS talked about earlier. The Medicare and Medicaid Counseling and Re-Ferral Act, the Federal Employees Health Benefits Plan, contraceptive coverage for Federal employees in 1999, the DC contraceptive mandate in 2000, and the United States Leadership Against HIV/AIDS, and Malaria Act in 2003 all included this language. We had to get to the affordable health care act, which passed the Senate, and then suddenly it wasn’t possible to go through the final process of legislating here. There was no conference committee, nothing on the floor. My belief is that almost nobody who voted for that act originally thought that would be the final bill.

Frankly, I think that if we had ever had a more normal process, this normal element of protecting the first amendment would have been added, as it was every other time. This is about the first amendment. I understand the
The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Maryland.

Mr. CARDIN. Mr. President, I had the opportunity to listen to my colleague from Missouri as he talked about his amendment, and he mentioned in his efforts to protect the first amendment, and if that is what this amendment was about, he would have my support. But let me try to go over the amendment and put in context how it is drafted, because this amendment goes beyond that.

I would agree with my colleague that the genesis of this amendment was because of contraceptive services and the request from religious institutions not to have to provide coverage for those services. The amendment we have before us, however, would allow an employer—any employer—or any insurance company to deny essential medical services coverage based upon a religious or moral objection. So the concern is this amendment would allow any employer in this country to deny coverage of essential medical services in the plan that employer provides. And that could cover women's health care issues; it could cover mammogram, it could cover, you know, screenings, prenatal screenings, cervical cancer screenings. An employer could very well say, I am against the moral issue concerning providing that coverage.

I don't believe the historical interpretations my colleague went through apply to those types of circumstances. This amendment would go well beyond one particular service and would cover any medical service. In fact, it says if an employer or insurance plan had any religious or moral objection to a service it can choose to exclude that service from the essential benefit package or the preventive services provisions of the Affordable Care Act. Yes, it would affect women's health care. There is no question about that. It would also affect the health care of men and of children.

The Affordable Care Act guarantees that all plans offered in the individual small group market must cover a minimum set of essential health benefits, including maternity and newborn care; pediatric services, including oral and vision care; rehabilitative services and devices; and mental health and substance use disorder services, including behavioral health treatment.

Under the Blunt amendment, any employer could say, look, I don't want to cover rehabilitative services, for whatever reason—I have a moral objection to it—and they could exclude that service. Preventive care would be at risk, prenatal care would be at risk, life-saving immunization could be at risk, developmental screening, mental health assessments, and hearing and vision tests. Any employer could make it a judgment not to cover any one of those services. Any insurance company could, based upon a “moral objection.” That is a very broad standard. That is why pediatricians and advocates for children across the Nation oppose it. The American Academy of Pediatrics, the American Congress of Obstetricians oppose it, the Association of Maternal and Child Health Programs, the Children's Dental Health Program, Easter Seals, Genetic Alliance, the March of Dimes, and the National Association of Pediatric Nurse Practitioners oppose it. These are not political groups, these are health care groups. They know this amendment is not about religious freedom, it is not about your ability to make it about something else.

As Senator COATS said, it was the first thing in the first amendment. It was exact in its duplication in 1994 in the great health care effort made then, whether it was the protection of religious freedom or the Patients’ Bill of Rights or the effort First Lady Clinton worked hard to do. This wasn't even really a debatable Item then because everybody understood this was a necessary part of protecting the first amendment to the Constitution.

Again, I would say if these two or three things are that most objectionable to the Catholic community right now—and many of the people who are opposed to this amendment believe because they wonder what they could be opposed to that the government would decide they had to participate in, they had to be a provider of, they had to pay the bill for. I would ask my colleagues to think of something in their religious view that they would not want to be forced by the government to be part of, and let's give all Americans that same capacity who have these strongly held religious beliefs.

I would encourage my colleagues to support the first amendment. I am grateful for those groups around the country that have rallied around the first amendment. Freedom of religion defines who we are and has defined who we are. It is the capacity who have these strongly held religious views.

I would encourage my colleagues to support the first amendment. I am grateful for those groups around the country that have rallied around the first amendment. Freedom of religion defines who we are and has defined who we are. It is the capacity who have these strongly held religious views.

Mr. President, I think we have used the hour we had, but this debate will go on. There will be a vote tomorrow, but this debate will go on until this important freedom is soundly protected in health care, in hiring, in all of the elements that create that faith distinctive in our individuals and institutions that make us uniquely who we are. I yield the floor.
of your children, to have the screenings for early detection of cancer or to have treatment for serious diseases. All that could be put at risk. The Affordable Care Act views health care as a right, not a privilege, and it expands the freedoms available to American workers and their families rather than limits them. I understand the intentions may be very pure. And if we want to have a resolution saying we support the first amendment, you will have all of us in agreement on that. But when you say you are using that to remove from the Affordable Care Act the essential health coverage for services that I think all of us agree should be available to every person in this country, to make a decision whether he or she wants that health care, then this amendment could be used to deny them that ability to get that health care. Whether it is women’s health care issues like the genesis of this amendment originally, in the debate we had a couple of weeks ago, or whether it is the care of our children or the care of each American, this amendment puts that at risk by allowing an individual employer or insurance company to make a decision to eliminate essential health service coverage. I don’t believe we want to do that, and I urge my colleagues to reject the Blunt amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Assistant Legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Mr. President, I rise today to talk about the attack on women’s health care that has been taking place so fast and furious. There has been a heated debate in Washington about access to contraception for all women, regardless of her employer. There is a fundamental question here: Do women get control over their health care or do a small handful of people—the presidents of companies and the presidents of insurance companies—get to choose for a woman whether she has access to birth control?

First, I think it is important to note that 98 of our women have relied on contraception at some point in their lives. The nonpartisan scientists and experts at the Institute of Medicine who first recommended covering contraception without a copay did so because they are tremendous public benefits that come from use. But now some in this Chamber are holding up this transportation bill, a bill that would create more than 1 million jobs across the country and 7,000 jobs in Oregon alone, apparently, it is a higher priority to take away women’s health choices, to come between a woman and her doctor.

How is this relevant to a transportation bill? The answer: It is not. But regardless, we are going to vote on an amendment to this bill that would allow those CEOs of companies and insurance companies the right to refuse to provide certain services or to especially, but of any health care service they consider in violation of their personal convictions. So the personal convictions of one will be imposed on the dozens or hundreds of thousands of employees of that company. That is an incredible philosophy.

I wish one of my Republican colleagues was on the floor to have a little conversation about it, because I would simply ask the question: Please explain why you think that the CEO of a company should get to come between a woman and her doctor and choose what health care she has access to.

We talk a lot about big government. Well, this is big government, giving power to an individual who runs a company, making choices for dozens or hundreds or thousands of their employees. Not only are we talking about contraception but any health care service at all. A company CEO could deny access to HIV or AIDS treatment, to mammograms, to cancer screenings, to maternity care, to blood transfusions. The list goes on and on.

The Blunt amendment would allow an employer who objected to premarital sex to deny an unmarried pregnant woman maternity care. Is that right, that an employer should make that decision for a woman’s health care or do a small handful of people—get to choose for a woman whether she has access to birth control or not? And the leader of a company should make that decision for Americans, coming between them and their doctors? The Blunt amendment would deny all health coverage if a CEO believes that physical health problems are simply due to physical health problems. That is the imposition of one’s religion on those who work for you, making it their religious requirement. That is not the way the Constitution is designed. The Constitution is designed to allow us to all follow our own course, not to impose our course on everyone else through an employment relationship.

The Blunt amendment would allow a CEO to say we are not going to cover birth control. They say that contraception doesn’t cost that much; that, in the words of one Republican House Member, there is not one person who has not ever been able to afford contraception because of the cost. Well, tell these women between age 18 and age 34 who actually know what contraception costs. More than half of women struggle to afford it at some point. Tell that to a young couple struggling to figure out how they can afford to buy their birth control and put food on the table for their children. Tell that to a college student deciding whether to buy textbooks or fill her prescription. The costs of contraception are expensive without insurance. Based on information compiled by the Center for American Progress, the cost to an average woman using birth control pills continuously between age 18 and menopause would be more than $66,000 over the course of her lifetime if she had to pay out of pocket.

I think this point bears reinforcement, because I would never have imagined that we would be this far into birth control. I think the House Member I was quoting probably had no idea of what contraception costs, $66,000 for a woman between the age of 18 and menopause. Where I come from, that is a lot of money. A lot of money. That is 5.5 years of groceries for a family of four. That is putting two kids through the University of Oregon with 4-year degrees, not including the cost of room and board. That is a down payment on a nice family home. In fact, where I come from, that is a third of the price of a nice family home. I think a lot of families would wish they had extra cash in their pockets right now. And I certainly have heard from many women in Oregon who are extremely concerned about the impact this amendment would have on their pocketbooks and on their health.

Theresa from Washington County writes to me:

As one of your constituents, and a practicing Catholic woman on birth control, I am urging you to please back up the President on the most recent contraception coverage for all of their employees...
There are many, many reasons women use the pill in addition to preventing pregnancy. I have issues with pre-menopause. There are lots of women I know who have heavy periods, endometriosis, fibroid problems . . . the list goes on. And to not treat these ailments because the treatment also prevents pregnancy is to allow women to suffer.

Bridget from Multnomah County writes:

This amendment does not protect religious freedom. Rather, it empowers insurance companies and businesses to impose their religious beliefs on their employees. The amendment is so wrong on health care and it was about family planning, without politicians interfering.

It is incredibly, vitally important to me that you do not support this amendment. I happen to be Catholic college and cannot imagine what I would have done had I found out that my health insurance did not cover birth control. ... This would be a disastrous decision.

It is not Congress’s job, it is not an employer’s job, to impose our beliefs on others. Let’s set women and families make their own health care decisions without the heavy hand of government intrusion being provided from my colleagues across the aisle. Let’s put government between women and their doctors or between men and their doctors or between families and their doctors.

I am committed to fighting for women’s health and will do whatever I can to defeat this amendment—this amendment, which is so wrong on health care and so wrong on imposing religious views of one or personal convictions of one on the many.

Mrs. SHAHEEN. Mr. President, I am pleased to join Senator MERKLEY, the Presiding Officer, and the others of my colleagues who will come to the floor this afternoon to speak out against the Blunt amendment.

Over the past year, we have come to the floor many times to speak out against the attacks on women’s health. Since this Congress began, we have seen assaults on Planned Parenthood, on Federal funding for family planning and on contraception. But now we are facing the Blunt amendment which is even more extreme and far reaching than we have seen in all those other attempts to politicize women’s health.

This proposal would affect health care not just for women but for all Americans. It will affect the care of our children, of our husbands, and our wives. In short, the Blunt amendment would let your boss make your health care decisions instead of you and your doctor. The amendment would empower corporations or any other employer to deny virtually any preventive or essential health service to any American, any religious or moral objection. I would point out that in the bill, religious and moral objections are not defined. So it can be whatever anybody interprets it to mean.

Under the amendment, an employer could claim a moral or religious basis in order to deny things such as coverage for HIV/AIDS screenings or counseling, prenatal care for single mothers, immunizations for children, or even screenings for diabetes if the employer claims a moral objection to a perceived unhealthy lifestyle.

While this amendment could affect men, women, and children, it is so wrong: at the most fundamental level, this debate is about a woman’s access to contraception. Supporters of the amendment want to turn back the clock on women’s health. They want to deny women access to preventive health services.

Birth control is something most women use sometime in their lifetime, and it is something that the medical community believes is essential to the health of a woman and her family. I would point out the decision that the Blunt amendment claims to be addressing is one that was made not for political reasons but for medical reasons by the Institute of Medicine, and it was made because it is important to women’s health. It prevents unintended pregnancies. The United States has the highest rate of unintended pregnancy in the world. Approximately one-half of all pregnancies here in America are unintended. Contraception can help women and families address this.

Access to birth control is directly linked to declines in maternal and infant mortality. In fact, the National Commission to Prevent Infant Mortality has estimated that 10 percent of infant deaths could be prevented if all pregnancies were planned.

For some 1.5 million women, birth control pills are not used for contraceptive reasons. As the Presiding Officer pointed out in that poignant letter from your constituents who pointed out all of the reasons that women could take contraceptives, it could reduce the risk of some cancers, and it is linked to overall good health outcomes.

As Governor of New Hampshire, I was proud to sign a law back in 1999 that requires health care plans to cover contraception. At that time, we heard little or nothing from our legislators, virtually no concerns about religious exemptions to the law. The bill in New Hampshire back in 1999 passed the Republican-led State legislature with overwhelming bipartisan support. In fact, in the House, almost all the Republicans voted for the bill as Democrats. I think that was because it was understood by people on both sides of the aisle of all religious faiths that requiring contraceptive coverage was about women’s health, and it was about basic health care.

For 12 years, that law in New Hampshire has been in place with little opposition because it has worked. And it is particularly unfortunate, as we are having this debate about women’s health, thinking about what happened back in New Hampshire, to see this debate become so politicized. It is not right. It is not what is the best interest of women’s health, and I urge my colleagues to oppose the Blunt amendment.

The decision about a woman’s health care should be between her, her doctor, her family, and her faith. Let’s not turn back the clock on women’s access to health care.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from California.

Mrs. BOXER. Mr. President, do we have a specific order here for speaking? The PRESIDING OFFICER. The Democrats currently have 30 minutes of time.

Mrs. BOXER. Mr. President, I am on this floor here today, as I was earlier, to talk about the dangers of this Blunt amendment.

Senator BLUNT says it has nothing to do with providing health care to women; it has nothing to do with that. It is just about freedom of religion, he says. Well, as many people say, when someone comes up to you and says it is not about the money, it is about the money. And when someone says it is not about access to women’s health, it is about religious freedom, it is about access to women’s health. Why do I say that? Because that is what this debate is all about. And we see it all over the country with rightwing Republicans trying to take away women’s health care. Why are they trying to do this? You would have to ask them. But we are here to say no.

The thing about the Blunt amendment is, it would not only say that any insurer or any employer for any reason could stop women from getting access to contraception; it could also stop all of our families from getting access to essential health care services and preventive health care services.

Why do I say that? Let’s take a look at the Blunt amendment. Enough of this chatter. Let’s take a look at it. Here is what it says: A health care plan shall not be considered to have failed to provide the essential health care benefits package described in our law or preventive health care services described in our law if the insurer or any employer for any reason could stop women from getting access to contraception; it could also stop all of our families from getting access to essential health care services and preventive health care services.

So say someone has a moral objection to someone who has smoked, and the person wants to give up smoking and they want to get a smoking cessation program as part of their insurance. That is your fault, you are not getting it; or someone may have diabetes and the employer or the insurer says, You know what? That was your problem. You ate too much sugar as a kid. Too bad. That is what the Blunt amendment does and that is a fact. Here it is. I placed it here here because this is the amendment. That is what it says.
I wish to show a list of preventive services and essential health care services that the Blunt amendment threatens. Remember, the Blunt amendment says there is a new clause that now says any insurer or any employer can deny any one of these benefits: emergency health services, hospitalization for pregnancy and newborn care, mental health treatment, pediatric services, rehabilitative services—that is just some.

Here is the list of the preventive health care benefits that any insurer or any employer could deny: breast cancer screenings, cervical cancer, hepatitis A and B vaccines, yes—contraception, HIV screening, autism screening, hearing screening for newborns.

This is the list. Why do I show this list? Particularly because I know the Senator served on the HELP Committee and helped put this together. This is the list of services that was put together by the expert physicians in the Institute of Medicine, this list, preventive health care, and this list, essential health benefits.

I was stunned to come on the floor and hear Senator AvOTOE invoke the name of our dear colleague and our dearly missed colleague, Ted Kennedy. She tried to imply that he would support the Blunt amendment.

She is not the first Republican to do it. I am calling on my Republican friends to stop right now because there are several reasons why they are wrong to do that. First of all, Ted Kennedy, in one of his last acts, voted for the health care bill. He voted for the health care bill that came out of the HELP Committee. He helped to write the preventive section. He helped to write the essential health benefits section. He would never ever—as his son has said—support the Blunt amendment that would say to every employer in this country if they don’t feel like offering any of these, they don’t have to.

He fought hard for these. He wouldn’t give an exception to an insurance company or a nonreligious employer, never.

How else do I know that to be the case? I ask unanimous consent to have printed in the RECORD a list of bills that Senator Kennedy cosponsored.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

S. 21, Prevention First Act (110th Congress).
S. 21, Prevention First Act (111th Congress).

Mrs. BOXER. What are these bills? These are bills that called for equity for women to get contraceptive coverage. If they were given other coverage, they had the right to get contraceptive coverage. Ted Kennedy was a leader. He is a cosponsor on all these bills. Do you know for how many years? Thirteen years. For thirteen years, Ted Kennedy fought for women to get access to contraceptive coverage in their insurance.

I say to my Republican friends, don’t come to the floor and invoke the name of our dear colleague. I was so proud that the first thing I did when I came to the Senate was I would help him work on a bill to protect people who were going to clinics, women’s clinics, who were being harassed at the clinic door. You know what. I worked for it. I helped him on the floor. And I was so proud we won that. Now there is a safety zone for women when they go to a clinic for their health care, their reproductive health care. That was Ted Kennedy.

Yes, Ted Kennedy supported a conscience clause, no, all do, and President Obama has taken care of that. He has stated clearly in his compromise that if you are a religious institution, you do not have to offer birth control coverage. If you are a religious affiliated institution, you don’t have to cover it directly but you do indirectly. That was a Solomon-like decision by our President. But that is not enough for my Republican colleagues. They have to fight against it everything.

I ask unanimous consent also to have printed in the RECORD the letter Patrick Kennedy wrote to Senator Brown.

There being no objection, the materials were also ordered to be printed in the RECORD, as follows:

Hon. Scott Brown, Suite 100, 337 Summer Street, Boston, Massachusetts.

Dear Senator Brown: In your current radio ad and in many news reports, I hear you claim that I have joined you in supporting an extreme proposal now before the U.S. Senate that threatens health care coverage for women and everyone. Your claims are misinformed.

Providing health care to every American was the work of my father’s life. The Blunt Amendment you are supporting is an attack on that cause.

My father believed that health care providers should be allowed a conscience exception from performing any service that conflicted with their faith. That’s what was in his 1995 law and what he referred to the Pope. That is completely different than the broad language of the Blunt Amendment that would allow religious or even an insurance company, to use vague moral objections as an excuse to refuse to provide health care coverage. His work never would have supported this extreme legislation.

You are entitled to your own opinions, of course, but I ask that, moving forward, you do not misrepresent my father’s positions with your own. I appreciate the past respect you have expressed for his legacy, but misrepresenting his positions is no way to honor his life’s work.

I respectfully request that you immediately stop broadcast of this radio ad and from citing my father any further.

Sincerely,

Patrick J. Kennedy.

Mrs. BOXER. In that letter, he said, “You are entitled to your own opinions but I ask that, moving forward, you do not misrepresent my father’s positions with your own.”

He said: “I appreciate the past respect you have expressed for his legacy, but misrepresenting his positions is no way to honor his life’s work.”

I ask my colleagues in this debate, come and state their own views, but don’t misstate the views of a dear departed colleague who for 13 years supported a woman’s right to have access to contraception.

I think people watching this today have to be a bit confused because when they look up at the screen it says we are on a transportation bill. Indeed we are. Indeed we have not voted for almost 3 weeks now. I say to my colleagues who know the importance of this bill: Please, let us get to it. Let us get to the heart of the matter. We have a huge unemployment rate among veterans. We can save 1.8 million jobs, construction workers could fill 15 Super Bowl stadiums. That is how many are unemployed. We need to get to this bill.

It is important to our businesses. It is important to our workers. It is important to our communities. It is important for our safety. It is important to fix the bridges and the highways. It is important to carry out the vision of Ronald Reagan, President Eisenhower, who said it was key that we be able to move people and goods through our great Nation.

When Olympia Snowe, our very respected colleague from Maine, told us yesterday she will not seek reelection, she said it was because there is so much polarization here. I said this morning, this bill is exhibit 1. Here we have an underlying bill that came out of four committees in a bipartisan way. It means we can save 1.8 million jobs, create up to 1 million new jobs, and guess what. The first amendment is birth control, women’s health, an attack on women’s health. We have to come to the floor and stand on our feet and fight back.

You know what. I am proud to do it. I am proud of the men and women who have stood on this floor and have come to press conferences and been on conference calls fighting for women’s rights. But this issue was decided a long time ago. We know access to contraception is critical for people. A full 15 percent of women who use it use it to fight debilitating monthly pain or to manage tumors do not grow any larger or for severe skin conditions, and the rest use it to plan their families.

When families are planned do you know what happens? The babies are born healthy. The babies are healthy. Abortions go down in number. It is a win-win. We all know that and I always thought we could reach across the aisle and work together to make sure there was family planning. But today just prove the opposite, our colleagues on the other side, the Republicans, are bound and determined to go after women’s health.
I stand opposing the Blunt amendment, thanking my colleagues for their eloquence, and hoping we can dispose of it, defeat it, and get back to our Transportation bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to oppose the Blunt amendment which simply goes way too far. The President has struck the right balance in his decision to address religious institutions’ concerns when it comes to providing women’s health services, but this amendment gives all employers shockingly broad discretion to make moral decisions for their employees, fundamental decisions about some of the most personal issues an individual faces—the health care needs of themselves and their families, a woman’s decision about contraception and family planning, decisions about whether their loved ones will be treated for a deadly disease, decisions regarding the use of prescription drugs, decisions on who to treat and how to treat them—based entirely on an employer’s moral views, not an individual’s moral beliefs.

The bottom line is health services should not be provided at the moral discretion of an employer but on the medical determination of the employee and their doctor. According to the Department of Health and Human Services, employers offer health plans to over 500,000 children, over 600,000 women and over 600,000 men benefit from the expanded preventive service coverage from their private insurers that we created under the law: screenings for colon cancer, mammograms for women, well child visits, flu shots, a host of other routine procedures. All these could be taken away under this proposed amendment should their employer determine it is against their personal beliefs or convictions.

Every day, millions of Americans who are worried about a health condition go to see their doctor. Millions of women go for necessary screening and access to legal medical procedures. Their doctor evaluates their condition and recommends a course of treatment and that can range from simple preventive measures, such as exercise and diet, to a prescription drug regimen, to major surgery. The last thing a woman or her child should have to concern themselves with is whether their employer will deem their medical treatment to be immoral based on their employer’s personal beliefs, regardless of their own beliefs or needs. The last thing they need is to be denied coverage for an employer who considers it wrong.

Under the language of this amendment, that is exactly what would happen. It would allow employers simply to deny coverage based on a particular religious doctrine or moral belief, regardless of the science, medical evidence or the legality of the prescribed treatment. Put simply, we expect our health insurers, no matter where we work, no matter what our faith, to cover necessary and necessary medical procedures recommended by our doctor and then we as individuals should have the right to decide which of those benefits we use based on our own personal beliefs, our medical diagnosis, and our treatment options. Just because an employer or he or she who holds one belief doesn’t mean someone else will do the same. That is what freedom is all about.

The arbitrary denial of coverage based on anything other than good science and rational medical therapy was the driving force behind the need for health care reforms that ensured that if one paid their premiums, they would be covered, freeing families from having to choose between putting food on the table or paying for the treatment that they need, using their savings to pay for medical treatment because an insurer, based on their own rules, refused to cover them.

With this amendment, we are turning back the clock and allowing the arbitrary denial of health care treatment based on someone else’s sense of morality. That is not what America is about. It is not what freedom of religion is about.

In a system predicated on employer-based health insurance coverage, in which one could, for example, benefit from wage increases in exchange for coverage, it is vitally important to ensure families can count on their coverage to provide the treatments and benefits they need. We can continue doing so, as we have for many years, while respecting people’s personal moral beliefs.

Supporters of this amendment claim it is about protecting religious freedom. They are wrong.

Supporters of this legislation and recent regulations guaranteeing a woman’s access to preventive health care services is a governmental overreach. They are wrong.

What supporters of this amendment are actually trying to accomplish has nothing to do with either of those issues. It has to do with trying to dismantle health care reform to score cheap political points and throw America’s mothers, daughters, and sisters under the bus in the process.

This amendment is not about religious freedom. The President rightly addressed that concern with a recent compromise he announced for religious institutions. No, it is about allowing morality-based medicine to deny coverage for neonatal care for unwed women, to deny access to life-saving vaccines for children, to refuse to cover medications for HIV and other sexually transmitted diseases or even deny coverage for diabetes or hypertension because of an unhealthy lifestyle. The scope of this amendment is unlimited.

If it were truly about religious freedom or about contraceptives, then why have so many nationally respected organizations that have nothing to do with birth control, reproductive issues or religion, such as the Easter Seals, the March of Dimes, the Spina Bifida Association, come out in such strong opposition? The answer is simple, because this amendment isn’t about birth control and it isn’t about religious freedom. The amendment is about fundamentally undermining our system of patient protections, especially for women, and leads us back to a time when insurance companies and employers could play life-or-death games with insurance coverage. Supporters of this amendment will stop at nothing to undermine the progress made thanks to health care reform, progress that says insurance companies can no longer deny coverage because of a preexisting condition, can no longer impose arbitrary caps on the coverage you can receive or cancel a policy because of a diagnosis they deem too expensive to cover. In my view, it is a governmental overreach. They are wrong.

I urge my colleagues to oppose it and preserve the progress we made in turning to level the playing field for workers and patients in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to thank the distinguished Senator from New Jersey for his remarks, and most particularly for the remarks of my good friend and colleague from California. She has fought this fight along with the dean of our women, Senator MIKULSKI, year after year and time after time.

Before I speak about the Blunt amendment, I wanted to express that the retirement or announced perspective retirement of Senator OLYMPIA SNOWE is, for me, a heartbeat. I have regarded her as one of the most impressive Senators in our body. She still has many good years ahead of her. I have had the pleasure of working with her on a number of bills. Most importantly, we did really the only fuel economy improvement that had been done in 20 years in the 10-over-10 bill. What is interesting about it is it was a bipartisan bill and it got passed thanks to Senator Ted Stevens who was Vice-Chairman of the Commerce Committee at the time and it was put in his bill. So it’s really quite wonderful to see that happen.

This is my 20th year here, along with my friend and colleague Senator
Boxer, and over the last 10 years what I have seen is more and more attacks on women and women's health, stemming largely from the abortion debate, but not only that. We have fought—and Senator Mikulski has led the way—her equal pay, we have fought against discrimination, attacks on Title X Family Planning grants, attempts to defund Planned Parenthood, and attempts to limit access to preventive health care such as contraception. These attacks to limit a woman's right to make her own reproductive health care choices have now escalated to an unprecedented level. I am not going to go into the specifics of some of them, but trust me, I never thought I would see people in public office put forward some of the bills out there. I believe strongly that all women should have access to comprehensive reproductive care, and should be able to decide for themselves how to use that care regardless of where they work or what insurance they have.

The other side of the aisle has tried to take away access not only to contraception but also primary and preventive screenings for low-income women that are provided by the Title X Family Planning program and by Planned Parenthood. Title X programs serve over 5 million Americans nationwide. Planned Parenthood almost 3 million. They are not minor, they are major, and for many individuals it is their only source of care. And now here we are doing women's rights but the rights of all Americans to have access to essential and preventive health care benefits.

I strongly oppose this latest attack in the form of the Blunt amendment, and I join my colleagues on the floor to speak about the harm that this amendment will do. I think it was stated by Senator Menendez that the amendment is vague, but its vagueness is its strength because it becomes a predicate for any provider, employer, or insurer to decline to provide to cover a myriad of health care benefits simply on the basis of religious beliefs or moral conviction. There is no statement in the legislation as to what the religious belief or moral conviction has to be, when it begins, or when it ends. It is an excuse as to why they do not want to do something. It is signed Patrick Kennedy, and I am sad that I have to come to the floor today with sadness in my heart. I come because over the weekend one of our Maryland National Guards was killed in Afghanistan, and he was one of two working in a building in which he was attacked by someone he trusted at the Interior Service, and it appears that he was assassinated. I talked to his widow. We are sad. We are sad that somebody who went to defend freedom was killed in such a terrible way.

I am sad because last night I spoke to a dear friend of mine whose husband is very ill from the ravages of brain cancer, and we remembered so many good times we had together, but those good times don't seem possible in the future. I want so much for her to be with her husband and not think about the consequences of costs and so on.

Last night we learned that our very dear friend and colleague, Senator Olympia Snowe, is going to retire not because she is tired but because she is sick and tired of the partisanship. Senator Snowe is not tired. She is sick and tired of the partisanship. And you know what. So am I.

I am sad that I have to come to the floor to debate an amendment that has no relevance to the highway bill. And I am sad because we are so tied up in partisan politics and scoring political points that we don't look at how we treat our troops in Afghanistan. How can we make sure we have a budget that can fund the cure for cancer and at the same time make sure any
family hit by that dreaded C word doesn’t go bankrupt during care? I am devastated that a dear friend and extraordinary public servant is so fed up with how toxic we have become that she chooses not to run for office again and I am sad about this, but I also am frustrated about this. So I want to talk about this Blunt amendment because we have heard nothing but mythology, smoke-screen, and politics masquerading as morality all over this place.

Let me tell you what the Blunt amendment is not. It is not about religious organizations providing health care and the government saying what the benefits should be. It is not about affiliated religious organizations and the government saying what the service is to be. This amendment is about nonreligious insurance companies and nonreligious employers. It is about secular insurance companies and it is about secular employers. The Blunt amendment allows that any—any—health insurer or employer can deny coverage for any health service they choose based on something called religious beliefs and moral convictions.

Now there is a body of knowledge that defines religious beliefs, but what is a moral conviction? That is not doctrine. That is a person’s personal opinion. A moral conviction, no matter how heartfelt, no matter how sincere, no matter how based upon religious principles, is still a person’s personal opinion. So we are going to allow the personal opinions of insurance companies and the personal opinions of employers to determine what health care a person gets. What happened to doctors? What happened to the definition of essential health care? So this is not about religious freedom; this is not about religious liberty because it is not even about religious institutions. So let’s get real clear on this Blunt amendment.

This amendment is politics masquerading as morality. Make no mistake. The politics is rooted in wanting to derail and dismember the Affordable Care Act and our preventive health care amendment.

So what the Blunt amendment does, as I said, is allow any insurer or any employer to deny coverage based on religious beliefs or moral convictions. Well, let me tell you why I am fed up with this: Let’s look at examples. If an employer has a conviction, a personal opinion, against smoking, they can refuse to cover treatment for lung cancer or emphysema. If an employer has a personal opinion that they call a moral conviction that doesn’t override their ethical code of drinking alcohol, they can refuse to cover any program for alcohol treatment or substance abuse.

Let’s say there is an employer who does not believe in divorce and they say: I will not cover health care for a woman who is divorced because I have a moral conviction against that. Suppose a person says—there are some schools of thought that say: I have a moral conviction that a woman can only see a woman doctor, and I will not cover anything where she is seen by a male physician. Where are we heading? These are not ridiculous examples. It puts the personal opinion of employers and insurers over the practice of medicine.

This is outrageous. This is vague. It is going to end up with all kinds of lawsuits—let’s speak about lawsuits. While some have been pounding their chests talking and gaming and gaming the Constitution, what is also in the Blunt amendment is this whole idea that gives employers access to Federal courts if they believe they can’t exercise the amendment. This is a new lawyers full employment bill.

I am shocked because the other party is always trashing lawyers. They are always trashing the trial lawyers associations. Now they have created a whole new right—or an opportunity—about suits of the employers. It is about insurers masquerading as morality. Make no mistake. The politics is rooted in wanting to cover any program for alcohol treatment or substance abuse.

Coverage for any health service they choose based on something called religious beliefs and moral convictions. This is the fifth anniversary of a little boy in Prince George’s County who died because he could not have access to dental care. His infection was so bad, so severe, and there was nobody to see him. His mother was too poor to be able to pay for it. That little boy, in the shadow of the Capitol of the United States, died.

Now, that is why we work for the Affordable Care Act and our preventive health care amendment.

This is the fifth anniversary of a little boy in Prince George’s County who died because he could not have access to dental care. His infection was so bad, so severe, and there was nobody to see him. His mother was too poor to be able to pay for it. That little boy, in the shadow of the Capitol of the United States, died.

Then, during my hearing, I heard a
Ordinarily I would call this amendment folly, but this is a masquerade. I think it is just one more excuse to opt out of the Affordable Care Act. It is one more excuse to opt out of ObamaCare. They want to opt out, but I think it is a cop-out, and we have to stop them. I think it is that this is about morality or the first amendment or someone's religious beliefs.

So I hope we defeat this Blunt amendment. Most of all, I wish we could get back to talking about the serious issues affecting the American people. I am going to bring those troops home. I want to find that cure for cancer and help come up with a new day in health care that could get back to talking about the serious issues affecting the American people. I am going to bring those troops home. I want to find that cure for cancer and help come up with a new day in health care.

Access to contraception, by the way, was put on the list not by politicians but by the Institute of Medicine because it is known that if the individual chooses that route to plan their families, that it will help reduce abortions and it means we will have healthier families, healthier babies. And many people take the birth control pill as medicine to prevent debilitating monthly pain. It is prescribed for skin diseases. It is prescribed to make sure cysts on ovaries do not keep growing and growing and possibly lose an ovary.

But what has happened—and I guess I want to ask my friend one question because I think that this Blunt amendment would say that anybody, for any reason, any day, could cancel out that whole list of preventive and essential health care services that she fought so hard for.

So when they say this is about religious freedom, no, no, no; that has been taken care of by our President. In terms of any provider that is religious or spiritually affiliated, they do not have to provide contraception directly. Even Catholic Charities' response was "We are hopeful that this is a step in the right direction . . . " , the Catholic Health Association supports the compromise, and so on. So I want to ask my friend, is she aware that when Congressman Issa held a hearing on women's health care, there was not one woman on the panel, on that first panel? Did she see those photos of that panel that was called to speak on women's health?

Ms. MIKULSKI. Oh, I sure did, and it was deja vu all over again, I say to my colleague from California, because it was like the Anita Hill hearings. The Senator remembers what happened there.

Mrs. BOXER. Yes, I do.

Ms. MIKULSKI. During that time, there was not one woman on the Judiciary Committee.

Mrs. BOXER. Absolutely.

Ms. MIKULSKI. This is not new. The discrimination against women has been around a long time. I consider discrimination against women one of the great social justice issues, whether you are a secular humanist or you have core beliefs in an organized religion.

Mrs. BOXER. Well, I found that picture appalling, but I want to reiterate what we have been saying here: There is a systematic war against women. We do not get equal pay for equal work. We are often devalued in the workplace. We worry more about parking lot slots for women than the slots for our children. Then, when it comes to health care, what was so great about the preventive amendment was, first of all, we talked not only about family planning, where women could have the children they knew they could care for, but we talked about prenatal care. We talked about making sure our children had the opportunity for viability and survival at birth.

So, yes, it was both a picture of us not being included, but it shows we need to be able to fight to be heard. The issue is, women's voices are not being heard, and I say by the voices of women are being heard and the voices of good men who support us. I am telling you—not you, Senator BOXER, but I am saying out loud—if this Blunt amendment passes, I believe the voices of women will be heard. They will be heard on the Internet. They will be heard in streets and communities. Most of all, they will be heard in the voting booth.

Mrs. BOXER. Madam President, I just want to thank that wonderful member of the HELP Committee that had no women on a panel talking about women's health. I wish we have that photo, Cerin? Do we have the photo of the five men testifying about women's health, talking about women's access to contraception, talking about birth control? Not one of those men was a woman, and they paved the way for my good friend to bring her fabulous background and expertise to the table.

But when Congressman Issa, the chairman of the committee that had no women on a panel talking about women's health—imagine, no women. Do we have that photo, Cerin? Do we have the photo of the five men testifying about women's health, talking about women's access to contraception, talking about birth control? Not one of those men was a woman, and they paved the way for our Madam President to bring her fabulous background and expertise to the table.

Now, I just want to say to my colleagues, we are on a highway bill. We have to be kidding that we have now wasted 3 weeks because we are so consumed with attacking women's health. Get over it. We are not going to go back on the efforts of women of this country will not allow it.

Look what happened in Virginia. They had a plan. They were going to...
mandate an invasive procedure, a humiliating procedure, a medically unnecessary procedure to women. In Virginia the women said: What? And the Governor said: Whoops, I have some ambitions to do more than this. I better change.

I just want to say to my colleagues: Vote this down. Table this amendment. This Blunt amendment. This is not going to get us anywhere. What does it do to create one job—except new jobs for a railroad that sets up a whole new right of action. I am sure the trial lawyers are going to love the Republicans for this bill. It sets up a whole new right of action because somebody is going to say: I have a moral objection against giving cancer treatment to a child because I think prayer is the answer. Somebody will sue, and that employer will sue, and they will sue and there will be money, money, money going to lawyers. Great. What did that do to help one child? What did that do to make anyone feel better? What did that do to create one job?

I know the leaders on both sides are trying to figure out a pathway forward on this highway bill. I am just saying, we have to create jobs. Nobody wants to talk to the Presiding Officer sitting in the chair, who was a proud member of the Environment and Public Works Committee—and I hated to lose her, but everybody wanted her on their committee. Don't hurt her—she knows how it is. She lives in a State where a bridge collapsed. She fought hard to get that bridge rebuilt in record time. She knows how important it is to protect people by making sure our bridges are safe. That we have safe roads to schools, that we have good transit alternatives, that we fix our roads and our highways.

Madam President, 70,000 of our bridges are deficient, 50 percent of our roads are not up to standard, and we are voting on birth control? Come on. What is next? Egypt? They have a whole list of things that have nothing to do with the highway bill. Bring it on. Let the people see who is stopping progress, who is stopping this bill because at the end of March do you know what happens. We run out on the authorization of the highway bill. We run out on the authorization of the Transportation bill. We run out, and we lose 130,000 jobs right then and there. Instead, the can get this bill done. It is horrifically bipartisan. It came out of the committee 18 to 0. It came out of other committees with a bipartisan vote. We can get on with it, protect 1.6 million jobs, and create up to another 1 million jobs. Madam President, 2.8 million jobs are at stake, and we are debating birth control.

I think this is resonating in the country. All of a sudden, people wake up and they say: What are they doing there? What is happening there? When they see this, it is going to be very clear we have a bill that has been stuck on the floor for 3 weeks because the Republicans are demanding votes on matters that have nothing to do with the highway bill. The first one is on birth control. They are talking about something on Egypt. They are talking about something on—who, this is a good one—repealing an environmental law that is going to keep us from coming out of the air. They want to repeal that law. Great. That is great. That will really do something to make us safe.

So I am ready for these amendments. Come on to the floor. Give us a time for amendments. Let's get this out and then allow the germane amendments to be offered.

The last comment I will close with is because it is haunting me: The picture of 15 football stadiums, with every seat filled, would equal the number of unemployed construction workers we have out there today. Well over 1 million suffering because they cannot find construction work.

So I can only say, it is time to get this birth control amendment behind us. Let's beat it. Let's beat the Blunt amendment. It is a disaster. It is dangerous. It is hurtful. It is irrelevant to this bill, and it is dangerous for the country. Stop invoking the name of a woman that is part of my family. Respect his memory. Let's get this vote over with. Let's go to the business at hand and create the jobs the American people are crying for.

I am very pleased to see a colleague has arrived. So I yield the floor.

Mr. KOHL. Madam President, I come here today to speak about my amendment No. 1591, which is a bipartisan amendment to repeal the freight rail-road industry's undeserved exemptions to the antitrust laws, exemptions that result in higher prices to hundreds of businesses and millions of consumers every day. These outdated exemptions would nullify the advantages that industries across our country—industries that are vital to our economy and to the job market.

From power companies that rely on coal shipped by rail, to farmers shipping grain, to chemical companies that rely on rail to transport raw materials, to paper companies that ship their finished products via rail, the railroad's antitrust exemption leads to higher prices and renders rail shippers at the mercy of a monop-olistic industry. Yet, paradoxically, the consolidated nature of the freight railroad industry makes full application of antitrust law even more necessary.

Just three decades ago there were more than 40 class I freight railroads in the United States. But today, after massive waves of consolidation, nearly 90 percent of industry revenues are controlled by just four railroads. Many areas of the country are served by only one, leaving their shippers captive to rate increases and anticompetitive measures.

The effects of these antitrust exemptions protecting monopoly behavior are easy to see. Increased concentration, combined with a lack of antitrust scrutiny, have had clear price effects. A September 2010 staff report of the Senate Commerce Committee stated: The four Class I railroads that today dominate the U.S. rail shipping market are achieving returns on revenue and operating ratios that rank them among the most profitable businesses in the U.S. economy.

Since 2004, this report found “Class I railroads have been raising prices by an average of 5% a year above inflation.”

The four largest railroads nearly doubled their collective profit margins in the last decade to 15 percent, ranking the railroad industry the fifth most profitable industry as ranked by Fortune Magazine. A 2006 GAO report further showed that shippers in many geographical areas “may be paying ex- cessive rates due to a lack of competi- tion” from these massive railroads. The industry's concentration and pricing power, the case for full-fledged application of the antitrust laws is plain.

It is more than just railroad shippers who pay the price of a railroad industry unchecked by antitrust oversight. These unjustified cost increases cause consumers to suffer higher electricity bills because a utility must pay for the high cost of transporting coal, higher prices for goods produced by manufac-turers who rely on railroads to transport raw materials, as well as higher food prices for everyone.

Railroad monopoly conduct ripples through the economy, causing pain in countless corners of commerce. The current antitrust exemptions protect a wide range of railroad industry conduct from antitrust scrutiny. Unlike virtually every other regulated industry, the Justice Department cannot bring suit to block anticompetitive mergers, a fact that has greatly aided the sharp wave of consolidation I have already described.

Private parties and State attorneys general cannot bring private antitrust
lawsuits to obtain injunctive relief, leaving pernicious industry practices such as bottlenecking and paper barriers exempt from antitrust review. Railroad practices subject to the jurisdiction of the Surface Transportation Board are effectively immunized from antitrust remedies unless the Senate will eliminate these exemptions once and for all. Railroads will be fully subject to antitrust law and will have to play by the same rules of free competition that all other businesses do.

The rail industry's widespread grant of antitrust exemptions has its origin decades ago when the industry was subject to extensive regulation by the long-ago abolished Interstate Commerce Commission. But no good reason exists today for these exemptions to continue.

While railroad legislation in recent decades, including, most notably, the Staggers Rail Act of 1980, deregulated much railroad rate-setting from the overbearing Surface Transportation Board, these obsolete antitrust exemptions remained in place, insulating a consolidating industry from obeying the rules of fair competition. There is no reason to treat railroads any different than dozens of other regulated industries in our economy that are fully subject to antitrust.

When this amendment was filed a couple of weeks ago, the railroad industry responded by claiming this amendment would go 'way beyond antitrust law' and looks to create new regulatory law on matters unrelated to antitrust, and in so doing treats [railroads] differently than other regulated industries.

These arguments are completely without merit. Nothing in this amendment goes "way beyond antitrust law" or "looks to create new regulatory law." In fact, this amendment creates absolutely no new regulatory law whatsoever. It simply repeals all of the antitrust exemptions enjoyed by the freight railroad industry.

This amendment would not treat railroads any differently than other regulated industries. The mere fact that an industry is regulated does not exempt it from antitrust law. Many other regulated industries, including the telecommunications sector regulated by the FCC and the aviation and trucking industries regulated by the Department of Transportation, are fully subject to antitrust law.

This amendment simply seeks to end the special exemption from antitrust law enjoyed by freight railroads—an exemption which is both wholly unwarranted and raises prices to shippers and consumers every day.

Dozens of organizations and trade groups representing industries affected by monopolistic railroad conduct have endorsed the Railroad Antitrust Enforcement Act, which is identical to this amendment. Supporters of the legislation have included 20 State attorneys general in 2009; the leading trade associations for the electrical, agricultural, chemical, and paper industries; the National Industrial Transportation League; and the nation's leading consumer groups.

In sum, by clearing out this thicket of outdated antitrust exemptions, this amendment will cause railroads to be subject to the same laws that the rest of our economy. Government antitrust enforcers will finally have the tools to prevent anticompetitive transactions and practices by railroads. Likewise, private parties will be able to utilize the treble-damage anti-competitive conduct and to seek redress for their injuries.

In the antitrust subcommittee, we have seen that in industry after industry vigorous application of our nation's antitrust laws is the best way to eliminate barriers to competition, to end monopolistic behavior, and to keep prices low and quality of service high. The railroad industry is no different. All those who rely on railroads to ship their goods—whether it is an electric utility for its coal, a farmer to ship grain, or a factory to acquire its raw materials or ship out its finished product, deserve the full application of the antitrust laws to end the anticompetitive abuse of power too prevalent in this industry today.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

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

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

Mr. ALEXANDER. Madam President, my late friend, the late Alex Haley, the author of "Roots," lived his life by these six words: Find the Good and Praise it.

I am here today to praise a remarkable hero who served in one of the most difficult battles in our nation's history and who today at 90 years old lives a quiet life in Memphis with his family. Wilbur K. Hoffman, or "Bill" to his fellow Rangers, was a member of the Dog Company of the 2nd Ranger Battalion, which in 1944 was among the select few companies that stormed the cliffs at Pointe du Hoc on D-day and turned the war around for the Allies.

Fifty years after Bill Hoffman and his fellow 2nd Battalion Rangers clambered up the rocky cliffs on the shoreline of France, President Reagan returned to the windswept spot to pay tribute. President Reagan called them "the boys of Pointe du Hoc. The President said:

"These are the men who took the cliffs. These are the champions who helped free a continent. These are the heroes who helped end a war."

This is Bill Hoffman, a hero who helped free a continent and end a war. Bill volunteered to join the Army in 1942. A year later he volunteered to join the Rangers, a select group that were charged with special missions. Bill says that because of all of their special training, they would simply "get the mission done."

Bill got out of the Army in 1945, after the war, but took a look at the job market and said, "I think I'll go back to selling insurance for 24 years. Bill likes to say, "Everything that happened, I volunteered for." And if you happen to ask how he feels when he looks back, he will say just as plainly, "No regrets."

Just last year the Army has awarded Bill a Purple Heart. But not for the first time. During World War II, the Army tried. But Bill, in an Army ward surrounded by soldiers who had lost arms and legs in fighting, believed his wounds did not measure up, and so he said, "I don't think so."

Bill's son David, more than 60 years after his father first declined the Purple Heart, contacted the Army about trying again. Capturing his father's humility in declining the medal decades ago, David calls his dad "the nicest guy you'll ever meet. Friendly and outgoing but by the same token, he doesn't like to talk about himself" says the son.

Recently the father of seven children, and nearly all of them who could join the service did or married someone who did.

Bill is not a native Tennessean. He was born in Newark, N.J. He came to Tennessee in the early 1960s. The Rangers came from all over the country and assembled in Camp Forrest in Tullahoma for training. Bill's wife came down to visit him there for a couple of days during training, and it must have had a real effect on her, because more than 30 years later, after Bill was out of the Army after 24 years of service, and they were living in New York State, Bill's wife said to him, "I want to go to Tennessee. I like it down there." So they packed up the U-Haul and moved to Ashland City, along the Cumberland River.

Today Bill is one of only three Rangers left from the original 2nd Battalion Dog Company. While the Ranger reunions used to occur every year, the guys are getting old, Bill says, and now they are doing them every year. "Good bunch of guys," Bill calls his fellow heroes. "They say Ranger friendships are forever. It's true.

Bill turns 91 on Friday. It is an honor for me to wish this American hero a happy birthday.

Congratulations, Bill Hoffman. We're proud of you. Your Nation is proud of you. "Find the good and praise it."

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I rise today to speak in support of the Transportation reauthorization bill that is currently before the Senate. It is called the Moving Ahead for Progress in the 21st Century Act, so we call it by its acronym, MAP-21. It is a
critical piece of legislation that will put Americans back to work and lay the foundation for future economic growth.

Our transportation infrastructure has long been at the heart of America's success. Transcontinental railroads paved the way to a road to the interstate highway. Yet, across the country, the infrastructure that helped build our great economy has been allowed to fall into disrepair. For evidence of our Nation's crumbling infrastructure, one need look no further than my home State of Rhode Island. Anyone who drives to work or school in our State sees the problems—bridges that are subject to weight restrictions, highways with lane closures, and roads everywhere marked with potholes. Only one-third of our highway miles are rated in fair or good condition; the majority are poor or mediocre. According to a recent report, one in five bridges in Rhode Island is structurally deficient—the fourth highest percentage in the nation, and the picture does not improve.

The American Society of Civil Engineers rates our national transportation systems as near failing. They give our roads a D-minus, our bridges a C, our freight and passenger rail a C-minus, and our transit systems a D. This is not the kind of report card you want to post at home on your refrigerator, and it is not one our great Nation can tolerate.

Instead of committing ourselves to solving our infrastructure deficit, however, we continue to fall short. The civil engineers estimate that we would need to dedicate $250 billion each year to bring our transportation systems into a state of good repair. At current levels, the United States spends only 2.4 percent of GDP on infrastructure, compared with European nations at 5 percent and China and India at about 9 percent. According to a recent report, highway miles are rated in fair or good condition up to a million more new jobs. This is particularly important given the high level of unemployment in the construction industry and in my home State of Rhode Island, this bill would support an estimated 8,100 jobs. At a time when our State's unemployment rate hovers stubbornly around 10 percent, those jobs are absolutely crucial.

Given the precarity of our transportation systems, it should be obvious that we will have to address our infrastructure needs at some point. We need to do this work sooner or later, and there is no better time to make that investment than now, with so many workers ready to get to work and so many projects ready to get underway. I know that in Rhode Island there is no shortage of workers or worthwhile infrastructure projects that would take the funds. This program can help us address those needs around the country—one such as the viaduct—that are currently being kicked down the road because the State DOTs cannot scrape enough money together to get them underway.

The Projects of National and Regional Significance Program is a competitive grant program that is designed to support critical, high-cost transportation projects that are difficult to complete with existing funding sources. This program can help us address those projects around the country, such as the viaduct—that are currently being kicked down the road because the State DOTs cannot scrape enough money together to get them underway.

The Projects of National and Regional Significance Program is authorized in MAP–21. We got that done in the Environment and Public Works Committee. Now we need to get that authorized program funded. I am pleased to have the support of my senior Senator, Jack Reed, and Senator Merkley on this amendment. I look forward to working with them and other Senators so that we can start the important work of rebuilding critical infrastructure projects, such as the viaduct, that are so important to our economy.

While I am thanking other Senators, let me recognize Senator Olympia Snowe for her work on another amendment that would grant States limited authority to use congestion and air quality funds toward their transit systems. This is an important issue for Rhode Island, as we begin to scale up our new South County commuter rail.

I introduced a version of this amendment in committee and continue to believe that increased flexibility in the Congested Mitigation and Air Quality Program, or CMAQ, would promote State-level transit options that we so critically need.

Let me thank our chairwoman, Senator Boxer, and her ranking member, Senator Inhofe, for their consideration of our amendment and, more importantly, for their hard work on this bill overall. As a member of the Environment and Public Works Committee, I can testify that the leadership of Chairman Boxer and Ranking Member Inhofe, working together, is what has made the difference for this transportation reauthorization. Through their efforts we were able to unanimously vote the bill out of committee, making the important statement that investment in our Nation's infrastructure...
has strong, bipartisan support. They have set an example that I hope ultimately will be followed by the handful of Senators who are obstructing progress on this transportation bill, and our colleagues on the other side of this building. The American people deserve a Senate that puts transportation jobs and slash infrastructure programs, or to slow down progress on this bill with irrelevant amendments.

With our economy struggling to get back on its feet, we cannot afford to let our roads and bridges in desperate need of repair, now is not the time to be debating unpopular and misguided efforts to roll back protections for women's health. Now is not the time, and this is not the bill, to debate whether we should undermine rules that protect our environment or fast track a pipeline project that is clearly not ready for prime time. We have a bipartisan bill before us. We have a bill that will create jobs. We have a bill that will get our economy moving. What should have been urgent and a priority. We should get to the business of legislating on this bill.

This is a country that does big things. We built highways and rail systems connecting Americans from coast to coast, skyscrapers and airplanes and rockets to take us to the Moon and back. Big things are part of America's national identity. Just as important, they are a vital source of jobs during this trying economic time.

Let's keep doing big things. Let's give the people in Rhode Island and across the country a transportation infrastructure they can be proud of, and let's not cut funding and retreat. We cannot afford to go backward. The infrastructure is what supports our economy. We need to refocus on the job of getting America moving ahead, and MAP-21 is a step forward.

I thank the Chair and yield the floor. Mrs. BOXER. Madam President, I thank my friend and colleague, Representative of Rhode Island for his words. Also, he is an exceptional member of the Environment and Public Works committee. First and foremost, he brings us the point of view of his State and he fights on every issue every day. He brings national leadership to the floor on the issue of infrastructure and the need to keep up with our incredible failing infrastructure—the fact that we have to fix these bridges, 70,000 of which are insufficient, and the roads that should be able to carry a family to work, to school, or to work. It is a vital part of the American people. Right now, we know, for example—and I just read this—if you have colorectal screening, you are 50 percent less likely to die of colorectal cancer. This is a screening test.

We certainly know about mammography and all of this. Is my colleague aware that when the Blunt amendment was ordered to be printed in the Record, the Senator was not aware that the Senate would pass it? He is not aware that the Senate would pass it?

Mrs. BOXER. I thank the Chair for yielding the floor.

Mr. WHITEHOUSE. Yes.

Mrs. BOXER. I remember him being so proud of the prevention piece he brought to us. He made the case to us publicly, and privately in caucus, that it would save so much money for the American people. Right now, we know, for example—and I just read this—if you have colorectal screening, you are 50 percent less likely to die of colorectal cancer. This is a screening test.

We certainly know about mammography and all of this. Is my colleague aware that when the Blunt amendment was ordered to be printed in the Record, the Senator was not aware that the Senate would pass it? He is not aware that the Senate would pass it?

Mr. WHITEHOUSE. I think my friend, when I looked at him, I thought, He is the few people who have such a personal stake in two issues that have been merged together, unfortunately: the Blunt amendment, which would allow anyone to opt out from providing those preventive services from being offered to employees if they had some kind of vague moral objection? Is my colleague aware that all the work he put in on making sure that insurers cover our people for preventive services, such as mammography, colorectal screening, HIV screening, and all of these important benefits, plus a list of essential benefits just as important, that all of that could come to nothing if the Blunt amendment were to pass and an employer simply woke up and said: I know how to save money, I will have a moral objection and not offer anything? Is my friend aware how deep this Blunt amendment reaches into health care reform? Mr. WHITEHOUSE. I thank the Chairman, and yes, it is kind of astonishing, the breadth and the scope of this amendment. As if CEOs don't have enough power over their workforce, as if they haven't done enough to send jobs from American factories offshore. The very workplaces that would be able to dictate what kind of health care their employees can receive, and not based on marketplace considerations, not based even on health considerations, but based on their own unchecked moral or religious beliefs.

Mrs. BOXER. Exactly.

Mr. WHITEHOUSE. I think it is a terrible mistake to go down that road, but I think it is a double mistake: it is wrong to go down that road in the first place, but it is also, while we need jobs so urgently, while our highways crumble and our bridges deteriorate and water works continue to fail and we have the ability to put people to work in America at good jobs, You cannot offshore a lot of our American highways; you have to do it right here in this country. These are important jobs and this is important work. We should be getting about this.

I think it sends a terrible signal to the American people when the Senate, taking up this piece of legislation, has to be led off into all these other battles that have nothing to do with highways, that have nothing to do with infrastructure, that have nothing to do with jobs, but are simply an exercise in political gamesmanship.

Mrs. BOXER. Right.

Mr. WHITEHOUSE. It is unfortunate, when there are real stakes for real families on the table and real time slipping by, that we don’t get this done. We get jacked up enough around here, but as hard as the chairman has worked to bring this to the floor and to be ready, here we are, stopped again, dealing with irrelevant issues again, and all for the entertainment and distraction of people. It is not about jobs, it is not about the economy, it is not about our infrastructure, it is not about laying the foundation for future prosperity, and so it is frustrating that we have to go through this exercise.

Mrs. BOXER. I thank my friend. When I looked at him, I thought, He is one of the few people who have such a personal stake in two issues that have been merged together, unfortunately: the Blunt amendment, which would allow anyone to opt out from providing so many of the services my friend worked to make sure the American people have, plus 3 weeks we are now delayed on a bill my friend helped me with so strongly and so powerfully. So I wanted to make sure people in his State understood that he has worked so hard to make sure people have access to health care, and the Blunt amendment would drive a big Mack truck through this—not to use a kind of funny analogy on the highway bill, but that is what it would do, in the meantime stopping us from getting on to our work in creating all these jobs.

My feeling is we will defeat the Blunt amendment tomorrow. I am very hopeful. But with that in mind, Madam President, I ask unanimous consent to have printed in the Record a number of letters speaking to the Blunt amendment.

There being no objection, the material was ordered to be printed in the Record, as follows:
DEAR SENATOR: I am writing to express my deep concern over the Blunt Amendment, which is expected to be offered during the debate over S. 1813, Moving Ahead for Progress in the 21st Century Act (MAP-21) that will promote employees to deny insurance coverage for any religious beliefs or moral convictions. This amendment proposed by Senator Roy Blunt (R–MO) that would eliminate access to essential health benefits or moral convictions. That amendment would directly undermine the Affordable Care Act in March of 2010, the intent was to ensure all Americans access to health insurance. More specifically, it required that a core set of benefits be covered, including preventive care specially designed for women and children. The essential benefits package was carefully crafted to respect religious beliefs and individual conscience. To that end the ACA includes a strong exemption allowing apparatus and churches to refuse birth control for their employees. In response to concerns raised by religiously-affiliated hospitals, universities, and other facilities, the President has proposed additional protections that would allow those entities—which operate as businesses and serve employee the broader public—not to provide birth control coverage, but still ensure that their employees have access to that benefit. HRC respects the right of religious groups to maintain their beliefs and the important role religious organizations play in providing important health, education services. The ACA and the President’s proposed compromise strike a reasonable balance between religious interests and the health needs of women. However, HRC is particularly concerned by efforts to go even further and permit the religious or moral beliefs of individuals or private businesses to limit nondiscrimination protections and equal access to services and benefits. When the balance shifts too far in that direction, all too often, lesbian, gay, bisexual and transgender (LGBT) individuals are negatively impacted. The Blunt Amendment would go far beyond the President’s reasonable step and dramatically expand the ability for employers to cherry-pick what is covered by their health insurance. While the amendment comes in response to recent Supreme Court decision of birth control, it would be too easy for employers to decide to drop other benefits, like HIV testing, or limit coverage for specific medical conditions, based on a purported religious or moral objection. If enacted, the Blunt Amendment would place the moral objections of any employer over the health of millions of Americans, including members of the LGBT community. For these reasons, HRC strongly urges you to oppose the Blunt Amendment.

If you have any questions at all please feel free to contact me at (202) 216-1515 or allison.herwitta@hrc.org or Andrea (202) 216-1520 or andrea.levario@ahrc.org.

ALLISON HERWITT, Legislative Director.

To MEMBERS OF THE UNITED STATES SENATE: The undersigned organizations are opposed to the amendment introduced by Senator Roy Blunt (R–MO) that would place the moral objections of any employer over the health of millions of people in this country.

FRIENDS, this week the Senate may consider an amendment by Senator Blunt (R–MO) that would eliminate access to essential health benefits for millions of Americans. The Human Rights Campaign (HRC) strongly urges your boss to vote no on the Blunt Amendment. HRC will consider this a key vote.

When Congress passed the Affordable Care Act in March of 2010, the intent was to ensure all Americans access to health insurance. More specifically, it required that a core set of benefits be covered, including preventive care specially designed for women and children. The essential benefits package was carefully crafted to respect religious beliefs and individual conscience. To that end the ACA includes a strong exemption allowing apparatus and churches to refuse birth control for their employees. In response to concerns raised by religiously-affiliated hospitals, universities, and other facilities, the President has proposed additional protections that would allow those entities—which operate as businesses and serve employees—to maintain their beliefs and the important role religious organizations play in providing important health, education services. The ACA and the President’s proposed compromise strike a reasonable balance between religious interests and the health needs of women. However, HRC is particularly concerned by efforts to go even further and permit the religious or moral beliefs of individuals or private businesses to limit nondiscrimination protections and equal access to services and benefits. When the balance shifts too far in that direction, all too often, lesbian, gay, bisexual and transgender (LGBT) individuals are negatively impacted. The Blunt Amendment would go far beyond the President’s reasonable step and dramatically expand the ability for employers to cherry-pick what is covered by their health insurance. While the amendment comes in response to recent Supreme Court decision of birth control, it would be too easy for employers to decide to drop other benefits, like HIV testing, or limit coverage for specific medical conditions, based on a purported religious or moral objection. If enacted, the Blunt Amendment would place the moral objections of any employer over the health of millions of Americans, including members of the LGBT community. For these reasons, HRC strongly urges you to oppose the Blunt Amendment.

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ALLISON HERWITT, Legislative Director.
means employers and insurance companies can not only deny access to birth control, they can deny access to any health care service required under the new health care law including vaccines for children, blood transfusions, HIV/AIDS treatment, or type II diabetes management. These employer’s coverage will have a harmful impact on all people, and it will discriminate against those who need access to essential health services the most.

In short, the Blunt amendment would eviscerate critical protections in the Affordable Care Act and completely undermine a fundamental guarantee that everyone in this country deserves a basic standard of health insurance coverage.

We urge you to vote against Blunt’s amendment and oppose all efforts to undermine people’s access to health care.

Sincerely,
[Organization Name]

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DEAR SENATOR BOXER: As organizations dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, we write to express grave concern with Senator Blunt’s amendment, S. Amdt. 1520, to the Moving Ahead for Progress in the 21st Century Act, S. 1813. Our organizations oppose this amendment because it would undo the necessary preventive health screenings for infants, children, and their families.

The Affordable Care Act made significant progress in improving the delivery of care, health promotion, and disease prevention in our health care system. The bill includes a number of provisions that safeguard children’s access to and reduce disincentives from accessing preventive health care services. Specifically, the ACA establishes Sec. 2713 of the Public Health Service Act, which requires that individual and group health plans cover preventive health services without any cost-sharing to the patient, including evidence-based services recommended by the United States Preventive Services Task Force; immunizations recommended by the CDC’s Advisory Committee on Immunization Practices; and preventive care and screenings supported by the Health Resources and Services Administration (HRSA), which are outlined in the American Academy of Pediatrics’ Bright Futures handbook.

Children’s health is the foundation of health across the lifespan and preventive health services are the bedrock of pediatric care. All adults once were children, and their health is significantly influenced by preventive care during their early years. Denying childhood preventive care could result in billions of dollars of extra expenditures in adult health care, as we continue the unsustainable system of paying for adult conditions that could have been inexpensively prevented during childhood. Life-saving immunizations, developmental screenings, and other behavioral and mental health assessments, hearing and vision testing, body mass index (BMI) measurements, oral health risk assessments, identification of special health care needs, solicitation of parental and child health concerns, and anticipatory guidance are all essential components of a pediatric well-child examination. Preventive care discussed above. Specifically, S. Amdt. 1520 to the Moving Ahead for Progress in the 21st Century Act would allow employers and insurance companies to denounce any service that it finds objectionable on the basis of personal beliefs. The amendment would not only deny employers and insurance companies to deny access to contraception, but would include all preventive health services covered by the Public Health Service Act. For instance, if an employer objects to childhood vaccines on the basis of personal beliefs, he or she could prevent children grown to be healthy, productive adults. If you have questions or concerns, please contact Kristen Mizzi with the American Academy of Pediatrics at 202/347–8600 or kmizzi@aap.org.

Sincerely,
[Organization Name]

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DEAR SENATOR BOXER: As organizations committed to the health and wellbeing of infants, children, adolescents, and pregnant women, we urge you to oppose the amendment offered by Senator Roy Blunt (R-MO), Senate Amendment 1520, to the Moving Ahead for Progress in the 21st Century Act (S. 1813).

Senate Amendment 1520 threatens to undermine crucial clinical and preventive health services by allowing plans, employers, providers, and beneficiaries to refuse coverage for any service currently required under Section 2713 of the Public Health Service Act and Section 1301 of the Public Health Service Act, if deemed objectionable to them on moral or religious grounds. The Amendment would give expansive and explicit li- cense to any employer or insurance provider, or beneficiary to exclude any health service from insurance coverage. For instance, a small employer or health plan could ban maternity care for women with convictions regarding out-of-wedlock pregnancies. Likewise, a health plan or small
employer that objects to childhood immunizations, newborn screening for life-threatening genetic disorders, other components of well-child visits, or prenatal care would be fully liable to deny coverage for any and all of these vital services.

The Affordable Care Act has made significant strides in providing critical health services for infants, children, adolescents, and women of childbearing age. Section 1302 of the Affordable Care Act guarantees that all plans of group or individual and small group market must cover a minimum set of “essential health benefits,” including maternity and newborn care, pediatric services, including prenatal care, family planning care, rehabilitative and habilitative services and devices, and mental health and substance use disorder services, including behavioral health treatment. The Public Health Service Act requires that all new health plans cover, without cost-sharing, certain preventive services, including evidence-based services recommended by the United States Preventive Services Task Force; immunizations recommended by the Advisory Committee on Immunization Practices; preventive care and screenings for children contained in Bright Futures: Guidelines for Health Supervision of Infants, Children and Adolescents; and preventive health care services for women contained in the Institute of Medicine and promulgated by the U.S. Health Resources and Services Administration, such as prenatal care, well woman visits, and breast cancer screening.

If passed, Senate Amendment 1520 could limit access to necessary health services well beyond contraceptive coverage, putting infants, children, adolescents, and pregnant women in danger of not receiving even the most basic health care and preventive services. We suppose Senate Amendment 1520 to the Moving Ahead for Progress in the 21st Century Act. If you have any questions, please contact Michelle Sternthal at msternthal@marchofdimes.com.

Sincerely,

American Academy of Pediatrics; American Congress of Obstetricians and Gynecologists; American Federation of State, County and Municipal Employees; Asian Pacific Islander American Health Forum; Association of Maternal Child Health Programs; Association of University Centers on Disabilities; CHILD Inc.; Children’s Dental Health Project; Children’s Healthcare is an Atlanta-based nonprofit health care organization; Easter Seals; Families USA; Family Voices; First Focus Campaign for Children; Genetic Alliance; National Association for Children’s Behavioral Health; National Association of Pediatric Nurse Practitioners; National Association of Social Workers; National Alliance on Medical Student Advocacy for Planned Parenthood; Federation of America; Service Employees International Union; Society for Adolescent Health and Medicine; Spina Bifida Association; Voices for America’s Children.

Mrs. BOXER. Madam President, the first letter is from the Cancer Action Network asking us to vote no on the Blunt amendment.

On behalf of millions of cancer patients, survivors and their families, we write to express our opposition to the amendment proposed by Senator Roy Blunt.

They talk about the fact that it would permit employers to refuse employer-sponsored coverage for health care benefits guaranteed by the health reform. And they are very strong on this issue. They say:

The implications of this provision could result in coverage denials of lifesaving preventive services such as mammograms or tobacco cessation based on employer discretion.

That is a new letter, dated today. Then we got a letter from the Trust for America’s Health. They say:

The Blunt amendment would allow any health insurance plan or employer, religious or not, to exclude any preventive service.

The SEIU—Service Employees International—calls the Blunt amendment “an extreme proposal that turns back the clock.”

The Human Rights Campaign Letter: . . . The Blunt amendment would place the moral objections of any employer over the health of millions of Americans . . . .

Eighty organizations signed a letter, and, referring to the Blunt amendment, part of that letter says:

That means employers and insurance companies can deny doctors and patients . . . .

That is signed by Advocates for Youth, America Votes, the AIDS Institute, American Association of University Women, American Congress of Obstetricians and Gynecologists, American Medical Students, Black Women’s Health Imperative, Catholics for Choice, Reproductive Rights Center, Center for Reproductive Rights, Center for Women Policy Studies, Coalition of Labor Union Women, Choice USA, Concerned Clergy for Choice, Doctors for America, EQUAL Health Network—I mean, this goes on and on—the National Latina Institute for Reproductive Health, Planned Parenthood, Population Connection, Pro-gressive Majority, Society of Adolescent Health and Medicine, National Alliance to Advance Adolescent Health, National Campaign to Prevent Teen and Unplanned Pregnancy, Trust Women/Silver Ribbon Campaign, Union for Reform Judaism, Unitarian Universalist Association of Congregations. This is a long list of organizations that oppose the Blunt amendment.

This letter came in from the Academic Pediatric Association and a number of other youth organizations. They urged us to oppose the Blunt amendment because it doesn’t protect children’s access to preventive services.

This is another letter signed by many more organizations, including the Spina Bifida Association, Voices for America’s Children, Children’s Healthcare Is a Legal Duty, Easter Seals, Family Voices, First Focus Campaign for Children—it goes on and on—American Federation of State, County, and Municipal Employees, American Association of Maternal and Child Health Programs, Association of University Centers on Disabilities, CHILD, Inc. All these organizations have come together, and they say:

As organizations committed to the health and well-being of infants, children, adolescents, and pregnant women, we urge you to oppose the amendment offered by Senator Roy Blunt . . . .

So all you are going to hear from the other side is misstatements about how the Blunt amendment is nothing more than what we have always done. Then who are you going to believe? It is because it reaches so far.

We all support an exemption for religious providers. We all support that. We do not support the ability of any insurance company, nonreligious, or any employer, nonreligious, to stand up and say: You know what, I don’t believe vaccines work; therefore, I don’t think they should be made available to my people. And when you ask why, they say: I have a moral conviction. I have a moral conviction that people should have known better before they took that first cigarette when they were 11 or 12; therefore, I am not going to give any treatment. Too bad. They will just get lung cancer.

I mean, seriously. That is what the Blunt amendment will do. It will allow anyone—nonreligious—to say they have an objection and not offer a host of preventive and essential health care services, including contraception.

So tomorrow is our time. We are going to defeat the Blunt amendment, and when we defeat the Blunt amendment, we are going to move on to the highway bill. Hooray. And maybe, just maybe people will listen to Senator OLYMPIA SNOWE, who said we should not get tied up in knots over these controversial things and we should do what is right for the American people. I certainly support that.

There is just one more thing I want to put in the RECORD.

Madam President, I ask unanimous consent to have printed in the RECORD the testimony of a woman who tried very hard to be allowed to speak with a panel of men at a congressional hearing.

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

[From the Law Students for Reproductive Justice Chapter]

TESTIMONY FROM LAW STUDENT BARRIED FROM HOUSE HEARING

Members of Congress, good morning, and thank you for allowing me to testify. My name is Sandra Fluke, and I’m a third year student at Georgetown Law, a Jesuit school. I’d also a past president of Georgetown Law Students for Reproductive Justice or LSRJ. I’d like to acknowledge my fellow LSRJ members and allies and thank them for being here today.

Georgetown LSRJ is here today because we’re so grateful that this regulation implements the nonpartisan, medical advice of the Institute of Medicine. I attend a Jesuit law school that does not provide contraception coverage in student health plans. Just as we students have faced the financial, emotional, and medical burdens as a result, employees at religiously affiliated hospitals and universities across the country have suffered similar burdens. We are aware of the new regulation that will meet the critical health care needs of so many women. Simultaneously, the recently announced adjustment accommodates any potential for the religious identity of Catholic and Jesuit institutions.
As I have watched national media coverage of this debate, it has been heartbreaking to see women’s health treated as a political football. When I turn off the TV and look around instead, I see the stories behind the numbers, the women affected, and I have heard more and more of their stories. You see, Georgetown does not cover contraceptives in its student health plan, much less does it cover contraceptives for faculty and staff. On a daily basis, I hear from yet another woman who has suffered financial, emotional, and medical burdens because of this lack of contraceptive coverage. And so, I am here to share their voices and ask that you hear them.

Without insurance coverage, contraception can cost a woman over $3,000 during law school. For a lot of students who, like me, are on scholarships or grants, that’s practically an entire summer’s salary. Forty percent of female students at Georgetown Law report struggling financially as a result of this policy. One told us of her sharpened and powerless she felt when she was standing at the pharmacy counter, learning for the first time that contraception wasn’t covered, and knowing she couldn’t walk away because she couldn’t afford it. Students like her have no choice but to go without contraception. Just on Thursday, a female doctor told me she had to stop using contraception because she couldn’t afford it any longer.

You might respond that contraception is accessible in other ways. Unfortunately, that’s not true. Women’s health clinics provide vital medical services, but as the Guttmacher Institute has documented, clinics are unable to meet the crushing demand for these services. Clinics are closing and women are being forced to go without. How can Congress consider allowing even more employers to refuse contraceptive coverage and then respond that the non-profit clinics should step up to take care of the resulting medical crisis, particularly when so many legislators are attempting to defend those very same clinics?

These denials of contraceptive coverage impact real people. In the worst cases, women who need this medication for other medical reasons suffer dire consequences. A friend of mine, for example, has polycystic ovarian syndrome and has to take prescription birth control pills because cysts from her ovaries. Her prescription is technically covered by Georgetown insurance because it’s not intended to prevent pregnancy. At many schools, you won’t be able to count on Senator Blunt’s amendment, Senator Rubio’s bill, or Representative Fortenberry’s bill, there’s no requirement that an employer cover contraceptives. Clinics are closing and women are being forced to go without. How can Congress consider allowing even more employers to refuse contraceptive coverage and then respond that the non-profit clinics should step up to take care of the resulting medical crisis, particularly when so many legislators are attempting to defend those very same clinics?

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to have access to preventive care. They deserve to have access to essential health care. The Blunt amendment will take that away from them. It will take that away from them. And all on a highway bill. All on a highway bill.

So let's focus on the Blunt amendment away from this highway bill. This highway bill is a product of strong bipartisanship, as the Presiding Officer has told the Senate. Let's keep it clean. Let's keep out these extraneous amendments that will roll back environmental laws that are cleaning up the air, that will keep the arsenic and the mercury out of the air and the lead out of the air. Let's not roll back these laws on a highway bill. Let's get the highway bill done. When we have other arguments about other issues, let's put those issues on a relevant bill.

This is the time now for us to pull together, not pull apart. The Nation needs us to work together. It is an election year, and it is a difficult time. There is a lot of name-calling going on out there on the campaign trail, but we are still here, last I checked, and we are supposed to be doing our work for the American people. We have a chance to do it on this highway bill. Let's defeat the Blunt amendment in the morning.

I thank my friends for coming over to the floor and speaking so eloquently today against this dangerous, precedent-setting Blunt amendment that will backtrack our children's health and on our families' health.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. Mr. President, I rise to join my colleagues in opposition to the amendment offered by Senator BLUMENTHAL.

It is discouraging that when we should be having a debate on our Nation's infrastructure and surface transportation needs, we are instead talking about women's health and contraception. As the Senator from California noted, the Blunt amendment is an attempt to roll back our health care advances. We are addressing prohibitive costs by eliminating copays and cost sharing for essential services such as mammograms and colonoscopies. We addressed access issues by ensuring coverage for preventative care services.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I come to the floor today with sadness and reluctance because we are actually debating an extraordinarily worthwhile, even historic bill that would not only improve our infrastructure—our roads and bridges and highways in the State of Connecticut and throughout the country—but also provide jobs, enable economic growth, and promote the effort to put Connecticut and our country back to work. The reluctance is we are debating an amendment that distracts from that essential task, the work that the Nation elected us to do, to make our priority creating jobs and promoting economic growth.

We are debating an amendment that seems fundamentally flawed. I am respectful, as is everyone in this body, of the moral convictions and religious beliefs that others may hold. I believe this amendment is unconstitutionally discriminatory and unacceptable. It is an attempt to roll back our health care advances. We are debating an amendment that seems fundamentally flawed. I am respectful, as is everyone in this body, of the moral convictions and religious beliefs that others may hold. I believe this amendment is unconstitutionally discriminatory and unacceptable. It is an attempt to roll back our health care advances.

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may believe the causes of those conditions somehow violate his or her religious beliefs or moral convictions. This amendment would threaten access to services such as diabetes screening, vaccinations for cancer screenings, essential preventive services that have been proved to reduce health care costs and save lives. Those services should be guaranteed to every American without cost.

In my home State of Connecticut, one of the smallest States in the country, approximately 270,000 women would lose access to preventive care if this amendment is agreed to. Around the country some 20 million women would lose that kind of access to preventive care. That is a result that simply is unacceptable. The amendment goes too far. It would endanger the lives of millions of Americans, would completely undermine the progress—and we have made progress—in providing crucial health care services to millions of individuals.

I oppose this amendment because of its practical implications, because of its apparent unconstitutionality, and because it flies in the face of sound public policy. At a time when we are reviving a historic moment when we are reviving a movement to put America and Connecticut forward to work and enable economic recovery, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Mr. AKAKA. Mr. President, I ask unanimous consent to speak before the Senate for 10 minutes.

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

Mr. AKAKA. Mr. President, I rise to urge my colleagues to oppose the Blunt amendment, which could lead to devasting health outcomes for over 20 million women across our country. Just last month, I applauded the Obama administration’s decision to require health insurance plans to provide coverage of FDA-approved contraceptives.

Religious principles are deeply important to me as a Christian, so I am glad the current rule accommodates conscience objections and exempts religiously affiliated organizations from both offering and paying for birth control coverage for their employees. At the same time, the rule of ensuring all women’s access to fundamental preventive health care remains protected because the care will be offered directly by the insurance companies. To deny any women access to affordable health care is dangerous and would do—unconstitutional. It could have devastating effects not only on her health but her family’s as well.

In speaking with women’s health advocates and providers in Hawaii and across the country, one of the most common recommendations I hear for improving women’s health outcomes is to ensure access to effective contraception. Across the State of Hawaii about 150,000 women seek access to birth control, and almost half of them depend on financial assistance to obtain it. Right now, women in States that do not have plans that cover birth control face costs of around $600 per year. Women and families who cannot afford it can end up facing tens of thousands of dollars in costs arising from complications from unintended pregnancies and other health care problems, costs that taxpayers often end up supporting.

With those facts in mind, I am not surprised that a survey has shown that 71 percent of American voters—including 77 percent of Catholic women voters—support the administration’s requirement to make birth control available to all women. I firmly believe religious liberty is protected under the new rule, while access to preventive care does not discriminate against anyone, no matter whom they work for or what their occupation is.

I urge my colleagues to join me in voting against this Blunt amendment, which would set back improvements in preventive services and women’s health care in this country.

I yield back the remainder of my time and suggest a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for unanimous consent be rescinded.

Mr. DURBIN. Mr. President, tomorrow morning, the Senate will vote on a measure which is controversial and has gathered a lot of attention across America. It is an amendment offered by the Senator from Missouri, Mr. BLUMENTHAL, to the budget—the most important health care services that will be available to people across America and it calls into question an issue which we have debated
since the earliest colonists came to this country; that is, the appropriate role of religion and government in America. It is an issue which has been hotly debated and contested in the earliest days of our Nation and was finally resolved by our Constitution in a manner that has served us well for over two centuries.

The Constitution speaks to the issue of religion in three specific places. It states in the first amendment that we each have the freedom of religion; that is, the freedom to believe or not to believe. It says there will be no official State religion; whereas, in England they chose the Church of England, but in our government there will be no choice of any religion.

Finally, there is a provision which says that there shall be no religious test for office. These are all constitutional provisions which, though sparing in language, have guided us carefully through 200 years of history. We see around the world where other countries have not been as fortunate to come together in basic principles that have kept a diversity of religious belief alive in the country. Time and again we have seen differences when it comes to religion rise up and conflict and violence.

We see it today in many places around the world. So when our government is called on to make a decision relative to the role of religion in American life, we should take care to stick to those basic principles that have guided us for over two centuries.

The issue before us today is what will be the requirements of health insurance that is offered by employers across America. What we have tried to establish are the essentials and basics of health insurance and health care. We are mindful of the fact that if the market were to dictate health insurance plans and policies, they may not be fair to the people of this country. I recall an incident that came to my mind while working in Illinois where we learned that health insurance companies were offering policies which refused to cover newborn babies in the first 30 days of their life. Of course, that was done for economic reasons, because children born with a serious illness can be extremely expensive in that 30-day period. We changed the law in Illinois and said, if you want to cover a maternity, if you want to cover a child from the moment of birth, that is from the moment of birth. That became the policy: to establish basic protections.

This issue we are debating with the Blunt amendment is what will be required of health insurance policies across America when it comes to preventive care. We asked the experts: What basics in preventive care should be included to make certain we don’t overlook something that is fundamental to the survival of anyone? One of the things they said is when it comes to preventive care, to offer to women across America family planning services. That, of course, is the nub of the controversy, the center of it.

Some religions—the Catholic religion in particular—have strongly held beliefs about family planning. They have been opposed to what they call artificial birth control. At the beginning. At this point, the controversy came up—although those religious institutions that are strictly religious, such as the church rectory, the convent, and the like, are exempted from any requirements when it comes to health insurance—what of those religious-sponsored institutions such as universities, hospitals, and charities? What should their requirements be when it comes to health insurance for their employees? So the Obama administration said their employees should also receive the most essential and basic services, including preventive care for women, including family planning, and that is when the controversy lit up.

The President came to what I thought was a reasonable compromise, and here is what it says: A religious-sponsored university hospital, charity, or the like will not be required to offer health services such as family planning if it fits with the religious beliefs. Their health insurance policy will not be required to cover those services. However, if an individual employee of that religious-sponsored institution chooses on their own initiative to go forward to the health insurance company, they can receive that service without charge. So the women will be offered these preventive care services, which are essential to their health, and yet there will be no requirement of the sponsoring institution to include those services. It is strictly a matter of the employee opting for that coverage.

Now comes the Blunt amendment. Senator Blunt of Missouri said we should go beyond that and allow employees, employees across America to decide the limitations of health insurance policies if those limitations follow the conscience and values of the employer. Keep in mind, we have gone way beyond religious-sponsored institutions; we are talking about individual employers making that decision.

Think of the diversity of opinion and belief across America, and imagine, then, what we will come up with. We have people who believe in the value of those services. My colleagues have made reference to individuals who may have a particular religious belief, and own a business that has no connection at all to a religion otherwise, and decide then that under the Blunt amendment they will limit health insurance coverage accordingly. We can think of possibilities. Someone believes in conscience that a woman should never use birth control and says, then, that it will be prohibited from being offered by the insurance company that employed her. At the end of the day we would have a patchwork quilt of health insurance coverage and many people in this country—men and women—denied basic health coverage in their health insurance because the employer believes in conscience it shouldn’t be offered. That is an impossible situation. It goes beyond the freedom of religion, it goes beyond preventing someone’s religious belief from being offered, in another situation, that could endanger their lives.

The Blunt amendment would be a step in the wrong direction for this country. I think the President has seized on is a reasonable course of action, to allow religious-sponsored institutions to follow their moral dictates when it comes to the health insurance they offer; but to still protect the right of individuals to seek the protection they need. I know it is going to be a controversial vote, but it is one that is important, because I think it strikes the right balance. I think it reflects back on decisions and values we have been brought up in this country. And I rise to speak of the indefensible and inexplicable support of this brutal regime by Russia.

There has been a great deal one full year since the Syrian uprising began in March 2011. By some reports, over 6,000 innocent people—civilians—have lost their lives in Syria. The exact number may never be known. Humanitarian aid workers have been prevented from providing assistance to those in need. I have now been a member of Congress for just short of a decade, and I have been able to witness the courage of individuals who have stood bravely month after month against unspeakable violence. We should work to protect, even in the midst of a Presidential campaign when the rhetoric involved in it is very hot and inflammatory.

Mr. President, I rise to speak of the atrocities that are being committed every day by the Syrian Government against its own citizens—thousands who have stood bravely month after month against unspeakable violence simply to ask for basic political freedoms we take for granted in this country. And I rise to speak of the indefensible and inexplicable support of this brutal regime by Russia.

In this photo, my colleagues can see a brick with a hole in the middle of it. It has been bombarded with rockets and mortar. That is just one example of the suffering that people have been forced to endure. One report describes rockets—11 rockets—slamming into a single apartment building in the space of 2 minutes. As soon as the barrage stopped and people started to rush to get away, it started again, killing even more. The result: a horrific trail of death and dying in this building from the fifth floor down. Those killed in Syria include two western journalists. Some suspect they might have been targeted. The murder of a well-known video blogger, Rami el-Sayed, supports that claim.

In this photo, my colleagues can see the results of the Syrian Government’s bombardment of the city of Homs. Sadly, this is likely one of the many funeral ceremonies that the people of that city have had to endure recently. Just a few days ago, it was reported that the bodies of 44 men were covered in a mass grave on the outskirts of the city. The women and children who were with them have gone missing.
The Independent National Commission of Inquiry on Syria, working with the U.N., submitted its most recent report on February 26. It said the Syrian Government has accelerated the killing of its own people, particularly in Homs, resulting in the deaths of nearly 800 civilians in the first three weeks of February alone. From the report:

On several occasions in January and February 2012, entire families—children and adults—were brutally murdered in Homs.

It is also noted that protesters have been beaten without cause, tortured, and even summarily executed.

In October, Senators CARDIN, MENENDEZ, BOXER, and I sent a letter to the Ambassador to the United Nations from the United States, Susan Rice, urging that the Syrian Government be referred to the International Criminal Court for possible indictment for war crimes. Certainly the evidence for such charges is overwhelming and continues to this day.

Assad has paid lip service to reforms such as the sham constitutional referendum last Sunday. The document’s most important changes included giant caveats that they would, in effect, maintain the status quo as it exists in Syria.

One example is Assad’s introduction of Presidential term limits to 2 terms of 7 years each, but the clock wouldn’t start until Assad’s current term expires in 2014, giving him 14 more years in office, a total of 28 years. Incomprensible.

Secretary Clinton aptly described the referendum as a cynical ploy, to say the least.

On February 17, the Senate unanimously passed a resolution that:

Strongly condemns the government of Syr-

ia’s brutal and unjustifiable use of force against civilians, including unarmed women and children and its violations of the funda-

mental human rights and dignity of the peo-

ple of Syria.

Additionally, the U.N. General As-

sembly on February 16 passed a resolu-

tion of Inquiry on Syria, working with

Russia, China, and others to form a commission to probe the killings of innocent people by putting more and more weapons into the hands of those eager to pull the trigger.

Despite protests by civilians dying, despite the overwhelming inter-

ternational consensus that Assad has lost legitimacy to lead the Syrian people, Russia continues to sell arms to Syria. According to media reports:

Shipping data shows at least four cargo ships since September that left the Black Sea port of Oktiabrsk—used by Russian arms ex-

porters for arms shipments have headed for or reached the Syrian port of Tartous. Separa-

tately was the Chariot, a Russian ship which

docked at the Cypriot port of Limassol dur-

ing stormy weather in mid-January. It prom-

ised to change its destination in accordance with a European Union ban on weapons to Syria but, hours after leaving Limassol, reset its course for Syria.

The Russian arming of the Syrian murderers continues.

A Cypriot source said that ship was carrying a load of ammunition and a European security source said the ship was hauling ammunition and sniper ri-

flies of the kind used increasingly by

Syrian Government forces against pro-

testers.

I want to show one other photograph I have here in the Chamber. This photo is of one of those Russian warships—an aircraft carrier—docked at the Syrian port of Tartous on January 8. What we call the broiler, the devil ship in this case, the video clip showing the Russian warship captains being greeted like royalty by the Syrian Minister of Defense who went out to personally welcome their ship.

Rebel soldiers and an official who de-

fected from the Government of Syria say Moscow’s small-arms trade with Damascus is booming, and that the government doubled its military budget in 2011 to pay for the brutal response to this opposition. With the weapons Russia is in a unique posi-

tion. It has President Assad’s trust and confidence—maybe more than any other country. Should Russia choose, it could use this power and influence to constructively broker a real transition and an end to this bloodshed.

The longer President Assad holds power in Syria, the more innocent people will die. The window for a more peaceful transition is closing.

During the time for Russia to lead in the right direction—to be a responsible global partner, and to be part of a solution in ending the carnage, blood-

shed, and death in Syria.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BEN-

NET). The Senator from West Virginia.

TRIBUTE TO SOUTHERN WEST VIRGINIA

COMMUNITY AND TECHNICAL COLLEGE

Mr. MANCHIN. Mr. President, I rise today to recognize two pillars of West Virginia—an educational institution that is educating the people of our State for good-paying jobs they are going to need and a beloved figure who put our State at the forefront of advances in mental health.

First, please allow me to recognize Southern West Virginia Community and Technical College for its disting-

uished ranking as the 14th best com-

munity college in the Nation because of all the work its staff and students have done together, the skills necessary to compete in the workplace.

All of us in my great State know about Southern’s dedication to active and collaborative learning, and we are so proud that Monthly Monthly Monthly rec-

ognized the school’s achievements in its most recent rankings.

This accomplishment is not the work of any one person, but a shared commit-

ment to excellence from the school’s leadership, faculty, staff, and students. I applaud everyone who is in-

volved at Southern for their focus on improving educational quality through

strengthened student engagement and student success.

In addition, I am so pleased that

Southern is thriving under the stead-

fast leadership of President Joanne

Jaeger Tomblin, who is also serving

the public as West Virginia’s First

Lady. For more than 12 years, Joanne

has been the visionary and the driving

force behind many of these accomplish-

ments. Her unwavering enthusiasm and
tireless dedication transcend geo-

graphical barriers to bring extraor-
dinary educational opportunities to all of southern West Virginia.

I tell young people all the time that

they cannot sit on the sidelines and

watch life happen. They have to get in

the game and start making the calls.

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Mr. President, I yield the floor.
that will make our great State and country competitive by finding new ways to create good jobs and rebuild our economy.

Again, I am so proud of this accomplishment at Southern, and it is just one more example of what we can achieve when we all work together.

REMEMBERING DR. MILDRED MITCHELL-BATEMAN

Mr. President, I also rise today to recognize the accomplishments and life of a mental health pioneer and a most beautiful and true West Virginia hero, who we were so sad to lose last month. It is only fitting to honor her today on the last day of Black History Month.

Dr. Mildred Mitchell-Bateman leaves behind a remarkable legacy. She transformed care for mentally ill patients by working tirelessly to provide hope to people who were once believed to be untreatable. Her work emphasized the importance of family and community—two values we hold so dear in West Virginia. She put a high priority on making sure people received care near their homes.

Mildred Mitchell made West Virginia her home in 1946, when she was hired as a staff physician at West Virginia’s Lakin State Hospital, which at the time was a hospital for mentally ill patients who were African American. There she met and married her husband William L. Bateman, a therapist at Lakin and a native West Virginian. Throughout her 89 years, Mildred Mitchell-Bateman remained committed to serving those without a voice in our community. After leaving Lakin to practice medicine privately, Mildred returned to the hospital as the clinical director, and 3 years later was promoted to superintendent. In 1962, Mildred was named as the director of the State’s Department of Mental Health, becoming the first African-American woman to lead a West Virginia State agency.

Mildred’s vision for psychiatric care extended beyond West Virginia, earning her national recognition and requests for service. In 1973, she became the first Black woman to serve as vice president of the American Psychiatric Association. A short time later, she was appointed to the President’s Commission on Mental Health, where she played an important role in the creation of the 1980 Mental Health Systems Act.

Dr. Mitchell-Bateman was a doctor, a teacher, and a pioneer. Her accomplishments are made even more remarkable by the adversity she faced. Her life serves as a powerful example to us all of what one can accomplish with conviction, dedication, and true West Virginia grit.

Mildred Mitchell-Bateman will forever be remembered for her many years of dedicated service to the Mountain State, her passion and dedication to the mental health community, and for touching the lives of so many patients.

On top of that, she was also a loving mother to seven children, and a very proud grandmother to ten wonderful grandchildren.

Gayle and I are keeping the Mitchell-Bateman families in our hearts and prayers. While we know that Mildred Mitchell-Bateman is gone, her legacy and service to the people of West Virginia will keep her alive in our hearts forever.

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

The PRESIDING OFFICER. The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Mr. President, we have had a long discussion today on the amendment to the surface transportation bill offered by my colleague from Missouri, Senator Blunt. I think the discussion has shown pretty clearly that the amendment by the Senator from Missouri is both way beyond the scope of what most people envisioned and is extreme. It is very, very extreme because it would cause the deprivation of certain types of health care to perhaps millions of Americans in areas that go way beyond contraception.

All an employer would have to do is say they have a moral objection to providing vaccines and they would not have to provide health care. Maybe the employees could sue or go to court for 10 years and figure this out, but that is not what we want. So it would be a giant step backward in terms of health care.

It is also a giant step backward in terms of depriving millions of American women of contraception. In a sense, this is a ban on contraception, at least for the millions of American women who would say they do not want to provide contraception. Some might be motivated by religious beliefs, some might be motivated by simply saving money, and we would never know except after long and costly litigation. Again, that would deprive the employee of contraception for a very long time.

I think if people listened in on this debate, they would say this was a debate occurring not in 2012 but maybe in 1912 or even 1920. As such as a woman’s right to contraception without the employer making a determination have long been decided by this country. We have seen the statistics. The overwhelming majority of Americans of every faith believe contraception should be available.

So the debate has been pretty clear. I think the other side is making a huge mistake—certainly substantively, and in my judgment politically—so much so that today the leading Presidential candidate on the Republican side, when asked whether he supported the Blunt amendment said, no; he did not think Congress should be getting involved in contraception. Mr. Romney said we should not be doing this amendment, and he did not support it, unequivocally and clearly.

A few hours later, of course, his folks walked that back, probably because of the pressure. Our Republican primaries where this issue is debated seriously, even if the rest of America does not believe that it should be debated. But what it shows is even a leading candidate on other side who is seeking votes from the hard right has doubts about whether this is a good idea, those doubts are real.

The other side should make a retreat. Our Republican colleagues should not make the same mistake they made on the payroll tax deduction by appealing to an extreme group. They should back off this amendment. They should vote with us, and we should move on and debate the highway bill and put millions of our drafted, to work and update our infrastructure.

Mr. LEVIN. Mr. President, the amendment we are considering today represents a direct assault on access to care for West Virginians and millions of women in this country. The only purpose of this proposal is to protect the rights of conscience of any employer or healthcare insurer, religious or secular, who may have a religious or moral objection to providing family planning services free of charge to their employees. I respect and will defend the moral values of employers and insurance companies. But I also respect the moral values of people who may be medical service providers and end up deciding whether or not to deny access to critical and possibly lifesaving health services for millions of people in this country, not whose religious or moral values have precedence.

As drafted, Senator Blunt’s amendment would grant employers and health insurance companies the power to deny access to not just preventive healthcare services for women, but any healthcare service, for anyone, regardless of its nature. This means any employer could choose to deny employees insurance coverage for such things as children’s immunizations, mammograms, lifesaving cancer treatments; or blood transfusions simply because that employer or healthcare insurer believes it is morally objectionable.

For the Senate to pass such a policy would be indefensible. It would go far beyond the limits of the administration’s rule to implement provisions in the Affordable Care Act requiring access to some preventive services at no cost. Instead, this amendment would codify infringement on personal healthcare decisions. It also grants employers the right to substitute his moral convictions for those of his employees, and would effectively deny access to critical healthcare services.

Considering that some of my colleagues vociferously defend the idea of personal liberties, I am truly surprised they would support a policy to undermine those same liberties by handing
power over an individual’s personal healthcare decisions to that individual’s employer or his insurance company.

This body took a bold and historic step by enacting healthcare reform in 2010. It accomplished something that had eluded the country and the Congress for decades. The law recognizes that women have specific medical needs and that gaps have historically existed in care for women. And it correctly called for specific steps to address that. We should not now support policies that would not only walk these advances back, but take giant leaps backwards in access to healthcare services for everyone. I urge our colleagues to vote against this amendment.

Mr. LEAHY. Mr. President, I am proud to join Senator Kohn, and have long supported the No Oil Producing and Exporting Companies Act, NOPEC. We were able to pass this NOPEC bill as a response to the OPEC oil cartel by a vote of 70 to 23 a few years ago. The Senate should pass it again. This time, the House should also adopt this sensible approach. Our antitrust laws are there to those who fix prices and manipulate the oil market to the detriment of American consumers.

We should be doing what we can to ensure that oil prices are not artificially inflated. That effects gas prices at the pump. This NOPEC amendment will hold accountable the collusive behavior that artificially reduces supply and increases the price of fuel. The rise and fall of oil and gas prices has a direct impact on American consumers and our economy. We should increase accountability and take away the profits of those who manipulate prices and supply to their benefit and unfairly prey on consumers.

On Monday, the U.S. Energy Information Administration reported that prices for regular gas rose 13 cents per gallon last week to a nationwide average of $3.78. Gasoline pump prices are up 34 cents over last year. The Senate Judiciary Committee held a hearing on the skyrocketing price of oil in May 2008, but these recent increases in price have led to renewed calls for investigation into their causes. We already know one significant cause: anticompetitive conduct by oil cartels.

The artificial pricing scheme enforced by OPEC affects all of us. Fuel prices are on the rise and American consumers and businesses are feeling the pain at the pump. This week Vermonters are paying $3.79 for a gallon of regular gasoline; last week, Vermonters were paying $3.70—a price jump of a penny in just 1 week. We already know one significant cause: anticompetitive conduct by oil cartels.

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names of the Pantry’s clients and addresses. The staff tried just about every-thing to get the computer to turn back on, but nothing seemed to help. After much praying, the computer miraculously booted up and printed all 500 names, addresses, and emails. Upon hearing the phenomenon, the mail station company said “No way!” Ms. White responded with, “Yes, God’s way!”

Ms. White has no intentions of ending her mission work anytime soon. She had read a Bible verse in Psalms Chapter 91, Verse 11, which is very dear to her heart: “For he will command his angels concerning you to guard you in all your ways.” In Sebring, FL, in 2002, Ms. White heard a preacher speak of a lady who was still serving the Lord at 86 years old. She thought to herself, “I still have 14 years to go!” Ms. White offers this advice to other “old folks”: “When he calls, I think you need to consider his call and not your age.”

The service and good works of Ms. Pauline White and Shepherd’s Pantry have contributed mightily to the town of Cumberland, the surrounding region, and the entire Commonwealth of Ken-tucky. Ms. White is providing nourishment not just for her neighbors’ bellies, but also for their spirits. Mr. President, at this time I would like to ask my colleagues in the U.S. Senate to join me in commemorating the great service of Ms. Pauline White.

Mr. President, I yield the floor.

RECOGNIZING RARE DISEASE DAY
Mr. BROWN of Ohio. Mr. President, since 2009 the last day of February has been observed as Rare Disease Day. Each rare disease affects a small pa-tient population—less than 200,000 people—but there are more than 7,000 rare diseases that, combined, affect 30 million Americans. Rare genetic diseases account for more than half of the rare disease popu-lation.

Patients with rare diseases—such as Duchenne muscular dystrophy, Tay-Sachs, epidermolysis bullosa, sickle cell anemia, cystic fibrosis, and many childhood cancers—face unique challenges. Too many of these conditions lack effective treatments and cures, and too often people with rare diseases experience challenges in obtaining an accurate diagnosis. In addition, there is often difficulty finding physicians or treatment centers with the necessary expertise in rare diseases or disorders.

Great strides have been made in research and treatment as the result of the Orphan Drug Act, but more must be done to prevent, identify, combat, and treat rare diseases. By designating February 29, 2012, as Rare Disease Day, I hope we create greater awareness of these conditions, encourage accurate and timely diagnosis of rare diseases and disorders, and help demonstrate and support a national and global commit-ment to improve treatment options for individuals with rare diseases and disorders.

READ ACROSS AMERICA DAY
Mr. REID. Mr. President, I ask unan-imous consent that the Senate proceed to the consideration of S. Res. 382. The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk reads as follows:

A resolution (S. Res. 382) designating March 2, 2012, as “Read Across America Day.”

There being no objection, the Senate proceeded to consider the resolution. Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 383) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 382

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life; Whereas the people of the United States must be able to read if the United States is to remain competitive in the global econ-omy; Whereas Congress has placed great empha-sis on reading intervention and on providing additional resources for reading assistance, including through the programs authorized by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and Whereas more than 50 national organiza-tions concerned about reading and education have joined the National Education As-sociation to designate March 2, the anniver-sary of the birth of Theodor Geisel (also known as Dr. Seuss), as a day to celebrate reading; Now, therefore, be it
Resolved, That the Senate—
(1) designates March 2, 2012, as “Read Across America Day”;
(2) recognizes Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;
(3) honors the 15th anniversary of “Read Across America Day”;
(4) encourages parents to read with their children for at least 30 minutes on “Read Across America Day” in honor of the com-mitment of the Senate to building a country of readers; and
(5) encourages the people of the United States to observe “Read Across America Day” with appropriate ceremonies and activities.

RARE DISEASE DAY
Mr. REID. Mr. President, I ask unan-imous consent that the Senate proceed to the consideration of S. Res. 383. The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk reads as follows:

A resolution (S. Res. 383) designating February 29, 2012, as “Rare Disease Day.”

There being no objection, the Senate proceeded to consider the resolution. Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 383) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 383

Whereas rare diseases and disorders are those diseases and disorders that affect a small patient population, which in the United States is typically a population of fewer than 200,000 people; Whereas, as of the date of approval of this resolution, nearly 7,000 rare diseases affect 30,000,000 people and their families in the United States; Whereas children with rare genetic dis-eases account for more than half of the popu-lation affected by rare diseases in the United States; Whereas many rare diseases are life-threatening and lack an effective treatment; Whereas rare diseases and disorders include epidermolysis bullosa, progeria, sickle cell anemia, Tay-Sachs disease, cystic fibri-brosis, many childhood cancers, and fibrodysplasia ossificans progressiva; Whereas people with a rare disease experience challenges that include difficulty in obtaining an accurate diagnosis, limited treatment options, and difficulty finding a physi-cian or treatment center with expertise in the disease; Whereas great strides have been made in research and treatment for rare diseases as a result of the Orphan Drug Act (21 U.S.C. 360a et seq.); Whereas both the Food and Drug Adminis-tration and the National Institutes of Health have established special offices to advocate for rare disease research and treatments; Whereas the National Organization for Rare Disorders, an organization established in 1983, to provide services to, and advocate on behalf of, patients with rare diseases, was a primary force behind the enactment of the Orphan Drug Act and remains a critical pub-lic voice for people with rare diseases; Whereas the National Organization for Rare Disorders sponsors Rare Disease Day in the United States to increase public aware-ness of rare diseases; Whereas Rare Disease Day has become a global event that occurs annually on the last day of February; Whereas Rare Disease Day was observed in the United States for the first time on Feb-ruary 29, 2009; and Whereas Rare Disease Day is expected to be observed globally in years to come, pro-viding hope and information for rare disease patients around the world: Now, therefore, be it
Resolved, That the Senate—
(1) designates February 29, 2012, as “Rare Disease Day”;
(2) recognizes the importance of improving awareness and encouraging accurate and early diagnosis of rare diseases and dis-orders; and
(3) supports the commitment of the United States and all countries to improving access to, and developing, new treatments, diagnostics, and cures for rare diseases and disorders.

ADDITIONAL STATEMENTS

RECOGNIZING OUTSTANDING STUDENT VOLUNTEERS

Mr. AKAKA. Mr. President, I rise today to congratulate Candonino Agusen and Jackson Button, two students from my State, who were named as top youth volunteers for 2012 by the Prudential Spirit of Community Awards. The awards were created in 1995 through a partnership between Prudential and the National Association of Secondary School Principals to honor middle and high school students for outstanding service to others at the local, State, and national levels.

Every year, the top high school and middle school youth volunteers from each State and the District of Columbia are selected as State Honorees. Each honoree receives a $1,000 award, an engraved silver medallion, and an all-expense paid trip to Washington, D.C. for several days of national recognition events. In addition, other noteworthy students from each State are named Distinguished Finalists and receive a bronze medallion for their contributions.

After the natural disasters in Japan in 2011, Candonino, a junior at Kealakehe High School, recruited others to help him purchase temporary housing kits for the victims displaced by the earthquake and tsunami. These kits included a tent, survival equipment, and a month of supplies for up to 10 people. His team raised more than $91,000, enough to take care of 160 earthquake victims for a month. Candonino contributed another $2,000 by making and sending 1,000 paper origami cranes to Japan as a symbol of support.

Jackson, a middle school student at Hawaii Technology Academy, co-founded a nonprofit organization with his sisters that has raised nearly $100,000 to support a wide variety of projects aiding children in Africa, Mexico, and the United States. Some of the projects funded by the organization include scholarships for poor children who have lost a parent to cancer or other diseases, a solar heater for a Mexican orphanage, and school supplies for underprivileged students in Hawaii. Through the nonprofit, Jackson and his sisters even arranged a van to take HIV/AIDS orphans in Uganda to medical appointments, and bought four acres of land in that country to grow food and build a new orphanage.

I would also like to recognize Scott Fetz of Kailua-Kona and Jessica Sonson of Ewa Beach, who were named the 2012 Distinguished Finalists from Hawaii, as well as the many other individuals who contribute to the improve-ment of our communities every day. Our Nation is a better place because of people like these young leaders, who are making a difference in their communities and around the world. These students, like many volunteers, do not perform these services for recognition. I am grateful that acknowledge their selflessness so that these role models can serve as inspiration for others. I am proud of all that these students have accomplished, and I wish them the best in their bright futures.

RECOGNIZING MEDSTAR ST. MARY’S HOSPITAL

Mr. CARDIN. Mr. President, I wish to recognize the 100th anniversary of MedStar St. Mary’s Hospital in Leonardtown, MD. When St. Mary’s Hospital was founded in 1912, it was Leonardtown’s first community health care center, located in a modest two-story home. The surrounding population was rural, and the hospital’s running water was heralded in a local newspaper. The new health care center was the first of many institutions that marked the beginning of St. Mary’s County’s transformation into the modern, thriving region it is today.

As the county has grown and evolved from humble beginnings, so has the hospital. Today, St. Mary’s is a full-service hospital facility which offers state-of-the-art inpatient and outpatient care. The emergency room serves over 50,000 patients per year, and St. Mary’s is leading the way in using cutting-edge medical technology. St. Mary’s was the first hospital in southern Maryland to achieve full certification as a stroke center and won the prestigious Delmarva Foundation Excellence Award five times for consistent improvements in patient safety and clinical outcomes. The hospital’s fully integrated electronic medical records system is ranked among the top 5 percent nationally.

St. Mary’s is committed to a “patients first” philosophy, which is evident in consistently high patient satisfaction scores. At St. Mary’s, treating every patient with respect and compassion is an essential part of the healing process. The hospital offers dignity, comfort, and support to each and every patient and his or her family.

In 2009, St. Mary’s joined the MedStar Health System. This partnership helps St. Mary’s meet the expanding medical needs of the southern Maryland community and offer the region greater access to specialty care. A new name that blends the hospital’s history and future—MedStar St. Mary’s Hospital—has been unveiled to celebrate its centennial.

I ask my colleagues to join me in congratulating MedStar St. Mary’s Hospital on 100 years of providing outstanding patient-centered care to the residents of Leonardtown and the southern Maryland region.

RECOGNIZING ST. PAUL’S PARISH

Mr. CASEY. Mr. President, it is with great pleasure that I recognize St. Paul Roman Catholic Church of the Diocese of Scranton, PA, as it celebrates its 125th anniversary. Saint Paul’s church and school have been a place of worship and education for my family for generations.

St. Paul’s Parish, of the Green Ridge Section of Scranton, was created by Bishop Reverend William O’Hara in 1887 as the sprawl from the center city of Scranton commenced with growth in the anthracite coal industry in Northeast Pennsylvania. The first mass, on March 1, 1887, was attended by 300 people.

A more permanent church, which included classroom space and an auditorium, was built just 3 years later in 1890. In 1892, the Sisters of the Immaculate Heart of Mary began teaching at the school and continue to do so today. A convent was built for the sisters in 1898.

After 38 years, the building that housed the church and school became insufficient, and in 1928, St. Paul School was built and is still in operation. As Green Ridge’s population continued to grow, the parish built St. Clare School in 1952, St. Clare Church in 1956, and St. Clare Convent in 1958. Finally, St. Paul’s current church was built in 1952 and was renovated in 1999–2000.

Under the current leadership of Monsignor William Feldcamp, St. Paul’s Parish remains vibrant with over 4,500 members.

I wish the entire St. Paul community my best as Bishop Joseph C. Bambera celebrates the 125th anniversary mass on Sunday, March 4, 2012.

RECOGNIZING CHEYNEY UNIVERSITY

Mr. CASEY. Mr. President, I wish to recognize the 175th anniversary of Cheyney University. Founded on February 29, 1837, as the Institute for Colored Youth, Cheyney University is the oldest of the Nation’s historically black colleges and universities.

Born in an era that legally and commonly defined African Americans as property, the Institute for Colored Youth sought to provide a pathway for educational enrichment to a community wherein few opportunities existed.

Established through the donation of Richard Humphreys, a Quaker philanthropist who settled in Philadelphia in 1764, the Institute for Colored Youth was created to prepare young Americans to educate their communities as teachers. Recognizing that African Americans lacked both means and access to higher education, the Institute for Colored Youth provided classes in classical education to young students at no cost in the first years of its creation.

Over time, the vision of the Institute for Colored Youth grew into what we now know as Cheyney University.
Today, Cheyney University offers a diverse array of academic programming, including bachelor of arts and bachelor of science degrees in more than 30 fields, master of science and master of education, master of arts in teaching, and master of public administration. The strong tradition of Cheyney University is evidenced in continuous efforts to identify new methods and opportunities to prepare their students to succeed.

As we celebrate African-American achievement and extraordinary accomplishments this month, we must also pay tribute to the institutions that are the foundations of these successes. Cheyney University’s legacy of academic achievement spans throughout the Civil War, Reconstruction, the era of Jim Crow and the Civil Rights movement and continues today. Cheyney University, having grown from the darker chapters of American history, has served as a true instrument of change for equal access to opportunities. It is both an honor and a privilege to commemorate Cheyney University and its tremendous impact throughout Pennsylvania and across the Country.

REMEMBERING BILL RAGGIO

Mr. HELLER. Mr. President, I wish to pay tribute to the life and work of Bill Raggio, a steadfast Nevadan, my mentor, and dedicated public servant who passed away on February 23, 2012. Our State has lost a truly devoted leader and influential icon in Nevada politics. We mourn the passing of a dear friend and celebrate the life of a man who lived and fought for the betterment of our State.

The loss of Bill is something that will be felt all across Nevada. He was truly a giant in every sense of the word. His record-breaking 38 years in the Nevada Senate can only be described as selfless. Over the course of 10 terms, Bill was dedicated beyond question. He not only demonstrated a tactful leadership style but also devoted himself to fiscal responsibility. His ability to compromise and his willingness to work across party lines helped him to overcome partisan differences and legislative hurdles to meet the needs of the great State of Nevada. Bill influenced my work, and for that I am forever thankful.

Nevada’s ability to overcome the difficult problems, Bill pledged his commitment to dutifully protecting the citizens of northern Nevada as the Washoe County district attorney. He was a great man who fought hard for Nevadans and was respected by many. We are fortunate and proud to remember Bill, a second-generation Nevada and Reno native.

Bill touched the lives of tens of thousands of Nevada families, spanning generations. He lived and Nevadans with honor and devotion, and we are blessed by Bill’s enduring and undeniable passion for public service. I ask my colleagues to join me today in celebrating the life of a great statesman who will always be remembered for his unwavering commitment to Nevada. His passing is a tremendous loss, and his legacy will be cherished for generations to come. I wish to extend my deepest sympathies and condolences to Bill’s wife Dale and the entire Raggio family.

RECOGNIZING PENBAY SOLUTIONS

Ms. SNOWE. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, I have the privilege of hearing countless small business success stories from hard-working entrepreneurs across the country. Today I wish to recognize and commend the extraordinary achievements of PenBay Solutions, an award-winning geographic information systems, GIS, firm headquartered in Brunswick, ME.

Since its inception in 1999, PenBay has grown to become a leader in the expanding GIS industry while spurring job creation. Today, the company employs 26 people in Maine, many of which graduated from the University of Maine system, a primer education institution for GIS. Additionally, PenBay employs several individuals working remotely around the country as well as in their New York and Washington D.C. offices.

As a technology leader, PenBay Solutions provides geographic information to help clients economize space, cut costs, comply with building codes, and make better decisions across the board. While GIS is an emerging technology, PenBay has been a forerunner in providing businesses with this vital asset and has distinguished themselves among clients in a breadth of industries including: education, health care, government, and more.

Among their many achievements, PenBay has undertaken several complex and fascinating projects of note. In 2006, PenBay assisted the Fire Department of New York, FDNY, in complying with a New York City law that required the FDNY to review certain buildings and evaluate compliance with new building codes and evacuation procedures. PenBay played an instrumental role in helping the Department achieve this goal by automating over 16,000 floor plans for simple retrieval and evaluation. PenBay’s support, the FDNY was able to meet its goals and concentrate on its main mission: protecting and saving New York City residents’ lives.

In addition to working with the FDNY, PenBay has been awarded many other government contracts. In late 2008, PenBay assisted the 6th Civil Engineering Squadron of MacDill Air Force Base, 6CES, with a maintenance contract of 130 government buildings. In this instance, 6CES lacked the significant number of in-building data necessary to make informed decisions about the space and floor materials within each building. With minimal disruption to facility operations and within a remarkable turnaround time of 9 days, PenBay Solutions was able to complete Phase 1 of the project and provide the necessary geospatial data for over 1.7 million square feet of building space.

As a result of the company’s valuable work, Stuart Rich, PenBay’s Chief Technology Officer, was honored by the Technology Association of Maine with their 2011 CxO of the Year Award in recognition of his innovation in the geographic information systems industry. Mr. Rich was also inducted into the University of Maine’s Francis Crowe Society in 2010. This tremendous honor is bestowed upon University of Maine engineering graduates who have made substantial contributions to the engineering profession.

I applaud PenBay Solutions for being a hallmark example of an innovative American small business. Their incredible contributions to geospatial technology truly demonstrate the entrepreneurial spirit and remarkable talent found in my home state of Maine. I am proud to extend my congratulations to everyone at PenBay Solutions, and offer my best wishes for their continued success.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees. (The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:29 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1433. An act to protect private property rights.


The message also announced that pursuant to section 287a of title 2, United States Code, the Speaker appoints Thomas J. Wickham, Jr., as Parliamentarian of the House of Representatives to succeed John V. Sullivan, resigned.

ENROLLED BILL SIGNED

At 12:43 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks,
announced that the Speaker has signed the following enrolled bill:

H.R. 347. An Act to correct and simplify the drafting of section 1732 (relating to restricted buildings or grounds) of title 18, United States Code.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mrs. GILLIBRAND).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1433. An act to protect private property rights; to the Committee on the Judiciary.

H.R. 2117. An act to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5119. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Prazasulfuron; Pesticide Tolerances” (FRL No. 9336–9) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5120. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Flupyrad; Pesticide Tolerances” (FRL No. 9338–6) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5121. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Metaflumizone; Pesticide Tolerances” (FRL No. 9338–4) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5122. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting, pursuant to law, the fiscal year 2011 annual National Defense Authorization Budget Submission and Terrorism Fellowship Program to the Committee on Armed Services.

EC–5123. A communication from the Assistant Secretary of Defense (Homeland Defense and Americas’ Security Affairs), transmitting, pursuant to law, a report entitled “Combating Terrorism Activities Fiscal Year 2013 Budget Request”; to the Committee on Armed Services.

EC–5124. A communication from the Principal Deputy Assistant Secretary of the Committee on Procurement (Technology), transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities for fiscal year 2011; to the Committee on Armed Services.

EC–5125. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–5126. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Federal Housing Administration (FHA); Suspension of Section 238(c) Single-Family Mortgage Insurance in Military Impacted Areas” (RIN2562-AJ01) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–5127. A communication from the Assistant Director for Policy, Office of Foreign Assistance Programs, Department of State, transmitting, pursuant to law, the report of a rule entitled “United States and Area Median Gross Income Figures” (Rev. Proc. 2012–16) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2012; to the Committee on Finance.

EC–5128. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Source of Income and Nonqualified Pension Plans” (RIN0554–B380; TD 9580) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2012; to the Committee on Finance.

EC–5129. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Source of Income and Nonqualified Pension Plans” (RIN0554–B378; TD 9579) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2012; to the Committee on Finance.

EC–5130. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Medicaid Program; Review and Approval Process for Section 1115 Demonstrations” (RIN0938–AQ46) received in the Office of the President of the Senate on February 27, 2012; to the Committee on Finance.

EC–5131. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicaid Program; Application, Revise, and Reconciliation Process for Initial Enrollment” (RIN0938–AQ57; RIN1505–AC30) received in the Office of the President of the Senate on February 27, 2012; to the Committee on Finance.

EC–5132. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Protecting the Public and Our Employees in Our Hearing Process” (RIN0960–AH20) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Finance.

EC–5133. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedure for Commercial Refrigeration Equipment” (RIN1904–AC30) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Energy and Natural Resources.

EC–5134. A communication from the Board of Trustees, Department of the Interior, Investment Trust, transmitting, pursuant to law, an annual management report relative to its operations and financial condition; to the Committee on Finance.

EC–5135. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Section 911(d)(4)—2011 Update” (Rev. Proc. 2012–21) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2012; to the Committee on Finance.

EC–5136. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Medicaid Program; Letter Carriers; and Nonqualified Pensions” (RIN0554–B384) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2012; to the Committee on Finance.
By Mr. VITTER (for himself and Mr. NELSON of Florida):
S. 2318. A bill to establish a pilot program to evaluate the cost-effectiveness and projected efficiency of non-Federal sponsors as the lead project delivery team for authorized civil works flood control and navigation construction projects of the Corps of Engineers on Environment and Public Works.

By Mrs. McCASKILL (for herself and Mr. WISE):
S. 2318. A bill to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN of Ohio (for himself and Mrs. GILLIBRAND):
S. 2190. A bill to amend the Public Works and Economic Development Act of 1965 to modify the period used to calculate certain unemployment rates, to encourage the development of business incubators, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself, Mr. COTTON, Mr. HARKIN, and Mr. MURPHY):
S. 2141. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY:
S. 2142. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:
S. 2143. A bill to amend the Internal Revenue Code of 1986 to clarify that paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production; to the Committee on Finance.

By Mr. CASEY:
S. 2144. A bill to amend the Internal Revenue Code of 1986 to exempt from gross income the social security annuity commencing at age 60.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REED (for himself and Ms. COLLINS):
S. Res. 382. A resolution designating March 2, 2012, as “Read Across America Day”; considered and agreed to.

By Mr. BROWN of Ohio (for himself and Mr. BARRASSO):
S. Res. 363. A resolution designating February 29, 2012, as “Rare Disease Day”; considered and agreed to.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):
S. Res. 341. A resolution designating the first Tuesday in March as “National Public Higher Education Day”; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 555
At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 555, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 665
At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 665, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 665
At the request of Mr. BROWN of Ohio, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 665, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 775
At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 775, a bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes.

S. 396
At the request of Mr. AKAKA, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 1299
At the request of Mr. MORAN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1728
At the request of Mr. BROWN of Massachusetts, the names of the Senator from Nevada (Mr. HELLER) and the Senators from Montana (Mr. Tester) were added as cosponsors of S. 1728, a bill to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service.

S. 1770
At the request of Mr. SCHUMER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1770, a bill to prohibit discrimination in adoption or foster case placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.
At the request of Mr. Durbin, the names of the Senator from Alaska (Mr. Begich) and the Senator from Maryland (Ms. Mikulski) were added as cosponsors of S. 1841, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

At the request of Mr. Durbin, the name of the Senator from Alaska (Mr. Begich) was added as a cosponsor of S. 1945, a bill to permit the televising of Supreme Court proceedings.

At the request of Mr. Thune, the name of the Senator from Nebraska (Mr. Johanns) was added as a cosponsor of S. 1956, a bill to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes.

At the request of Ms. Mikulski, the name of the Senator from Idaho (Mr. Risch) was added as a cosponsor of S. 2046, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

At the request of Ms. Klobuchar, the name of the Senator from Minnesota (Mr. Franken) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

At the request of Mr. Paul, the names of the Senator from Wisconsin (Mr. Johnson), the Senator from Oklahoma (Mr. Coburn), the Senator from Pennsylvania (Mr. Toomey) and the Senator from Utah (Mr. Hatch) were added as cosponsors of S. 2122, a bill to clarify the definition of navigable waters, and for other purposes.

At the request of Mr. Hatch, the name of the Senator from Idaho (Mr. Risch) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

At the request of Ms. Mikulski, the name of the Senator from California (Mrs. Feinstein) 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.

At the request of Mr. Graham, the names of the Senator from North Carolina (Mr. Burr), the Senator from Kansas (Mr. Moran), the Senator from Idaho (Mr. Crapo), the Senator from Illinois (Mr. Kirk) and the Senator from North Carolina (Mrs. Hagan) were added as cosponsors of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

At the request of Mr. Grassley, his name was added as a cosponsor of S. Res. 380, supra.

At the request of Mr. Hoeffen, the names of the Senator from West Virginia (Mr. Manchin) and the Senator from North Carolina (Mrs. Hagan) were added as cosponsors of amendment No. 1537 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Cardin, the name of the Senator from Alaska (Mr. Begich) and the Senator from Minnesota (Mr. Franken) were added as cosponsors of amendment No. 1542 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Cardin, the name of the Senator from Alaska (Mr. Begich) was added as a cosponsor of amendment No. 1549 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Merkley, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of amendment No. 1599 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Merkley, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of amendment No. 1606 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mrs. Gillibrand, the name of the Senator from Hawaii (Mr. Akaka) was added as a cosponsor of amendment No. 1648 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Ms. Klobuchar, the names of the Senator from Colorado (Mr. Bennet) and the Senator from Michigan (Ms. Stabenow) were added as cosponsors of amendment No. 1661 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Paul, the name of the Senator from Arizona (Mr. Kyl) was added as a cosponsor of amendment No. 1736 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Johnson of Wisconsin, his name was added as a cosponsor of amendment No. 1737 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Coburn, the name of the Senator from Arizona (Mr. McCain) and the Senator from Kentucky (Mr. Paul) were added as cosponsors of amendment No. 1738 intended to be proposed to S. 1813, supra.

At the request of Mr. Johnson of Wisconsin, his name was added as a cosponsor of amendment No. 1738 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Coburn, the name of the Senator from Arizona (Mr. McCain) was added as a cosponsor of amendment No. 1738 intended to be proposed to S. 1813, supra.

At the request of Mrs. Murray, the names of the Senator from Washington (Ms. Cantwell) and the Senator from Colorado (Mr. Bennett) were added as cosponsors of amendment No. 1739 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mrs. Murray, the name of the Senator from Washington (Ms. Cantwell) was added as a cosponsor of amendment No. 1740 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

At the request of Mr. Hoeven, the name of the Senator from North Dakota (Mr. Conrad) was added as a cosponsor of amendment No. 1748 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 Mr. Vitter (for himself and Mr. Nelson of Florida):
S. 2388. A bill to establish a pilot program to evaluate the cost-effectiveness and project delivery efficiency of non-Federal sponsors as the lead project delivery team for authorized civil works flood control and navigation construction projects of the Corps of Engineers; to the Committee on Environment and Public Works.

Mr. VITTER. Mr. President, I come to the Senate floor to talk about an important and bipartisan legislation that I introduced today, along with Senator BILL NELSON of Florida. It is about the Corps of Engineers, and it is intended, and will once passed, to make a real impact in terms of lessening the delays, the bureaucracy, and the hurdles all of us must go through in terms of seeing important Corps of Engineers projects through to fruition. It is called the U.S. Army Corps of Engineers Flood Control and Navigation Project Pilot Program.

Let us get right to the heart of the matter. The U.S. Army Corps of Engineers is a broken bureaucracy. In several significant respects, it is simply a badly broken bureaucracy. Let me say upfront that there are many smart, qualified people who work there. They are doing their best. They work long, hard hours in so many cases, and I applaud their efforts. But the overall structure and the overall bureaucracy within which we all must work to get important Corps of Engineers work done is simply broken.

It takes, on average, about 6 years—6 years—for the Corps not to do a project but to perform a preliminary study that might lead to an important flood control or navigation project. Then, when we actually talk about the engineering work, the construction work, it takes at least 20 years, on average, to accomplish any meaningful project. That is simply too long.

There are many reasons for this, and let me put them out there. Not all of those are the Corps of Engineers' fault. We in Congress, the public, the country put so many demands and burdens on them that they are simply swamped. They have a backlog that, to some extent, is unavoidable, and that backlog for active projects—not projects being studied or considered but the backlog for active approved projects—is currently $59.6 billion. But even considering that—even considering that avalanche of demands and that backlog—the Corps' bureaucracy is broken, and it adds to those problems and magnifies them enormously by extending the time and the cost of any given project.

Of course, when projects get extended in time and are delayed, when costs grow over time. Then the initial problem—the backlog, that initial avalanche of demands—explodes and is multiplied tenfold. This is the situation Senator NELSON and I are trying to address in a focused, proactive, positive way.

Our bill would do one thing to address this. It would establish a pilot program whereby the Corps of Engineers selects certain significant flood control and/or navigation projects and moves project management authority, responsibility for those projects, from the Corps of Engineers down to the States and local sponsors. What do I mean by that? Every project we are talking about, every Corps project, whether it is a flood control project or a navigation project, the Corps of Engineers doesn’t do it alone. They have partners, broadly speaking. On the governmental side, they specifically include States and local sponsors. On the private side, they almost always pay a significant cost share of the project—usually about 35 percent. Those entities are already involved in a very meaningful way in these projects.

Our pilot program would tell the Corps to take certain select projects which have been delayed, which are sitting on the shelf, with costs and timelines growing, and move the project manager responsibility out of the Corps and down to the States and local sponsors. The States and localities are the folks on the ground who have even more of a vested interest and a need to actually get this work done. They have the desire to cut federal money to them and get it done in a more aggressive way. So I am absolutely convinced, if we can move this responsibility in a careful, thoughtful way down to the States and local sponsors, in virtually all cases that will cut delays, that will cut time-frames, and in doing so it will significantly cut costs.

Again, this is not a radical idea. For one thing, these State and local entities I am talking about are already intimately involved in these projects. They already have significant capacity to be proactively involved in these projects and they already have a stake in the game—in most cases paying 35 percent of the project cost. So the professionals doing the design, engineering, and construction work is not done by any of these entities anyway. In almost all cases, the huge majority, or 100 percent, of that work—design, engineering, construction—is done by private business hired by the Corps, hired by the States and locals to do this done. That will remain the same. So the professionals doing the design, engineering, and construction work will remain the same. That is not changing at all.

Third, the reason this idea is not a radical concept but is actually a proven model is that what I am describing is more or less exactly what we do for Federal highway projects. It just so happens we are debating a highway bill on the Senate floor, and that is a useful model to look to in this context. When we do highway projects, we have a Federal Highway Administration and we have significant Federal funds that go to these highway projects, but the Federal Highway Administration—most would say it is the lead project manager, is not intimately involved day to day, week to week, and year to year in moving those projects along. Quite to the contrary, they are shipped and the dollars are shipped to the States and locals. In the huge majority of cases, the States and/or locals are the lead project manager entity taking control and leading the work.

So that is a proven model. That model works better compared to the way the U.S. Army Corps of Engineers works; that is, broad brush, exactly the model we are adopting. It will save time and money and so it will save significant money.

To ensure the Corps does not feel threatened by this, built into the bill, Senator NELSON and I have identified an offset. So even though these projects that will be included in the pilot program have money that has been allocated for them, we have an offset so that amount of money can be spent on those projects without diminishing what will remain as the U.S. Army Corps of Engineers' money in this situation.

In fact, the Corps itself faces a win-win with this situation. They will get rid of some of their responsibility and some of their work, but there will not be any Federal U.S. Army Corps of Engineers money that will have to be paid out to them alone with that responsibility and with that work. Quite honestly, the Corps welcomes this, particularly in light of their backlog and particularly in light of the avalanche of demands that are placed on them.

For all these reasons, I hope all our colleagues in the Senate, Democrats and Republicans, will look carefully at this legislation and join Senator BILL NELSON of Florida and myself. This is something that needs to be done, because as I said at the beginning, the U.S. Army Corps of Engineers, unfortunately, is a badly broken bureaucracy in many respects. It needs to be fixed. We need to respond to these flood control and navigation needs on a real-time basis, not with 20, 30 years’ delay. We can’t continue to compete in a global economy with this sort of delay for vital navigation or vital flood control projects. We need to cut through the bureaucracy and do a lot more with less. This legislation will help us get there.

I invite, and Senator BILL NELSON invites, all of our colleagues, Democrats and Republicans, to look at this legislation. We invite all of our colleagues to join us in this very important reform of the Corps of Engineers.

In closing, let me also say that independent of this legislation, I am also pursuing a GAO audit of the Corps. I have already requested that in writing and have received assurances that that audit will happen. I think that will be an additional and very helpful and necessary tool for us to see how the Corps does or doesn’t effectively do its business and to make other needed reforms in the U.S. Army Corps of Engineers' bureaucracy.

I look forward to pursuing that audit, getting the results of that, and seeing...
where that leads in terms of other necessary reforms corps reforms in the near future.

By Mr. GRASSLEY (for himself, Mr. CONRAD, Mr. JOHNSON of South Dakota, and Mr. HARKIN):

S. 2141. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRASSLEY. Mr. President, today I am introducing legislation designed to help family farmers across this nation have a more level playing field when it comes to livestock markets. The bill would prohibit meatpackers from owning livestock. The ownership of livestock by packers compromises the marketplace and hinders the ability of the farmer to receive a fair price. It is simple, as one meat-packing executive once told me, packers own so that when prices are high, they slaughter their own live-stock. When prices are low, they buy from farmers.

I would love to say opportunities for independent producers have gotten better since the last time we debated this bill during the 2008 Farm Bill. But that simply isn’t the case. We are to the point where most farmers have to deliver their livestock to one of a few very large packers. Farmers’ bargaining power is diminished by the sheer size and economic position of the packers. But beyond that, farmers have to compete with the livestock owned by the packing plant itself. The packer would make sure the forces of the marketplace work for the benefit of the farmer as much as it does for the slaughteringhouse.

I am sure there will be folks in the packing industry that point out that farmers are doing okay right now, and that’s great that farmers are experiencing a good period. I am pleased any-time they work of livestock farmers results in a good price. But I don’t want my colleagues here in the Senate to be lulled to sleep and think just because prices are good right now means we don’t have competition issues in the livestock industry that need to be addressed. This is about ensuring farmers are able to get fair prices for years to come. We need to work today, and implement this reform, to ensure the next generation of independent farmers has an opportunity to raise livestock and receive fair prices as a result of their hard work.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2141.

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

SECTION 1. PROHIBITION ON PACKERS OWNING, FEEDING, OR CONTROLLING LIVESTOCK.

(a) In General.—Section 202 of the Packers and Stockyards Act, 1921 (7 U.S.C. 192), is amended—

(1) by redesignating subsections (f) and (g) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (e) the following:

"(f) Own or feed livestock directly, through a subsidiary, or through an arrangement that gives the packer operational, managerial, or supervisory control over the livestock, or over the farming operation that produces the livestock, to such an extent that the producer is no longer materially participating in the management of the operation with respect to the production of the livestock, except that this subsection shall not apply to—

(1) an arrangement entered into within 7 days (excluding any Saturday or Sunday) before slaughter of the livestock by a packer, a person acting through the packer, or a person that directly or indirectly controls, or is controlled by or under common control with, the packer;

(2) a cooperative or entity owned by a cooperative, if a majority of the ownership interest in the cooperative is held by active cooperative members that—

(A) own, feed, or control livestock; and

(B) provide the livestock to the cooperative for slaughter;

(3) a packer that is not required to report to the Secretary on each reporting day (as defined in section 212 of the Agricultural Marketing Act of 1946 (7 U.S.C. 166a)) information on the number of head of livestock purchased by the packer; or

(4) a packer that owns livestock processing plant; or"

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by subsection (a) take effect on the date of enactment of this Act.

(2) TRANSITION RULES.—In the case of a packer that on the date of enactment of this Act owns, feeds, or controls livestock intended for slaughter in violation of section 202(f) of the Packers and Stockyards Act, 1921 (as amended by subsection (a)), the amendments made by subsection (a) apply to the packer as follows:

(A) in the case of a packer of swine, beginning on the date that is 12 months after the date of enactment of this Act; and

(B) in the case of a packer of any other type of livestock, beginning as soon as practicable, but not later than 180 days, after the date of enactment of this Act, as determined by the Secretary of Agriculture.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 382—DESIGNATING MARCH 2, 2012, AS "READ ACROSS AMERICA DAY"

Mr. REED of Rhode Island (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. Res. 382.

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and on providing additional resources for reading assistance, including through the programs authorized by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 2, the anniversary of the birth of Theodor Geisel (also known as Dr. Seuss), as a day to celebrate reading; Now therefore be it

Resolved, That the Senate—

(1) designates March 2, 2012, as "Read Across America Day";

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) honors the 15th anniversary of "Read Across America Day";

(4) encourages parents to read with their children for at least 30 minutes on "Read Across America Day"; and

(5) encourages the people of the United States to observe "Read Across America Day" with appropriate ceremonies and activities.

SENATE RESOLUTION 383—DESIGNATING FEBRUARY 29, 2012, AS "RARE DISEASE DAY"

Mr. BROWN of Ohio (for himself and Mr. BARRASSO) submitted the following resolution; which was considered and agreed to:

S. Res. 383.

Whereas rare diseases and disorders are those diseases and disorders that affect a small patient population, which in the United States is typically a population of fewer than 200,000 people;

Whereas, as of the date of approval of this resolution, nearly 7,000 rare diseases affect 30,000,000 people and their families in the United States;

Whereas children with rare genetic diseases account for more than half of the population affected by rare diseases in the United States;

Whereas many rare diseases are life-threatening and lack an effective treatment;

Whereas rare diseases and disorders include epidermolysis bullosa, progeria, sickle cell anemia, Tay-Sachs disease, cystic fibrosis, many childhood cancers, and fibrodysplasia ossificans progressiva;

Whereas people with a rare disease experience challenges that include difficulty in obtaining an accurate diagnosis, limited treatment options, and difficulty finding a physician or treatment center with expertise in the disease;

Whereas great strides have been made in research and treatment for rare diseases as a result of the Orphan Drug Act (21 U.S.C. 360a et seq.);

Whereas both the Food and Drug Administration and the National Institutes of Health have established special offices to advocate for rare disease research and treatments;

Whereas the National Organization for Rare Disorders, an organization established in 1983 to provide services to, and advocate on behalf of, patients with rare diseases, was a primary force behind the enactment of the Orphan Drug Act and remains a critical public voice for people with rare diseases;

Whereas the National Organization for Rare Disorders sponsors Rare Disease Day in the United States to increase public awareness of rare diseases;

Whereas Rare Disease Day has become a global event that occurs annually on the last day of February;
Whereas Rare Disease Day was observed in the United States for the first time on February 28, 2009; and
Whereas Rare Disease Day is expected to be observed globally in years to come, providing hope and information for rare disease patients around the world; Now, therefore,
be it
Resolved, That the Senate—
(1) designates February 29, 2012, as “Rare Disease Day”;
(2) recognizes the importance of improving awareness and encouraging accurate and early diagnosis of rare diseases and disorders; and
(3) supports the commitment of the United States and all countries to improving access to, and developing, new treatments, diagnostics, and cures for rare diseases and disorders.

SENATE RESOLUTION 384—DESIGNATING THE FIRST TUESDAY IN MARCH AS “NATIONAL PUBLIC HIGHER EDUCATION DAY.”

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas the economic strength of the United States and its ability to create jobs and compete globally requires a skilled workforce educated for a 21st century economy;

Whereas according to the Department of Education, over 14,000,000 students attend public postsecondary degree-granting institutions across every State in the United States, comprising almost 34% of postsecondary students in the United States;

Whereas the Federal Reserve Bank of St. Louis has found that publicly supported community colleges “enroll almost half of all U.S. undergraduate students and are essential for work force training and retraining”;

Whereas according to the Center for Measuring University Performance, 1/2 of the top 50 research universities in the United States are public institutions, from Virginia to Texas to Minnesota, Ohio to Colorado and many more;

Whereas according to the Department of Veterans Affairs, during the 2009-2010 academic year, postsrotary DAD employs 1 of the top 10 most popular choices for students who used benefits from the Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C. 3301 et seq.); and

Whereas the first Tuesday in the month of March is an appropriate day to designate as National Public Higher Education Day: Now, therefore,

Resolved, That the Senate—
(1) designates the first Tuesday in the month of March as “National Public Higher Education Day;”
(2) recognizes the importance of public higher education for growing a skilled domestic workforce, promoting research and innovation, and advancing the global competitiveness of the United States; and
(3) calls upon the people of the United States to observe National Public Higher Education Day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1751. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. Reid 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.

SA 1752. Ms. SNOWE (for herself, Mr. CARDIN, Ms. KLOBUCAR, Mr. RUBIO, Mr. ROCKEFELLER, Mr. WICKER, Mr. MERKLEY, Mr. BLUMENTHAL, and Mr. TRSTEN) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1753. Ms. KLOBUCAR (for herself and Mr. ALEXANDER) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1754. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1755. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1756. Mr. DE MINT submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1751. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. Reid 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.

SA 1752. Ms. SNOWE (for herself, Mr. CARDIN, Ms. KLOBUCAR, Mr. RUBIO, Mr. ROCKEFELLER, Mr. WICKER, Mr. MERKLEY, Mr. BLUMENTHAL, and Mr. TRSTEN) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1753. Ms. KLOBUCAR (for herself and Mr. ALEXANDER) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1754. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1755. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1756. Mr. DE MINT submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1757. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. Reid 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.

SA 1758. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1759. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1760. Mr. DE MINT submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1761. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1762. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. Reid to
SEC. IMPROVING AND EXPediting SAFETY ASSESSMENTS IN THE COM- MERCIAL DRIVER'S LICENSE LICENSE APPLICATION PROCESS FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES.

(a) STUDY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation, in coordination with the Secretary of Defense, and in consultation with the States and other relevant stakeholders, shall commence a study to assess Federal and State regulatory, economic, and administrative challenges faced by members and former members of the Armed Forces who receive and train on road operated qualifying motor vehicles during their service in obtaining commercial driver's licenses as defined in section 33301(3) of title 49, United States Code.

(b) REQUIREMENTS.—The study shall—

(A) identify written and behind-the-wheel safety training, qualification standards, knowledge and skills tests, or other operating experience members of the Armed Forces must meet that satisfy the minimum standards prescribed by the Secretary of Transportation for the operation of commercial motor vehicles under section 33305 of title 49, United States Code;

(B) compare the alcohol and controlled substances testing requirements for members of the Armed Forces with those required for holders of a commercial driver's license;

(C) evaluate the cause of delays in reviewing applications for commercial driver's licenses of members and former members of the Armed Forces;

(D) identify duplicative application costs;

(E) assess the adequacy, duality, training and testing requirements, and other safety or health assessments that affect or delay the issuance of commercial driver's licenses to members and former members of the Armed Forces; and

(F) other factors the Secretary deems appropriate to meet the requirements of the study.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the commencement of the study under subsection (a), the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that provides findings and recommendations on the study.

(2) ELEMENTS.—The report under paragraph (1) shall include—

(A) findings related to the study requirements under subsection (a)(2);

(B) recommendations for the Federal and State regulatory, legislative, and administrative actions necessary to address challenges identified in subparagraph (A); and

(C) a plan to implement the recommendations for which the Secretary of Transportation has authority.

(c) IMPLEMENTATION.—Upon completion of the report required under subsection (b), the Secretary of Transportation shall implement the plan under subsection (b)(2)(C).

SA 1753. Ms. KLOBUCHAR (for herself and Mr. ALEXANDER) 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:

On page 326, strike lines 9 through 17, and insert the following:

(‘‘A’’ IN GENERAL.—Each State shall provide to—

(i) nonmetropolitan local elected officials an opportunity to participate in accordance with subparagraph (B)(i); and

(ii) affected individuals, public agencies, and other interested parties notice and a reasonable opportunity to comment on the statewide transportation plan and statewide transportation improvement program.

(B) MODIFICATIONS.—In carrying out this paragraph, the State shall—

(i) develop and document a consultative process to carry out subparagraph (A)(i) that is separate and discrete from the public involvement process developed under clause (ii);

(ii) affected individuals, public agencies, and other interested parties notice and a reasonable opportunity to comment on the statewide transportation plan and statewide transportation improvement program.

(C) IMPROVEMENTS.—The State shall make publicly available a description regarding certification under this subsection, the Secretary shall ensure that a State—

(i) reviews and solicits comments from nonmetropolitan local elected officials and other interested parties for a period of not less than 60 days regarding the effectiveness of the consultation and any proposed modifications to the process as part of the certification under paragraph (1)(B); and

(ii) provides an opportunity for other public involvement that is appropriate to the State under review.

(D) MODIFICATIONS.—

(1) IN GENERAL.—The State may adopt any modifications to the consultation process proposed under subparagraph (A).

(2) RATIONALE FOR NONADOPTION.—If the State elects not to adopt a proposed modification to the consultation process under paragraph (A), the State shall make publicly available a description of the rationale of the State for not adopting the proposed modification.

SA 1754. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) 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 348, lines 14 and 15, strike ‘‘applicable Federal law’’ and insert ‘‘this section and applicable Federal law (including rules and regulations)’’.

On page 348, line 16, insert ‘‘not later than 180 days after the date of enactment of the MAP-21 and’’ after ‘‘certify,’’.

On page 349, strike lines 20 through 23 and insert the following:

(‘‘4’’ PUBLIC INVOLVEMENT.—

(A) IN GENERAL.—In making a determination regarding certification under this subsection, the Secretary shall ensure that a State—

(i) consults with the following—

(I) affected individuals, public agencies, and other interested parties;

(II) the Congress;

(III) the State legislative, regulatory, and administrative actions necessary to address challenges identified in subparagraph (A); and

(iv) affected individuals, public agencies, and other interested parties notice and a reasonable opportunity to comment on the statewide transportation plan and statewide transportation improvement program.

(B) MODIFICATIONS.—

(1) IN GENERAL.—Each State shall provide to—

(i) nonmetropolitan local elected officials an opportunity to participate in accordance with subparagraph (B)(i); and

(ii) affected individuals, public agencies, and other interested parties notice and a reasonable opportunity to comment on the statewide transportation plan and statewide transportation improvement program.

(C) IMPROVEMENTS.—The State shall make publicly available a description regarding certification under this subsection, the Secretary shall ensure that a State—

(i) reviews and solicits comments from nonmetropolitan local elected officials and other interested parties for a period of not less than 60 days regarding the effectiveness of the consultation and any proposed modifications to the process as part of the certification under paragraph (1)(B); and

(ii) provides an opportunity for other public involvement that is appropriate to the State under review.

(D) MODIFICATIONS.—

(1) IN GENERAL.—The State may adopt any modifications to the consultation process proposed under subparagraph (A).

(2) RATIONALE FOR NONADOPTION.—If the State elects not to adopt a proposed modification to the consultation process under paragraph (A), the State shall make publicly available a description of the rationale of the State for not adopting the proposed modification.

SA 1755. Mr. ROCKEFELLER (for himself and Mr. MANCHIN) 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 93, line 8, strike the closing quotation marks and the following period.

On page 93, between lines 8 and 9, insert the following:

(i) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of the MAP-21, each State represented on the Appalachian Regional Commission shall establish a plan for the completion of the designated corridors of the Appalachian development highway system within the State, including annual performance targets, with a target completion date of not later than January 1, 2035.

(i) PERFORMANCE TARGETS.—If the Secretary determines that a State has not met or made significant progress toward meeting the performance targets of the State established by the plan of the State under paragraph (1) for a fiscal year, the State shall obligate for the subsequent fiscal year for construction of the Appalachian development highway system within the State an amount at least 100 percent of the amount of funds the State received for the Appalachian development highway system for fiscal year 2009.

(iii) ACCESS ROADS.—Funds obligated under subsection (c)(1) shall be available to construct highways and access roads in accordance with section 1116 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1177).’’.

SA 1756. Mr. DEMINT 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 93, line 4 and all that follows through the end of the bill and, at the appropriate place, insert the following:

SA 1757. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Transportation Empowerment Act’’.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Limitation on expenditures.
Sec. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting the States in a network of roads; and

(2) that objective has been attained, and the Interstate System connecting all States is near completion;

(c) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(d) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(e) each State is best capable of determining the needs of the State and acting on those needs;

(f) the Federal role in highway transportation, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the Federal Government’s perceptions of what is best for the States;

(g) the Federal Government has used the Federal motor fuels tax revenues to force all States to build systems that are not necessarily appropriate for individual States;

(h) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(k) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(l) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this Act are—

(i) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national system of transportation systems that are not within the direct purview of the Federal Government;

(ii) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(iii) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public land;

(B) national programs of transportation research and development and transportation safety; and

(iv) emergency assistance to the States in response to the needs of the States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

Sec. 3. Limitation on Expenditures. Notwithstanding any other provision of law, if the Secretary of Transportation determines for any fiscal year that the aggregate amount required to carry out transportation programs and projects under this Act and amendments made by this Act exceeds the estimated aggregate amount in the Highway Trust Fund available for such programs and projects in the Highway Trust Fund for the fiscal year.

Sec. 4. Funding for Core Highway Programs.

(a) IN GENERAL.—For the purpose of carrying out title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund:

(A) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program under section 119 of title 23, United States Code, $5,200,000,000 for fiscal year 2014, $5,400,000,000 for fiscal year 2015, $5,520,000,000 for fiscal year 2016, and $5,520,000,000 for fiscal year 2017.

(B) EMERGENCY RELIEF.—For emergency relief under section 125 of that title, $100,000,000 for each of fiscal years 2014 through 2018.

(C) INTERSTATE BRIDGE PROGRAM.—For the Interstate bridge program under section 144 of that title, $2,527,000,000 for fiscal year 2014, $2,597,000,000 for fiscal year 2015, $2,667,000,000 for fiscal year 2016, and $2,907,000,000 for fiscal year 2018.

(D) FEDERAL LANDS HIGHWAYS PROGRAM.—For Federal lands highways under section 204 of that title, $700,000,000 for each of fiscal years 2014 through 2018.

(E) INDIAN RESERVATION ROADS.—For Indian reservation roads under section 204 of that title, $150,000,000 for each of fiscal years 2014 through 2018.

(F) PARKWAYS AND PARK ROADS.—For parkways and park roads under section 204 of that title, $300,000,000 for each of fiscal years 2017 through 2018.

(G) ROAD MILEAGE.—For road mileage under section 204 of that title, $100,000,000 for each of fiscal years 2014 through 2018.

(H) Guarantee.—The authority to use the funds made available under this Act—

(1) for any public lands highway; (2) for an Indian reservation road; or (3) for a Federal lands highway shall be exercised in accordance with section 109 of title 23, United States Code.

Sec. 5. Return of excess tax receipts to States.

Sec. 6. Reduction in taxes on gasoline, diesel fuel, kerosene, and special fuels funding Highway Trust Fund.

Sec. 7. Report on Congressional oversight.

Sec. 8. Effective date contingent on certification of deficit neutrality.
"(v) 3/9 in the ratio that the total diesel fuel used in each State bears to the total diesel fuel used in all States described in clause (i).

(5) INTERSTATE BRIDGE PROGRAM.—Section 141 of title 23, United States Code, is amended—

(A) in subsection (d)—

(i) after inserting the Federal-aid system or described in subsection (c)(3)’’ after “highway bridge” each place it appears; and

(ii) by inserting “on the Federal-aid system or described in subsection (c)(3)” after “highway bridges” each place it appears;

(B) in the second sentence of subsection (e)—

(i) in paragraph (1), by adding “and” at the end;

(ii) in paragraph (2), by striking the comma at the end and inserting a period; and

(iii) by striking paragraphs (3) and (4); and

(C) in the first sentence of subsection (k), by inserting “on the Federal-aid system or described in subsection (c)(3)” after “any bridge’’;

(D) in subsection (l)(1), by inserting “on the Federal-aid system or described in subsection (c)(3)” after “construct any bridge’’; and

(E) in the first sentence of subsection (m), by inserting “for each of fiscal years 1991 through 2013,” after “of law,”.

(6) NATIONAL DEFENSE HIGHWAYS.—Section 311 of title 23, United States Code, is amended—

(A) in the first sentence, by striking “under subsection (a) of section 104 of this title’’ and inserting “to carry out this section’’; and

(B) by striking the second sentence.

(7) REIMBURSEMENT OF DEPRECIATION AND DEFERMENT OF PROJECTS.—Notwithstanding any other provision of law, beginning on October 1, 2012—

(A) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project unless and until a State expends Federal funds for the construction portion of the project;

(B) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project solely by reason of the expenditure of Federal funds by a State before the construction of the project; and

(C)(i) a State may, after having used Federal funds to pay all or a portion of the costs of a highway construction or improvement project, reimburse the Federal Government in an amount equal to the amount of Federal funds so expended; and

(ii) after completion of a reimbursement described in clause (i), a highway construction or improvement project in that clause shall no longer be considered to be a Federal highway construction or improvement project.

(8) REPORTING REQUIREMENTS.—No reporting requirement, other than a reporting requirement in effect as of the date of enactment of this Act, shall apply on or after October 1, 2013, to the use of Federal funds for highway projects by a public-private partnership.

(b) EXPENDITURES FROM HIGHWAY TRUST FUND.—

(1) EXPENDITURES FOR CORE PROGRAMS.—Section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking “Surface Transportation Extension Act of 2011, Part II” and inserting “Transportation Empowerment Act’’;

(B) in paragraph (1), by striking “April 1, 2012” and inserting “October 1, 2013’’;

(C) in paragraphs (3)(A)(1), (4)(A), and (5), by striking “April 1, 2012” each place it appears and inserting “for such fiscal year’’; and

(D) in paragraph (2), by striking “January 1, 2013” and inserting “July 1, 2021’’.

(2) AMOUNTS AVAILABLE FOR CORE PROGRAM EXPENDITURES.—Section 9503(c)(1) of such Code is amended by adding at the end the following:

(g) CORE PROGRAMS FINANCING RATE.—For purposes of the preceding subsection—

(i) IN GENERAL.—Except as provided in paragraph (2)’’—

(A) in the case of gasoline and special motor fuels the tax rate which is the rate specified in section 4081(a)(2)(A)(ii)(I) the core programs financing rate is—

(1) after September 30, 2013, and before October 1, 2014, 18.3 cents per gallon,

(2) after September 30, 2014, and before October 1, 2015, 9.6 cents per gallon,

(3) after September 30, 2015, and before October 1, 2016, 6.4 cents per gallon,

(4) after September 30, 2016, and before October 1, 2017, 5.0 cents per gallon,

(5) after September 30, 2017, 3.7 cents per gallon, and

(B) the tax rate is the rate specified in section 4081(a)(2)(A)(ii)(II) the core programs financing rate is—

(1) after September 30, 2013, and before October 1, 2014, 24.3 cents per gallon,

(2) after September 30, 2014, and before October 1, 2015, 12.7 cents per gallon,

(3) after September 30, 2015, and before October 1, 2016, 8.5 cents per gallon,

(4) after September 30, 2016, and before October 1, 2017, 6.6 cents per gallon, and

(5) after September 30, 2017, 5.0 cents per gallon.

(ii) APPLICATION OF RATE.—In the case of fuels used as described in paragraph (3)(C), (4)(B), and (5) of subsection (c), the core programs financing rate is zero.’’;

(3) EXPENDITURES FROM INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

(a) BALANCE OF CORE PROGRAMS FINANCING RATE DEPOSITED IN FUND.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

(b) ESTABLISHMENT OF INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

(1) CREATION OF FUND.—There is established in the Highway Trust Fund a separate fund to be known as the “Infrastructure Special Assistance Fund” consisting of such amounts as may be transferred or credited to the Infrastructure Special Assistance Fund as provided in this subsection or section 9623(b).

(2) TRANSFERS TO INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—On the first day of each fiscal year, the Secretary, in consultation with the Secretary of Transportation, shall determine the excess (if any) of—

(A) the amount appropriated for such fiscal year for transportation-related programs and (2) thereof over the sum of—

(1) the amounts appropriated for such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to taxes under sections 4051, 4071, and 4481 for such year, over

(B) the amount appropriated under subsection (c) of such Fund, and shall transfer such excess to the Infrastructure Special Assistance Fund.

(c) EXPENDITURES FROM INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

(a) TRANSITIONAL ASSISTANCE.—

(1) IN GENERAL.—Except as provided in clause (ii), during fiscal years 2014 through 2017, $1,000,000,000 in the Infrastructure Special Assistance Fund shall be available to States for transportation-related program expenditures.

(ii) STATE SHARE.—Each State is entitled to a share of the amount specified in clause (i) determined in the following manner:

(I) Multiply the percentage of the amounts appropriated in the latest fiscal year for which such data are available to the Highway Trust Fund under subsection (b) which is attributable to taxes paid by highway users in the State, by the amount specified in clause (i), the previously used amount,

(II) Multiply the percentage determined under subclause (I), by the amount specified in clause (i), the previously used amount to $15,000,000 the number of times the share of States the of which is determined under subclause (I).

(III) DISTRIBUTION OF REMAINING AMOUNT.—If after September 30, 2017, a portion of the amount specified in clause (i) remains, the Secretary, in consultation with the Secretary of Transportation, shall, on October 1, 2017, apportion the portion among the States using the percentages determined under clause (ii)(I) for such States.

(b) ADDITIONAL EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Amounts in the Infrastructure Special Assistance Fund, in excess of the amount specified in subparagraph (A)(i), shall be available, as provided by appropriation Acts, to the States for any surface transportation (including mass transit purposes in such States, and the Secretary shall apportion such excess amounts among all States using the percentages determined under clause (ii)(I) for such States.

(2) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2013.

(c) TERMINATION OF TRANSFERS TO MASS TRANSIT ACCOUNT.—Section 9503(e)(2) of the Internal Revenue Code of 1986 is amended by inserting “, and before October 1, 2013” after “of law,”.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on October 1, 2013.

(2) CERTAIN EXTENSIONS.—The amendments made by subsection (b)(1) shall take effect on April 1, 2012.

SEC. 5. INFRASTRUCTURE SPECIAL ASSISTANCE FUND.

(a) BALANCE OF CORE PROGRAMS FINANCING RATE DEPOSITED IN FUND.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

(b) ESTABLISHMENT OF INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

(1) CREATION OF FUND.—There is established in the Highway Trust Fund a separate fund to be known as the “Infrastructure Special Assistance Fund’’ consisting of such amounts as may be transferred or credited to the Infrastructure Special Assistance Fund as provided in this subsection or section 9623(b).

(2) TRANSFERS TO INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—On the first day of each fiscal year, the Secretary, in consultation with the Secretary of Transportation, shall determine the excess (if any) of—

(A) the amount appropriated for such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the core programs financing rate for such year, plus

(B) the amounts appropriated for such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to taxes under sections 4051, 4071, and 4481 for such year, over

(B) the amount appropriated under subsection (c) of such Fund, and shall transfer such excess to the Infrastructure Special Assistance Fund.

(6) RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.—

(a) IN GENERAL.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2013.

SEC. 6. RETURN OF EXCESS TAX RECEIPTS TO STATES.

(a) IN GENERAL.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2013.
“(I) the amounts so appropriated which are equivalent to—

“(aa) such amounts attributable to the core programs financing rate for such year, plus

“(bb) the taxes described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), and

“(ii) allocate the amount determined under clause (b)(5) to refund to a State under section 101(a) of title 23, United States Code) for surface transportation (including mass transit and rail) purposes so that—

“(I) the percentage of that amount allocated to each State, is equal to

“(II) the percentage of the amount determined under paragraph (3)(C) paid into the High-

way Trust Fund in the latest fiscal year for which such data are available which is attri-

butable to highway users in the State.

“(B) In subsection (c), in the first sentence after the term ‘Such amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the deter-

mination’,—

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2013.

SEC. 7. REDUCTION IN TAXES ON GASOLINE, DIE- 

SEL FUEL, KEROSENE, AND SPECIAL 

FUELS FUNDING HIGHWAY TRUST 

FUND.

(a) Reduction in Tax Rate.—

(1) IN GENERAL.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking “18.3 cents” and inserting “3.7 cents”; and

(B) in clause (ii), by striking “24.3 cents” and inserting “5.0 cents”.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of such Code is amended—

(i) by striking “19.7 cents” and inserting “4.1 cents”; and

(ii) by striking “24.3 cents” and inserting “5.0 cents”.

(B) Section 6217(b)(2)(A) of such Code is amended by striking “7.4 cents” and inserting “1.5 cents”.

(b) ADDITIONAL CONFORMING AMEND-

MENTS.—

(1) Section 4041(a)(1)(C)(III)(I) of the Inter-

nal Revenue Code of 1986 is amended by striking “7.3 cents per gallon (4.3 cents per gallon after March 31, 2012)” and inserting “1.4 cents per gallon (zero after September 30, 2020)”.

(2) Section 4041(a)(2)(B)(II) of such Code is amended by striking “24.3 cents” and inserting “5.0 cents”.

(3) Section 4041(a)(3)(A) of such Code is amended by striking “18.3 cents” and inserting “3.7 cents”.

(4) Section 4041(m)(1) of such Code is amended—

(A) in subparagraph (A), by striking “April 1, 2012” and inserting “October 1, 2012”;

(B) in subparagraph (A)(ii), by striking “9.15 cents” and inserting “1.8 cents”;

(C) in subparagraph (A)(ii), by striking “11.3 cents” and inserting “2.3 cents”; and

(D) by striking subparagraph (B) and in-

serting the following—

“(B) zero after September 30, 2020.”

(5) Section 4041(d)(1) of such Code is amended by striking “4.5 cents per gallon after March 31, 2012” and inserting “zero after September 30, 2020”.

(6) Section 5050(b) of such Code is amended—

(A) in paragraphs (1) and (2), by striking “April 1, 2012” both places it appears and in-

serting “October 1, 2020”;

(B) in the heading of paragraph (2), by striking “April 1, 2012” and inserting “October 1, 2020”; and

(C) in paragraph (2), by striking “after March 31, 2012, and before January 1, 2013”, and inserting “after September 30, 2020, and before July 1, 2021”; and

(D) in paragraph (6)(B), by striking “April 1, 2012” and inserting “October 1, 2018”.

(c) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2017, tax has been im-

posed under subtitle C of the Internal Rev-

ue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a 

dealer and has not been used and is intended 

for sale;

there shall be credited or refunded (without 

interest) to the taxpayer who paid such tax (in 

this subsection referred to as the “tax-

payer”) an amount equal to the excess of the 

tax paid by the taxpayer over the amount of 

such tax which would be imposed on such liq-

uid had the taxable event occurred on such 

date.

(2) TIME FOR FILING CLAIMS.—No credit or 

refund shall be allowed or made under this 

subsection unless—

(A) claim for refund is filed with the Sec-

retary of the Treasury before April 1, 2018; and

(B) in any case where liquid is held by a 

dealer (other than the taxpayer) on October 1, 2017,

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2018; and

(ii) the taxpayer has repaid or agreed to 

repay the amount so claimed to such dealer or 

has obtained the written consent of such 

dealer to the allowance of the credit or the 

making of the refund.

(b) EXCEPTION FOR FUEL HELD IN RETAIL 

STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place 

where intended to be sold at retail.

(d) DEFINITIONS.—For purposes of this sub-

section, the terms “dealer” and “holding period” have the respective meanings given 

to such terms by section 6412 of such Code; except that the term “dealer” includes a pro-

ducer.

(e) ADDITIONAL RULING ACTIONS.—

(A) REVENUE ESTIMATES.—The revenue esti-

mates required under paragraph (1)(A) shall be based on the average economic and 

technical assumptions and scorekeeping guidelines that would be used for estimates 

made pursuant to section 252(d) of the Bal-

anced Budget and Emergency Deficit Control 

Act of 1985 (2 U.S.C. 902(d)).

(B) OMB ESTIMATES.—The estimates required under subsection (b)(1)(B) shall 

be based on the assumptions required for the estimate of the 2018 reduction in discretionary 

outlays resulting from the savings realized in discretionary outlays resulting from the 

estimates made pursuant to section 252(d) of the Bal-

anced Budget and Emergency Deficit Control 

Act of 1985 (2 U.S.C. 902(d)).

(f) PAYGO INTERACTION.—On compliance 

with the requirements specified in subsection (b), the Director shall adjust the ad-

justed discretionary spending limits for each fiscal year through fiscal year 2018 under section 252(d) of the Congressional Budget Act of 1974 (2 U.S.C. 907) by the amount of the savings realized in discretionary outlays resulting from compliance with the requirements specified in subsection (c).

(g) TRANSITION.—The rules applied under this section shall apply through the end of 

fiscal year 2021.

SEC. 8. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, after consultation with the appropriate committees of Con-

gress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to tit-

les 23 and 49, United States Code, and such other legislation required in subsection (c); and

SEC. 9. EFFECTIVE DATE.—This section takes effect on the earlier date of—

(a) the date the Director determines that this Act is in effect in accordance with Rules of the Senate, I hereby give
notice in writing that it is my intention to offer an amendment to the Standing Rules of the Senate, by proposing Amendment No. 1737 to S. 1813.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 29, 2012, at 11 a.m., to hold a hearing entitled, “Update on the Crisis in Syria.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Dental Crisis in America: The Need to Expand Access” on February 29, 2012, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 29, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Due Process Guarantee Act: Banning Indefinite Detention of Americans.”

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

COMMITTEE ON VETERANS’ AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate, on February 29, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nomination of Susan Martinavich, of Nevada, to be a Federal Mediator and Arbiter.”

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 29, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Due Process Guarantee Act: Banning Indefinite Detention of Americans.”

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask consent that floor privileges be granted to Andy Remo and Jesse Haladay, two of Senator CARDIN’s legislative staff members, during today’s session of the Senate.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the duration of the debate on S. 1813: Johannes Echeverri, Whitney Lott, Samson Chen, Edward Torres, Dorrick Riggins, Elizabeth Emel and Amanda Summers, and Danielle Dellow. The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION BILL

Mr. REID. Mr. President, before I start the closing script, I want it to be spread on the record that we have tried all day to come up with an agreement to move forward on this legislation, and we have been unsuccessful.

This is a piece of legislation that is as bipartisan as is humanly possible. We have one of the most progressive Members of the Senate, Senator Boxer, and one of the most conservative Members of the Senate, Jim Inhofe, who are cosponsoring this legislation. It is a piece of legislation that continues the highway program, the surface transportation program. It is so needed.

Yesterday, I had the director of the department of transportation in Nevada, Susan Martinavich, come in. I am confident that most Senators have had someone from their States here and had a conference. It will bring conference in our highways and bridges and some of the mass transit programs if we don’t move forward. But we can’t even get on the bill.

I have agreed to do this unrelated amendment. My caucus agreed we will do these. We don’t want to; they are not productive. They are message amendments, and they are not germane or relevant. But we will do a limited number of these bad amendments. There have been over 100 of them filed. I am at a loss for words as to what the Republicans expect me to do—stand around for another week and look at each other?

We started moving to this bill on February 7. The amendment we are going to vote on tomorrow, out of nowhere, on a transportation bill, is dealing with contraception. We have agreed to have votes on it. They will not let us have votes. Yesterday, I had to bring up a department they didn’t even bother to file. They just wanted to talk about it and hold press conferences on the issue.

Unless something changes, I am going to have to file cloture on this bill, and we are going to have to find out if the Republicans really want destruction all across the 50 States and have another hit to our economy by not doing highway construction, especially as the weather is getting better. In the Presiding Officer’s State of Oregon, where the economy has not been good, a lot can go on. I have no alternative but to file cloture to stop the filibuster. It is one of these roving filibusters where all these phantom people will not let us move forward on this legislation.

I am almost embarrassed to be saying this in front of the Presiding Officer. I say that because at the beginning of the year the Presiding Officer, along with the junior Senator from New Mexico, thought maybe we should change how this place operates. A number of us, in good conscience, believed the few changes we had made would be sufficient to establish a better working situation. It hasn’t been better. In fact, I am sorry to say, it is worse.

So we are going to—unless something happens—have a vote tomorrow. Can you imagine, I created a vote because they would not allow us to have a vote? So I don’t see what choice I have.

ORDERS FOR THURSDAY, MARCH 1, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, the Senate adjourn until Thursday, March 1, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 1813, the surface transportation bill, with the time until 11 a.m. equally divided and controlled between the two leaders or their designees; that at 11 a.m. the Senate proceed to vote in relation to the Blunt amendment No. 1520; and that all provisions under the previous order remain in effect.

I am going to say this now—I will ask consent in the morning. Mr. President—I want to have the full hour and a half to have this matter debated. We will come in at 9:30; there will be an hour and a half. I want to make sure we have that full time. So I will ask unanimous consent that the statements of Senator McCONNELL and myself not count against the hour and a half, but I will do that tomorrow.

I now ask the Chair to approve my earlier request.

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

PROGRAM

Mr. REID. Mr. President, at 11 a.m. tomorrow the Senate will proceed to vote in relation to the Blunt amendment No. 1520 on contraception and health care. Tomorrow we will continue to work on a path forward on the Transportation bill, as I have outlined previously.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.
The following-named persons of the Department of State, for appointment as foreign service officers of the classes stated.

The following-named career member of the foreign service.

The following-named officers of the classes stated.

The following-named persons of the Department of Agriculture for appointment as foreign service officers of the classes stated.
COLONEL PAUL C. MAAS, JR.
COLONEL EDWARD F. MAXWELL
COLONEL THOMAS C. PATTON
COLONEL BRADEN K. SAKAI
COLONEL JANET I. SESSUMS
COLONEL JOSIAH M. SILAS
COLONEL JAMES K. VOELK
COLONEL SALLIE K. WORCESTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general
LT. GEN. CLYDE D. MOORE II

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general
LT. GEN. ROBERT P. LENNOX

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral
REAR ADM. (LH) TERRY B. KRAFT

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be colonel
MATTHEW R. GEE
VICTOR G. SOTO

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel
ROBERT H. MCCARTHY III

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major
SHANE T. TAYLOR

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander
GUILLERMO A. NAVARRO

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander
JAY S. FRIEDMAN
SONY C. MARKOSE
DONNA RAJA

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major
ROBERT S. TAYLOR

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be major
CASEY D. SHUFF

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major
JEROME M. BENAVIDES
HONORING THE RETIREMENT OF
MR. WILMOT N. SUMMERALL III
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. MORAN. Mr. Speaker, I rise today to recognize and pay tribute to an outstanding public servant, Wilmot N. Summerall III, for his more than 33 years of service within the civilian leadership of the Department of Defense. It is my great pleasure to recognize his achievements and to thank him and his family for their service to the Navy and our nation.

Mr. Summerall began his public service as a mining engineer with the United States Geological Survey (USGS) and is concluding his career as Executive Director for the Contractors Office, Program Executive Office, Ships, where he oversees one of the most complex acquisition portfolios in the Navy—including more than $36 billion in new construction programs, encompassing $16 billion currently under contract and $20 billion in future programming. Highly respected throughout the DoD acquisition community for his unsurpassed knowledge, unwavering perseverance, and the courage of his convictions, he leaves a long and lasting legacy to our nation—both through his unparalleled contributions to the strength and flexibility of our Navy’s surface forces and through the generation of professionals that he has mentored during his time in federal service.

Mr. Summerall has a long and distinguished career of innovative thinking and aggressive execution of shipbuilding programs across the entire spectrum of naval shipbuilding. Since joining the federal service in 1978, which includes becoming a member of the Senior Executive Service in 2004, he has held a variety of key leadership roles, including senior positions with the Naval Sea Systems Command and the office of the Assistant Secretary of the Navy for Financial Management and Comptroller. A visionary leader and revered expert in the field of defense acquisition, Mr. Summerall has led the Navy’s surface combatant shipbuilding activities through some of the most challenging and dynamic times of our modern Navy—with vision, insight, and determination. Challenged to help build the Surface Fleet of the future in a profoundly austere fiscal environment, he has worked relentlessly to foster support and understanding for leading edge ship programs at the highest levels of the Navy, Defense, and Congress. He truly leads by example, consistently compelled to do the right thing on behalf of our nation’s Sailors and Marines—America’s sons and daughters—who serve on the products he has tirelessly supported. His efforts have helped result in a monumental leap forward in the strength and capability of the Navy’s current and future Surface Fleet.

In 2004, Mr. Summerall joined the Program Executive Office, Ships, where he played a critical role in defining and fielding the Navy’s future Surface Fleet. During his tenure and as a result of his sound stewardship, the Navy has commissioned 19 surface combatants into the Fleet, including the nation’s first two Littoral Combat Ships; restarted production of the Arleigh Burke (DDG 51) Class guided missile destroyers; and begun design and construction of the Navy’s next generation destroyer, the Zumwalt (DDG 1000) Class. In 2011 alone, he oversaw contract awards and options for an additional 26 ships, valued at $12 billion. He has consistently encouraged innovation through implementation of best practices across his programs, resulting in the introduction of hybrid electric drive, common class-wide acquisition management processes, bold changes to acquisition strategies, major increases in design maturity, more efficient work sequencing, increased competition and smart buying practices. At the heart of his efforts has been a relentless drive to improve the strength, capability, and flexibility of our operating forces at the best possible value to the American public.

Mr. Summerall’s contributions to our nation extend far beyond his material achievements and programmatic accomplishments. His unique ability to recognize talent and to foster respect and camaraderie throughout the workforce has had an enormous influence on our nation’s next generation acquisition professionals and will continue to steer the course of our Navy well into the future.

Throughout his distinguished federal service career, Mr. Summerall has been honored with numerous awards for his service, including the Meritorious Presidential Rank Award, the Department of Defense Value Engineering Award and the Department of the Navy Competition and Procurement Excellence Award.

Mr. Summerall’s tireless leadership and lifelong commitment to the Navy’s shipbuilding capability have earned him the deep respect of his peers and shipmates throughout the Navy acquisition and fleet support communities. It is, therefore, a pleasure to recognize him for his many contributions in a life devoted to our nation’s security. I know my colleagues join me in wishing him and his wife Linda much happiness and fair winds and following seas as they begin a new chapter in their lives together.

HONORING EDITH PITTENGER ON HER 100TH BIRTHDAY

HON. MIKE PENCE
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. PENCE. Mr. Speaker, I rise to honor Edith Pittenger on the occasion of her 100th birthday.

Edith was born in Pendleton, Indiana, on February 24, 1912. She went on to attend Ball State University in 1929, and later earned her master’s degree in 1961. Edith enjoyed a long and satisfying career in teaching, having held positions in both Pendleton and Muncie.

Edith is blessed with excellent health and is still able to drive. She is also a long-time member of St. Paul’s United Methodist Church. She was married for 45 years and her loving family includes three children and a stepson, 10 grandchildren, 22 great-grandchildren, four great-great-grandchildren and another on the way. As the Good Book says, “The elders […] are worthy of double honor, especially those whose work is preaching and teaching.” And so today I honor Edith Pittenger for her lifetime and service and wish her the best in the years to come.

HONORING CLAY COUNTY
DETECTIVE DAVID WHITE

HON. CLIFF STEARNS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. STEARNS. Mr. Speaker, I rise today to recognize Clay County Detective David White who was killed in the line of duty on February 16, 2012 at age 35. Detective White and his partner, Detective Matt Hanlin, were in the process of breaking up a meth lab in Middleburg, Florida. Detective Hanlin was shot in the arm and is expected to recover. White is the first Clay County deputy shot on duty in nearly 40 years and the first killed in the line of duty since 1913. He is not only a hero as part of the Clay County Sheriff’s Office, but also in his service as a specialist in the U.S. Army Reserve as a military police platoon leader in deployments to Croatia, Bosnia and Iraq. He is survived by his wife and two children, ages 3 months and 2 years old; he and his family are in our prayers. David’s life is a testament to the courage and sense of duty that men and women possess, who chose to dedicate their lives to defend us all. His tragic death is not in vain but a tribute to the highest ideals of self-sacrifice for freedom and justice. God Bless him.

HONORING BARBARA LEE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Ms. LEE of California. Mr. Speaker, I was not present for roll call votes 74–79. Had I been able to vote, I would have voted no on H. Res. 563, yes on the Grijalva amendment to H.R. 2117, yes on the Bishop amendment to H.R. 2117, yes on the Polis amendment #5 to H.R. 2117, yes on the Democratic motion to recommit H.R. 2117 and no on final passage of H.R. 2117.
PASSING OF ANTHONY SHADID

HON. DAN BOREN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. BOREN. Mr. Speaker, last week the world lost an incredible journalist, and Oklahoma lost a son: Anthony Shadid. At the time of his death Anthony was covering the turmoil in Syria, despite the many attempts to limit media coverage of the violence. This attitude marked Anthony’s entire career—he put the importance of sharing information before his personal safety. For 15 years, Anthony worked relentlessly to investigate and bring to light the events in the Middle East.

Anthony was a two-time Pulitzer Prize winner for his reporting on the US invasion of Iraq in 2004 and for the withdrawal of US troops six years later, but he transcended traditional reporting. He was unafraid as he pushed into the front lines, and he often faced dangerous situations head-on.

While Anthony Shadid will always be remembered for his courageous reporting, he also leaves behind a loving family. Anthony’s wife, Nada Bakri, is also a reporter for the New York Times; Anthony also has two young children, Malik and Laila. Several members of his family remain in Oklahoma, including his cousin Ed Shadid, a city councilman in Oklahoma City.

My family’s deepest sympathies go out to the Shadid’s and everyone else whose life was touched by Anthony.

IN HONOR OF LARRY HORAN

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. FARR. Mr. Speaker, I rise today on behalf of myself and my late father, State Senator Fred Farr, to honor the life of a dear family friend, Larry Horan. Larry was a very good man who died recently at the all too young age of eighty-two following a short illness. Larry became a dear personal friend of my father, and for much of my own life, was like an uncle to me. He was a skilled lawyer and devoted family man whose example of public service and dedication to others served as a model for everybody who has the good fortune to know him.

Larry and his wife of fifty-eight years, Jean, were both University of California graduates. They raised five children who in turn gave them twelve grandchildren. Larry and Jean’s deep friendship with my late father made them almost a part of my own family, and I theirs. Indeed, as Larry’s melanoma took hold, he and Jean approached my wife Shary to help them work the issues that they faced as the end of Larry’s life neared. Horan was a devout Catholic who attended 8 a.m. Mass at the Carmelite Monastery virtually every day. I always knew Larry to be concerned about the others around him. It was never about Larry. I don’t think he had a negative bone in his body.

Larry was an attorney for more than fifty years and one of the most respected in Monterey County. During a rich and full life, he directed the Peace Corps in three Central and South American countries, was a regional director of President Johnson’s War on Poverty, served on the board of the Monterey Institute of International Studies, and was a leader of the Special Olympics. Horan’s wide-ranging law practice included civil litigation, conservation easements, and land use among other areas. Upon graduation from the Boalt Hall School of Law at the University of California, Larry signed on as a prosecutor in the Alameda County District Attorney’s office. After five years as a prosecutor, my father, then state Sen. Fred Farr, lured Larry and his wife Jean to Monterey County in 1960 to join his law firm. Their partnership and friendship lasted many years. The law partnership grew and transformed and has become one of the leading firms on the Central Coast, with the Horan name at the lead.

The Horans were great admirers of President John F. Kennedy, whose assassination in 1963 spurred them to change their lives. Following JFK’s call to service, Larry and Jean became a Peace Corps family. With their four young children, Kevin, Kathleen, Maurine, and Stephanie, the Horans helped start the Peace Corps in Colombia, where their youngest daughter Laura was born and where I was already serving as a Peace Corps volunteer in Medellin. Following the Peace Corps, Sargent Shriver tapped Larry to head the Western Regional office for President Johnson’s War on Poverty. Later, Shriver asked Larry to establish and chair the Northern California Chapter of the Special Olympics.

Mr. Speaker, I know I speak for the whole House in recognizing the contributions that Larry Horan made to make this world a better place. We offer our condolences to his family and friends. Those of us who had the good fortune to have known Larry are better people for the experience.

IN HONOR OF KAY HIND

HON. SANFORD D. BISHOP, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to congratulate the Peace Corps on its 51st anniversary and to recognize the anniversary of the Special Olympics. This distinguished agency was incorporated in 1961 to respond to the needs of disabled individuals. Currently, the Corps has over 9,000 volunteers throughout Africa, Asia, the Caribbean, Central America, South America, Europe, the Pacific Islands, and the Middle East. As a member of the Foreign Operations Subcommittee I make a consistent effort to ensure that the Peace Corps has adequate funding to fulfill its mission. Peace Corps volunteers have
long been instrumental in improving millions of lives, in addition to helping foster strong relationships between the United States and other countries around the world. The assistance the Peace Corps volunteers provide is an outstanding example of the United States' commitment to making the world a better place through not only compassion, but also development opportunities, like language training, youth skills development services, and much more.

One shining example of the success of the Peace Corps is its tremendous leadership in the global fight against the HIV/AIDS pandemic. In 2010, approximately 34 million people lived with HIV/AIDS, with 22 million of those cases located in sub-Saharan Africa. I firmly believe the work done by the Peace Corps has had a tremendous impact in areas that have been disproportionally exposed to this virus. The volunteers use their unique training to teach HIV/AIDS prevention in a way that is culturally sensitive to local customs allowing Peace Corps professionals to provide essential health services to HIV/AIDS patients. Finally, I would like to take a moment and give special recognition to the members of our district that are currently serving in the Peace Corps:

- Manuel A. Colon, serving in Paraguay from 09–December–2010 until 05–October–2012
- Sarah A. Kopper, serving in Senegal from 15–October–2010 until 05–October–2012
- Marjorie A. Larson, serving in Mali from 03–September–2010 until 10–September–2012
- Ryne G. Peterson, serving in Moldova from 08–August–2009 until 08–June–2012
- Phebe I. Philips-Adeyelu, serving in Macedonia from 25–November–2010 until 24–November–2012

Thank you Peace Corps for 51 years of global service and leadership.

TRIBUTE TO SISTER JOAN KATHLEEN

HON. BILL PASCRELL, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. PASCRELL. Mr. Speaker, I rise today to recognize Sister Joan Kathleen for her continued contributions towards the advancement of the intellectually and developmentally disabled. As an educator, mentor, and member of St. Thomas the Apostle Church in Oak Ridge, New Jersey, Sister Joan has dedicated her life to bettering the lives of others. Sister Joan is one of three children and grew up in Philadelphia, Pennsylvania. After graduating from St. Hubert’s High School, Sister Joan went on to receive her Bachelor’s degree at Chestnut Hill College. She then taught for several years at local Philadelphia elementary schools. After being encouraged by those in her community, Sister Joan went on to obtain a Master’s degree in special education from Marywood University.

Soon after she received her Master’s degree, Sister Joan began to minister to those with special needs at St. Patrick School in Pottsville, Pennsylvania and at Our Lady of Confidence School in Philadelphia, Pennsylvania.

In 1989, Sister Joan joined the staff of the Department for Persons with Disabilities. Upon her arrival, Sister Joan was critical in establishing the “People Need Friends” program, which remains popular to this day. Sister Joan also coordinates the “Catholic Adult Religious Education” program, which provides religious instruction to the residents of the Department for Persons with Disabilities.

Not stopping there, Sister Joan also provides emotional and spiritual support to the family members and friends of the residents of the Department for Persons with Disabilities. She also proves that not only are the residents that are too sick to leave the Department for Persons with Disabilities nursing facilities. Recently, she has had the privilege of organizing the Catholic Charities New Jersey Annual Conference and was a member of the Committee for Evangelization under Bishop Serratelli.

For those lucky enough to know Sister Joan personally, they know that family means everything to her. Her weekends are often filled with trips to Philadelphia and the surrounding areas to participate in her children’s birthdays, graduations, and anything to spend time her sisters and their families. In her free time, Sister Joan enjoys reading, crossword puzzles, traveling, and Scrabble.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating the achievements of truly selfless individuals like Sister Joan Kathleen.

Mr. Speaker, I ask that you join our colleagues, Sister Joan’s family and friends, all those whose lives she has touched, and me in recognizing Sister Joan Kathleen.

RECOGNIZING FEBRUARY AS NATIONAL MARFAN AWARENESS MONTH

HON. GARY L. ACKERMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. ACKERMAN. Mr. Speaker, I rise today in recognition of February as National Marfan Awareness Month and to acknowledge the hundreds of thousands of Americans who are living with Marfan syndrome and related connective-tissue disorders.

I am quite proud that the nation’s leading organization working to raise awareness of Marfan syndrome and support the Marfan community, the National Marfan Foundation, is located in my congressional district, in Port Washington, New York. The NMF was founded in 1991 by Priscilla Ciccariello, a woman of tremendous compassion and vision. Since then, NMF members and staff have worked tirelessly to improve the lives of individuals affected by Marfan syndrome and related connective-tissue disorders by advancing research, raising awareness, and providing support.

Marfan syndrome is a rare genetic condition that affects connective tissue in the human body. About one in 5,000 Americans carries a mutation in the fibrillin gene. This irregularity results in an overproduction of a protein called transforming growth factor beta or TGFβ. Increased TGFβ impacts connective tissue throughout the entire body. Patient symptoms often include disproportionately long limbs, a protruding or indented chest bone, curved spine, and loose joints. Of most concern is thoracic aortic disease, which is when a Marfan patient’s aorta, the large artery that carries blood away from the heart, is weakened and can result in a fatal rupture. It is for this reason that increased awareness of Marfan syndrome can save lives.

While there is no cure for Marfan syndrome, research is underway to enhance our understanding of the condition and improve patient care. I commend the scientists at the National Institutes of Health, particularly the National Heart, Lung and Blood Institute and the National Institute of Arthritis and Musculoskeletal and Skin Diseases for their research efforts in this regard. I encourage NIH to continue to expand its research of Marfan syndrome.

Early diagnosis and proper treatment are the keys to successfully managing Marfan syndrome so that patients can live a full life. I am pleased to announce that recently the American Heart Association and the American College of Cardiology released new treatment guidelines for thoracic aortic disease. We can facilitate proper treatment by raising awareness of these guidelines and we can help achieve an early diagnosis by raising awareness of Marfan syndrome and related connective-tissue disorders.

Mr. Speaker, I hope my colleagues will join me in raising awareness by observing Marfan Awareness Month.

IN HONOR OF THE NISEI VETERANS

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. FARR. Mr. Speaker, I rise today to recognize thirty-four Congressional Gold Medal recipients from my District in Central California for their courageous service to our nation during World War II as part of the Military Intelligence Service (MIS), the 100th Infantry Battalion (100th Inf), and the 442nd Regimental Combat Team (RCT). Established on November 1, 1941, MIS graduated 6,000 service members during World War II to provide critical Japanese language capabilities to the American military. These brave servicemen and women provided translation, interpretation, and code breaking services in the essential Pacific Theater, which contributed significantly to our nation’s victory.

In the 1970s, the MIS’s name changed to the Defense Language Institute, and all of the Department of Defense language programs were consolidated at Monterey, California. From there the program grew into the Defense Language Institute Foreign Language Center. The 100th Inf was largely made up of former members of the Hawaii Army National Guard. It was a unit within the US Army’s 34th Infantry Division and later combined with the 442nd RCT, another multi-ethnic unit. Together as a single fighting combat team they saw action in Italy where they earned the nickname of “Purple Heart Battalion.” Following World War II, the battalion was reorganized into reserve status but over the decades it was ordered back into active service several times, most recently in Iraq.

The original MIS, the 100th Inf, and the 442nd RCT were primarily comprised of Nisei,
second-generation Japanese-Americans. They faced crushing prejudice and discrimination in the United States during WWII. Many of their family members suffered internment while they were serving their country. This exceptional group has received honors and commendations and met the highest level. Our nation awarded the Medal of Honor to twenty-one members of the 100th Infantry Battalion of the 442nd RCT for heroism during WWII. In 2000, the MIS received the Presidential Unit Citation, the highest possible honor for a military unit, and in 2010 the Congressional Gold Medal was awarded to the 442nd RCT and the 100th Inf as well as the 6,000 graduates of the MIS. At the end of the war, General Charles Willoughby, Chief of Staff for Military Intelligence under General MacArthur, said that "The Nisei shortened the Pacific War by two years and saved possibly a million American lives and saved probably millions of dollars" during the conflict.

Mr. Speaker, I am honored to be paying tribute to this outstanding group of men who selflessly served our nation during World War II proving the loyalty and bravery of second generation Japanese Americans. From the 100th Infantry Brigade: Louie Hayashida, Tom Kakimoto, Richard Kawamoto, Robert Kitagi, Ky Miyamoto, William Omoto, Kaz Sugano, and Sam Sugidono. From the 442nd Regimental Combat Team: Haruo Esaki, Yoshio Fujita, Royal Manaka, Yutaka Nagasaki, Fred Sakasegawa, Roy Fujita, Royal Manaka, Yutaka Nagasaki, Win-ston Nakagawa, Fred Sakasegawa, Roy Sakasegawa, and Kunio Shimamoto. From the Military Intelligence Service: George Alhara, Roy Hattori, Paul Ichii, Otis Kadani, Hajime Kawata, Shig Kihara, Robert Mikitikan, George Nakamura, Toshiro Nakashishi, Terry Nakashisi, Gengo Sakamoto, Setsuo Takemoto, George Tanaka, Frank Tokubo, Ben Umeda, Jiro Watanabe, and Goro Yamamoto. I know I speak for the entire House of Representatives in honoring these heroes.

PAYROLL TAX CUT CONFERENCE REPORT (H.R. 3630)

HON. GARY C. PETERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. PETERS. Mr. Speaker, I rise today to express my deep concerns with the recently released conference report by the Payroll Tax Cut Conference Committee. While I am pleased that enacting this conference report will stop a tax hike on middle class families by extending the Payroll Tax Cut through the end of the year, I strongly oppose pairing this must-pass provision with legislation that will slash the number of available weeks of unemployment benefits for American workers. I also find it deeply troubling that the text of legislation cutting unemployment benefits millions of Americans need and is available for public review less than 24 hours before a vote, despite the pledge by House Republicans to make bills publicly reviewable for 72 hours before a vote.

Reports are forcing an unfair choice between tax cuts for the middle class and fully maintaining the safety net for unemployed workers. This is not a choice Congress should have to make, or that the American public should accept, especially when House Republicans in their Pledge to America promised to "end the practice of packaging unpopular bills with ‘must-pass’ legislation to circumvent the will of the American people" and to "advance major legislation one issue at a time."

The long-term employment crisis and the need for a full extension of unemployment benefits deserve Congress’s full attention. This is why I led 70 of my colleagues in writing the Chair of the conference committee along with House and Senate Leadership to urge them to include a full extension of unemployment benefits in the legislation. While our economy is showing signs of real recovery with 23 consecutive months of job growth, the fact remains that our nation is experiencing an unprecedented long-term unemployment crisis.

Unemployment benefits are a proven lifeline to families that they rely on to help pay for necessities such as rent, groceries, and utilities. Expansions to the unemployment insurance program enacted in the Recovery Act and subsequent legislation in 2009 and 2010 kept over 3 million Americans out of poverty in 2010, including over 60,000 children.

Unfortunately, the harm that cuts to federal unemployment benefits make to working families is amplified when states, such as Michigan, enact legislation slashing state unemployment benefits. Last year, Governor Snyder signed House Bill 4408 into law. While this legislation included a necessary technical fix to preserve Michigan’s access to the federal Extended Benefits (EB) program, it paired this minor change with a harmful and misguided reduction in state unemployment benefits from 26 to 20 weeks, the lowest in the country. Not only does this cut 6 weeks of state benefits, more importantly it triggers a proportional reduction in federal benefits.

Under the Payroll Tax Cut Conference Report, this 6 week change to state benefits will result in Michigan giving up between 11 and 14 weeks of 100% federally funded benefits this year and Michigan’s unemployed workers losing access to more weeks of federal benefits than any state in the nation.

Our economy is moving in the right direction and we can’t afford to jeopardize middle class families’ livelihoods. Michigan’s recovery by risk- ing the expiration of the Payroll Tax Cut, but we certainly cannot afford to ignore the long-term unemployment in Michigan and across the United States.

COMMEMORATING THE 100TH ANNIVERSARY OF THE MOUNTAIN QUARRIES RAILROAD BRIDGE

HON. TOM McCLINTOCK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. McCLINTOCK. Mr. Speaker, I rise today to commemorate the 100th anniversary of the Mountain Quarries Railroad Bridge near Auburn, California.

The bridge opened for business in 1912 as the longest concrete-arch bridge of its time. Its purpose was to deliver mine material across the American River Canyon to and from the mountain quarries of this Auburn mountain range via a privately-built railroad. For three decades trains rolled over the bridge, allowing the development of the vast quartz deposits in the area and employing thousands over the years and providing untold wealth to the community.

After the train tracks were removed for scrap metal to aid in the production of World War II materiel, the bridge continued to serve as a public crossing connecting El Dorado and Placer counties. The soundness of the bridge’s design and construction allowed it to withstand multiple floods in the canyon that brought down no less than four other bridges along the American River. The Mountain Quarries Bridge was even pressed into service to replace the Highway 49 Bridge, which was destroyed when Hell Hole Dam broke in 1964, until a replacement bridge could be built.

But the Mountain Quarries Bridge has done more than serve the simple commercial purpose of transport across the river. Since 1955, the bridge has been a defining stretch in countless endurance rides and foot races. In the famed Western States Endurance Run, Mountain Quarries Bridge serves as the final landmark of the course and the transition out of the California wilderness into Auburn and the finish line. For the many adventurers, riders and runners who have braved the bridge on hikes and races over the years, it serves as a monument to the trials endured in their journeys and the satisfaction and joy of their accomplishments.

Standing a few miles from the confluence of the North and Middle Forks of the American River, the Mountain Quarries Railroad Bridge is a testament to by-gone times when the beneficial use of our public resources was both frequent and cele- brated. Having served the many commercial and recreational purposes of the area for a century, the Mountain Quarries Railroad Bridge is a fine model for the responsible utilization of the public lands for the public’s use.

Mr. Speaker, I am glad to rise today and join the communities of El Dorado and Placer counties as they celebrate this auspicious occasion.

IN REMEMBRANCE OF MRS. MARY ZUNT
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Mrs. Mary Zunt, an iconic figure to the City of Cleveland.

Mary was born on August 16, 1939 in Cleveland, Ohio, where she attended Holy Name High School. Following a brief stint in New York City, Mary returned to Cleveland, where she was instrumental in establishing WVIZ–TV in 1965. She was also behind the station’s fund-raising auctions. In 1973, Mary was elected to Cleveland’s City Council to represent the residents of the West Park neighbor- hood. She fought for consumer protections, gun safety and commercial development during her two terms in office.

Following her career in public service, Mary went on to work in the construction industry. She oversaw projects such as renovations of Cleveland’s medium and construction of the scoreboard at Jacobs Field.

In 1994, Mary left Cleveland and moved to Nice, France to study wine for two years. She
A TRIBUTE TO THE LIFE OF LIEUTENANT COLONEL CLIFFORD GEORGE FORD

HON. JIM COSTA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Lieutenant Colonel Clifford George Ford, distinguished veteran of the United States Air Force, loyal friend, and loving father. Cliff passed away on January 18, 2012 at the age of 81. Through his thoughtful nature, zest for life, and dedication to service, he leaves behind a wonderful legacy.

Cliff was born on April 16, 1930 in Lohrville, Iowa, and grew up on farms in Iowa and Minnesota, alongside his two brothers and two sisters. It is during his childhood that his lifelong love of nature developed. After graduating from Lake City High School at the age of 17, Cliff made the decision to serve our great Nation in the United States military.

Cliff’s time in the United States Air Force took him all around the world, including: Japan, Germany, England, and Taiwan. While living in Yakota Air Base, Japan, Cliff met the love of his life, Rose. The two married on February 10, 1951.

Cliff spent the majority of his life serving our country in a number of capacities while in the Air Force. Throughout his service, Cliff demonstrated courage, determination, strength, and empathy—he truly illustrated the best of what America has to offer. In 1975, Cliff retired from the United States Air Force and spent the remainder of his life in Atwater, California. Retiring in the heart of California’s San Joaquin Valley afforded Cliff the opportunity to purchase an almond orchard and pursue his lifelong passion for agriculture.

Cliff's legacy will live on through his service to our Nation, his work in our Valley, and through his children: Christine, Linda, Michelle, Anita, Chuck, Valerie, Melissa, and Hilary; 14 grandchildren; and one great-grandchild. Perhaps what was most telling of Cliff's character was the importance he placed on family and kinship. Cliff leaves his family with many warm and cherished memories.

In a note to Cliff, his grandson wrote, “every person is an example of the people they have spent their life with.” As we reflect on Cliff’s life, let us aspire to lead a life like his—one filled with resolve, self-reliance, and love.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of Lieutenant Colonel Clifford George Ford, an honorable and respected man with an unwavering commitment to his loving family and our Nation.

IN RECOGNITION OF THE ANNIVERSARY OF LITHUANIAN INDEPENDENCE DAY

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the anniversary of the restoration of Lithuania’s independence, and the re-establishment of their independence as it is commemorated by the Cleveland Chapter of the Lithuanian American Community.

On February 16, 1918, the people of Lithuania declared their independence to the world as a distinct country with its own culture and traditions. The state was founded on democratic principles and its independence in a peaceful manner. However, Lithuania’s freedom was short-lived, as the country and its people were subjected to foreign occupation and conquest by the Nazi Germany regime and the U.S.S.R. during World War II. In 1940, the Soviet Union took control of Lithuania without the people’s consent. This unjust control of a free people lasted for 50 years. On March 11, 1990, upon the fall of the Soviet Union, the people of Lithuania re-established their independence, and once again, became a sovereign, free state.

The Lithuanian-American Community’s Cleveland Chapter has worked to connect the people of Cleveland of Lithuanian descent and to share their rich and vibrant culture with the community. I offer my best wishes for the upcoming celebration of their heritage and their independence.

Mr. Speaker and colleagues, please join me in commemorating the independence of Lithuania and, in wishing the country and its people continued freedom and success.

HONORING SUPERINTENDENT SANDY THORSTENSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to honor my good friend Sandy Thorstenson for her leadership and dedication as Superintendent to the Whittier Union High School District.

Born and raised in Whittier, CA, Sandy has served as Superintendent of the Whittier Union High School District for 10 years. She is a graduate of Whittier High School and Whittier College with her Master’s Degree in Education from California State University, Fullerton. Sandy started her 34-year career in the Whittier Union High School District as a teacher and quickly ascended to Assistant Principal, Principal, Assistant Superintendent of Educational Services, and ultimately Superintendent.

Under her leadership, Sandy has spearheaded Whittier Union’s transformation into a high-achieving district with five comprehensive high schools serving 13,400 students from socio-economically diverse backgrounds. Sandy’s vision continues to ensure student achievement for all students, resulting in state and national recognition. Whittier Union High School District has demonstrated remarkable gains in student achievement at every school, becoming one of the top school districts in Los Angeles County. Sandy is an active advocate for quality and equity in public education at the local, state, and national level as a member of many professional and community organizations. She currently serves on the California State Superintendent’s Council and the Tower Learning Partners Board, and is the current President of California City Superintendents Association. She is also a member of the Soroptimist International of Whittier, Whittier College Corporate
Council, and a past member of the Whittier Chamber of Commerce Board of Directors.

Due to these outstanding achievements for the school district and beyond, Sandy has been selected as California’s National Superintend of the Year by the Association of California School Administrators.

Mr. Speaker and distinguished colleagues, please join me in honoring this extraordinary woman whose love and dedication to our students is overwhelmingly obvious. Let us congratulate her on her many accomplishments to the Whittier Union High School District and our community.


HON. BRAD SHERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. SHERMAN. Mr. Speaker, this month marks the 24th anniversary of a dark chapter in modern history. During the Nagorno-Karabakh War of 1988 to 1994, Armenian civilians were indiscriminately attacked.

On February 27, 1988, Armenian civilians living in Sumgait, in Soviet Azerbaijan, were violently targeted in a three-day rampage. Armenian civilians were hunted down and brutally assaulted. Some were raped, and some were burned alive at the hands of rioters. Local police reportedly ignored repeated calls for help by Armenian civilians. The official figure from Soviet authorities, who prohibited journalists from entering the area, was just over 30 people dead and over 200 injured. However, it is believed that more—perhaps hundreds—were murdered by roving mobs.

The Sumgait Pogrom was, sadly, only the beginning.

Despite international condemnation of the pogrom in Sumgait, another anti-Armenian pogrom occurred later that year in Kirovabad, Azerbaijan, from November 21st to 27th. Due to the brutality, the Armenians of Kirovabad and the surrounding areas were forced to flee their homes.

Another crime against humanity occurred yet again from January 13th to the 19th, in 1990. Members of the Armenian community of Baku, the capital of Azerbaijan, were assaulted, tortured and killed again by violent mobs.

I would like to commemorate the Armenian victims of the Sumgait, Kirovabad, and Baku massacres to honor the memory of the murdered, and to stop future bloodshed. If we do not stop future massacres, we must acknowledge these horrific events and ensure they do not happen again.

We will not forget the ethnic-cleansing of the Armenians from Azerbaijan.

But we need to do more—we need to demonstrate to Azerbaijan that the United States is committed to peace and to the protection of Artsakh from coercion.

We must urge Azerbaijan to cease all threats and acts of coercion against the Republic of Nagorno Karabakh.

In 1992, Congress prohibited aid to Azerbaijan because of its continuing blockade against Armenia and Nagorno Karabakh. Unfortunately, Congress in 2001 approved a waiver to this provision and administrations have used the waiver since then to provide aid to Baku. Congress should strengthen Section 907 of the FREEDOM Support Act by removing the President’s ability to waive U.S. law prohibiting aid to Azerbaijan because of its continued blockade against Armenia and Nagorno Karabakh.

I urge the Administration to remove all barriers to broad-based U.S.-Nagorno Karabakh governmental and civil society communication, travel, and cooperation. We must reaffirm America’s commitment to an enduring, peaceful and democratic resolution of the Nagorno Karabakh conflict.

IN RECOGNITION OF JOHNNY KILBANE

HON. BRAD SHERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. SHERMAN. Mr. Speaker, I rise today in honor and memory of Cleveland’s Boxing Champion, Johnny Kilbane, on the occasion of the hundredth anniversary of his attainment of the title of World Featherweight Champion.

Johnny Kilbane was born in Cleveland, Ohio, on April 9th, 1889. He began his ascent into the boxing world at age eighteen with his first fight in the featherweight division. Throughout his career, Johnny fought in over 140 fights—resulting in 46 victories, 79 no decisions and only four losses. On February 22, 1912, in a 20 rounder in Vernon, California, Johnny Kilbane won his first world title in a fight against Abe Attell. The fight was for the World Featherweight Championship, a title he would hold from 1912 to 1923. Kilbane is believed to have held that title for the longest uninterrupted reign in boxing history.

A Cleveland local, Kilbane held a number of positions after he retired from the boxing world. During World War II, he worked as a boxing instructor at Camp Gordon in Georgia, Camp Sherman in Ohio, and Camp Custer in Michigan. He was also a boxing referee and instructor at local high schools. He operated a training club in Vermillion.

Johnny transitioned into politics as well, and was elected to the Ohio State Senate in 1941. He also held office as a State Representative, and was elected to the Municipal Court Clerk’s Office in 1951, a role which he served until his death in 1957.

Mr. Speaker and colleagues, please join me in honoring the life of Johnny Kilbane and the 100th anniversary of his achievement of the title of World Featherweight Championship.

IN RECOGNITION OF THE SOMERSET COUNTY MILITARY FAMILY SUPPORT GROUP

HON. MARK S. CRITZ
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. CRITZ. Mr. Speaker, I rise to recognize a military support group in my district that provides deployed members of our armed forces and their families with material support, emotional comfort and spiritual sustenance.

Founded in 2003, the Somerset County Military Family Support Group sends deployed service members monthly packages containing food, health products, books, letters and games. The group also counsels family members of deployed military personnel, takes part in festivals and parades in order to pay homage to the sacrifices of our soldiers, gathers and distributes information about pressing issues facing members of the military and their families and holds annual candlelight vigils to honor those who have worn our nation’s colors in battle.

Because the group is comprised largely of veterans and individuals from military families, its members understand the physical and psychological strain our troops experience each day they are separated from their families, and the emotional turmoil the family members of these service members are forced to endure as a result of knowing that someone they love is in harm’s way. That they chose to use their first-hand knowledge of these struggles to craft a renowned military support program speaks to their capacity to turn hardship into an outstanding gift for others.

Mr. Speaker, while all of us appreciated the valor and sacrifices of our troops, only the most talented and proactive among us are able to act on this appreciation in a way that makes an impact on thousands of lives. The Somerset County Military Family Support Group has not only accomplished this, but has done so while spreading the spirit of service throughout southwestern Pennsylvania. All of us should seek to emulate the selfless efforts of its members in our own efforts to promote the greater good.

TRIBUTE TO SUNY CANTON FIRST RESPONDERS

HON. WILLIAM L. OWENS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. OWENS. Mr. Speaker, I rise today to honor the heroism of those responsible for safely controlling a fire that broke out on campus at SUNY Canton this month.

Following a fire in the chemistry lab inside Cook Hall, it was the unquestionable valor and commitment of these men and women that protected students, faculty and administrators. These individuals acted with the utmost professionalism and courage when called to duty and protected members of their community. The first responders prevented untold amounts of injury to our friends and neighbors, and saved the school from a much worse situation.

On behalf of the U.S. House of Representatives, I commend and thank these emergency personnel, agencies and individuals for their bravery, selflessness, and assistance.

AAC Contracting, Atlantic Testing, Aubertine and Currier, Canton Fire & Rescue, Canton Police Department, Clean Harbors Environmental, David Sullivan—St. Lawrence County Law Enforcement Academy, Ecology & Environment Inc., Fire Department, Heuvelton Volunteer Fire Department, Morley Fire Department, Murnane Building Company, NYS Office of General Services, NYS Police
Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mr. Edward Crawford to acknowledge his receipt of the Walks of Life Award from the Irish American Archive Society.

Mr. Crawford was raised in Cleveland Heights, Ohio. He has since become a leader in Cleveland’s business sector. Edward began his career as a salesman for Island Steel while enrolled in night school at John Carroll University. In 1962, he founded the Cleveland Steel Container, a company that produced paint cans. Just two years later, in 1964, Crawford established his own investing company, the Crawford Group. In 1992, he became the chairman and chief executive officer for Park-Ohio Industries. Mr. Crawford was named the Ohio Small Businessman of the Year by the Small Business Association in 1993.

Mr. Crawford has also served on the boards of numerous companies throughout his career including Arden Industrial Products, Continental Conveyor & Equipment Company, Continental Crushing & Conveying, Inc., Resilience Capital Partners LLC and Beech Technology Systems, Inc.

In addition to his career, Mr. Crawford has served the Cleveland community. Just several years ago, he led a four year, $400,000 renovation of the Irish Cultural Garden.

Mr. Speaker and colleagues, please join me in congratulating Mr. Edward Crawford as he is honored by the Irish American Archive Society.

On a personal note, I would like to not only congratulate Mrs. Cutts on becoming a distinguished centenarian but also express my profound gratitude to her for her outstanding contributions to America’s education system and her principled advocacy on behalf of our nation’s students.

NATIONAL KIDNEY MONTH

HON. JESSE L. JACKSON, JR.
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. JACKSON of Illinois. Mr. Speaker, I rise today with more than 60 of my colleagues of the Congressional Kidney Caucus in support of the goals and ideals of National Kidney Month which begins tomorrow.

Each year, the National Institute of Diabetes and Digestive and Kidney Diseases as well as leading kidney care organizations recognize and celebrate March as National Kidney Month to promote public awareness, education, screening and detection throughout the nation.

Currently, more than 31 million Americans are affected by Chronic Kidney Disease (CKD) and millions more are at risk. Kidney Disease is the slow loss of kidney function over time and, if left untreated, gradually progresses to end-stage renal disease marked by the complete loss of kidney function. While there is no cure for CKD, proper lifelong treatment can slow the onset of kidney failure and help control the symptoms of this devastating disease.

Recently named the eighth leading cause of death in the United States by the Centers for Disease Control and Prevention, nearly 570,000 Americans currently rely on hemodialysis or a kidney transplant for their survival.

The Congressional Kidney Caucus, which was established in 2002, has partnered with a number of kidney organizations to promote policies that benefit patients with kidney disease and provide Members and their staff the most comprehensive, up-to-date information related to this disease.

Throughout the month of March, the Caucus supports the thousands of kidney advocates and groups that are expected to visit Capitol Hill to discuss their experiences and advocate for enhanced patient care, research and public education and prevention.

In the spirit of National Kidney Month, I encourage my fellow Members of Congress to participate in these events on Capitol Hill and events hosted in their districts and to consider joining the Congressional Kidney Caucus in support of these efforts. Let your staff reach out to my office if you are interested in the schedule of events or if you are interested in joining the Caucus.

IN RECOGNITION OF SISTER KATHLEEN KILBANE

HON. DENNIS J. KUCINICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Sister Kathleen Kilbane and to...
acknowledge her receipt of the Walks of Life Award from the Irish American Archive Society. Sister Kathleen has dedicated her life to the homeless and to students of the Greater Cleveland area.

Sister Kathleen attended high school in Cleveland's West Side neighborhood at St. Joseph Academy. She later earned a bachelor's degree in education from St. John College and a master's degree from Cleveland State University.

In 1952, Sister Kathleen entered the nursery at St. Clement in Lakewood. Early on, she devoted most of her time to being a school teacher at Annunciation, St. Angela Merici, St. Aloysius, St. Mary and St. Colman schools. In 1977, the West Side Catholic Center was established to assist the elderly and homeless; Sister Kathleen was named the director. Twenty years later, in 1997, Sister Kathleen established Seeds of Liberty, an organization dedicated to helping high school drop-outs earn their diplomas.

Because of her relentless work to support those in need, in 2000, the West Side Catholic Center honored Sister Kathleen with the Dorothy Day Humanitarian Award.

Mr. Speaker and colleagues, please join me in congratulating Sister Kathleen Kibiane as she is honored by the Irish American Archive Society.

CONGRATULATING THE WAIALUA HIGH SCHOOL ROBOTICS TEAM, THE ‘HAWAIIAN KIDS,’ ON WINNING THE 2011 FIRST CHAIRMAN’S AWARD

HON. MAZIE K. HIRONO
OF HAWAII
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Ms. HIRONO. Mr. Speaker, I rise today to congratulate the Waialua High School Robotics Team, the “Hawaiian Kids,” on winning the prestigious Chairman’s Award at the 2011 FIRST Robotics World Championships and to recognize the achievements of the well-rounded students of Waialua High School.

The FIRST Chairman’s Award recognizes a program’s contributions to robotics, service to other robotics programs, and overall excellence. Waialua High School was one of 48 teams nationwide competing for the prize.

The judges of the 2011 FIRST Championship described the winning team as “helping transform the region from an area of agricultural industry decline to one where the accomplishments of these students are celebrated as an indicator of promise for the future.” All of the team members of the “Hawaiian Kids” graduate from high school, compared to the region’s average of a less than 30 percent graduation rate, and all of the school’s students have been members of the robotics team. The team has shown great promise as science, technology, engineering, and math (STEM) leaders and innovators with 90 percent of the members pursuing careers in STEM fields.

Founded in 1992 by Glenn Lee, a Career and Technical Education teacher and electrical engineer, the Waialua High School Robotics Program has been a model for engaging students in STEM and college-readiness courses. The “Hawaiian Kids” were the first FIRST Robotics Competition (FRC) team in Hawaii and initiated the development of other teams statewide. Its accomplishments have been shared with local government representatives, their community, and schools throughout our State. Today, close to one-third of Hawaii’s high schools have an FRC team, the highest percentage of involvement in the Nation.

While the “Hawaiian Kids” have experienced great success over the past few years, they continue to embrace their program’s motto: “It’s not all about winning; it’s about teamwork, commitment and responsibility.” Congratulations to the members of the Waialua High School Robotics Team for all their accomplishments, their dedication sharing robotics and STEM education with their peers, and continuing to raise Hawaii’s academic standards. Mahalo nui loa (thank you very much).

RECOGNIZING THE CARSON WOMEN’S CLUB AND EDWARD TILLMON, A TUSKEGEE FIGHTER PILOT

HON. LAURA RICHARDSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today in recognition of the Carson Women’s Club, based in my congressional district, for the wonderful work it has accomplished over the years and their unwavering commitment to our local community.

The Carson Women’s Club was founded in 1968 as a non-profit, non-political organization with a mission to serve as the official hostess of the City of Carson by supporting and promoting scholarships, and by engaging in community service activities focused on making Carson stronger.

The Carson Women’s Club plays an active part in local charity work. For example, each year on the 4th of July, Club members bring food to the on-duty firefighters at all stations in Carson. The Club also sends Thanksgiving baskets to 15 adopted Carson elementary schools and organizes a Christmas toy drive for the children at the El Nido Center.

Mr. Speaker, the Carson Women’s Club is a shining example of civic commitment, mutual trust, respect, and equal treatment without regard to race, sex, or ethnicity. The Club promotes mutual cooperation between individuals of different backgrounds through its diverse membership and informative community engagement events. This past weekend, I had the opportunity to attend a Carson Women’s Club event in my district honoring members of the Los Angeles Chapter of the Tuskegee Airmen, Inc. The Tuskegee Airmen were the first black military airmen in the United States. This heroic group of 13,000 young African American men overcame institutionalized racism to become one of the most distinguished fighter units in World War II.

At the meeting, we were fortunate enough to be graced with the presence of Mr. Edward Tillmon, a surviving Tuskegee Airman who reminded us of the remarkable accomplishments of the Tuskegee Airmen—both in and out of combat.

Through his experience growing up in a segregated America, Mr. Tillmon learned that hard work and perseverance are the key to overcoming obstacles that seem impenetrable. Mr. Tillmon expressed his appreciation for the challenges and opportunities that accompanied his time at war and his firm beliefs that the successes of the Tuskegee Airmen would not have been possible if it were not for the strong sense of camaraderie between the members. They were truly a band of brothers.

Mr. Speaker, Edward Tillmon serves his nation with preserving the Tuskegee Airmen legacy through his association with the two Angeles based “Tuskegee Airmen Scholarship Foundation”, which was established in 1979 to provide annual scholarships to exceptional young students in their quest for academic excellence.

Mr. Speaker, Edward Tillmon served his nation with pride, even at a time when African Americans were treated like second-class citizens. The legacy of the Tuskegee Airmen is one of courage and heroism in the face of adversity and their story has provided many with the inspiration necessary to achieve their goals.

Mr. Speaker, it is my honor to recognize the contributions of the Carson Women’s Club and Edward Tillmon and to thank them for their service to our community and our nation.

INTRODUCTION OF WORKING FAMILIES FLEXIBILITY ACT

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mrs. MALONEY. Mr. Speaker, as a result of demographic shifts over the last 50 years, the modern workforce has a different, more diverse set of needs. According to the U.S. Census Bureau, more than 70 percent of children are raised in families that are headed by either a working single parent or two working parents. The number of married households with children where both parents work in the labor force rose to 66 percent in 2010, while the number of single parent families has almost tripled over the last fifty years, from 5 percent in 1960, to 14 percent in 2010. Furthermore, more households are caring for older relatives as medical advances mean people are living longer, with studies showing that almost 60 percent of those who provide unpaid care to an adult or to a child with special needs are employed.

Flexible work arrangements are the key to meeting these diverse workforce needs. Such voluntary arrangements between employees and employers include changing the time, amount, and/or place that work is conducted in order to allow workers to more easily meet the needs of both work and family life. To give employees the right to request flexible work options in terms of hours, schedules, and work location, today I am introducing the Working Families Flexibility Act. This legislation also provides employers with flexibility by encouraging them to review these requests, propose changes, and even deny them if they are not in the best interest of the business.

Having flexible workplace policies has been shown to boost employee satisfaction and morale as well as improve business bottom line.
These policies help businesses retain key talent, reduce absenteeism, and enhance employee productivity. President Obama’s Council on Economic Advisors found that as more firms adopt flexibility practices the benefits to society, in the form of reduced traffic, improved employment outcomes, and more efficient allocation of workers to employers, may be greater than the gains to individual firms and workers. In addition, a 2011 U.S. Government Accountability Office report found that a flexible work environment can increase and enhance employment opportunities for people with disabilities.

Flexibility is clearly a win-win for employees and employers. I offer special thanks to Senator Bob Casey for introducing Senate companion legislation, and to my colleagues Representatives John Lewis, George Miller, and Jose Serrano for their cosponsorship.

HONORING MR. ROELOF VAN ARK

HON. JIM COSTA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Roelof van Ark, who will soon end his term as the chief executive of the California High-Speed Rail Authority (CAHSA). There is no textbook on how to build high-speed rail in America; it has never been done before. For the past two years Mr. van Ark has written the first chapters of that book by dedicating himself wholly to building the nation’s first true high-speed rail system in California. He deserves our recognition and true appreciation for all the work he has done for California and our nation.

For three decades, Mr. van Ark has worked on high-speed rail and other transportation systems throughout the world. Before becoming only the second chief executive since the Authority was formed in 1996, he led ALSTOM Transportation, Inc., for five years. Mr. van Ark previously worked in Germany and South Africa for Siemens Transportation Systems, a global leader in high-speed rail systems. During his more than 20 year tenure with Siemens, he successfully constructed complex infrastructure projects such as the "Skyltrain" in Bangkok, several subways throughout China, and high-speed rail lines in Germany. He ended his time with Siemens while working in Sacramento as President and Chief Executive Officer of the company.

His lifetime of experience enabled him to bring such tremendous expertise and leadership to the implementation of California’s high-speed rail project. I applaud Roelof van Ark for his years of tireless work on behalf of the California High-Speed Rail Authority and the state of California. Mr. van Ark has truly laid the groundwork for the nation’s first high-speed rail system, and I hope he will join me in riding the first train that departs from San Francisco en route to Los Angeles via the San Joaquin Valley. All Californians will be better off due to the service and sacrifice of this great leader.

Mr. Speaker, it is with great appreciation that I ask my colleagues to stand with me in thanking Roelof for his work in advancing modern modes of transportation within the United States and around the world. Please join me today in recognizing the commitment, dedication and success of Mr. Roelof van Ark and wish him well as he embarks on new endeavors.

IN RECOGNITION OF JANICE G. MURPHY

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Janice G. Murphy and to acknowledge her receipt of the Walks of Life Award from the Irish American Archive Society. A Cleveland native, Mrs. Murphy has dedicated her life to improving the health of others.

Mrs. Murphy began her career in the health care industry while serving as a nun with the Sisters of Notre Dame. She left the convent upon discovery of her true calling in life and began classes at Fairview Hospital’s School of Nursing. She later earned a bachelor’s degree in nursing from Bowling Green State University and a master’s degree from the University of Akron.

As Roelof van Ark worked as a nurse at Fairview Hospital in oncology and later coronary care, she was named chief nursing officer and in 2007, became the hospital’s chief operating officer. While leading Fairview Hospital, Mrs. Murphy was also the president of Lakewood Hospital, a role in which she served for nearly three years. Today, she remains the president of Fairview Hospital.

In addition to running two of Cleveland’s premier hospitals, Mrs. Murphy serves on the boards of the Ursline Community Advisory Board, North Coast Health Ministry, St. Joseph Academy and Hospice of Western Reserve. She has also been awarded the Cleveland Clinic Western Region Leadership Award and Baldwin Wallace Healthcare Award.

Mr. Speaker and colleagues, please join me in congratulating Janice G. Murphy as she is honored by the Irish American Archive Society.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF U.S.-AZERBAIJAN DIPLOMATIC RELATIONS

HON. GENE GREEN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. GREEN of Texas. Mr. Speaker, I rise today to ask my Colleagues to join me in recognizing the 20th year of diplomatic relations with our friend and key ally, Azerbaijan.

On February 19, 1992, the United States and Azerbaijan initiated formal diplomatic relations and on March 6 of that year Azerbaijan opened their embassy in the United States. The United States opened our embassy in Baku, Azerbaijan on March 16.

After the fall of the former Soviet Union and the independence of the Republic of Azerbaijan, we have seen a growing need for strong allies in the region. Azerbaijan, a predominantly secular Muslim country bordering by Russia to the north and Iran to the south, is a natural partner to promote peace, stability, and economic prosperity in this important part of the world.

Azerbaijan was among the first to join us in the War Against Terror, sending troops to Afghanistan that served alongside our service men and women, and is a leader in Iraq. Today, Azerbaijan offers a crucial route to transport supplies to our troops in Afghanistan.

Azerbaijan is also a key contributor in promoting energy security internationally. The opening of the BTC pipeline in 2005 allowed Caspian oil to reach the world market via Georgia and Turkey, bypassing Russia.

With the recent arrival of Ambassador Elin Suleymanov to Washington, DC, I look forward to working with the Embassy to further strengthen this important relationship.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08. Today, it is $15,442,120,983,688. We’ve added $4,815,243,972,008 to our debt in 3 years.

This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF MR. MIKE CLEARY

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mr. Mike Cleary and to acknowledge his receipt of the Walks of Life Award from the Irish American Archive Society.

Mr. Cleary was raised in East Cleveland by his parents, both of whom were immigrants from Ireland. He graduated from St. Ignatius High School before attending John Carroll University. Mike also served for the U.S. Navy for two years aboard the USS Lake Champlain, an aircraft carrier.

Prior to his retirement in 2011, Mr. Cleary worked in the collegiate and professional sports arena for 46 years. Early on in his career, he worked as a general manager for the Cleveland Pipers and Kansas City Steers. He later entered intercollegiate athletics and worked as the director of championship events for the National Collegiate Athletic Association. In 1965, he was hired as the executive director for the National Association of Collegiate Directors of Athletics.

Mr. Cleary was also the fund administrator for the John McLendon Minority Scholarship Foundation and served on the New Jersey Sports and Exposition Authority and U.S. Olympic Committee. He is highly regarded in the athletic world and has been recognized by the National Football Federation, College Hall of Fame, and in 2009, he was inducted into the National Association of Intercollegiate Athletics.
Hon. JAMES P. MCGOVERN of Massachusetts  

In the House of Representatives, Wednesday, February 29, 2012

Mr. MCGOVERN. Mr. Speaker, demagoguing the hungry, unfortunately, has become a regular occurrence during this Republican presidential primary season. The truth is that the majority of the hungry struggle to put food on their table not because they are lazy but because of circumstances outside of their control. Many are unemployed at no fault of their own. Others simply don’t earn enough and need help supplementing their monthly budget. But all of the hungry, all of those who are relying on America’s anti-hunger safety net programs, deserve the helping hand they are receiving. And none of these 50 million food insecure people deserve to be demagogued simply because they have trouble putting food on their kitchen tables.

Last week, I met with Andrew Morehouse, the executive director of the Food Bank of Western Massachusetts. Mr. Morehouse shared with me an op-ed he wrote for the Daily Hampshire Gazette titled “Stop demagoguing our food safety net.” Mr. Morehouse makes a clear, coherent and smart argument that attacking the hungry is wrong for both moral and economic reasons. I respectfully urge my colleagues to read this important op-ed.

I submit this op-ed into the RECORD.

(The GazetteNET, Feb. 7, 2012)

Andrew Morehouse: Stop Demagoguing Our Food Safety Net

Hatfield,—Former Northampton Mayor Clare Higgins made some eloquent points about hunger and food stamps in her recent column, “Beyond food stamp buzzwords” (Jan. 23).

I, too, feel compelled to set the record straight so that the general public has a more complete understanding of this critical issue at this juncture in our nation’s history. Attacks on SNAP (the federal Supplemental Nutrition Assistance Program, formerly known as Food Stamps) are rampant in some corners of the public discourse these days. Republican presidential candidates have blamed entitlement programs such as SNAP—targeting those who receive benefits from them—for the country’s deficit problem.

Newt Gingrich has even claimed that “more people are on food stamps today because of Obama’s policies than ever in history.”

It’s true that the number of food stamp recipients has risen over the past few years, but the unemployment rate has also increased 110 percent since 2006. As millions of Americans find themselves out of work, thousands more households turn to SNAP to put food on their table not because they are complacent or not working, but the unemployment rate has also increased 110 percent since 2006. As millions of Americans find themselves out of work, thousands more households turn to SNAP to put food on their table not because they are complacent or not working, but because of circumstances outside of their control.

The Census Bureau estimates that food stamp recipients have risen over the past few years, but the unemployment rate has also increased 110 percent since 2006. As millions of Americans find themselves out of work, thousands more households turn to SNAP to put food on their table not because they are complacent or not working, but because of circumstances outside of their control.

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Similarly, the size of SNAP participants is not an accurate reflection of our nation’s financial health. SNAP recipients are the poor, the unemployed, the elderly, and the disabled who need more cash to make ends meet. The fact is that hunger is a very real problem in our country—and one that is spreading throughout Western Massachusetts. At least one in every eight residents of Western Massachusetts relies on food stamps to put food on their table. More than 45,000 people seek food assistance each month in our region, a 25 percent increase compared just three years ago.

Here at the Food Bank, we believe that no one should have to go hungry. Without jobs that provide the necessary income to support households, SNAP and other government nutrition programs are essential in addressing the hunger crises facing our community. Without these programs, thousands more households in our region would find their cupboards empty on a regular basis.

In Remembrance of Mr. Stephen O’Connor Diemert, Jr.

Hon. DENNIS J. KUCINICH of Ohio  

In the House of Representatives, Wednesday, February 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mr. Stephen O’Connor Diemert, Jr.

Born in 1932, Stephen was destined to serve his country and the Greater Cleveland community. He served as a private in the United States Army from July 1953 through March of 1955. After returning home, Mr. Diemert began his career as a firefighter in January of 1956. He served as a fireman for 24 years until January of 1980. Mr. Diemert was also a long-time member of the American Legion Firefighter Post 339 and served as the Director of Fire Affairs for Silver and Gold, a fraternal organization dedicated to “supporting the Safety Forces of Northeast Ohio.”

He is survived by his wife, Carol; children, Stephen (deceased) and Cindy, Robert, Laura and Tony, Mary Lou and Mike and Matthew and Vicki; grandchildren, A.J., Sara, Stephanie, Hannah, Katie and Gary; great-grandchildren, Karen, Fallon and Brucey (deceased), and eight great-grandchildren. Mr. Diemert was a man of many talents and his great-grandchildren, Auntie, Uncle and Auntie are forever grateful for a man who gave so much service to his country and his community.

Mr. Speaker and colleagues, please join me in honoring the memory of Mr. Stephen O’Connor Diemert, Jr.
Recognizing Angela Bruscato

Hon. Rodney Alexander
Of Louisiana
In the House of Representatives
Wednesday, February 29, 2012
Mr. ALEXANDER. Mr. Speaker, on behalf of the United States Congress, it is with enorous pride and admiration that I rise today to recognize Angela Bruscato.

Angie joined the St. Francis Medical Center volunteer program in May of 1975, and recently surpassed 20,000 hours of service. Needless to say, this is a tremendous feat.

In her long-standing role as a volunteer, Angie has been recognized for her caring service. Over the years, this extraordinary woman has been awarded the Auxiliary of the Year, bestowed St. Francis Medical Center’s Certificate of Merit for Dedicated Auxiliary Service, and last year, Angie was named one of my Hometown Heroes.

Angie has provided decades of consistent strength and a caring heart for the patients and staff of St. Francis Medical Center. I am honored to bring forth her exceeding 20,000 volunteer hours before this body and our Nation today.

In Recognition of the 60th Anniversary of the Marine Corps Logistics Base in Albany, Georgia

Hon. Sanford D. Bishop, Jr.
Of Georgia
In the House of Representatives
Wednesday, February 29, 2012
Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to the men and women who have served and currently serve at the Marine Corps Logistics Base (MCLB) in Albany, Georgia. On Thursday, March 1, 2012 base personnel, Armed Services veterans and local dignitaries will celebrate the facility’s 60th anniversary.

Over the last 60 years, the brave men and women who have served at MCLB, Albany have made significant contributions in defending our homeland and safeguarding our liberties.

On March 1, 1952, MCLB, Albany was commissioned as the Marine Corps Depot of Supplies. By 1954 the station was sufficiently complete with warehouses and administration buildings to assume supply support for Marines east of the Rocky Mountains and in the Atlantic area.

In 1967, the base became a Storage Activity and Depot Maintenance Activity.

On January 17, 1990, the Commandant of the Marine Corps designated the Commanding General, Marine Corps Logistics Base, Albany to also be Commander, Marine Corps Logistics Bases. The reorganization placed control of Marine Corps Logistics Base, Barstow, California; Blount Island Command, Jacksonville, Florida, as well as Marine Corps Logistics Base, Albany under this single command.

Over the last several decades, MCLB, Albany has provided exceptional support to the Marine Air Ground Task Forces sent to Southwest Asia. The MCLB, Albany military and civilian team’s hard work and dedication, combined with equal efforts from MCLB, Barstow and Blount Island Command, have reaped outstanding results for our nation’s Armed Services.

Mr. Speaker, I have had the pleasure of traveling to many U.S. military installations around the world and the Marine Corps Logistics Base in Albany, Georgia is one of the finest military bases I have ever had the pleasure of visiting.

Through my ongoing interaction with MCLB, Albany personnel, one of the things I have come to admire about our nation’s Marines is that their commitment to serving our country does not end once they separate from Active Duty.

MCLB, Albany Marines hold themselves to a higher standard—that service to our nation is a lifelong commitment, not just a tour of duty.

Whether it is going on to work as policemen, fire fighters, teachers or business professionals, a MCLB, Albany Marine’s commitment to making our nation better remains at the fundamental core of what not only makes them great during their Armed Services career, but what will also make them invaluable members of our society once their military careers end and their transition into civilian life begins.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to the men and women who have served at the Marine Corps Logistics Base in Albany, Georgia over the last 60 years for their outstanding valor and patriotic service.

Personal Explanation

Hon. Jesse L. Jackson, Jr.
Of Illinois
In the House of Representatives
Wednesday, February 29, 2012
Mr. JACKSON of Illinois. Mr. Speaker, on Monday, February 27, and Tuesday, February 28, 2012, I was unavoidably detained for personal reasons, and missed the recorded vote for the Senate Amendment to H.R. 347, the Federal Restricted Buildings and Grounds Improvement Act, H. Res. 563, providing for consideration of H.R. 2117, the Protecting Academic Freedom in Higher Education Act.

If present, I would have recorded my votes as the following: On Monday, February 27, “yea,” on rollcall vote 73; on Tuesday, February 28, “nay,” on rollcall vote 74, “yea” on rollcall vote 75, “yea” on rollcall vote 76, “yea” on rollcall vote 77, “yea” on rollcall vote 78, and “nay” on rollcall vote 79.

Celebrating St. Francis Medical Center’s Auxiliary Members

Hon. Rodney Alexander
Of Louisiana
In the House of Representatives
Wednesday, February 29, 2012
Mr. ALEXANDER. Mr. Speaker, I rise today in celebration of the St. Francis’s Auxiliary Members ringing in their 85th year of service and assistance to the patients of the medical center. These men and women have dedicated countless hours to help those during times of need, and I am evermore grateful.

To say that this group is a source of strength within the Monroe community is an understatement. Bringing comfort and hope to patients and their families is a priceless gift. They have made a real difference in the lives of many, and I commend each member, past and present, for their admirable service and leadership.

This group is among Louisiana’s finest, and it is an honor to pay tribute to the 85th anniversary of such devoted and selfless individuals. Mr. Speaker, I ask my colleagues to join me today in applauding such an outstanding benchmark.

A Tribute in Honor of Barbara Douglas

Hon. Edolphus Towns
Of New York
In the House of Representatives
Wednesday, February 29, 2012
Mr. TOWNS. Mr. Speaker, I rise today in great sadness to mark the passing of Barbara Douglas, an exceptional businesswoman and a champion of the game of golf who displayed tremendous courage during her three-year battle with cancer.

Although Barbara faced challenges and endured discrimination as a female and minority, she never let that get in the way of her personal and professional goals. She was a successful executive for IBM, but what she was most well-known for was her passion and contributions to the game of golf.

Barbara started playing golf on New York area public courses and went on to compete as an adult in the U.S. Women’s Amateur Public Links, a United States Golf Association national tournament.

Among her many accomplishments was serving as the first minority chairman of the U.S. Golf Association’s Women’s Committee in 2009 and 2010; receiving the Golf Writers Association of America’s 2011 Ben Hogan Award for overcoming a physical disability to remain active in golf, serving as president of the National Minority Golf Foundation, and being inducted as a member of the National Black Golf Hall of Fame. She also found time to champion causes such as the LPGA-USGA Girls Golf Program.

The world has lost a true champion. Those who knew her will miss her compassionate spirit, but her legacy to the game of golf will live on forever. My deepest sympathies and my prayers go out to her friends and family and the many lives she touched along her 69-year journey.

The Recent Visit of Georgian President Mikheil Saakashvili

Hon. Michael C. Burgess
Of Texas
In the House of Representatives
Wednesday, February 29, 2012
Mr. BURGESS. Mr. Speaker, I rise to note the recent visit of Georgian President Mikheil Saakashvili to Washington. He met with President Obama, Vice President Biden, Secretary Clinton, and many Members of Congress. President Saakashvili’s high-profile visit helped consolidate bilateral relations, and the NATO Summit in Chicago in May could witness progress towards Georgia’s membership.
At home, however, Georgia confronts the unresolved conflicts in Abkhazia and South Ossetia. In December, I chaired a briefing by the Helsinki Commission that examined the conflicts in the Caucasus, including Abkhazia and South Ossetia as well as Nagorno-Karabakh. I was impressed by the witnesses’ expert testimony concerned by their warning about the possibility of renewed hostilities in this strategically important region.

Despite mediation by the OSCE Minsk Group, the parties seem no closer to a resolution of the Nagorno-Karabakh dispute than they were years ago. Prospects for settling the conflicts in Abkhazia and South Ossetia are even more remote, with Russia having recognized the independence of those separatist regions, where OSCE monitors have also been excluded.

Of course, the U.S. Government has for years been involved in negotiating a settlement of these conflicts, through participation in the Minsk Group and by attempting to move Russia toward a constructive approach in the Geneva talks on Abkhazia and South Ossetia. Washington’s efforts have unfortunately not resulted in a resolution of these protracted disputes.

We have seen how quickly so-called “frozen” conflicts can come unfrozen, with terrible consequences. It is my understanding that Secretary Clinton is planning a trip to Georgia. I hope this is a sign that the region will receive a continuing and high priority in U.S. diplomacy.

IN RECOGNITION OF MR. MARK S. NEWMAN

HON. GEOFF DAVIS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today in recognition of Mr. Mark S. Newman, the Chairman and Chief Executive Officer of DRS Technologies, as he retires after thirty-nine years of dedicated service to the defense industry and our servicemen and women.

Mark’s leadership and inspirational concern for providing our warriors with the very best technology this nation can produce has led to the development and fielding of products which have directly saved lives on the battlefield, created enhanced situational awareness and provided superior advantages to our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces. He has, for his entire career, sought to place equipment in the hands of our armed forces.

Mark joined DRS Technologies in 1973, four years after the company’s founding, and was named a director in 1988. After serving many years as the company’s Chief Financial Officer, he was named President and CEO in 1994, and in 1995 was elected Chairman of the Board. Under his watch, the company grew from a small specialty electronics supplier to a highly diversified defense technology provider with 10,000 employees—over 15% of whom have served in the U.S. Armed Forces. In short, Mark has built a company that is a true American success story.

In 2005, Mark established the DRS Technologies Charitable Foundation, with a focus on helping those who serve—a cause he knew would resonate throughout the entire DRS workforce. Through the years that followed, he has raised about $600,000 to support the Intrepid Fallen Heroes Fund and their efforts to build a world-class, state-of-the-art physical rehabilitation center at Brooke Army Medical Center in San Antonio, Texas. Mark also helped raise over $500,000 to assist the USO with the initiative “Operation Enduring Care,” becoming a Global Partner with the USO in the process. In 2009, Mark helped raise over $600,000 for the building of the state-of-the-art Intrepid Center of Excellence to research, diagnose and treat Traumatic Brain Injury (TBI) suffered by those injured while serving in Iraq and Afghanistan, and just last year Mark made it his personal mission to support “Operation Mend” at UCLA Medical Center matching the $240,000 donated by DRS leadership with $240,000 of his own money. His patriotism and philanthropic initiatives supporting military charities makes him a hero in his own right.

Mr. Speaker, I ask House—me in recognizing Mark S. Newman’s contributions and thanking him for his dedication to our service men and women.

HONORING THE THADDEUS KOŚCIUSZKO SOCIETY AS THEY CELEBRATE THEIR 100TH ANNIVERSARY

HON. ROSA L. DELAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Ms. DeLAURO. Mr. Speaker, it gives me great pleasure to rise today to join the many families and community leaders who have gathered today to celebrate the 100th Anniversary of the Thaddeus Kosciuszko Society—a remarkable milestone for this very special organization.

Like so many others of its kind, the formation of the Thaddeus Kosciuszko Society was rooted in the common need of immigrants to support one another. Milford, Connecticut was an ideal location for Polish farmers who had recently immigrated to America to settle because of the agricultural opportunities the land presented. In a new country and beginning new farms, these families faced many challenges. Seeing the need to have someone or something available to them to assist in a time of need, a group of seven men met on Sunday, April 1, 1912, and established an organization through which they could not only help each other, but also future generations. Their mission, as stated in their original bylaws was to promote social activities, recreation and mental improvement among its members and to provide relief benefit therefor in cases of sickness or trouble."

From that handful of farmers, the Society has grown throughout the years. Many of today’s seventy-five members are descendants of the original seven. Throughout its 100-year history, the Society has often been a source of comfort and support for newly immigrated families. Over that time, the Society Treasury, funded by member dues and modest fundraising events, has enabled the Society to provide financial assistance to survivors of the sick and deceased as well as more than $50,000 in scholarships to students of Polish decent seeking higher education.

Keeping with the practice started by their founders, the Thaddeus Kosciuszko Society still meet once a month on a Sunday afternoon and their Annual Summer Picnic, now a well-known community tradition, is still held on a mid-summer Sunday afternoon. Though times and the needs that brought the society together have changed, the Society continues to make a difference in the lives of those in need, strengthening the bonds of friendship and community from one generation to the next. Today, as they celebrate their 100th Anniversary, they can proudly look back on their rich history and be secure in the knowledge that the Thaddeus Kosciuszko Society will remain a source of support and encouragement for many more families in the years to come.

RECOGNIZING LOUISIANA’S LONGEST MARRIED COUPLE

HON. RODNEY ALEXANDER
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. ALEXANDER. Mr. Speaker, on behalf of the United States Congress, it is with great pride that I rise today to recognize Louisiana’s longest-married couple, Norman and Norma Burmah.

The Marksville couple, who celebrated their 81st wedding anniversary, will be inducted into the Louisiana Family Forum’s Marriage Hall of Fame, and were recently commended by Governor Bobby Jindal in a reception held in their honor on Valentine’s Day.

An introduction by Norma’s friend, the couple began their courtship in 1930 at the Roof Garden Dance Hall in New Orleans. The following year, Norman and Norma were married at Holy Ghost Church in the Crescent City.

Known as “Maw” and “Paw” to their loved ones, they are the proud parents of two daughters, and have been blessed with six grandchildren and 13 great-grandchildren. After Hurricane Katrina destroyed their home in 2005, Norman and Norma relocated to Marksville where their strong commitments to each other, family and God have continued.

It is an honor to recognize Norman and Norma Burmah and give my heartfelt congratulations to them on this truly incredible event in their lives. I ask my colleagues to join me in extending best wishes to Louisiana’s longest married couple.

EARTHQUAKE AWARENESS MONTH
IN MISSOURI

HON. RUSS CARNAHAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. CARNAHAN. Mr. Speaker, I rise to bring the important issue of earthquake awareness to the attention of the members of the House.

February is Earthquake Awareness Month in Missouri. My district lies within the New Madrid Seismic Zone, the nation’s most active earthquake zone east of the Rocky Mountains. Every year there are more than 200 small earthquakes in this region and there have been earthquakes as strong as magnitude 7.0
HONORING NATIONAL KIDNEY MONTH
HON. TOM MARINO
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. MARINO. Mr. Speaker, I rise today to ask the House to join me on March 1, 2012 in recognition of Kidney Action Day and re cognition of March as National Kidney Month. With over 31 million Americans affected by kidney disease, it is critical that we make every effort to raise awareness and stress the importance of early detection and treatment of the nation’s 8th most deadly disease.

The effects of chronic kidney disease can go undetected for years without showing any symptoms but can evolve into a condition with the worst of consequences. As a survivor of kidney cancer, I know the importance of getting checked and beginning the fight at the earliest possible stage. A blood or urine screening can determine whether an individual is showing signs of a renal condition and in early stages, the disease can be treated with medication along with a diet and exercise program.

However, if left untreated, kidney disease may harbor other conditions such as diabetes or hypertension which increases the risk for a stroke, heart attack, or other cardiac-related issues. Dialysis may be needed in the later stages of chronic kidney disease as it aids in cleaning the bloodstream of toxins and in the most severe cases a kidney transplant may be needed. While there is no cure for chronic kidney disease, proper lifelong treatment can slow the onset of kidney failure and help control the symptoms of this devastating disease.

On March 1, 2012, I will be attending Kidney Action Day on the Hill in order to raise consciousness and spread knowledge that could potentially mitigate the tragic effects of this disease. I ask my fellow members of the House to join me on March 1, 2012 to recognize March as National Kidney Month all across the United States so that we may spread awareness and lend a hand in saving the lives of those we serve.

PERSONAL EXPLANATION
HON. CHRISTOPHER S. MURPHY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, on February 28, 2012 I was unavoidably detained and missed rollcall vote 79. If present, I would have voted "nay."

SUPPORTING GREAT LAKES WEEK
HON. MARCY KAPTUR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Ms. KAPTUR. Mr. Speaker, this week in Washington is Great Lakes Week. It could not come at a more important time.

Last Thursday, the Administration released the 2012 Asian Carp Asian Carp Action Plan and Strategy Framework, which is important in establishing the fight to protect our Great Lakes against invasive Asian carp that threaten our $7 billion fishing industry. No lake is more important than Lake Erie—The largest fishery on the Great Lakes.

We should be thankful that President Obama is elevating Asian carp as a priority. I encourage him to do more to stop the carp from migrating into our precious ecosystem.

Last month, another important study was released, outlining a necessary path forward to separate our Great Lakes from the Mississippi watershed. This is the only real solution for stopping the enemy at the gate.

For the same reason, I am a cosponsor of the Stop Asian Carp Act, which calls for that barrier to be built now, not delayed for over a decade. Too much is at risk.

I represent the largest portion of costal Ohio along Lake Erie—which contains more native fish than all the other Lakes combined. We must protect this valuable ecological treasure, and the local multi-billion dollar economy it supports. This involves the lake itself, the mar time industry, coastal tourism, recreation, wildlife refuges, energy protection, industrial plants and so much more.

These endowments extend far beyond Asian carp. This year, lakeside communities again are grappling with an expanding algal bloom that can be poisonous if ingested, creates biological dead-zones, and just plain stinks.

Residents stay inside to avoid the putrid smell, charter boat captains suffer as fishing declines, and hotels and restaurants in popular vacation spots sit empty as travelers take their recreational dollars elsewhere.

Under the Western Lake Erie Basin Partnership, I have brought together researchers, non-profits, and local-residents to work with federal agencies including the EPA, Department of Agriculture, and Army Corps of Engineers to address this huge challenge.

Under President Obama, many of these efforts were integrated into a new program called the Great Lakes Restoration Initiative, which is proving effective at addressing the enormous needs facing our Great Lakes.

Through the GLRI, specific areas of concern like the Cuyahoga, Maumee, and Black Rivers are receiving much needed federal dollars to improve these watersheds.

After years of work to develop the Ottawa National Wildlife Refuge, the GLRI is helping expand their efforts in wetland habitat restoration and enhancement.

In the Black River, we are removing steel slags and restoring habitat for native fish species.

This fall in Sandusky, we dedicated a new research vessel for Lake Erie—the “USS Muskie.”

And, the University of Toledo is undertaking a study to assess the benefits provided by a newly created wetlands to prevent agricultural runoff that can produce algal blooms and increase nearshore health concerns, such as e coli and other bacteria.

Along with a broad range of costal stakeholders, continue to work closely with the agency officials to ensure that the most fragile Great Lakes ecosystem—Lake Erie—receives funding levels in line with the great need.

And, it is essential that our Great Lakes delegation work with my colleagues in Congress to ensure that we continue sufficient funding to the Great Lakes Restoration Initiative

America has done so much to help certain areas like the Everglades and expanses of Alaska that few Americans will ever get to enjoy. More than one quarter of our country lives in a Great Lakes state and depends on healthy lakes for water, farming, business and pleasure.

During this Great Lakes Week, and throughout the upcoming months in which we will determine our spending priorities, I urge my colleagues, especially those in our region who have not already gotten on board, to support the Great Lakes Restoration Initiative and other programs to protect these national and global treasures for today and tomorrow.

RECOGNIZING INTERNATIONAL RARE DISEASE DAY
HON. TIMOTHY H. BISHOP
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 29, 2012

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize the fifth International Rare Disease Day, a day reserved to promote awareness of the approximately 6,800 rare diseases affecting 30 million Americans.

In the United States, a rare disease is one that affects fewer than 200,000 people. The National Organization of Rare Disorders estimates that one in ten Americans are suffering today from a rare disease. Thanks to patients and their families, the medical community, and organizations established to advocate for awareness and research, advances have been in the diagnosis and treatment of many of these diseases. With a renewed commitment to scientific research and discovery,
we can provide much more than treatments and disease management to millions of our suffering constituents, we can provide cures.

In my congressional district, I have met with countless constituents and their families whose lives have, in one way or another, been impacted by a rare disease such as Epidermolysis Bullosa, commonly known as EB, which is characterized by the presence of extremely fragile skin that results in the development of recurrent, painful blisters, open sores, and in some forms of the disease, in disfiguring scars, disabling musculoskeletal deformities, and internal blistering. EB affects approximately 12,000 individuals in the United States.

I have also met with families impacted by Duchenne Muscular Dystrophy. This is a form of muscular dystrophy found in boys who experience a progressive loss of muscle function. Parent Project Muscular Dystrophy estimates that 15,000 young men suffer from Ducherme.

Marfan Syndrome is another rare disease that has impacted my constituents. Marfan Syndrome is a disorder of the connective tissue that can affect the skeletal, cardiovascular, and nervous systems, the skin, eyes, and lungs. While there is no cure, an early diagnosis and proper treatment can provide a normal life-span. The National Marfan Foundation estimates that 200,000 are affected by Marfan Syndrome.

Finally, I would like to take this opportunity to also mention Dysautonomia, a group of disorders that cause a breakdown or failure of the autonomic nervous system which regulates involuntary functions of the body: heart rate, blood pressure, body temperature, and perspiration. Some forms of this order are characterized as rare diseases such as Multiple System Atrophy and Familial Dysautonomia. Although other forms such as Postural Orthostatic Tachycardia Syndrome, Neurocardiogenic Syncope, and Autoimmune Autonomic Ganglionopathy are not, this does not detract from their importance and should not result in a federal commitment less than resolute in discovering advances to help increase accurate diagnosis and better treatment. Together, the National Dysautonomia Research Foundation estimates that over one million Americans are impacted by an autonomic system disorder.

Today, Mr. Speaker, I join with patients, their families, and millions in the United States and around to the world to recognize this important day. I urge my colleagues to take a moment today to think about what more Congress can do to help Americans and their families suffering from rare diseases. Together, we can do more for all.
SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 1, 2012 may be found in the Daily Digest of today’s Record.

MEETINGS SCHEDULED
MARCH 6
9:30 a.m.
 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.
SD–216
10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine spurring job growth through capital formation while protecting investors, part II.
SD–538
Budget
To hold hearings to examine perspectives on the President’s proposed budget request for fiscal year 2013 for the Department of Defense.
SD–608
Energy and Natural Resources
To hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Forest Service.
SD–366
Finance
To hold hearings to examine tax reform options, options on incentives for capital investment and manufacturing.
SD–215
10:30 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission.
SD–342
Foreign Relations
To hold hearings to examine the President’s proposed budget request for fiscal year 2013 for international development priorities.
SD–419
Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board, and Roy Wallace McLeese III, to be an Associate Judge of the District of Columbia Court of Appeals.
SD–342
Commerce, Science, and Transportation Science and Space Subcommittee
To hold hearings to examine keeping America competitive through investments in research and development.
SR–253
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219
9 a.m.
SD–106
MARCH 7
9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine healthy food initiatives, local production, and nutrition.
SH–216
10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine risk management and commodities in the 2012 farm bill.
SH–216
Commerce, Science, and Transportation
To hold hearings to examine priorities, plans, and progress of the nation’s space program.
SR–253
Homeland Security and Governmental Affairs
To hold hearings to examine the President’s reorganization plan, focusing on retooling government for the 21st century.
SD–342
Judiciary
To hold hearings to examine lending discrimination practices and foreclosure abuses.
SD–226
Appropriations
Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Health and Human Services.
SD–124
Veterans’ Affairs
To hold joint hearings to examine a legislatively presentation from the Veterans of Foreign Wars (VFW).
SD–G50
10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Navy.
SD–192
2 p.m.
Aging
To hold hearings to examine opportunities for savings, focusing on removing obstacles for small business.
SD–562
2:30 p.m.
Commerce, Science, and Transportation
Oceans, Atmospheric, Fisheries, and Coast Guard Subcommittee
To hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Coast Guard and the National Oceanic and Atmospheric Administration.
SD–253
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 29, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1150, to establish the Swagelock Gateway National Heritage Area in the State of Pennsylvania, S. 1191, to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, S. 1748, to reauthorize the Essex National Heritage Area, S. 1215, to provide for the exchange of land located in the Lowell National Historical Park, S. 1989, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey, S. 1708, to establish the John H. Chafee Blackstone River Valley National Historical Park, H.R. 1141, to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and cultural sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System, H.R. 2606, to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, S. 2131, to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, and the Delaware and Lehigh National Heritage Corridor, and S. 2133, to reauthorize the America’s Agricultural Heritage Partnership in the State of Iowa.
SD–366
MARCH 8
9:30 a.m.
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.
SD–106
10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine the key to America’s global competitiveness, focusing on a quality education.
SD–430
2:15 p.m.
Indian Affairs
To hold hearings to examine the President’s proposed budget request for fiscal year 2013 for Native Programs.
SD–628
2:30 p.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the President’s proposed budget request for fiscal year 2013 for the Department of Homeland Security.
SR–253
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219
MARCH 13
9:30 a.m.
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.

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with the possibility of a closed session in SVC-217 following the open session.  

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.  

SD–G50

MARCH 16

2 p.m.  

Judiciary  

Anti-trust, Competition Policy and Consumer Rights Subcommittee  

To hold hearings to examine Verizon and cable deals.  

SD–226

MARCH 17

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

MARCH 18

10 a.m.  

Veterans’ Affairs  

To hold joint 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.  

SR–418

MARCH 19

10 a.m.  

Veterans’ Affairs  

To hold joint hearings to examine Veterans’ Affairs progress on its five year plan.  

SR–418

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

10 a.m.  

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.  

SD–G50

MARCH 22

2 p.m.  

Judiciary  

Antitrust, Competition Policy and Consumer Rights Subcommittee  

To hold hearings to examine Verizon and cable deals.  

SD–226

MARCH 23

10 a.m.  

Veterans’ Affairs  

To hold joint 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.  

345, Cannon Building

MARCH 24

10 a.m.  

Veterans’ Affairs  

To hold joint 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.  

SR–418

MARCH 25

10 a.m.  

Armed Services  

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

MARCH 26

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
Chamber Action

Routine Proceedings, pages S1099–S1158

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 2138–2144, and S. Res. 382–384.

Measures Passed:

Read Across America Day: Senate agreed to S. Res. 382, designating March 2, 2012, as “Read Across America Day”.

Rare Disease Day: Senate agreed to S. Res. 383, designating February 29, 2012, as “Rare Disease Day”.

Measures Considered:

Moving Ahead for Progress in the 21st Century—Agreement: Senate continued consideration of S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, taking action on the following amendments proposed thereto:

Pending:

Reid Amendment No. 1730, of a perfecting nature.

Reid (for Blunt) Amendment No. 1520 (to Amendment No. 1730), to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services.

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 9:30 a.m. on Thursday, March 1, 2012, with the time until 11 a.m. equally divided and controlled between the two Leaders, or their designees; that at 11 a.m., Senate vote on or in relation to Reid (for Blunt) Amendment No. 1520 (listed above), and that all provisions under the order of Tuesday, February 28, 2012, remain in effect.

Nominations Received: Senate received the following nominations:

John E. Dowdell, of Oklahoma, to be United States District Judge for the Northern District of Oklahoma.

Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

25 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

1 National Oceanic and Atmospheric Administration nomination in the rank of admiral.

1 Navy nomination in the rank of admiral.


Messages from the House: Pages S1145–46

Measures Referred:

Pages S1146–47

Executive Communications:

Pages S1146–47

Additional Cosponsors:

Pages S1147–48

Statements on Introduced Bills/Resolutions:

Pages S1148–51

Additional Statements:

Pages S1144–45

Amendments Submitted:

Pages S1151–55

Notices of Intent:

Pages S1155–56

Authorities for Committees to Meet:

Page S1156

Privileges of the Floor:

Page S1156

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:56 p.m., until 9:30 a.m. on Thursday, March 1, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1156.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF THE INTERIOR

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2013 for the Department of the Interior, after receiving testimony from Ken Salazar, Secretary, David Hayes, Deputy Secretary, and Pam K. Haze, Deputy Assistant Secretary for Budget, Finance, Performance, and Acquisition, all of the Department of the Interior.
PUTTING HEALTH CARE SPENDING ON A SUSTAINABLE PATH

Committee on the Budget: Committee concluded a hearing to examine putting health care spending on a sustainable path, after receiving testimony from David M. Cutler, Harvard University, Cambridge, Massachusetts; Len M. Nichols, George Mason University College of Health and Human Services, Fairfax, Virginia; and James C. Capretta, Ethics and Public Policy Center, Washington, D.C.

CRISIS IN SYRIA

Committee on Foreign Relations: Committee received a closed briefing on the crisis in Syria from national security briefers.

DENTAL CRISIS IN AMERICA

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging concluded a hearing to examine dental crisis in America, focusing on the need to expand access, after receiving testimony from Burton Edelstein, Columbia University, New York, New York; Shelly Gehshan, Pew Center on the States Children's Dental Campaign, Washington, D.C.; Grant Whitmer, Community Health Centers of the Rutland Region, Rutland, Vermont; Gregory J. Folse, Outreach Dentistry, Lafayette, Louisiana; and Christy Jo Fogarty, Children’s Dental Services, Farmington, Minnesota.

DUE PROCESS GUARANTEE ACT

Committee on the Judiciary: Committee concluded a hearing to examine the “Due Process Guarantee Act”, focusing on banning indefinite detention of Americans, including S. 2003, to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States, after receiving testimony from Representatives Landry and Garamendi; Lorraine K. Bannai, Seattle University School of Law, Seattle, Washington; Stephen I. Vladeck, American University Washington College of Law, and Steven G. Bradbury, former Acting Assistant Attorney General, and Principal Deputy, Office of Legal Counsel, Department of Justice, both of Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, who was introduced by Senator Franken, Gershwin A. Drain, to be United States District Judge for the Eastern District of Michigan, who was introduced by Senator Levin, and Robin S. Rosenbaum, to be United States District Judge for the Southern District of Florida, who was introduced by Senator Nelson (FL), after the nominees testified and answered questions in their own behalf.

DEPARTMENT OF VETERANS AFFAIRS BUDGET

Committee on Veterans’ Affairs: Committee concluded a hearing to examine the President’s proposed budget request for fiscal year 2013 for Veterans’ Programs, after receiving testimony from Eric K. Shinseki, Secretary, Robert A. Petzel, Under Secretary for Health, Allison A. Hickey, Under Secretary for Benefits, Steve L. Muro, Under Secretary for Memorial Affairs, Roger W. Baker, Assistant Secretary for Information and Technology, and W. Todd Grams, Executive in Charge for the Office of Management and Chief Financial Officer, all of the Department of Veterans Affairs; Carl Blake, Paralyzed Veterans of America, Jeffrey C. Hall, Disabled American Veterans, Raymond Kelley, Veterans of Foreign Wars of the United States, Tom Tarantino, Iraq and Afghanistan Veterans of America, and William F. Schrier, and Tim Tetz, both of the American Legion, all of Washington, D.C.; and Diane M. Zumatto, AMVETS, Lanham, Maryland.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 4105–4115; and 3 resolutions, H.J. Res. 105; H. Con. Res. 106; and H. Res. 567, were introduced.

Additional Cosponsors: Pages H1100–01

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Woodall to act as Speaker pro tempore for today. Pages H1019

Recess: The House recessed at 11:13 a.m. and reconvened at 12 noon. Pages H1027
Chaplain: The prayer was offered by the guest chaplain, Reverend Gerald Theriot, The American Legion, Schriever, Louisiana. Page H1027

Journal: The House agreed to the Speaker’s approval of the Journal by a yea-and-nay vote of 283 yeas to 127 nays with 2 answering “present”, Roll No. 82. Pages H1027, H1041

Order of Business: Agreed by unanimous consent that it be in order at any time through the legislative day of March 1, 2012 to consider in the House H. Res. 562; that the resolution shall be considered as read; and that the previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, March 1st.

San Joaquin Valley Water Reliability Act: The House passed H.R. 1837, to address certain water-related concerns on the San Joaquin River, by a recorded vote of 246 ayes to 175 noes, Roll No. 81.

Rejected: The Garamendi motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 178 ayes to 248 noes, Roll No. 90.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–15 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill.

Agreed to:

McClintock manager’s amendment (No. 1 printed in H. Rept. 112–405) that makes several technical and clarifying changes to the bill.

Rejected:

Thompson (CA) amendment (No. 2 printed in H. Rept. 112–405) that sought to prevent several provisions of this Act from going into effect if any agriculture, agriculture-related, fishery, or fishery-related job is lost North of the Sacramento-San Joaquin River Delta (by a recorded vote of 178 ayes to 239 noes, Roll No. 83);

McNerney amendment (No. 3 printed in H. Rept. 112–405) that sought to prevent several provisions of the Act from taking effect until it is determined that it will not harm the quality or safety of drink-

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:
St. Croix River Crossing Project Authorization Act: S. 1134, to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

Condemning the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy: H. Res. 556, amended, to condemn the Government of Iran for its continued persecution, imprisonment, and sentencing of Youcef Nadarkhani on the charge of apostasy.

Board of Visitors of the United States Military Academy—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Board of Visitors of the United States Military Academy: Representatives Hinchey and Loretta Sanchez.

Quorum Calls—Votes: Two yea-and-nay votes and 10 recorded votes developed during the proceedings of today and appear on pages H1039–40, H1040, H1041, H1072, H1073, H1073–74, H1074, H1075, H1075–76, H1076, H1078, and H1078–79. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:02 p.m.

Committee Meetings

COMMODITY FUTURES TRADING COMMISSION

Committee on Agriculture: Full Committee held a hearing entitled “The Commodity Futures Trading Commission 2012 Agenda”. Testimony was heard from Gary Gensler, Chairman, Commodity Futures Trading Commission.

APPROPRIATIONS—DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing on FY 2013 Budget for the Department of State. Testimony was heard from Hillary Rodham Clinton, Secretary, Department of State.

APPROPRIATIONS—CUSTOMS AND BORDER PROTECTION

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FY 2013 Budget for the Customs and Border Protection Agency. Testimony was heard from the following Customs and Border Protection officials: Michael Fisher, Chief; Kevin McAleenan, Assistant Commissioner (Acting), Office of Field Operations; Mark Borkowski, Assistant Commissioner, Office of Technology Innovation and Acquisition; and Michael Kostelnik, Assistant Commissioner, Office of Air and Marine.

APPROPRIATIONS—DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on FY 2013 Budget for the National Nuclear Security Administration, Department of Energy, Weapons Activities; and National Nuclear Security Administration. Testimony was heard from the following National Nuclear Security Administration officials: Thomas D’Agostino, Administrator; Donald Cook, Deputy Administrator for Defense Programs; and Brigadier General Sandra E. Finn, Principal, Assistant Deputy Administrator for Military Application.

APPROPRIATIONS—DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FY 2013 Budget for the Department of Health and Human Services, Food and Drug Administration. Testimony was heard from Margaret Hamburg, Commissioner, Food and Drugs, Food and Drug Administration; Patrick McGarey, Assistant Commissioner for Budget, Food and Drug Administration; and Norris Cochran, Deputy Assistant Secretary for Budget, Health and Human Services.

APPROPRIATIONS—EPA

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on FY 2013 Budget for the Environmental Protection Agency. Testimony was heard from Lisa Jackson, Administrator, EPA; and Barbara Bennett, Chief Financial Officer, EPA.

APPROPRIATIONS—OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on FY 2013 Budget for the Office of Science and Technology Policy. Testimony was heard from John P. Holdren, Director, Office of Science and Technology Policy.

APPROPRIATIONS—DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FY 2013 Budget for the Department of Agriculture. Testimony was heard from the following officials from the Department of Agriculture: Phyllis Fong,
Inspector General; David Gray, Deputy Inspector General; Karen Ellis, Assistant Inspector General for Investigations; and Gil Harden, Assistant Inspector General for Audit.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FROM U.S. EUROPEAN AND U.S. AFRICA COMMANDS

Committee on Armed Services: Full Committee held a hearing on Fiscal Year 2013 National Defense Authorization Budget Request from U.S. European Command and U.S. Africa Command. Testimony was heard from Admiral James G. Stavridis, USN, Commander, U.S. European Command, NATO Supreme Allied Commander, Europe; and General Carter F. Ham, USA, Commander, U.S. Africa Command.

DEPARTMENT OF DEFENSE FISCAL YEAR 2013 SCIENCE AND TECHNOLOGY PROGRAMS

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a hearing on Department of Defense Fiscal Year 2013 Science and Technology Programs. Testimony was heard from Zachary Lemnios, Assistant Secretary of Defense for Research and Engineering, Office of the Undersecretary of Defense for Acquisition, Technology, and Logistics; Marilyn Freeman, Deputy Assistant Secretary of the Army for Research and Technology, Office of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology; Rear Admiral Mathew Klunder, USN, Chief of Naval Research, Office of Naval Research; Steven Walker, Deputy Assistant Secretary of the Air Force for Science, Technology and Engineering, Office of the Assistant Secretary of the Air Force for Acquisition; and Kaigham J. Gabriel, Deputy Director, Defense Advanced Research Projects Agency.

DEPARTMENT OF DEFENSE FISCAL YEAR 2013 BUDGET

Committee on the Budget: Full Committee held a hearing entitled “The Department of Defense and the Fiscal Year 2013 Budget”. Testimony was heard from Leon E. Panetta, Secretary, Department of Defense; and General Martin E. Dempsey, Chairman, Joint Chiefs of Staff.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Health held a markup of H.R. 452, the “Medicare Decisions Accountability Act of 2011”. The measure was forwarded without amendment.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Full Committee held a hearing entitled “Monetary Policy and the State of the Economy”. Testimony was heard from Ben Bernanke, Chairman, Board of Governors of the Federal Reserve System.

ASSESSING U.S. FOREIGN POLICY PRIORITIES AMIDST ECONOMIC CHALLENGES

Committee on Foreign Affairs: Full Committee held a hearing entitled “Assessing U.S. Foreign Policy Priorities Amidst Economic Challenges: The Foreign Relations Budget for Fiscal Year 2013”. Testimony was heard from Hillary Rodham Clinton, Secretary of State, Department of State.

FEDERAL EMERGENCY MANAGEMENT AGENCY BUDGET


DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES OFFICE

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled “The U.S. Department of Justice Community Oriented Policing Services Office”. Testimony was heard from Bernard K. Melekain, Director, Office of Community Oriented Policing Services, Department of Justice.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee began markup of the following: H.R. 491, to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes; H.R. 1038, to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; H.R. 1335, to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; H.R. 2050, the “Idaho Wilderness Water Resources Protection Act”; H.R. 2157, to facilitate a land exchange involving certain National Forest System lands in the Inyo National
Forest, and for other purposes; H.R. 2240, the “Lowell National Historical Park Land Exchange Act of 2011”; H.R. 2489, the “American Battlefield Protection Program Amendments Act of 2011”; H.R. 2512, the “Three Kids Mine Remediation and Reclamation Act”; H.R. 2745, to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada; H.R. 2947, to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota; H.R. 3263, the “Lake Thunderbird Efficient Use Act of 2011”; H.R. 3409, the “Coal Miner Employment and Domestic Energy Infrastructure Protection Act”; H.R. 3411, to modify a land grant patent issued by the Secretary of the Interior; H.R. 3440, the “Recreational Shooting Protection Act”; H.R. 3452, the “Wasatch Range Recreation Access Enhancement Act”; H.R. 4089, the “Sportsmen’s Heritage Act of 2012”; S. 271, the “Wallowa Forest Service Compound Conveyance Act”; S. 292, the “Salmon Lake Land Selection Resolution Act”; S. 404, to modify a land grant patent issued by the Secretary of the Interior; S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah; and S. 897, 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 payments for certain noncoal reclamation projects and acid mine remediation programs.

HONORING GEORGE WASHINGTON’S LEGACY: DOES AMERICA NEED A REMINDER?
Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy held a hearing entitled “Honoring George Washington’s Legacy: Does America Need a Reminder?”. Testimony was heard from Representative Wolf and public witnesses.

PREVENTING STOLEN VALOR
Committee on Oversight and Government Reform: Subcommittee on National Security, Homeland Defense and Foreign Operation held a hearing entitled “Preventing Stolen Valor: Challenges and Solutions”. Testimony was heard from Lernes Hebert, Director, National Personnel Records Center and public witnesses.

PROMOTING INNOVATION, COMPETITION, AND ECONOMIC GROWTH: PRINCIPLES FOR EFFECTIVE DOMESTIC AND INTERNATIONAL STANDARDS DEVELOPMENT
Committee on Science, Space, and Technology: Subcommittee on Technology and Innovation held a hearing entitled “Promoting Innovation, Competition, and Economic Growth: Principles for Effective Domestic and International Standards Development”. Testimony was heard from Mary H. Saunders, Director, Standards Coordination Office, National Institute of Standards and Technology.

NASA CYBERSECURITY: AN EXAMINATION OF THE AGENCY’S INFORMATION SECURITY
Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight held a hearing entitled “NASA Cybersecurity: An Examination of the Agency’s Information Security”. Testimony was heard from Linda Y. Cureton, Chief Information Officer, National Aeronautics and Space Administration; and Paul K. Martin, Inspector General, National Aeronautics and Space Administration.

REVIEW OF CRUISE SHIP SAFETY AND LESSONS LEARNED FROM THE COSTA CONCORDIA ACCIDENT
Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled “A Review of Cruise Ship Safety and Lessons Learned from the COSTA CONCORDIA Accident”. Testimony was heard from Vice Admiral Brian M. Salerno, Deputy Commandant for Operations, U.S. Coast Guard; and public witnesses.

PRESIDENT OBAMA’S TRADE POLICY AGENDA
Committee on Ways and Means: Full Committee held a hearing on President Obama’s trade policy agenda. Testimony was heard from Ron Kirk, Trade Representative, Office of the United States Trade Representative and public witnesses.

ONGOING INTELLIGENCE ACTIVITIES
House Permanent Select Committee on Intelligence: Full Committee held a hearing on ongoing intelligence activities.

Joint Meetings
No joint committee meetings were held.
Committee Meetings for Thursday, March 1, 2012

(Committee meetings are open unless otherwise indicated)

**Senate**

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Housing and Urban Development, 10 a.m., SD–138.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Office of the Architect of the Capitol, the Library of Congress, the Office of Compliance, and the Open World Leadership Center, 2:30 p.m., SD–138.

Committee on Armed Services: to hold hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

York, to be Deputy Administrator of Drug Enforcement, 10 a.m., SD–226.

Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be United States District Judge for the District of South Carolina, Timothy S. Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement, Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Committee on the Budget: to hold hearings to examine tax reform to encourage growth, reduce the deficit, and promote fairness, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold an oversight hearing to examine the cruise ship industry, focusing on if current regulations are sufficient to protect passengers and the environment, 10 a.m., SR–255.

Committee on Foreign Relations: to hold hearings to examine Syria, focusing on the crisis and its implications, 10 a.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 1002, to prohibit theft of medical products, and the nominations of Andrew David Hurwitz, of Arizona, to be United States Circuit Judge for the Ninth Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Jeffrey J. Helmick, to be United States District Judge for the Northern District of Ohio, Mary Geiger Lewis, to be United States District Judge for the District of South Carolina, Timothy S. Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement, Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Homeland Security, hearing on the FY 2013 Budget for National Protection and Programs Directorate, 9:30 a.m. This is a closed hearing.

Subcommittee on Interior, Environment, and Related Agencies, hearing on the FY 2013 Fish and Wildlife Service Budget, 9 a.m., B–308 Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget, 10 a.m., H–309 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on FY 2013 Budget, 10 a.m., 2359 Rayburn.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on the FY 2013 Budget for the Department of Agriculture, 10:30 a.m., 2362–A Rayburn.

Subcommittee on Defense, hearing on the FY 2013 Navy/Marine Corps Budget, 1 p.m., H–140 Capitol.

Committee on Armed Services, Full Committee, hearing on the Fiscal Year 2013 National Defense Authorization Budget Request from U.S. Pacific Command, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "The FY 2013 HHS Budget", 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Prescription Drug Diversion: Combating the Scourge", 10:15 a.m. 2322 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Understanding the Effects of the Repeal of Regulation Q on Financial Institutions and Small Businesses", 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Terrorism, Nonproliferation, and Trade, markup of H.R. 3783, the "Countering Iran in the Western Hemisphere Act of 2012", 10 a.m., 2127 Rayburn.


Committee on Natural Resources, Subcommittee on Indian and Alaska Native Affairs, hearing entitled H.R. 1272, the "Minnesota Chippewa Tribe Judgment Fund Distribution Act of 2011", 11 a.m., 1324 Longworth.


Committee on Science, Space, and Technology, Full Committee, hearing entitled "An Overview of the Department of Energy Research and Development Budget for Fiscal Year 2013", 9:30 a.m., 2318 Rayburn.

Committee on Transportation, Subcommittee on Economic Development, Public Buildings, and Emergency Management, markup of the following: H.R. 2903, the "FEMA Reauthorization Act of 2011"; H.R. 3182, the "James M. Fitzgerald United States Courthouse"; H.R. 3556, the "Robert H. Jackson United States Courthouse"; the "John F. Kennedy Center Reauthorization Act of 2012"; and General Services Administration resolutions, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Full Committee, markup of views and estimates submission, 9:30 a.m., 1100 Longworth.
Next Meeting of the SENATE
9:30 a.m., Thursday, March 1

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 1813, Moving Ahead for Progress in the 21st Century, and vote on or in relation to Reid (for Blunt) Amendment No. 1520, at approximately 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Thursday, March 1

House Chamber

Program for Thursday: Consideration of H. Res. 562—Directing the Office of the Historian to compile oral histories from current and former Members of the House of Representatives involved in the historic and annual Selma to Montgomery, Alabama, marches, as well as the civil rights movement in general, for the purposes of expanding or augmenting the historic record and for public dissemination and education.

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