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

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

WASHINGTON, DC, March 6, 2012.
I hereby appoint the Honorable LYNN JENKINS 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.

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

Mr. BLUMENAUER. Recently, there has been a series of very powerful articles in the popular press about what we call “end of life.” The most recent was by Dr. Ken Murray in The Wall Street Journal last week, entitled, “Why Doctors Die Differently.” This series of articles focuses in on this end of life period—usually the most intense, the most painful, the most expensive. It’s too often confusing for patients and their families. Too often, we find that people don’t get the care they want and they need.

This has been a passion of mine for years now to make sure that families and patients are equipped to deal with the end of life. It was my legislation that was in the health care reform that was, unfortunately, not in the final legislation because the reconciliation process wouldn’t allow the Senate to consider it in the House bill. We’re working on it again with legislation entitled Personalize Your Health Care, H.R. 1589, to make sure that these provisions that are strongly supported by the public finally become law.

I think, perhaps, the best case that I have seen for this legislation is found by Dr. Murray in his article, “Why Doctors Die Differently.” It is a simple, powerful, two-page statement explaining the hows and whys.

Doctors actually do pass away, but they pass away differently. What is interesting is that, of those who are well off and connected to the medical care profession, it’s not how much health care they get in their final months but actually how little. They do have more information than the average member of the public. They know their choices, and they act to make sure that their choices are respected. Doctors are more than three times likely than the average member of the public to have an advance directive that instructs families, doctors, hospitals how they want to be treated. That percentage is even higher for older doctors.

They know, for instance, in their last moments, most doctors don’t want CPR performed on them. Unlike on television, where 75 percent of the CPR instances that the American public watches are successful and patients go on to lead happy, normal lives, doctors know that after the ribs are broken, which is what happens normally in CPR that’s done properly, that fewer than 8 percent live even another month.

Doctors understand the facts. They tell their families. It’s probably not accurate to say they get less care, but what is accurate is they get different care. They’re more likely to use hospice services. They’re more likely to have palliative care to make sure in their final moments they’re not in pain. They’re less likely to have invasive, painful, expensive treatment, particularly if they don’t want it, because they’ve taken care of making sure that their wishes are known and respected.

Now, I don’t want everybody to “die like a doctor,” but I do want everybody to have the knowledge and the power so that their wishes, whatever they are, are respected. It is time that Congress passes legislation to make sure the American public has the information and that their wishes, whatever their wishes may be, are respected, because those final months or weeks or days of life deserve to be gentle, thoughtful, respectful, and people having whatever care they and their families want.

I strongly urge my colleagues to look at H.R. 1589, Personalize Your Health Care.

AFGHANISTAN
The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Last week, Congresswoman BARBARA LEE and I asked for a classified briefing on Afghanistan. Really, the only thing I can say about the briefing, because it was classified, is that I will continue to come to the floor and to say let’s bring our troops home from Afghanistan.

Also last week, we had two Army officers from Fort Bragg, North Carolina, who were in Afghanistan to train, and they were shot by the Afghan trainee at point blank range. This brings the
count to 42 Americans who have been killed in Afghanistan while working with the Afghans to train them to be police and soldiers. When you factor in how many coalition troops have been killed, along with the Americans, it's about 70. It is a totally impossible situation as well as the fact that we continue to spend $10 billion a month there.

I have beside me, Madame Speaker, a poster from the Greensboro News-Record in Greensboro, North Carolina. The headline is "Get Out," and there is an honor guard bringing a transfer case off the plane. The sad thing is that the day is on a Sunday in February 2011, and we're now in March of 2012. We continue to spend money that we cannot even account for. We send auditors to Afghanistan to try to account for the $10 billion a month that is being given to Mr. Karzai so he can lead Afghanistan—buy some new roads and camps, I guess—while our troops are losing their lives in a war that should be ended now, not later. We will, during the debate on the Dodd bill in May, continue to try to bring amendments to the floor to bring some sanity to this involvement in Afghanistan.

As I mentioned many times, a former marine commandant has been my adviser on Afghanistan, and he continues to talk about the fact that we are wearing out our military, the equipment, our manpower. Yet, there is a threat growing in the Pacific that we seem not to pay any attention to.

Recently, Jim McGovern and I and John Garamendi and some others met with Lieutenant Colonel Danny Davis. He is an active duty reservist who has been to Afghanistan. He returned just a few days ago, with Lieutenant Colonel Danny Davis.

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Energy Secretary Steven Chu stated: “Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.”

Well, Madam Speaker, at the time of that statement, gasoline prices in Europe were $5 to $10 a gallon. Last week, the Energy Secretary made headlines when he seemed to say the administration’s goal was not to lower gas prices. Considering the goal is not to lower gas prices, this may be the first time that the administration’s energy policies made sense.

Now, despite the President’s rhetoric about the need for increased domestic production of fossil fuels, to date, this administration has seemingly done everything it can to block production. But the purpose of these remarks is to highlight not the administration’s statements but, instead, their policies.

Let’s look at the record, starting with some positive things that happened just before President Obama took office. Continuing through 2012 to present day, as shown on this graph.

First of all, July of 2008, at the peak of the 2008 gas price spike, President George Bush removed 18 years of Presidential Executive Orders restricting offshore oil and gas energy development. Prices began to fall immediately, almost overnight. Given the fact that not one additional barrel of oil was drilled, it was a message to the market, a strong message to the market that America finally recognized that American taxpayers owned assets in oil and were willing to use them. What a message to the market it would be today, a similar message. But back in 2008, that’s where we saw this drop begin to start.

Now, in September of 2008, just a couple of months later, Congress finally followed, after its 26-year ban on offshore drilling, to allow that to expire. Prices at the pump, as you can see, Madam Speaker, dropped dramatically, even more.

Then President Obama took office. February 2009, soon after, not long after inauguration, the administration rescinded oil shale lease plans put in place during the Bush administration to aid the production of oil in U.S. Government lands. These are lands that are owned by Federal taxpayers. President Obama’s actions reduced production of oil in the United States Government lands, and we see what continues to happen with prices.

In June of 2010, the House Democrats passed a cap-and-trade national energy tax, which would have dramatically increased gasoline prices.

In November of 2009, the administration unilaterally shortened lease terms on the American taxpayers’ owned oil and gas production on Federal lands. Well, this policy not only discouraged oil and natural gas production, but also decreased much needed government revenues.

In March of 2010, the administration canceled the remaining lease sales in seas off the Alaska coast, eliminating development of reserves that the government estimates could be as large as 65 billion barrels of oil.

In May of 2010, the administration canceled the Virginia offshore lease sale with much bipartisan support from the Virginia Governor and the Virginia congressional delegation. The administration also canceled the remaining 2010 Gulf of Mexico lease sales.

In December of 2010, the administration extended the moratorium on leasing offshore oil and gas in the eastern Gulf of Mexico through 2017.

In January 2012, President Obama rejected the Keystone XL pipeline. Estimates show that the Keystone XL pipeline would add 1.1 million barrels a day of friendly Canadian oil to our Gulf of Mexico refineries.

Madam Speaker, moving forward with a credible energy policy can only be achieved if we all have a shared understanding of the facts. Global demand and Sand and Sandy have made it clear that the administration has seemingly done everything it can to block production.

Eighty-five percent of the world’s energy consumption comes from hydrocarbons—oil, coal, and natural gas. While renewable energy is needed and new consumption efficiencies should be encouraged to meet future energy demands, hydrocarbons will be the dominant source of fuel for the world’s economy for many decades to come. No one can deny that before we can create an energy supply that is substantially more diversified, we are going to need more fossil fuels to get us there.

We’re not running out of Natural Gas. In 2000, shale gas represented just 1 percent of American natural gas supplies. Today, it is 30 percent and rising.

We are not running out of oil. Former CEO of Shell, John Hofmeister, in a recent article in the State of the Union, “We use 20 million barrels a day every day in a full economy in this country. We only produce 7. We used to produce 10. Let’s go back to 10. We know how to produce 10. We have the oil to produce 10 for decades to come.”

Unfortunately, this Administration is preventing the U.S. from developing additional energy supplies to meet our demand. As a result, families are struggling with rising energy costs and higher gas prices at the pump.

Madam Speaker, these are the facts and the solutions are within our reach.

STOP BEING ACCESSORIES TO CRIME

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

Mr. COHEN. Madam Speaker, I came here to speak about a topic which I will address shortly, but I couldn’t take the moment to reflect on the passing of a great man who served in this Chamber since 1989, Representative DONALD PAYNE of New Jersey, who passed away this morning. Representative PAYNE sat in this section, was a quiet, righteous, courageous man with whom I had the good fortune to travel at the request of and sponsorship of CARE and the Gates Foundation to Rwanda and to the Congo last August. I cared about education. He cared about education. He cared about education. He cared about people, and was very upset some years back when Don Imus, the radio shock jock, said some wrongful things about the Rutgers women’s basketball team that cost Mr. Imus his position. And that brings me to what I was going to speak about today.

Yesterday, I mentioned that I slept well on my Sleep Number bed, and I slept well on my Sleep Number bed last night because they canceled their advertising on the Rush Limbaugh show. I mentioned that advertisers are accessories to the crime when radio people go too far and destroy someone’s character, or try to, and make libelous statements. Limbaugh did that when he called Sandra Fluke some names, said she did some things or whatever, that were wrong, totally wrong.

Eleven advertisers have pulled their advertising because they don’t want to, in the future, be accessories to such conduct. Talk radio has gone way over the top in this country, doing anything for ratings and money.

It came to my attention that two radio stations have dropped Rush Limbaugh, and it’s not just advertisers but talk radio stations that are accessories to the fact of this type of crime. It’s not like we don’t know it’s coming because it’s been out there for people to see for years, and they’ve sat by as this type of lies and hateful speech and wrongful speech has taken place on the radio. Rush Limbaugh being the main violator of people’s rights.

I decided last night in my elections to come—and I’ve got a primary and a general—I’ve always bought billboard advertising, and I have to say, I almost has a monopoly in my city on billboards, and they have Rush Limbaugh on their network, that until they drop Rush Limbaugh, I’m not going to buy billboards for my campaign.

I’m also going to discontinue radio advertising on Clear Channel, which I’ve done in the past. It might hurt me a little bit politically, but it’s the right thing to do. That type of conduct should not be advanced on the airwaves that are supposed to be public good. It’s interesting to note that Don Imus’ comments were about women, and Rush Limbaugh’s comments are about women. It seems to be fair game sometimes for men on radio to take on women and cast aspersions.

Don Imus learned his lesson, and he said that Rush Limbaugh’s apology was inadequate and weak and cowardly, and indeed it was. He hasn’t called the lady. He hasn’t come to Georgetown University and made any apology to all those women of character he impugned in misogynist statements, and he hasn’t given a proper apology. He said he used inappropriate
words. He was on an inappropria
topic. And Mitt Romney certainly
didn’t rise to the occasion when he said
they weren’t the words he would have
used. It wasn’t an area that anybody
should have brought up or even thought
about.

Limbaugh said that the woman wanted
to be paid for sex because she, in his
thoughts, wanted contraception so she
could have sex without the fear of preg-
nancy. It’s funny, Rush Limbaugh never
questioned anybody getting a vasectomy,
for what’s the use of a vasectomy, that’s
covered by insurance, but to have sex
without the fear or possibility of pregnancy. He said because
she wanted sex paid for by the tax-
payers that he ought to be able to
watch it. Well, I wonder if he wants
to watch all the men who had vasectomies
have sex.

There’s something wrong in the
country, and the advertisers are the
radio stations are responsible, and they
need to take appropriate moral and
ethical action and not continue to be
accessories to the fact and support
such trash.

CONTINUING IRANIAN THREAT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from
Florida (Mrs. ADAMS) for 5 minutes.

Mrs. ADAMS. Madam Speaker, I
come to the floor today to speak about
the continuing Iranian threat to the
United States and Israel.

Just as the President of Iran con-
tinues to spew vile poison into the
civil discourse of the United Nations,
the regime of the Ayatollah issued a
threat of violent aggression 2 weeks
ago against Israel through the deputy
head of the armed forces.

Through its actions, Iran has proven
that it will never work with the peace-
ful nations of the world community. In
fact, in yet another affront to diplo-
macy, Iran recently offered to allow in-
spectors from the IAEA into the coun-
try only to refuse them entry into the
most important facilities to examine
those nuclear sites in dispute.

The threat of a nuclear-armed Iran
is not only a threat to Israel; it is also a
direct threat to the United States and
to the entire world community. Just
this week, the chief of the Inter-
national Atomic Energy Agency said
there were unspecified activities at an
Iranian military site which inspectors
wanted to visit.

The Iranian regime has publicly
threatened to close the Strait of
Hormuz, a major shipping route for
Middle Eastern nations to export oil
and supply the world’s energy needs.
This threat by Iran amounts to eco-

nomic warfare, as the closure of the
Strait of Hormuz would trigger spikes
in crude oil, gasoline bottlenecks in
the supply chain, increased prices for
all manufactured goods, and would
likely lead to massive increases for gas
here in the United States.

At a time when our domestic econ-
omy is struggling to recover, the last
thing hardworking Americans need is
for gas prices to soar even higher.

While drastic reductions in the sup-
ply of crude oil would be devastating to
the world economy, the threat of the-
ocricat, unstable Iranian regime bent
on the destruction of Israel and its al-
lies on all fronts, a nuclear Iran will
not care about economic sanctions. A
nuclear Iran will not care about diplo-
macy. A nuclear Iran will not negoti-
tiate in good faith. And a nuclear Iran
will not be a friend of the United
States.

Perhaps the greatest threat to peace
and security in the world is the refusal
to heed the warnings of the most vio-
lent and dangerous regimes when they
tell us what their exact intentions are.
My hope is that it will not be a mis-
take of this Nation, one that this Na-

tion makes with this regime in Tehran.

Again, my hope is that it will not be
our mistake not to pay attention to
the signals from the regime in Tehran.

I'm filing extensive comments that I
urge ATSDR to address before its re-
port is finalized. My comments are in-
tended to be constructive, because my
country's constituents deserve a meticu-
ous evaluation of the draft report aimed at
producing concrete action by the Federal
Government.

In my comments, I note that ATSDR
repeatedly acknowledges that its con-
tclusions are not definitive, or even
close to it, because the available data
upon which the agency relies is incom-
plete in many respects. While ATSDR
recommends that further studies be
carried out to fill certain data gaps, the
agency does not go far enough.

In 2009, ATSDR stated that it ex-
pected to recommend biomonitoring to
determine whether, and to what ex-
tent, residents have been exposed to
harmful chemicals. Yet, in a startling
reversal, the agency now stated that “it is not recommending a com-
prehensive, systematic biomonitoring
effort at this time.”

Given the health problems on
Vieques and the potential link between
those problems and military activities,
such an action is misplaced. Therefore,
I have urged ATSDR to recommend a
comprehensive biomonitoring inves-
tigation. More generally, I have en-
couraged ATSDR and other Federal
agencies working with independent re-
searchers, to take a more active and assertive role in de-
signing, implementing, and especially
funding the additional studies that are
still needed to determine the nature and
potential causes of the health problems
being experienced by resi-
dents of Vieques.

It is unacceptable that more than a
decade after ATSDR completed its first
public health assessments on Vieques,
fundamental questions about the
safety of the island’s environment and the
health of its residents remain unan-
swered. My constituents deserve bet-
ter.
TOMB OF THE UNKNOWNS

The Speaker pro tempore, Mr. Stivers, for 5 minutes.

Mr. STIVERS. Madam Speaker, I’ve served for 26 years in the Ohio National Guard and had the pleasure of serving with many brave men and women, including four who died in duty in Operation Iraqi Freedom. As a member of the armed services as well as a Member of Congress, I was shocked and horrified last year by reports of the Dover Air Force Base mortuary sending many remains to the Prince George landfill.

The Washington Post reported on December 7, 2011, that they uncovered “976 fragments from 274 servicemembers that were cremated, incinerated and taken to the landfill between 2004 and 2006.” This is an outrage. It disrespects our men and women in uniform, and it can’t be allowed to stand.

The first step to fixing this is creating a proper memorial for those who have served our country so well and given their last measure of devotion. I’m working on legislation to create the Tomb of the Unknowns at Arlington National Cemetery for every conflict moving forward. This plan will be paid for by taking money from the Air Force, because that’s where the poor decisions were made. I plan to introduce this legislation very soon.

To those who have given their final measure of devotion in service to our country, they deserve a final resting place worthy of their dedication, commitment, and devotion, and we need to give that to them.

God bless the United States of America.

[From the Washington Post, Dec. 7, 2011]

AIR FORCE DUMPED ASHES OF MORE TROOPS’ REMAINS IN VA. LANDFILL THAN ACKNOWLEDGED

(By Craig Whittlock and Mary Pat Flaherty)

The Air Force dumped the incinerated partial remains of at least 274 American troops in a Virginia landfill, far more than the military had acknowledged, before halting the secretive practice three years ago, records show.

The landfill dumping was concealed from our country, they deserve a final resting place worthy of their dedication, commitment, and devotion, and we need to give that to them.

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God bless the United States of America.

[From the Washington Post, Dec. 7, 2011]
I wouldn’t want them buried—any part of them—in the landfill.”

WOMEN’S HISTORY MONTH AND A WOMAN’S RIGHT TO CHOOSE

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

Ms. RICHARDSON. In this month of March, as we celebrate Women’s History Month, I would like to take a moment to recognize some of our great female leaders who, throughout history, have persevered in the face of monumental opposition and successfully have accomplished great things on behalf of the American people.

From the words of the great poet, Maya Angelou, from the beautiful singing voice of Marian Anderson, from the tireless activism of Dolores Huerta, to the groundbreaking leadership of Secretaries of State Hillary Clinton, Secretary of Labor Frances Perkins, and, of course, our own Democratic leader NANCY PELOSI, these women and many more have played an integral role in the history of this Nation.

Madam Speaker, every day, women take great strides to help others and to improve the quality of life for everyone. Unfortunately, in matters involving health care, women are still facing these challenges. Whether it’s on the Senate floor last week during a debate on the Blunt amendment or whether it’s during a House Committee on Oversight and Government Reform hearing, women continue to face unwarranted attacks on their reproductive health rights and their access to contraceptive services.

More disconcerting, these debates and veiled attacks have escalated beyond misguided attempts to repeal the Affordable Care Act. Now they’ve taken aim at restricting women’s choices in the area of reproductive health altogether. This is wrong. Medical decisions about a woman’s health must leave the political arena and be left to the discretion of the patient and their doctor, not employers, and certainly not the government.

It is astonishing and disappointing that more than 50 years after the landmark Supreme Court decision in Griswold v. Connecticut, a decision which found that women have a constitutional right to use contraceptives, continued attacks on women’s rights of privacy and health care still persist, and at an alarming rate.

The American people want us to work towards addressing their top priority: creating jobs, not their reproductive rights. However, this Congress seems to be more focused on bringing forward legislation that targets women’s access to basic health care. In this Congress alone, we’ve taken eight votes on antiwomen health legislation.

A 2011 Guttmacher Institute study found that over 90 percent of women, and over 90 percent of Catholic women, between the ages of 15 and 44 have used some sort of birth control at some point during their lives. Birth control can cost up to $600 a year. So for a college student, a woman who’s had multiple children and is still in childbearing years, low-income women or those who are insured, insurance coverage means the difference between accessing contraceptive services or not.

Quite simply, Madam Speaker, all women should have the choice and access to contraception and have the resources no matter where they work, where they live, or where they go to college. This is why I’m proud to support President Obama’s Affordable Care Act, which I voted on, which will make a positive impact on women and children in their access to health care and greatly decrease the number of women and their families who are uninsured or underinsured.

Studies have shown that women who have health insurance don’t always receive the medical care they need because they can’t afford certain services or the women simply can’t afford the high deductibles and copayments. The Affordable Care Act changes this unfortunate reality by assisting women in gaining access to basic preventive health care in order to prevent life-threatening diseases in the future.

Our country is facing great challenges. People need jobs. Students need affordable education. Seniors and working families need affordable health care. But one thing we don’t need is to continue to waste time debating extreme legislation that is dangerous to women’s health, disregards the judgment of American women, and is nothing less than the most comprehensive and radical assault on women’s health in our lifetime.

Madam Speaker, as people all over America pay tribute during the month of March to the generations of women who, as danger approached, took a moment to extend a hand to others and said, Come inside, we’ll find room. After the storms left their mark, Hoosiers didn’t sit around and wait for others to help us out. We got to work. And more than one person told me, it was the Hoosiers who, in the nick of time, rushed dozens of children back to school to protect them from the approaching twister. There were the EMTs off Interstate 29 who saw a woman thrown from her car and saved her from being pulverized by hail by dragging a large metal sign across the road and holding it over her. They likely saved her life.

There were parents and friends and even strangers across southern Indiana who, as danger approached, took a moment to extend a hand to others and said, Come inside, we’ll find room. After the storms left their mark, Hoosiers immediately turned to accounting for loved ones and comforting neighbors.

The damage was and is severe. One tornado—by some accounts a half-mile wide—carved a clear path through some of Indiana’s most beautiful parts of the Earth, hurling automobiles and combines long distances, severing power lines, and decimating countless homes and businesses. Here, again, Hoosiers didn’t sit around and wait for others to help us out. We got to work.

Now, over the weekend I spent time surveying the damage and meeting with those who lost the most. Everywhere I visited, I met citizens wearing work boots and work gloves who were busily beginning to sort through the piles of rubble. I met others who had fired up their chainsaws and were clearing debris from roadways. I saw clusters of cars and pickup trucks parked outside homes that were hit hard. In the aftermath of such a tragedy, one would be forgiven for asking: Why me? But I never heard it. Instead, time and again I heard Hoosiers sympathize with those who lost more than they. And more than one person told me that, in the end, stuff doesn’t really matter; it’s people that are important. I heard sincere, caring people asking their neighbors: How can I help? In
Henryville, a pizza shop was mostly destroyed, except for the freezer. The couple who owned it, rather than worrying about the loss of their business, asked officials how they could donate food from the freezer to those who needed it most.

In Marysville, the local Christian church remains intact, but little else. Pastor Bob Priest told me their decades-old building is no longer structurally sound, but the congregation has never been stronger.

For those of us who have seen the scale and scope of destruction up close, we know the path back will not be easy, but we will fix all that Mother Nature broke. Government at all levels will and must be there to help, from local authorities, to the State of Indiana, to our congressional offices. My staff and I, in particular, are eager to connect our constituents to whatever Federal services and funds might be available to help them get their lives back on track. We make no mistake, it will be the people of Indiana, the people of tight-knit communities like Henryville, Marysville, Chelsea, and New Pekin, who will rebuild their broken lives.

Now, during these tough times, Hoosiers are reminding us what it means to be a community of citizens—one Nation under God, indivisible, come what may. That sense of community has always bound Americans together in tough times, and it will get us through this tragedy as well.

May God be with those Americans who are putting their lives back together. We’re praying for you and here for you.

VOTE "NO" ON AMERICAN ENERGY AND INFRASTRUCTURE JOBS ACT

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

Mr. CONNOLLY of Virginia. Madam Speaker, my constituents at least have one of the longest daily commutes in America.

I am writing in opposition to the proposal to pay for any of H.R. 7 through cuts to Federal workers’ pay and benefits. I urge you to vote against any plan that unfairly targets Federal workers and retirees to pay more for America’s deficit problem, which they did not create. Their pay freeze will have contributed over $60 billion to debt reduction.

A constituent from Fairfax echoed those comments. His constituent said:

"Can we go see Camp Ashraf?"

Now, Madam Speaker, Camp Ashraf houses Iranian dissidents who are called the MEK, and I represent a good number of Iranian Americans who have family members in this camp. They are particularly worried at this point in time, since Iraqi forces had recently killed 36 residents at the camp just a few weeks before. Here are the pictures of those real people that were killed by the Iraqi forces that came into the camp.

Here is an example. You notice this is an American-made HUMVEE coming into the camp. And over here on this far picture, you see an Iranian dis- sident being run over by one of those HUMVEES driven by an Iraqi soldier.

So that is why the question was asked: can we go see the camp and see these Iranian dissidents? And of course, Maliki said, "no way that’s going to happen." It left me wondering why he would refuse to let us see and talk to those people and guide the other side of this invasion by the Iraqi soldiers. So we didn’t get to go. And later I learned that one reason we were actually told to leave the country is because we asked to go see this camp and what happened to these 36 Iranian dissidents. And now we have Camp Liberty.

Camp Liberty, Madam Speaker, is the result of the fact that in Camp Ashraf, the Iraqi government is moving these dissidents to another camp called Camp Liberty. These dissidents are commonly referred to as the MEK, and Camp Liberty, ironically, should be symbolic of a name of freedom, but it’s anything but that.

The Iraqi government, having moved these dissidents from Camp Ashraf to Camp Liberty, is still oppressing these Iranian dissidents. The reality is Camp Liberty is worse than Camp Ashraf.

Former New York Mayor Rudy Giuliani said it best: “This isn’t a jail, it’s a concentration camp.”
Even in prisons, we allow lawyers to see their clients and their family to see their loved ones. But not in Camp Liberty. And remember, these people in Camp Liberty, these Iranian dissidents, have committed no crime. They have violated no law. You can’t help but think that good old Maliki has something to hide again.

But word is leaking out that there’s not enough drinking water in the camp, there are ruptures in the sewage system, and they’re having to be fixed by hand by the residents.

Iraqi guards have their will at the camp, and they wander around with no rules. They violate the privacy of these Iranian dissidents, many of whom are women.

What’s more, no one, not even the U.N., is confident that once political refugee determination is made by other countries, those countries will accept these dissidents into their country. Why?

Because our State Department, incredibly, has the MEK, these folks in this Camp Liberty, designated as a foreign terrorist organization. In fact, Maliki told Members of Congress, one reason he treated the residents in Camp Ashraf so poorly is because of our own State Department designates them as a foreign terrorist organization.

This designation is an old, failed State Department foreign policy that designated these people as an FTO as a favor to the Iranian government. That hasn’t worked out too well with our foreign relations with Iran, has it?

Since then, we’ve seen that the real terrorists in Iran are the extreme mullahs and the tiny tyrant of the desert, Ahmadinejad, not the opposition groups that want democracy in Iran.

Both the EU and the United Kingdom have removed the foreign terrorist designation from the group, the MEK, but the State Department, as Iran defiantly marches toward nuclear-weapons capability, has continued to treat the organization as a terrorist organization. In fact, Maliki told Members of Congress, one reason he treated the residents in Camp Ashraf so poorly is because of our own State Department designates them as a foreign terrorist organization.

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Both the EU and the United Kingdom have removed the foreign terrorist designation from the group, the MEK, but not the State Department. As Iran defiantly marches toward nuclear weapons, the people of Iran pushing for a regime change of their own government. The longer we keep opposition groups who want to do just that on the foreign terrorist organization list, the less likely it is that the light of liberty will have a chance to shine in Iran.

The Federal courts have even ordered the State Department to review this FTO designation, but the State Department continues to delay, to delay, delay making a decision. The State Department must remove the MEK from the foreign terrorist organization list immediately, and then let liberty prevail in Camp Liberty and let these people leave Iran in a peaceful manner.

And that’s just the way it is.

OUR LEGACY TO A NEW GENERATION: A WORLD FREE OF NUCLEAR WEAPONS

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

Ms. WOOLSEY. Madam Speaker, there was good news on the national security front last week. North Korea, one of the most dangerous rogue nations on the Earth, far more dangerous than Iraq was when we invaded 9 years ago, has agreed to suspend nuclear operations. Thrilled by careful diplomacy, the Obama administration has secured this concession by offering badly needed nutritional assistance to North Koreans.

The North Korean regime has also consented to stop uranium enrichment, impose an important moratorium on long-range missile testing, and allow international weapons inspectors into the country for the first time in 3 years.

Of course, we must remain cautious, and we must remain vigilant in our dealings with North Korea. But it’s clear that peaceful negotiations and diplomacy, as opposed to saber rattling that we’ve seen much too often in the recent past, is advancing our national security interests and moving us closer to a future of peace and security.

The President and Secretary Clinton deserve credit for this breakthrough. They have made nonproliferation and the securing of nuclear material top priorities. The New START Treaty represented a critical step in finally putting the Cold War behind us and increasing security cooperation between Russia and the United States.

It’s my hope now that we will be bolder and more ambitious because it’s time for the United States to exercise global leadership and true statesmanship, and move toward complete dismantling of our nuclear arsenal. That’s exactly the long-term goal we committed to as a Nation when we signed the NPT 40 years ago.

To that end, Madam Speaker, I’ve introduced a resolution called NO NUKES, which stands for Nonproliferation and Nuclear Understanding to Keep Everyone Safe. NO NUKES moves aggressively in that direction.

It makes no sense at all that we have thousands of nuclear warheads when just one of them has the power to end life on Earth as we know it.

And if that’s not good enough, eliminating nuclear weapons isn’t just a matter of human rights and moral urgency, it’s also a big budget item at a time when we must be exercising fiscal restraint.

□ 1100

We currently spend over $50 billion a year on maintenance of our existing nuclear force. If we were to invest that money on programs that save lives instead of weapons designed to destroy life? For nearly a decade now, we’ve defended our country and its interests by sending thousands of troops to die in a foreign war that isn’t making America safer but is costing Americans billions of dollars every month.

Madam Speaker, there has to be a different way. My SMART Security Platform advances the idea that we make the world safer, not through acts of war and arms escalation, but through cooperation and conflict resolution.

For nearly my entire life, the world has lived under a shadow of nuclear confrontation. My oldest child turned 50 over the weekend. He was an infant in my arms during the terrifying days of the Cuban Missile Crisis. We can’t make another generation go through that.

Actually, my 7-year-old grandson, Jake Eddie, is joining me in Washington this week, and I believe it is our responsibility to make a promise to him and to his classmates and his peers. Our legacy to them must be a world free of nuclear weapons. Our legacy to them must be a peaceful future. And one step in the right direction, in the memory of DONALD PAYNE, is to bring our troops home from Afghanistan.

RECESS

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

Accordingly (at 11 o’clock and 1 minute a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

Today is a significant day for Americans in this election year. We ask Your blessing upon the American people, especially those who choose to participate this day in primary elections. Give them good judgment and a sincere desire for the welfare of this great Nation as they cast their ballots.

Bless, as well, the Members of this people’s House. May they be filled with Your spirit this day and exercise their responsibilities with wisdom, understanding, and goodwill. May all they do be for Your greater honor and glory.

In the past few days, O Lord, many have been assailed by terrifying and destructive weather. Send Your healing balm upon those who have been afflicted and bless with rapid success the efforts of those emergency responders who are working tirelessly to rebuild shattered lives and communities.

And finally, with sorrow, we acknowledge the passing of DONALD PAYNE of the 10th District of New Jersey. We thank You for his years of service in this assembly and ask You to bless his family and loved ones. Eternal
rest grant unto him, O Lord, and let perpetual light shine upon him. May his soul and the souls of all the departed, through the mercy of God, rest in peace.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

THE IRANIAN DUCK

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

Mr. POE of Texas. Mr. Speaker, Iran continues to inch closer to making its nuclear ambitions a reality.

The administration wants Israel to give diplomacy more time, but Prime Minister Netanyahua said, "pressure on Iran is growing, but time is growing short."

For Israel, a nuclear armed Iran threatens its very existence. Ahmadinejad says he wants to wipe Israel off of the face of the Earth, and this radical extremist means what he says.

Israel will do what it has to in order to be master of its own faith, with or without the United States. Unfortunately, the days of full trust between the U.S. and Israel seem to be on shaky ground.

Netanyahua said:

I will never let my people live in the shadow of annihilation.

If it looks like a duck, walks like a duck, and quacks like a duck, it’s a duck. But this duck is a nuclear duck, and it’s time the world started calling a duck a duck.

Mr. Speaker, America must totally get behind our friend and let the Iranian duck know whose side we are on.

And that’s just the way it is.

LET’S WORK TOGETHER

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

Mr. CICILLINE. Madam Speaker, I rise today to discuss an issue that is very important to the hardworking men and women in my home State of Rhode Island. Rhode Islanders learned yesterday that our workforce has grown smaller and our unemployment rate sits at 10.9 percent, the third highest in the Nation.

While some may struggle to see these problems from the steps of the Capitol, I hear frequently from constituents who can’t understand why the House still has not considered comprehensive jobs plan. That’s why I and many of my colleagues have been working hard on legislation to put Americans back to work, including our Make It in America agenda to help revitalize American manufacturing.

We also need to start developing new ways to repair America’s infrastructure and new ways to finance it, like a national infrastructure bank, a modern-day version of the wpa, and provide much needed help to small businesses and entrepreneurs. Yet the House leadership has stood in the path of progress on these issues.

Rhode Islanders know that Congress can do better. We need to work together and get these things done and get the American people back to work.

HIGHER GAS PRICES ARE HURTING OUR SMALL BUSINESSES

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

Mr. WILSON of South Carolina. Madam Speaker, since the President was sworn into office in January of 2009, gas prices have risen dramatically by 156 percent. This fact shows the President’s energy policy is failing our country and destroying jobs.

According to the National Federation of Independent Business, rising energy costs are a constant struggle for our small business owners. Our small business owners are already threatened with the rising cost of health care due to the mandates in the government takeover health care bill.

Instead of supporting effective energy policies that will lower the price at the pump, this administration has decided to delay the Keystone pipeline, a project that will create over 100,000 jobs at no taxpayer expense. If completed, this project will dramatically decrease our dependence on foreign oil and provide relief with energy costs for every small business.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HEZBOLLAH IN THE WESTERN HEMISPHERE

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

Mr. HIGGINS. Madam Speaker, I rise to express my concern about the presence of Hezbollah in the Western Hemisphere.

In the Homeland Security Committee, we’ve heard from experts who testified that Hezbollah, which is a terrorist proxy for Iran, Syria, and Venezuela, has an active membership in 14 North American cities, including Toronto, which is 90 miles from my western New York home.

Some dismiss this concern by saying that their activities are limited to fundraising. This is not comforting.

Mr. Speaker, I have joined with my colleague, JEFF DUNCAN, to introduce H.R. 3783, the Countering Iran in the Western Hemisphere Act. Our legislation would call for the State Department to investigate Hezbollah’s presence in the Western Hemisphere and to create a long-term strategy for keeping our communities and our Nation safe.

Madam Speaker, I’m pleased to say that this bipartisan legislation was unanimously passed in the subcommittee. As this bill moves through the House, I urge my colleagues to support our legislation to combat this growing threat.

PASS OUR JOBS BILL

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

Ms. JENKINS. Madam Speaker, it has been 4 years since the height of the Recession and our economy is nowhere near where it should be. Unemployment continues to hover around 8 percent and thousands upon thousands of hardworking Americans have left the job market altogether.

After the President killed the Keystone pipeline, gas prices have skyrocketed, and, by some estimates, more than 20 percent of homeowners are underwater on their mortgages.

Madam Speaker, Americans need real jobs, real solutions, and real results, not the unprecedented, unacceptable, and unsustainable wasteful Washington spending some of our colleagues continue to promote. It’s time Washington started protecting and respecting the hardworking American taxpayers. We need a system where their hard work is rewarded and every American has a chance to succeed.

I urge the Senate and the President to pass our jobs bills and work with us to get the American people back to work.

IT'S TIME TO GET RID OF THE SPECULATORS

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

Mr. DeFAZIO. I paid $4.01 a gallon at home in Oregon last weekend. There’s a lot of people who’ve got long-term plans, drill now, drill here, drill everywhere, conservation, whatever. They
say there’s nothing we can do in the short-term. Well, there is.

Seventy percent of the oil futures, the supply of oil, is owned by speculators on Wall Street and other places around the world—70 percent. The head of ExxonMobil testified that about $38 a barrel is due to speculation. That’s the head of ExxonMobil. He says we’re paying 38 bucks a barrel for speculators on Wall Street.

Goldman Sachs says, well, it’s only $22 to $28 a barrel. That would lower regular gas by 64 cents a gallon if we got rid of the speculators. I’ve proposed a tax of 1/100 of 1 cent per transaction that would drive most of these speculators out of the market and raise some revenues.

It’s time to get rid of the speculators, provide price relief to Americans, and then we can talk about a long-term plan for energy self-sufficiency.

**THE JOBS ACT**

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

Mr. HENSARLING. Madam Speaker, the President’s policies have failed and, indeed, made our economy worse. For three straight years, unemployment has been above 8 percent, and the Congressional Budget Office predicts now that will last through 2014, the worst period of sustained high unemployment since the Great Depression.

America has a deficit of jobs because America’s job creators have a deficit of confidence in this administration. New business startups are at an all-time low, and that’s why House Republicans have a plan for America’s job creators that will help ease the President’s job-killing policies.

Our plan will continue to unfold this week when House votes on the actual JOBS Act to help small businesses and entrepreneurs access vital equity capital and put Americans back to work. The bill does exactly what the President’s own job council recommends. It’s time, for once, to work together to pass the bipartisan JOBS Act and give the American people the jobs and recovery they deserve.

**HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE**

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

Ms. LEE. Madam Speaker, last night we lost a world leader, a father, a grandfather, a brother, an uncle, a great leader who consistently brought light to human suffering taking place around the world and what we here in Washington, D.C., can do about it.

It is with a heavy heart that I rise today in memory and in honor of Congressman DON PAYNE, a brilliant leader, former chair of the Africa Sub-committee on Foreign Affairs, and to do what I’m sure he would be doing if he were with us today, speak out against the massacres taking place in Sudan.

These killings are taking place in the Sudanese state of South Kordofan, outside the view of this Congress, and most Americans are unaware of this humanitarian catastrophe unfolding in the same region where we saw bloodshed in Darfur for many, many years.

Madam Speaker, on this day of mourning for Representative PAYNE, I know he would want us to recommit ourselves to act to prevent further bloodshed and suffering in Sudan.

My thoughts and my prayers are with Congressman PAYNE’s family, his friends, and his constituents. May his legacy live forever, I will deeply miss his wise counsel and his friendship.

**HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE**

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

Mr. PITTS. Madam Speaker, today the House of Representatives lost a distinguished Member who served with honor for more than two decades. I had the pleasure of working with DONALD PAYNE many times over the years. He had an incredible heart for Africa and suffering people in every corner of the continent.

From Morocco to South Africa, he was a tireless advocate for freedom and self-determination. We worked together speaking on behalf of the Sahrawi people in Western Sahara. Representative PAYNE watched Western Sahara closely, working toward a peaceful resolution that would allow for a free referendum that could establish self-government.

We also worked together in 2007 to recognize the 200th anniversary of the abolition of the British slave trade and to honor the legacy of William Wilberforce.

And in one amazing episode, he risked his life seeking peace in Sudan and nearly had his plane shot down in 2009.

DONALD PAYNE never missed an opportunity to advocate on behalf of the oppressed, and his work has had a lasting impact on the human rights of people around the world. I’m proud to have fought the good fight alongside of him. He will be missed.

**GAS PRICES ARE KILLING THE AMERICAN CONSUMER**

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

Ms. HAYWORTH. Madam Speaker, I received a letter from a young constituent who is a vigorous Boy Scout and a great citizen, Matthew Barbuti from Yorktown Heights, New York. He’s only in sixth grade, but he’s very concerned about our economy. And he wrote to me, ‘If the economy doesn’t turn around, our country will no longer be a world leader, and the American people will suffer.’

Matthew, you are exactly right. We do have a tremendous job ahead of us, and we are working here, all of us together, for you and for all the kids in this country who need a future, the kind of dreams that we have been privileged to dream.

So this week, we’re bringing to the House floor the JOBS Act, part of a whole package of jobs bills that we’ve been sending to our colleagues in the Senate, and we certainly hope that, with Democratic and Republican support, and with the President’s support of this bill as well, we’ll be able to activate that economy to create the kind of jobs and opportunities that all of us need throughout this country, no matter where we come from.

Thank you, Matthew, for your common sense.

**THE GOP’S ASSAULT ON WOMEN**

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

Mr. YARMUTH. Madam Speaker, Rush Limbaugh’s appalling attack on Georgetown student Sandra Fluke is not an isolated incident, but part of a broader GOP assault on women’s health.

Republicans have ushered in Women’s History Month with legislation to give consumers and to our small businesses.
allow employers and insurance companies to deny women needed health coverage. But let's also take a look at their recent record on issues important to women's health.

Last year, Republicans voted to end funding for Planned Parenthood, the largest provider of reproductive health services in the United States. They voted to eliminate funding for Title X family planning which, for 40 years, has provided family planning services, cancer screenings, and other preventive health services to low-income women.

And with their attempt to repeal the health care reform law, Republicans voted to allow insurance companies to, once again, deny women coverage if they've ever been pregnant, had a C-section, or been the victim of domestic violence.

Madam Speaker, Republicans' idea of Women's History Month is reenacting the women's equality fight of 100 years ago.

I call on my GOP colleagues to join us here in the 21st century, where women not only raise families, they have jobs, and they even wear pants.

CONGRATULATING BRIDGET BROWN ON RECEIVING THE 2012 SELF-ADVOCATE OF THE YEAR CHAMPION OF CHANGE AWARD

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

Mrs. BIGGERT. Madam Speaker, hundreds of advocates from across the country traveled to Capitol Hill last week to raise awareness on behalf of the National Down Syndrome Society. Today I rise to congratulate one of those individuals, Bridget Brown, who is being honored with the 2012 Self-Advocate of the Year Champion of Change Award.

A resident of Darien, Illinois, Bridget has helped to empower and inspire thousands of others with Down Syndrome to lead full and successful lives. A role model, mentor, and national speaker, she graduated from high school in 2005 after becoming the first person with Down Syndrome to be included in her school district. She helped to promote among Illinois educators the concept of inclusion, and launched her own advocacy organization called Butterflies for Change.

I applaud Bridget for her amazing work at the local and national level to help others achieve their full potential. She has made her State and her community proud, and I wish Bridget continued success in her efforts on behalf of the more than 400,000 Americans with Down Syndrome.

Ms. JACKSON LEE of Texas. Madam Speaker, I have a headline here this morning that indicates, "Women Wait as Politicians Debate Their Care."

This is not a story about accusations or calling college coeds prostitutes and, if you will, sluts and other negative words. This is about women’s access to health care, and I'm sad to even say those words, but we see them broadcast across America’s Federal airwaves by talk show entertainers like Rush Limbaugh. This young woman's name is Kimberly Meeks who is caught in a conflict in the State of Texas with the Women's Health Program that is funded by Medicaid and the decision of the State of Texas to evict Planned Parenthood from caring for women like Kimberly, a single mother working part time, who can't afford health care.

Between judges who want to accuse our President of lastadray things through jokes and the idea of keeping women away from access to health care that should not be found their choice of contraceptives, but plain old health care, it's time for us to stand with the women of America and the decent people of America, to stand with this President, to stand with the idea of providing women health care, and to stand against those who are in States where they want to reject Planned Parenthood for simply giving health care access to women and to stand against divisive corrosive language.

AFFIRMING SUPPORT FOR THE STATE OF ISRAEL

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

Mr. PALAZZO. Madam Speaker, like many of my colleagues, I have visited the State of Israel. I have walked the streets of Jerusalem, and I have seen firsthand the beauty of its people, its culture, and its incredible history and heritage.

Prime Minister Benjamin Netanyahu reminded us of that heritage last night as he addressed a crowd of thousands, and I know he is on Capitol Hill again today sending the same message: serious threats have been made towards Israel, and Israel must take threats seriously, especially when dealing with a madman working toward a nuclear weapon.

No one wants a war in an area where world peace rests on such a delicate balance. No one wants to have to initiate unnecessary aggression. I have supported sanctions. I have supported resolutions of disapproval. I want to believe that Iran’s offer today to allow U.N. weapons inspectors in means that they have nothing to hide.

If our friends in Israel decide to act, I know it will not be a decision made lightly nor without good reason. I urge my colleagues to join me in affirming our support of Israel, not just to stand behind her but to stand beside her.
NATIONAL BREAKFAST WEEK
(Mr. COHEN asked and was given permission to address the House for 1 minute.)
Mr. COHEN. This week is National Breakfast Week, which offers an opportunity to talk about the importance of a healthy breakfast for America’s children. Breakfast, as we’ve all heard, is the most important meal of the day. Studies have shown that breakfast can help boost a child’s academic performance and can also improve classroom behavior, reduce absences and tardiness, as well as increase mental focus and performance. Therefore, according to the U.S. Department of Agriculture, one in five children live in homes where food is not always available, making breakfast often hard to come by.

I want to commend Kellogg’s, which has a cereal plant in my district, and Action for Healthy Kids for starting the Share Your Breakfast program which provides grants directly to schools and school districts to help them increase participation in school breakfast programs. Our children need to receive a holistic, well-rounded education, one that includes staying active and fit and, most importantly, starts off with a healthy breakfast. I’m off to lunch.

JUMPSTART OUR BUSINESS STARTUPS
(Mr. SCHWEIKERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. SCHWEIKERT. Madam Speaker, this is going to be one of those weeks where I believe we can be proud here in the House. We’re going to be moving forward with a jobs bill we’ve been working on: Jump Start Our Business Startups. I just had in my office a coalition from high-tech companies from Arizona, and they unanimously had a story to tell, and that was a story of the difficulty in finding capital for moving small companies, small organizations, these organizations that are creating jobs. I’m particularly blessed this week to have multiple bills in the package. One is the Small Company Capital Formation bill, a Private Company Flexibility and Growth Act of the six bills that are coming. I’m proud of the House. I look forward to these bills moving forward.

REMEMBERING THE HON. DONALD PAYNE
(Mr. PALLONE asked and was given permission to address the House for 1 minute.)
Mr. PALLONE. Madam Speaker, I would like to speak about my dear friend and colleague, Donald Payne, who passed away this morning. I saw him on Saturday for the last time, and I can’t think of anybody who in this House has been closer to me and someone who made it so much better for us to be in Congress, not only for all of us as colleagues but also for the rest of the world. Donald always made me smile. Donald was a person who cared so much about his constituents in Norwich and the rest of the towns that he represented in New Jersey and really reached out to the rest of the world. He was always looking out for the concerns of the poor and the disadvantaged and people in need, whether it was their health care or whether they had adequate food or housing.

But I think more than anything else, I remember his smile. He would always be happy. He would always have a joke to say; and, frankly, in dealing with all the serious issues that he dealt with and he cared so much about, both here at home, as well as overseas, it was always nice to have someone that you could call a friend, that you could confide in, that you could talk to about your own problems as well, but always with that smile, always with that joke, always with the ability to say, Frank, you know, let’s take ourselves too seriously, even though we have a lot of serious work to do.

I will sorely miss him. I don’t think there will be anybody who can replace him, and I just want to reach out to his family and his friends back at home today and express my sympathy to all of them for the loss of a very, very special person that you were able to share some time with here.

Ms. JACKSON LEE of Texas. Would the gentleman yield for just a moment? Mr. PALLONE. I yield to the gentlewoman.

Ms. JACKSON LEE of Texas. Just one simple statement, I couldn’t leave the floor. Just to express our love and affection for DON PAYNE and just to say that he saved lives because he intruded in places like Africa and Sudan, in Africa and many other places. He saved lives because of his compassion for people, his fight for human rights, and his fight for peace.

Mr. PALLONE. Thank you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion 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. Any record vote on the postponed question will be taken later.

APPLYING COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES
Mr. CAMP. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4105) to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4105
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPLICATION OF COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES.

(a) IN GENERAL.—Section 701 of the Tariff Act of 1930 (19 U.S.C. 1671) is amended by adding at the end the following:

“(f) APPLICABILITY TO PROCEEDINGS INVOLVING NONMARKET ECONOMY COUNTRIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the merchandise on which countervailing duties are imposed under subsection (a) includes a class or kind of merchandise imported, or sold (or likely to be sold) for importation, into the United States from a nonmarket economy country.

“(2) EXCEPTION.—A countervailing duty is not required to be imposed under subsection (a) on a class or kind of merchandise imported, or sold (or likely to be sold) for importation, into the United States from a nonmarket economy country if the administering authority is unable to identify and measure subsidies provided by the government of the nonmarket economy country or a public entity within the territory of the nonmarket economy country because the economy of that country is essentially comprised of a single entity.”

(b) EFFECTIVE DATE.—Subsection (f) of section 701 of the Tariff Act of 1930, as amended by section 375 of the Omnibus Budget Reconciliation Act of 1993 and as further amended by this subsection, applies to:

(1) all proceedings initiated under subtitle A of title VII of that Act (19 U.S.C. 1671 et seq.) on or after November 29, 2006;

(2) all resulting actions by U.S. Customs and Border Protection; and

(3) all civil actions, criminal proceedings, and other proceedings before a Federal court relating to proceedings conducted pursuant to section 703(a).
SEC. 2. ADJUSTMENT OF ANTIDUMPING DUTY IN CERTAIN PROCEEDINGS RELATING TO IMPORTS FROM NONMARKET ECONOMY COUNTRIES.—

(a) IN GENERAL.—Section 777A of the Tariff Act of 1930 (19 U.S.C. 1677f-1) is amended by adding at the end the following:

"(f) ADJUSTMENT OF ANTIDUMPING DUTY IN CERTAIN PROCEEDINGS RELATING TO IMPORTS FROM NONMARKET ECONOMY COUNTRIES.—

"(1) IN GENERAL.—If the administering authority determines, with respect to a class or kind of merchandise from a nonmarket economy country for which an antidumping duty is determined using normal value pursuant to section 773(c), that—

"(A) pursuant to section 701(a)(1), a countervailable subsidy (other than an export subsidy) referred to in section 772(c)(1)(C) has been provided with respect to the class or kind of merchandise,

"(B) such countervailable subsidy has been demonstrated to have reduced the average price of imports of the class or kind of merchandise during the relevant period, and

"(C) the administering authority can reasonably estimate the extent to which the countervailable subsidy referred to in subparagraph (B), in combination with the use of normal value determined pursuant to section 776, increased the weighted average dumping margin for the class or kind of merchandise,

the administering authority shall, except as provided in paragraph (2), reduce the antidumping duty applicable to a class or kind of merchandise from a nonmarket economy country under this section by more than the portion of the countervailing duty rate attributable to a countervailable subsidy that is provided with respect to the class or kind of merchandise and that meets the conditions described in subparagraphs (A), (B), and (C) of paragraph (1)."

(b) EFFECTIVE DATE.—Subsection (f) of section 777A of the Tariff Act of 1930, as added by subsection (a) of this section, applies to—

(1) all investigations and reviews initiated pursuant to title VII of that Act (19 U.S.C. 1671 et seq.) on or after the date of the enactment of this Act; and

(2) subject to subsection (c) of section 1299 of the Uruguay Round Agreements Act (19 U.S.C. 3398), all determinations issued under subsection (b)(2) of that section on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

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

I ask unanimous consent that all Members who have 5 legislative days within which to extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CAMP. Madam Speaker, I urge the passage of this legislation to ensure that we can continue to fight unfair subsidies from countries like China that violate the WTO, injure our industries, and cost U.S. jobs. This legislation reaffirms that our anti-subsidy laws, or countervailing duty laws, apply to subsidies from China and other nonmarket countries, and it overturns a flawed decision by the Federal circuit that the Department of Commerce does not have the authority to apply these countervailing duty rules to nonmarket economies.

China distorts the free market by giving enormous benefits to its producers and exporters, and our companies and our workers should not be expected to compete against the deep pockets of the Chinese Government. That is why it is vital that we preserve this important tool and ensure that current countervailing duty orders and investigations from nonmarket economies remain in place and that this important tool is available in the future.

In addition, this legislation fully complies with its obligations. China agreed to be subject to countervailing duty laws when it joined the WTO in 2001, and the WTO has reaffirmed our right to apply these laws to China. Failing to enact this legislation will unilaterally give away a right that allows us to protect American workers. This legislation also brings the United States into compliance with its obligations by requiring the Department of Commerce to make an adjustment when there is evidence that nonmarket countries are distorting the market.

Finally, I am pleased that this legislation, which has already passed the Senate, is bipartisan and has administration support.

For all of these reasons, we urgently need to pass this important legislation. I urge all of my colleagues to support this bipartisan bill.

Madam Speaker, I reserve the balance of my time.

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

This bill will send a clear signal, especially with an overwhelming vote, that there are clear consequences when a nation violates the rules. China is, indeed, tilting the field of competition by not playing by the rules. This bill restores a key instrument for our Nation to hold China and other nations accountable. The failure to pass it would be an enormous step backwards when we needed to fast-forward our efforts to rein in China's abusive trade practices that, in part, have led to our record $250 billion trade deficit with China. This legislation ensures that tools remain in place and that the enforcement of these laws continues.

Countervailing duties have been a part of U.S. trade law for nearly 120 years, and today, almost one-half—23 of 50—of all countervailing duty orders in place involve China. This is not surprising. A central element of Chinese industrial policy has been to provide subsidies to Chinese producers and exporters, and our companies and our workers should not be expected to compete against the deep pockets of the Chinese Government. That is why it is vital that we preserve this important tool and ensure that current countervailing duty orders and investigations from nonmarket economies remain in place and that this important tool is available in the future.

In addition, this legislation fully complies with its obligations. China agreed to be subject to countervailing duty laws when it joined the WTO in 2001, and the WTO has reaffirmed our right to apply these laws to China. Failing to enact this legislation will unilaterally give away a right that allows us to protect American workers. This legislation also brings the United States into compliance with its obligations by requiring the Department of Commerce to make an adjustment when there is evidence that nonmarket countries are distorting the market.

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Madam Speaker, I reserve the balance of my time.

Mr. CAMP. I yield 2 minutes to the distinguished chairman of the Trade Subcommittee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, I strongly support the passage of this bill.

When China repeatedly undermines the free market by subsidizing its exports to the United States, we can’t just give them a pass, especially when the businesses China subsidizes are often government-owned businesses that compete directly against our American companies and workers.
important distinction between the duties that seek to protect companies that are afraid to compete in the marketplace—those I oppose—and in this case duties assessed against those who try to distort the free market through unfair trade practices, which not only steal markets and jobs from American producers, but also provides Beijing with a means to finance its military buildup and expanding influence around the world.

It’s a distinction between the price of legal software and illegal software. We would shoot ourselves in the foot if we denied this important tool to protect the free market for American workers.

It’s important, as Chairman CAMP noted today, that this legislation is WTO consistent and fully within America’s rights when dealing with China and other nonmarket economies. It’s also important that this bill addresses the double-remedies laws in the right way to ensure that America applies these laws in accordance with our WTO obligations.

In conclusion, this legislation ensures the free and fair competition of U.S. companies and workers to compete in a market that is not distorted by the Chinese Government. It restores free market principles by allowing us to address China’s unfair subsidies. It has no different impact on consumers than enacting any trade remedy law.

We owe it to America’s job creators and workers to make sure we have the tools at our disposal to offset such unfair government subsidies. It’s important to point out this is not a small step in the right direction; but a small step in the right direction is something that the other party needs to make sure the rules of the road are observed. This has been a frustration I have had since I have been in Congress with both Republican and Democratic administrations. I don’t think we have done all, in fact, that we could have done.

I think this bill is a step in the right direction, and I appreciate the bipartisan show of support from our committee to move it forward. I hope that the House passes it overwhelmingly, and that it is something that the other body moves on, so that we can have this tool back in our tool kit.

Mr. CAMP. I yield 2 minutes to the distinguished chairman of the Oversight Subcommittee, the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. Madam Speaker, I rise in strong, vigorous support of H.R. 4105, and I want to commend Chairman CAMP for his leadership in bringing this appropriate bill to the floor today.

As a supporter of free and fair trade, I believe that U.S. companies and workers deserve a level playing field in order to successfully compete around the world. This bill restores Commerce’s ability to protect American jobs and companies from unfair, WTO-inconsistent practices, inconsistent trade practices perpetrated by nonmarket economies, mainly China and Vietnam.

This is an important tool being used by several industries in my home State of Louisiana, the ability to use countervailing duties, companies that produce steel pipe, aluminum extrusion, woven sack industries, just to name a few. More importantly, many key industries such as shrimp processing want to maintain this important tool remains in place in case they need to use it in the future to deal with unfair trade practices.
As our industries expand and compete for businesses around the world, it’s irresponsible to not have these types of measures, enforcement measures, in place and to take this vital tool away from the Department of Commerce.

This has been a practice that is WTO compliant. We have used it for years, and now because of a recent Federal court ruling, it has been taken away.

The bill simply amends the 1930 Tariff Act to allow this WTO-compliant technique to be used to impose countervailing duties on nonmarket economies when they use unfair subsidies. It’s fully consistent with our international trade obligations, it restores current practices, and it is the right thing to do for American businesses and workers. I strongly encourage our colleagues in this House to support this important bill.

Mr. LEVIN. Madam Speaker, I now yield 2 minutes to Mr. PASCARELL from the great State of New Jersey, another very active member of our committee.

Mr. PASCARELL. Madam Speaker, as cosponsor of this legislation, I rise in strong support of the bill. I want to thank Chairman CAMP and Ranking Member LEVIN for quickly taking to either in a bipartisan way to address this issue, and I hope this is the beginning of more bipartisan trade negotiations amongst ourselves. I think it’s healthy.

We all know that China uses a variety of mercantilist measures to distort trade with the United States. Illegal subsidies—we must admit we are not playing on a level playing field when they are allowed to subsidize their industry, and we don’t choose to do that. Second, forced technology transfers. And, third, currency manipulation.

It is important that our government have every tool at its disposal in order to combat these abuses and others. This legislation will once again allow the Commerce Department to apply countervailing duty laws and the enforcement of existing orders to nonmarket economies like China.

But we must go further if we are going to level this playing field with China in a way that truly benefits American workers and businesses. We need to extend our trade remedy laws to combat these abuses and others. This legislation will once again allow the application of countervailing duty laws and the enforcement of existing orders to nonmarket economies like China.

I recommend passage of this legislation this week.

Sincerely,

C. DAVID VEAL,
Executive Director.
hired 100 employees. This is just one example of how much of a difference countervailing duties can make for an American company having to compete against illegally subsidized Chinese goods.

H.R. 4105 will ensure that countervailing duties can continue to be applied to illegally subsidized goods from all countries, including China. This bill is critical to ensuring that our American businesses compete on a level playing field, and I urge all my colleagues to join in today to overturn this flawed court decision, and almost every congressional district in Pennsylvania has companies that would be affected if this bill does not pass.

We must take action today and pass H.R. 4105 to overturn a flawed court ruling and to ensure that the Department of Commerce can continue to fight unfair subsidies that hurt American manufacturers and American workers. We must level the playing field, and I strongly urge my colleagues to stand with American workers and pass this bill.

Mr. CAMP. At this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from New York (Mr. REED).

Mr. REED. Madam Speaker, I rise today to join in what appears to be a bipartisan sentiment that’s developing on the floor of the House today, and I’m pleased to be part of it. I’m pleased to stand with my colleagues on the other side of the aisle, and I’m pleased to stand with my colleagues on the other side of the aisle and members of the Ways and Means Committee in support of a bill that will go a long way to protecting American job creators and American employees from coast to coast.

What we are talking about is allowing the imposition of countervailing duties in order to protect the American market to make sure that the American market is in a competitive position when it takes on Chinese competitors in China and making sure that when we go to the battlefield of the marketplace that that marketplace is put on an even, level playing field so that we can compete squarely.

As my colleague from Pennsylvania (Mr. KELLY) just articulated, I bet on the American worker every single time when we have a marketplace that is level, that is fair, and that is even. And that’s why I ask all my colleagues—all of my colleagues—to join us in sending a message today by passing the subject bill and sending a message to the world, to the world economy and to the world markets that America will compete on an even playing field and allow the imposition of countervailing duties to make sure that the marketplace principles in place that protect our American workers and protect our American job creators.

For that, I wholeheartedly support and stand with hardworking taxpayers across this country. I ask all colleagues to join in support of this resolution and legislation.

Mr. LEVIN. I now yield 2 minutes to Mr. REED, the ranking member from the Ways and Means Committee, the gentleman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman for yielding. This is an important day for us as speakers today have said, for us to address unfair subsidies from China and any other country. I yield all of my colleagues to support this critical legislation.

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

In summary, I’d like to say that an identical bill to this passed the Senate unanimously. The ability of the U.S. to impose countervailing duties on nonmarket economies, specifically on China, was something China agreed to when it entered the WTO. There are massive subsidies that discriminate the Chinese market and cost us jobs here in the United States. This is an important tool, as so many have said, as speakers today have said, for us to have to address unfair subsidies from China that hurt our U.S. workers.

I think this is an important bill. It has bipartisan support, and I urge the passage of this legislation.

I yield back the balance of my time.

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

As we enter the first full week of spring and trees are regaining their leaves. We are once again facing with finding ways to help strengthen our economy. After years of witnessing a decline in manufacturing, before us this year there has been a revival. This legislation that
would further enhance the economic viability of our manufacturing industries against unfair competition is welcome news.

The measure before us would enable U.S. manufacturers to fairly compete with goods which enter our stream of commerce. Goods supplied to the United States from nonmarket economies have a significant market advantage. Those goods receive multiple subsidies from their governments that allow them to be sold at a steeply discounted price in the United States and thereby gain a competitive advantage against products that are unsubsidized and manufactured in the United States.

Just think of a main street which employs hundreds of local workers. The main manufacturing plant on main street supplies both goods and services to the community. When outside goods and manufacturers, from nonmarket economies, compete with main street manufacturers by undercutting prices the result will be that manufacturers on main street will close. American workers will lose jobs and it will cause the death of main streets all over the country.

We must continue to support measures that will establish and ensure a level playing field for American workers and American companies. The issue before us is how to address goods from countries like China and Vietnam that have entered our stream of commerce and compete with our business but have a significant market advantage because they are heavily subsidized.

I firmly believe in the importance of continuing a balanced trade relationship with China. Trade between the United States and China has expanded dramatically in the years since China acceded to the World Trade Organization in December 2001. In 2009, bilateral trade in goods totaled $366 billion, with U.S. imports from China totaling $296 billion and U.S. exports to China totaling $70 billion.

In my home State of Texas we have also increased our exports of goods to China. In the District I represent, the 18th Congressional District of Texas, we export chemicals, machinery, computers & electronics, fabricated metal products, primary metal manufacturing. Yet, I can attest that more can be done to ensure that our trading relationship must improve.

Experts agree that the disparity in imports and exports has resulted in a U.S. goods trade deficit with China. In 2009, there was a trade deficit with China for $227 billion in which accounts for 45.3 percent of the overall U.S. goods trade deficit.

In trade services, the United States runs a surplus with China, with exports to China of $16 billion (a year for which numbers are available) and imports from China valued at $10 billion.

The United States’ bilateral goods trade imbalance with China may be attributed to a variety of factors such as alleged unfair trade practices and their undervalued currency and their impact on the U.S. economy. Chinese officials, who cite different figures for the bilateral trade deficit provided by the United States, routinely seek to shift some of the blame for the trade deficit to the United States by criticizing U.S. controls on exports of advanced technology. They further argue that the sharp increase in exports to the United States reflects the shifting of production from other countries to China and many “made-in-China” products contain components from other countries.

Since 2006, the U.S. government has repeatedly raised concerns about alleged backsliding in China’s implementation of commitments it made as part of its 2001 accession to the World Trade Organization. Most prominently, the United States has alleged that “excessive trade-distorting government intervention intended to promote or protect China’s domestic industries and state-owned enterprises.” China’s inadequate protection of intellectual property rights has also been a major concern. Under the Obama administration, it has been four cases filed against China with the World Trade Organization, including three in 2010.

Those four cases relate to China’s import substitution subsidies in the wind energy sector, its anti-dumping and countervailing duties on grain-oriented electrical steel from the United States, its restrictions on foreign suppliers of electronic payment services, and its restraints on exports of raw materials used in the steel, aluminum, and chemical sectors.

The White House reports, however, that it made progress in long-standing trade issues with China at the December 2010 meeting of the U.S.-China Joint Commission on Commerce and Trade in Washington, D.C. Currently, there are more than 300 anti-dumping and countervailing duty orders to shield U.S. industries from imports of bedroom furniture, against global competition it deems unfair and damaging to U.S. companies. About half the orders target iron and steel products.

China accounts for a third of all U.S. unfair trade cases, the most of any country, including about 100 anti-dumping and two dozen countervailing duty orders, according to the U.S. International Trade Commission.

The U.S. Commerce Department would be allowed to apply duties to offset government subsidies in nations such as China and Vietnam under this bipartisan bill.

H.R. 4105, overturns the decision of the Court of Appeals for the Federal Circuit and preserves the validity of the countervailing duty proceedings against imports from China and Vietnam. Surplus goods would thereby ensure that the Department of Commerce can continue to apply countervailing duty law (CDV) to non-market economies (NME), such as China and Vietnam. Countervailing duties aim to offset the benefits of government subsidies to industries. Anti-dumping (AD) duties apply to goods sold overseas at or below the price in the home country.

The legislation also addresses an adverse World Trade Organization (WTO) finding that there may be “double remedies” in situations where both countervailing duties are applied to NME exports at the same time that anti-dumping duties calculated using the so-called “surrogate value” methodology are applied to the exports.

As a senior Member of the Judiciary Committee, I was not hesitant that I join my colleagues in overturning a court ruling. I believe in the deliberative process from the judiciary and I was pleased that the court entrusted Congress to act.

In 2007, the Department of Commerce began applying countervailing duty laws (CVD) to imports from China after 20 years of not applying CVD laws to import from NME countries. In 2007, Commerce began to impose CVDs to import from China, a country which

it has long been considered to be a NME for the purposes of Anti-dumping/CVD laws.

The legality of applying both CVD/AD laws to Chinese goods was first tested in the U.S. Court of International Trade (CIT) in 2009, when the CIT found that Commerce’s approach unreasonable. GPX Int’l Tire Corp. v. United States, 645 F. Supp. 2d 1231, 1242–1243 (Ct. Int’l Trade 2009).

The CIT ruled that the prospect of a double remedy is likely when CVD duties are imposed at the same time as the NME AD duties. As the CIT explained, “the NME AD statute was enacted to remedy the inability of the CVD law to NME countries, so that subsidization of a foreign producer or exporter in a NME country was addressed through the NME AD methodology.”

The CIT instructed Commerce “to forego the imposition of CVDs on the merchandise at issue or for Commerce to adopt additional policies and procedures to adapt its NME AD and CVD methodologies to account for the imposition of CVD remedies on merchandise from the PRC.” GPX Int’l Tire Corp. v. United States.

Commerce was unable to find a reasonable methodology to prevent the likely double-counting outcome and, under protest, it complied with the CIT’s order not to apply CVDs on imports of tires from China, but appealed the CIT’s decision.

The Federal Circuit affirmed the holding of the Court of International Trade that such countervailing duties could not be collected but did so on different grounds. Without this legislation the Department of Commerce will be required to stop imposing countervailing duties on goods imported from nonmarket economies (NME).

Rather, in affirming the CIT’s judgment, the CAFC held more broadly that the legislative history of the U.S. CVD laws, Commerce’s longtime practice up to 2007 of not applying CVD law to NMEs, and the CAFC’s 1986 opinion in Georgetown Steel Corp. v. United States, compel the interpretation that the CVD statute cannot be applied to NME countries. The CAFC reasoned that the earlier interpretation was considered and adopted by Congress, when Congress amended the Trade Act of 1974, in the 1988 Trade Act, in 1994 when it reenacted most of CVD law while making changes to conform U.S. law to its international obligations as part of the Uruguay Round Agreements Act. The Federal Circuit stated:

We thus find that in amending and reenacting the trade laws in 1988 and 1994, Congress adopted the position that countervailing duty law does not apply to NME countries. Although Commerce has wide discretion in administering countervailing duty and antidumping law, it cannot exercise this discretion contrary to congressional intent.

It is a broader ruling from several points of view, which, in practice, may succeed in providing the clarity on the matter. It is whether the CAFC had affirmed GPX by adopting the CIT’s rationale. First, the CAFC did not distinguish between NME countries, as Commerce did in 2007 when it found that CVD law can be applied to China. In essence the CAFC’s opinion tells Commerce that it cannot have it both ways. Under the CAFC’s determination that a country is a NME, it does not have authority to assess CVDs on imports from that country. Second, GPX involved an
alleged “domestic subsidy,” which generally benefits both domestic and exported goods, as opposed to an “export subsidy” which applies only to exports. The CIT’s opinion in GPX may have not prevented Commerce from countervailing export subsidies in other cases. However, the CAFC’s language has never distinguished between subsidies and holds that “countervailing duty law does not apply to NME countries.” Third, as noted supra, the CAFC did not adopt the CIT’s reasoning of double-counting of remedies. The CIT’s reasoning left open the possibility that Commerce may continue to use methodologies that somehow eliminates double-counting, while imposing both ADs and CVDs on imports from a NME. The CAFC’s decision in GPX closed that possibility by explicitly stating that one cannot apply CVD law to a NME country. In short, had the CAFC adopted the CIT’s reasoning in GPX, it is possible that some of Commerce’s authority to proceed with CVD investigations—albeit on a much more restricted scale—would have survived. However, the CAFC’s decision, once final, will compel Commerce to adopt a current CVD process with respect to countries designated as NMEs.

The problems raised by this decision has been addressed by this legislation. As H.R. 4105 amends the Tariff Act of 1930 regarding the imposition of countervailing duties on imports from a nonmarket economy country, unless the administering authority cannot identify and measure subsidies provided by the government of the nonmarket economy country (or a public entity within its territory) because the economy of that country is essentially composed of a single entity.

Requires the administering authority to reduce the antidumping duty on a class or kind of merchandise from a nonmarket economy country in cases where: (1) such country (or a public entity within its territory) has provided the merchandise with a countervailable subsidy (other than an export subsidy), (2) the subsidy has reduced the average price of imports that class or kind of merchandise during the relevant period, and (3) the extent to which the subsidy, in combination with the use of normal value, has increased the weighted average dumping margin for such merchandise can be reasonably estimated.

Requires the administering authority, in such cases, to reduce the antidumping duty by the amount of the increase in the weighted average dumping margin estimated (but not by more than the portion of the countervailing duty rate attributable to the countervailable subsidy).

FACTS

Antidumping and countervailing duty laws are administered jointly by the U.S. International Trade Commission and the U.S. Department of Commerce.

Currently, the U.S. International Trade Commission (USITC) determines whether articles from China are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products.

If the Commission makes an affirmative determination, it proposes a remedy. The Commission sends its report to the President and the U.S. Trade Representative. The President makes the final remedy decision.

When China entered the WTO in 2001, it agreed to the United States to continue to treat it as a non-market economy for 12 years (codified in U.S. law under Sections 421 of the 1974 Trade Act, as amended) for the purpose of U.S. safeguards. This provision enables the United States (and other WTO members) to impose restrictions (such as quotas and antidumping tariffs) on Chinese products when imports of those products have sharply increased and have caused, or threaten to cause, market disruption to U.S. domestic producers.

Under the Bush Administration on six different occasions chose not to extend relief to various industries under the China-specific safeguard, even though in four cases the U.S. International Trade Commission (USITC) recommended relief. A number of U.S. industries and labor groups have called on the Obama Administration to reevaluate its safeguard, especially in the face of the current U.S. recession and because of “unfair” Chinese trade practices.

Countervailing duty (CVD) laws give a similar kind of relief to domestic industries that have been or are threatened with injury by the adverse impact of imported goods that have been subsidized by a foreign government or public entity, and can therefore be sold at lower prices than similar goods produced in the United States. The relief provided is in the additional import duty placed on the subsidized imports.

Currently, there are more than 300 antidumping and countervailing duty orders to shield American-made goods, from honey to bedroom furniture, against global competition it deems unfair and damaging to U.S. companies. About half the orders target iron and steel products.

China accounts for a third of all U.S. unfair trade cases, the most of any country, including about 100 anti-dumping and two dozen countervailing duty orders, according to the U.S. International Trade Commission.

STORY OF SOLAR CELL AND PANEL INDUSTRY

China exports the vast majority of its solar products, and has a small domestic market. Chinese exports of crystalline silicon solar cells and panels to the United States rose more than 350 percent from 2008 to 2010. Exports in July 2011 alone exceeded those from all of 2010.

The continued push of massive volumes of dumped Chinese cells and panels, along with growing margins of underselling at artificially and illegally low prices, the-duty avoided market pricing in the United States to collapse in 2011—when an average worldwide price decline of 40 percent despite a growing market for these goods.

China subsidies caused the price collapse and has had a devastating impact on the U.S. solar cell and panel industry, resulting in shutdowns, layoffs, and bankruptcies throughout the country. Over the past 18 months, seven solar plants have shut down or downsized, eliminating thousands of U.S. solar manufacturing jobs in Arizona, California, Massachusetts, Maryland, New York, and Pennsylvania.

China does not have a production cost advantage—labor accounts for only 10 percent of solar panel production costs, and China actually imports U.S. raw materials and equipment. Further, China’s extra shipping costs and comparatively lower labor productivity make its pricing impossible without illegal subsidization and dumping.

H.R. 4105 is a direct response to a December 19, 2011, decision by the United States Court of Appeals for the Federal Circuit. The Court found that certain countervailing duties levied by the Department of Commerce on tires imported from China should not have been assessed. Because a United States duty law does not apply to the context of a non-market economy (NME) such as China’s, The United States Court of International Trade originally ruled that the prospect of a double remedy is likely when CVD duties are imposed in parallel with NMEAD duties.

The Federal Circuit affirmed the holding of the Court of International Trade that the double-counting duties could not be collected, but did so on different grounds. If this ruling is allowed to stand then U.S. manufacturers and others fear that hundreds of thousands of American workers could lose their jobs, and the Commerce Department would not be able to affectively address unfair trade practices.

HUMAN RIGHTS VIOLATIONS

I would be remiss if I did not mention today the increasing concern of not only a fair and positive trade relationship with China, but also ensuring that our trade partner continues to address human rights issues.

In the past several years, the People’s Republic of China has enacted some laws aimed at weakening human rights, including those related to the use of torture, the death penalty, and labor conditions. It also has promulgated legislation protecting property rights and promoting government transparency, and developed mechanisms for soliciting public input in the policy-making process.

However, the enforcement of human rights protections remains weak and arbitrary. The People’s Republic of China’s leadership has instituted few real checks on its power and remains extremely sensitive to social instability, and is using political, economic, and military means to maintain its power. The political protections remains weak and arbitrary. The People’s Republic of China’s leadership has instituted few real checks on its power and remains extremely sensitive to social instability, and is using political, economic, and military means to maintain its power.

In the past two years, the government has cracked down upon human rights lawyers, social organizations, and Internet use. Major ongoing problems include the following: excessive use of violence by security forces and their proxies; unlawful detention; torture; arbitrary use of state security laws against political dissidents; coercive family planning policies; state control of information; and harassment and persecution of people involved in activities which are proscribed or restricted by the government.

In terms of religious freedom, we also see a real problem with the Chinese government. We have seen an increase in the number of Christians being imprisoned and having their property seized. We also see a real problem with the Chinese government. We have seen an increase in the number of Christians being imprisoned and having their property seized. We have seen a real problem with the Chinese government. We have seen an increase in the number of Christians being imprisoned and having their property seized.

As we move forward in addressing the needs of American workers and American business, we must continue by leveling the playing field against highly subsidized non-market economy good through the application of countervailing duty and antidumping laws. And, as we build trade relationships with...
China, Vietnam, and other Global Partners they must be balanced relationships. We must also remember to ask of our partners to strongly advocate for fair trade, fair labor practices, and stress the importance of human rights. The advancement of human rights is an important aspect of any trade value. Today, marks the opportunity for American workers to breathe a sigh of relief, that their jobs are not going to be jeopardized by goods manufactured outside of the United States that have an unfair competitive advantage.

Mr. Dingell. Madam Speaker, I rise in very strong support of H.R. 4105. I am an original co-sponsor of this wonderfully common-sense bill, which will permit the Department of Commerce to apply countervailing duty orders to non-market economies like China. While the term, "countervailing duty order," is not one on the tip of every American's tongue, it is an extraordinarily important trade enforcement tool. In times like these, we need to be able to use our trade laws to the fullest extent, so we can protect jobs at home and ensure our trading partners play by the rules.

H.R. 4105 is a bipartisan, bicameral bill that will be signed into law by President Obama. It is another step in the right direction for American trade, and it is one that is fully consistent with our World Trade Organization obligations. A flawed decision by the Court of Appeals for the Federal Circuit weakened our country's ability to protect itself from unfair trade practices, and H.R. 4105 will fix it. Most importantly, the bill will help workers and businesses in my home State of Michigan compete fairly on a level playing field.

In my community, paper manufacturers New Page, SMART Papers and Appleton Papers, petitioned the Department of Commerce to levy CVDs on subsidized imports of coated fresh-sheet paper from China and Indonesia. In 2008, NewPage was forced to close its sheathing facility for coated paper due to these unfair trade practices, resulting in a loss of 175 jobs. Appleton Papers announced it would cut 330 jobs from the West Carrolton plant in my Dayton community as it struggles against unfair competition. I strongly backed the application of CVDs against this unfair trade practice and testified before the ITC in support of the petition, which was unanimously approved in 2010. However, the court's recent ruling could negate the ITC's unanimous action and threaten more jobs in my community.

Madam Speaker, we must move swiftly to ensure U.S. manufacturers and workers can compete on a level playing field in the global marketplace. That is why I am an original co-sponsor of H.R. 4105, bipartisan legislation that confirms the Department of Commerce may continue to apply CVDs against unfairly subsidized imports from nonmarket economies like China.

At the same time, with 95 percent of consumers overseas, it is essential that U.S. companies have the opportunity to export their products. U.S. exporters face many non-tariff barriers that violate existing trade agreements, hampering the ability of U.S. companies to access foreign markets and create jobs. My bill, H.R. 3112, the Trade Law Enforcement Act, provides an affordable way for U.S. companies to have their market access complaints investigated and resolved in a manner consistent with international obligations.

Madam Speaker, I strongly support H.R. 4105 and urge my colleagues to vote yes on this important legislation. I also urge my colleagues to support and co-sponsor my bill, H.R. 3112, to help U.S. manufacturers reach new consumers in abroad and spur job creation right here at home.

Mr. Visclosky. Madam Speaker, I arise in support of H.R. 4105, a measure that will apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries. Steelworkers and manufacturers in North- west Indiana need every tool available to them to combat duplicative trade practices, and this legislation is critical to preserving their ability to combat such practices by countries such as China.

I applaud the expeditiousness of the House Ways and Means Committee and the House leadership in bringing this important legislation to the floor, and I urge my colleagues to vote "aye."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. Camp) that the House suspend the rules and pass the bill, H.R. 4105.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. Levin. Madam Speaker, on that motion, I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.


Mr. Bishop of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 570 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 clause (b) of the provisions of the House Resolution 570, made in the direction of the Committee on Rules, I call up House Resolution 570 and ask for its immediate consideration.

H. Res. 570

Passed.

Providing for Consideration of H.R. 3112, Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011

Mr. Bishop of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 570 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 clause (b) of the provisions of the House Resolution 570, made in the direction of the Committee on Rules, I call up House Resolution 570 and ask for its immediate consideration.

H. Res. 570

Passed.

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause (b) of the provisions of the House Resolution 570, made in the direction of the Committee on Rules, I call up House Resolution 570 and ask for its immediate consideration.

H. Res. 570

Passed.
House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered on the bill and amendments thereto to final passage without intervening motion except one motion to recomit with or without instructions.

Mr. Tipton. The chair of the Committee on Financial Services is authorized, on behalf of the committee, to file a supplemental report to accompany H.R. 2842.

The SPEAKER pro tempore. The gentleman from Utah?

Mr. BISHOP of Utah. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. This resolution provides for a modified open rule for the consideration of H.R. 2842, succinctly titled the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011. It provides for 1 hour of general debate equally divided between and controlled by the chairman and ranking member of the Committee on Natural Resources and makes in order all amendments which were preprinted in the CONGRESSIONAL RECORD and which otherwise comply with the rules of the House.

So this modified open rule is a very fair and generous rule—a continuation of the work of Chairman Dreyer and the Rules Committee—and will provide for a balanced and open debate on the merits of the bill.

Madam Speaker, I am pleased to stand before the House today in support of this rule, as well as the underlying legislation, H.R. 2842. I appreciate the hard work of the bill’s chief sponsor, Mr. Tipton of Colorado, as well as Mr. Gosar of Arizona, one of the cosponsors. Representative McCLINTOCK of California, who is also the chairman of the subcommittee that held the hearings on this bill, and of course Chairman Hastings of the Resource Committee, who brought this bill forward as one of the companion pieces of the myriad of pieces of legislation which, if enacted, would greatly improve our Nation’s energy policy and provide for a responsible and balanced approach to further energy development.

With that, Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. I thank the gentleman from Utah for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, in my home State of New York, unemployment continues to remain stubbornly high. Thousands of Americans have given up looking for work altogether. For many, unemployment benefits have expired, and there is little hope that a paycheck will soon be a regular part of daily life.

Despite this dire economic reality, once again we are going through a bill that has nothing to do with job creation. Instead, we have piecemeal proposal after piecemeal proposal to do more to further ideological goals than create jobs.

Instead of creating jobs, today’s bill would clarify lines of authority for two government agencies. Is this a worthy goal? Maybe. Some say yes. But does it create thousands of American jobs? The answer is clearly no.

As they have with so many other bills, the majority has allowed unnecessary partisan language into today’s bill language that attacks existing environmental law for no good reason. Specifically, it provides a categorical exemption for all small hydropower projects from National Environmental Policy Act compliance. That is, this bill, is there is no clear reason for this exemption from environmental protection.

Currently, hydropower projects that don’t raise substantive environmental concerns often have been approved relatively quickly. From 2006 to 2010, 13 exemptions were completed in less than a year each. In 2011, there were nine exemptions that were granted in an average of 40 days. Yet, despite seeing a system that works relatively well, the majority decided to once again put industry before the environment and include this controversial provision. This approach may fill a legislatively calendar, but it fails to create jobs for the American people. We could not imagine a 5-year surface transportation bill, which everybody’s waiting for, something we were supposed to consider weeks ago. A well-written and bipartisan bill—and all the transportation bills from the Eisenhower administration up to now were always bipartisan bills—would have created thousands of American jobs; but, once again, no such bill has come to the floor. Instead, they were forced to pull a proposed surface transportation bill because they had alienated part of their own party with extreme provisions that would decimate public transportation and fail to create jobs.

Now we continue to wait as the majority works a way to create a reasonable transportation bill that will actually create jobs. In the meantime, we consider bill after bill that does nothing to create the many thousands of jobs that are so desperately needed.

Madam Speaker, the answer is clear. When the majority pushes partisan politics over good governance, the American people lose. Today is the latest in a long line of such partisan bills, and yet one more day when the American people will go without new American jobs.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Colorado (Mr. McClintock), who is the chair of the subcommittee that heard this particular bill.

Mr. McClintock. I thank the gentleman for yielding.

Ms. Slaughter. I am pleased to yield.

Mr. Bishop. The request of the gentleman from Utah?

Madam Speaker, the measure before us today is H.R. 2842, offered by the gentleman from Colorado (Mr. Tipton).

What it promises is this: At precisely no cost to taxpayers, freeing up absolutely clean electricity on a scale so vast that it would take several hydroelectric dams to duplicate, simply by relaxing the regulatory stranglehold, simply by getting government bureaucrats out of the way, this bill has the potential of adding thousands of megawatts of absolutely clean and renewable electricity to the Nation’s energy supply, reducing utility bills, reducing reliance on fossil fuels, and, to add it all up, allowing the American people to place small hydroelectric generators in thousands of miles of existing pipelines, canals, and aqueducts.

This doesn’t involve new construction. The facilities are already there. It doesn’t involve any adverse impact to the environment. These are water pipes and canals in which there are no fish of any kind. And yet this administration forces water users and developers to go through a lengthy, costly, and pointless environmental review process that literally doubles the cost of these projects and makes them cost prohibitive.

The reason there are so few applications is because the requirements of this absurd law simply make these projects cost prohibitive, and it simply doesn’t make sense to move forward with them. This bill simply says this: You don’t need to go through that nonsense anymore.

Now, why isn’t this bill being taken up on suspension? It would be one of the all-time no-brainers. It passed the Natural Resources Committee on a bipartisan vote. The reason that this debate is required is because this commonsense legislation is vigorously opposed by the environmental left; that is, the measure that the American people now suffer, which this movement now suffers. Perhaps the best way to alert the American people to this extremism is through debate that this rule makes possible.

A generation ago, in the 1960s, electricity was so cheap that some communities didn’t even bother with electricity meters, and there’s a reason for
that. In those days, we were building hydroelectric dams that not only pro-
tected us from floods and droughts, but that delivered electricity for as little as 3 cents per kilowatt hour. At that price, an average household’s elec-
tricity bill would come to about $30 a month. That dream seems surreal today.

Today, government regulations are literally threatening the ability of this Nation to generate sufficient electric-
tricity to assure people’s air condi-
tioning and refrigerators running in
the summer, just as similar policies prevent Americans from prospering from our vast petroleum reserves and nuclear power potential. It’s no coincidence that the States with the most stringent regulations also have the highest electricity prices and the sickest economies. People of my State of California, the land of vast unrealized hydroelectric potential and a pioneer in nuclear power, now use less electricity per capita than any other State in the Union, and yet we pay among the highest electricity prices in the country. We also suffer from one of the highest unemployment rates in the country, despite ceaseless empty promises of green jobs.

Now along comes this bill by Mr. ANDREWS of Colorado that does everything the environmental left claims it likes: It produces absolutely clean and renew-
able electricity in vast quantities at
precisely no cost to taxpayers. It re-
quires no new construction. All that’s necessary to achieve this is to put small generators in existing pipelines and canals that have already passed en-
vironmental review and pose no con-
ceivable environmental impact. Yet, instead of embracing this measure, these radical elements instead throw a conniption fit.

We let them do that in public. Let the American people see this debate. Let them see for themselves the nihil-
listic ideology behind this movement and how it is practiced by those in this Congress who share and support it, and then let our people pay and think about it. I think the debate over this bill will offer our fellow citizens a real insight into this movement, and I support the resolution that makes this debate pos-
sible.

Ms. SLAUGHTER. Madam Speaker, if we defeat the previous question—and I hope we will—I’m going to offer an amendment to the rule to provide that immediately after the House adopts the rule, we will bring up H.R. 964, the Federal Price Gouging Prevention Act.

To talk about our proposal, I am pleased to yield 3 minutes to the gentle-
man from New Jersey (Mr. ANDREWS).

(MR. ANDREWS asked and was given permission to revise and extend his re-
marks.)

Mr. ANDREWS. I thank the gentle-
lady for yielding.

Madam Speaker, 180 days ago, the President of the United States came to

this Chamber and laid out before the country and the Congress some very specific proposals to help put Ameri-
cans back to work. The President pro-
posed that we give a tax cut to small businesses who hire people. The House has never voted on that proposal.

The President proposed that at a time when our roads and bridges and airports and ports need construction and recon-
struction, that we put Americans back to work in the construction industry, performing those vitally necessary tasks. We have never voted on that proposal. At a time when police officers and firefighters and teachers are being laid off across our country, the President proposed some short-
term relief so we could put our officers back on the beat, our firefighters back on the apparatus, our teachers back in the classroom. The House has never voted on that proposal.

Here we are 6 months later, doing what we’re doing today. In that 6 months, another crisis has manifested itself, one that affects Americans across our country more severely every day, and that is each time they fill up their vehicle, it takes just a little bit more money out of their grocery budget, it’s something that they use to pay their mortgage payment, what they use to educate their children. The rising price of gasoline is a serious threat to the prosperity and stability of American families.

The president has said that his conclusion is that about $30 of the cost of a barrel of crude oil is attrib-
utable to the speculation of prices by people who never really buy, sell or use oil, but who bet on its price: casino gamblers, not deliverers of oil. Gold-
man Sachs estimates that anywhere from $22 to $28 a barrel is also due to speculation, and they ought to know because they’re no doubt participating in it.

The bill that we would propose be put on the floor this afternoon would crack down on that speculation. It would re-
quire that trades be disclosed; it would empower regulatory agencies to iden-
tify illegal price manipulation behav-
ior; and reduce the price of crude oil to American consumers.

There are other ways to do this. I, for one, favor increased domestic produc-
tion. I think there are ways that we can increase the natural gas and coal and oil that we have. I certainly think that we should expand renew-
able as well. But there is one regu-
ulatory tool that we have not given our regulators and we ought to give it to them here. The underlying bill is cer-
tainly worthy of consideration, but we have an immediate emergency problem and a non-
construction action has taken over a year and nearly $1 million in outside expenses.

By eliminating this duplicative re-
quirement, we can add power to the grid, provide an environment for job growth in rural America and return revenues to the Treasury.

Mr. BISHOP of Utah. Madam Speak-
er, I am pleased to yield 3 minutes to

the gentleman from Colorado (Mr. TIP-
TON), the sponsor of this particular bill, who will talk about how to create real power using water resources that we have.

(Mr. TIPTON asked and was given permission to revise and extend his re-
marks.)

Mr. TIPTON. As a sponsor of this bi-
partisan legislation, I support the rule on H.R. 2842, and I encourage an open debate because I believe the benefits of this bill will speak for themselves. H.R. 2842 is a bipartisan plan to authorize new hydropower production and streamline the regulatory process in order to create new American jobs.

Many rural water and irrigation dis-
tricts and electric utilities in western States seek to develop hydropower on Bureau of Reclamation water canals and pipelines, but overburdensome and unnecessary regulations stand in the way. The bill that we would propose be put in these projects. Most of these small projects are not currently authorized at Bureau of Reclamation canals and, as a result, they never get off the ground. Those that are currently au-
thorized are subject to an additional review process under the National En-
vironmental Policy Act even though the canals on which they are built have already gone through a full environ-
mental review when they were construc-
ted or rehabilitated.

H.R. 2842 authorizes the production of hydropower at all Bureau of Reclama-
tion conduits; and by doing so, it al-
 lows placement of small hydropower generators on existing canals and pipes that have already gone through the NEPA process. This au-
thorization does not currently exist, and therefore hydropower development under current reclamation law will not happen unless Congress acts. This bill also eliminates duplicative red tape by exempting small hydropower projects on previously disturbed ground from going through an additional NEPA re-
view. This bill does not apply to rivers, large dams, or natural-flowing waters in general, and it would not impact en-
dangered fish or wildlife.

In many cases, having to go through an additional unnecessary review proc-
есс determines whether or not a hydropower project is economically feasible and, as a result, determines whether or not this country moves forward with the development of green energy.

Chris Treese of the Colorado Water District in the Natural Resources Com-
mittee testified on this bill and he stated:

Environmental reviews under NEPA are universally time consuming and expensive. The River District’s current experience with growth in rural America and return revenues to the Treasury.

This commonsense piece of legislation has bi-
partisan cosponsorship and passed out
of the committee with bipartisan support. It’s also been endorsed by the rural irrigators and electric utilities that operate the Bureau of Reclamation canals and know the issue best. These organizations include: the Family Farm Alliance, the National Water Resources Association, the American Public Power Association, and the Association of California Water Agencies.

I’m proud to offer this contribution to the House Republicans of the all-of-the-above energy strategy for America, and I look forward to a spirited discussion on how we can produce more renewable energy and put our people in this country back to work.

Ms. Slaughter. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. BISHOP).

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

I rise to the rule and in support of moving the previous question. This motion would amend the bill with strong provisions to stop price gouging at the gas pumps.

We are long overdue for a serious debate about gas prices. Scoring political points on this issue may make us all feel good, but it serves no one, particularly our constituents; and it certainly doesn’t get us any closer to solving the problem.

Here are the facts: domestic production of oil in the United States is at an 8-year high; imports of oil into the United States are at a 17-year low; more oil rigs drill in the United States today than in the rest of the world combined. Let me say that again: there are more oil rigs at work in the United States today drilling for oil than in the rest of the world; the number of oil rigs in operation in the United States today has quadrupled since President Obama took office. Last year, the U.S. became a net exporter of oil for the first time in 62 years.

I think what these facts demonstrate very clearly is that this is not a supply-driven problem, nor—as good as it might feel to some—is this a problem that can be blamed on the administration for not doing enough to facilitate or encourage exploration for drilling. This is not a demand-driven problem either. Demand is down 6 1⁄2 percent in a year, and for just cause. We can both agree, and for just cause. We can both agree, and for just cause. We can both agree, and for just cause.

Demand is down 6 1⁄2 percent in a year, and for just cause. We can both agree, and for just cause. We can both agree, and for just cause.

I urge my colleagues to vote “no” on the previous question and vote “no” on the rule.

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

I advise my colleague that I am prepared to close.

Ms. SLAUGHTER. Madam Speaker, I yield myself the balance of my time.

I think what these facts demonstrate very clearly is that this is not a demand-driven problem rather than using it to point fingers and try to score points. Thus I encourage my colleagues to vote “no” on the previous question and vote “no” on the rule.

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I think what these facts demonstrate very clearly is that this is not a demand-driven problem rather than using it to point fingers and try to score points. Thus I encourage my colleagues to vote “no” on the previous question and vote “no” on the rule.
This will generate $5 million in additional revenue coming into the government. So not only can we create more energy, we can do the right thing, we can fix our infrastructure, but we actually make money that comes into the government to help with other issues.

There is a reason this is a bipartisan bill; because it’s the right thing to do. And there’s a reason why we should move forward with this bill: because it taps a valuable resource that will go to waste if we do not do it.

There is a reason that this bill is here: to speed up the regulatory red tape processes to make things happen and help us move forward as a Nation with better energy development and energy independence.

There’s a whole bunch of good reasons for this bill, and that’s why I support it. It will make a difference. It would produce a cash flow to irrigation districts so they could accelerate small projects. Third, it would help reduce the cost of irrigation pumping in the West.

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To vote against the motion for the previous question is to deny the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1929, to the effect that refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition in order to offer an amendment. On March 15, 1970, Speaker Joe Cannon of the majority party offered a rule that the House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

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

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled Majority Leadership Manual on the Legislative Process (chapter 21) Section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon. Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican Majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. I yield back the balance of my time, and I move the previous question on the resolution.
The years and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be post-poned.

APPLYING COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfin-ished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4105) to apply the counter-va-living duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes, on which the yeas and nays were ordered. The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion carried by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill.

The vote was taken by electronic de-vice, and there were—yeas 370, nays 39, not voting 24, as follows:

[Table of Representatives]

So (two-thirds being in the affirmative) the rules were suspended and 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. PERLMUTTER. Mr. Speaker, on rollcall No. 96, I was unavoidably detained and missed voting on H.R. 4105. Had I not been detained, I would have voted “aye.”

Mr. SCHWARTZ. Mr. Speaker, on rollcall No. 96, I had been present, I would have voted “yea.”

MOURNING THE PASSING OF CONGRESSMAN DONALD PAYNE

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

Mr. SMITH of New Jersey. Mr. Speaker, it speaks to the great sorrow that I inform the House that our dear friend, Mr. Donald Payne, has passed. He had colon cancer.

In a few moments a privileged resolu-tion will be offered on the floor that recognizes and honore this extraordinary man who dedicated his entire life to public service, a man who made a significant difference in the lives of many in his district, in our State, in the Nation, and in the world.

Mr. Speaker, I yield to my good friend and colleague, Mr. Pallone.

Mr. PALLONE. I thank my friend.

Mr. Speaker, it is with deep sorrow that I inform the House that our dear friend, colleague, Mr. Donald Payne, has passed.

Mr. Speaker, the Gentleman from Michigan (Mr. Camp) has moved that the House suspend the rules and pass the bill. The SPEAKER pro tempore has ordered the yeas and nays to be ordered. Pursuant to a previous agreement, a motion to post-pone was tabled.

The SPEAKER pro tempore. Pursuant to a previous agreement, a motion to post-pone was tabled.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to my friend and colleague, Mr. Pallone.

Mr. PALLONE. The SPEAKER pro tempore. The SPEAKER pro tempore. The SPEAKER pro tempore. Pursuant to a previous agreement, a motion to post-pone was tabled.

Mr. Speaker, I yield to my friend and colleague, Mr. Pallone.

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Mr. PALLONE. The SPEAKER pro tempore. The SPEAKER pro tempore. The SPEAKER pro tempore. Pursuant to a previous agreement, a motion to post-pone was tabled.

Mr. Speaker, I yield to my friend and colleague, Mr. Pallone.

Mr. PALLONE. The SPEAKER pro tempore. The SPEAKER pro tempore. The SPEAKER pro tempore. Pursuant to a previous agreement, a motion to post-pone was tabled.
Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expense in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourns as a further mark of respect to the memory of the deceased.

The resolution as agreed to.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the passing of the gentleman from the State of New Jersey (Mr. Payne), the whole number of the House is 433.

PROVIDING FOR CONSIDERATION OF H.R. 2842, THE BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT OF 2011

The SPEAKER. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 570) providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal reclamation law, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 232, nays 177, not voting 24, as follows:

YEAS—232

Ackerman (NY)        Ackerman (PA)        Ackerman (WI)
Adams (GA)           Adams (NY)          Adams (TX)
Adams (WY)           Akin (TX)           Alexander (AL)
Alexander (HI)       Alexander (MO)     Alexander (NV)
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Stark  ...  Yarmuth
Sutton  ...  Wilson (DC)
Thompson (CA)  ...  Wilson (FL)
Thompson (MI)  ...  Woolsey
Tierney  ...  Yarmuth
Tokyo  ...  Yarmuth

NOT VOTING—24

- Campbell
- Cardoza
- Coleb
- Doggett
- Fudge
- Gibson
- Gohmer
- Hinojosa

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

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, on March 6, 2012, I was absent from the House and missed roll call votes 96 and 97.

Had I been present for roll call vote 96, on a motion to suspend the rules and pass H.R. 4105, to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes, I would have voted "yea.

Had I been present for roll call vote 97, on ordering the previous question of H. Res. 570, providing for consideration of the bill H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, I would have voted "yea."  

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to a family emergency, I missed the following roll call votes: No. 96 and No. 97 on March 6, 2012.

If present, I would have voted: roll call vote No. 96—H.R. 4105—To apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes, “nay”;

roll call vote No. 97—Previous Question, Providing for consideration of H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011, “yea.”

The SPEAKER pro tempore. The question is on the resolution. The resolution was agreed to. A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3610 AND H.R. 3611

Mr. CLAY. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3610 and H.R. 3611.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? There was no objection.

BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT ACT OF 2011

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. 2842.

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 570 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. 2842.

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. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, with Mr. CHAFFETZ in the chair.

The Clerk read the title of the bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, due to a family emergency, I missed the following roll call votes: No. 96 and No. 97 on March 6, 2012.

If present, I would have voted: roll call vote No. 96—H.R. 4105—To apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes, “nay”;

roll call vote No. 97—Previous Question, Providing for consideration of H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011, “yea.”

The Chair recognizes the gentleman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I rise as myself as much time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011. It authorizes hydropower at existing Bureau of Reclamation facilities and, by doing so, it allows placement of hydropower generators on existing man-made canals and pipes that have already gone through extensive environmental reviews.

This is a bipartisan plan to create new American jobs, cut government red tape, and expand production of clean, renewable and low-cost hydropower.

This past weekend President Obama once again tried to claim support for an all-of-the-above energy production, but unlike President Obama’s empty rhetoric, House Republicans are taking real action to prove our commitment to expanding all forms of American energy.

Americans have now experienced 27 consecutive days of rising gas prices, and now the national average is pushing closer to $4 a gallon. In order to address the skyrocketing prices, Republicans will continue to pursue an all-of-the-above approach that responsibly develops the natural resources that we have right here at home.

The facts are, Mr. Chairman, we have followed through on this commitment by passing through the House bipartisan reforms to break down government barriers to American energy production. Just weeks ago, the House passed a bipartisan jobs plan to vastly expand access to our oil and natural gas resources offshore and in ANWR.

Today we’re putting forth a plan to expand production of clean, renewable hydropower.

As families and small businesses across the country are worried about rising gasoline prices, they are also worried about escalating electricity costs. Rising energy prices are a drain on our economy, pure and simple. It increases business costs and makes everything we do more expensive.

Hydropower is one of the cleanest and cheapest forms of electricity. In my view, coming from the Pacific Northwest, where nearly 70 percent of our power comes from hydropower, hydropower is the poster child for clean, renewable energy. Unfortunately, as is too often the case, the Federal Government is one of the biggest obstacles to increasing the development of hydropower projects, especially small projects.

This bill would remove government roadblocks and streamline the duplicative regulatory process for developing small canal and pipeline hydropower projects on existing Bureau of Reclamation facilities. This commonsense plan would help generate thousands of megawatts of clean, cheap, abundant and reliable hydroelectricity. Furthermore, it allows for hydropower generation without a single new dam, and at no cost to the Federal Government.

Now, let there be no mistake. I am a proponent of new technology, but this bill rightly harnesses hydropower potential at existing facilities. Water users throughout the West will be empowered to develop hydropower at the Federal canals they operate and maintain.

It’s once again important to note that this bill only allows for small hydropower projects on existing canals and pipelines. Such manmade facilities are already on what I would call disturbed ground and have already gone through extensive environmental reviews.

Furthermore, this bill is a revenue generator for the Federal Government. The nonpartisan Congressional Budget Office, or CBO, estimates that it will generate $5 million over the next 10 years through increased hydropower production and rental fees associated with it.

H.R. 2842 affirms Republicans’ commitment to a true, all-of-the-above energy plan. It will create jobs in rural areas, lower energy prices, and expand production of clean, renewable American energy by simply getting the Federal Government out of the way.

This bill received bipartisan support in the Natural Resources Committee and is endorsed by the Farm Bureau Alliance, the National Water Resources Association, the American Public Power Association, and the Association of California Water Agencies.

I want to commend the bill’s sponsors, Mr. TIPTON of Colorado and Mr.
GOSAR of Arizona, for their work on this. I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. NAPOLITANO. Mr. Chair, I yield myself 5 minutes.

I do rise in support of the general premise—I repeat—the general premise of this legislation, but oppose the legislation as amended. I would like to mention that 15 Democrats support it. So while it is bipartisan, it is minor bipartisanship on this particular issue.

H.R. 2842 does seek to generate additional hydropower at the existing Bureau of Reclamation facilities—that is, Federal properties—through developing new process of conduit and in-canal hydropower, which we should be developing at a greater speed and length. We cannot support this bill as amended, even though the original bill did also state it and an attempt was tried to be able to take this waiver language out on page 4, lines 12 to 15. We were unsuccessful, and we cannot support it because it does have a NEPA waiver, language that we cannot support.

We are in support of the general intent. H.R. 2842, the Federal conduits, continue to fall under Reclamation Lease of Power Privilege process, LOPP. It requires offering a preference to irrigation districts or water users associations with an existing contract, those that already have a contract, which we support.

If I attempt to find the current project users by recognizing the project’s primary authorized purposes and that no financial and/or operational costs will be incurred by the existing water and power users.

The Federal Power Marketing Administrations are also—and I repeat—are not obligated to purchase or market the power produced.

There are situations that go a step too far and includes an unnecessary and unwise blanket exemption from a critical environmental law.

If my colleagues on the other side had simply followed the advice of the National Hydropower Association and the conservation group American Rivers, we would have a noncontroversial bill which would have passed unanimously out of the House. We also received a letter from six environmental groups in opposition that I would like to include in the RECORD.

Proponents for exempting the National Environmental Policy Act, NEPA, will argue that government regulatory red tape is preventing the development of hydropower. Reclamation already has the authority to comply with NEPA through categorical exemptions, and the system is working. Categorical exclusions have been issued for hydropower sites under the Reclamation's LOPP process at three specific sites in Colorado: the Lemen, which was in 1989; the Grand Valley Power Plant in 2011; and Jackson Gulch in 1995.

NEPA compliance for other sites, in fact, has not been the bureaucratic chaos some would make it out to be. There are three projects in the home State of Colorado for my colleague, the sponsor of this bill. In Jordanelle, Utah, compliance took 15 months from start to finish; in 2004. At Lake Carter, Colorado, it took 7 months to finish NEPA in 2010. At Ridgway, Colorado, an LOPP was just issued last month after completing a 15-month NEPA process. On the South Canal (Ridgway) site in Colorado, a finding of “no significant impact” was just issued last month after a 15-month NEPA process.

Developers and irrigators need clarity and certainty so their project can be developed. Waiving NEPA will not provide clarity and certainty. The stopgap for development is not NEPA; it's a lack of a Reclamation process. There must be a clear process in place for the development of hydropower at Reclamation sites.

I urge Reclamation to finalize the directives and standards as soon as possible, and it’s my understanding the draft is already out to developers and irrigators for their view, and the final directives and standards will be completed by the end of this year.

It is unfortunate that this legislation contains this controversial waiver. Without the NEPA exemption, this legislation would have been on suspension, and I do oppose the legislation and ask my colleagues to join me in opposition to this very sad portion of waiver of NEPA.

MARCH 6, 2012.

DEAR REPRESENTATIVE: The undersigned organizations, on behalf of our millions of members and supporters are writing to express our opposition to the provision in Section 2 of H.R. 2842 that waives the National Environmental Policy Act (NEPA) with respect to small conduit hydropower projects at Bureau of Reclamation facilities.

While we support the legislation’s intent to encourage the development of new energy resources, waiving NEPA reviews for Bureau of Reclamation projects is unnecessary and unacceptable. The National Environmental Policy Act is not a roadblock to the successful approval of conduit hydropower projects at Bureau facilities. We believe that this backward step will not accelerate hydropower. Rather, our experience has shown us that attempts to shortcut or sidestep environmental review typically result in delayed projects.

Success is that development of new energy resources, like conduit hydropower, requires us to do better than we have done with other forms of energy and other Bureau of Reclamation projects. While we do not oppose the development of conduit hydropower, it must be done responsibly and under all of the appropriate reviews necessary to make sure that such development is consistent with the public interest; a guarantee that NEPA provides.

Therefore we respectfully request that you oppose H.R. 2842. Language requiring a NEPA waiver is struck from the bill.

Sincerely,

AMERICAN RIVERS,
CENTER FOR BIOLOGICAL DIVERSITY,
DEFENDERS OF WILDLIFE.

MARCH 6, 2012.

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AMERICAN RIVERS,
CENTER FOR BIOLOGICAL DIVERSITY,
DEFENDERS OF WILDLIFE.

MARCH 6, 2012.
minutes to the gentleman from Colorado (Mr. Tipton), the sponsor of this very important legislation.

Mr. TIPTON. I thank the gentleman from Washington for yielding.

Mr. Chairman, Members of the House on both sides of the aisle talk of the need for an all-of-the-above energy solution for this country, a solution that gives serious consideration to all resources, including renewable and alternative energy.

It’s easy to talk about this need, but today I offer a bill that turns that talk into action. My bill, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012, is a key piece of the all-of-the-above strategy that our country needs in order to strengthen reliable, domestic energy production; expand development of responsible, renewable energy; generate economic growth; and get America moving.

Hydropower is the cheapest and cleanest source of electricity. This is created through modern technology. It’s the highest source of non-carbon emitting energy in the world, accounting for 6.3 percent of the United States total renewable electricity generation, making it the lead renewable energy resource power, according to the Hydropower Association.

In Colorado, nearly 30.7 percent of our renewable energy is hydropower, but only 3.1 percent of all Colorado is hydropower. We have a significant opportunity in Colorado to expand on this as a prime source of power while creating badly needed jobs for the Third District of Colorado in the process.

In Colorado alone, there’s enough existing capacity to generate as much power as the Glen Canyon Dam, but it stands as a major hydroelectric facilities have been built in many years. Existing facilities are being drained by endless litigation and regulatory obstacles that stifle production and lead to an increase in electricity costs and shortages in many regions of the country.

By streamlining the regulatory process and reducing administrative costs for small hydropower development at Reclamation’s facilities, this commonsense legislation will encourage the production of clean, renewable hydropower and provide much needed opportunities for the creation of new jobs in Colorado for some of our nation’s hardest-hit communities.

This commonsense bill garnered bipartisan support in the House Natural Resources Committee and has been endorsed by the Family Farm Alliance, the National Water Resources Association, the Association of California Water Agencies, and the American Public Power Association.

Chris Treese of the Family Farm Alliance and a constituent of mine in the Third Congressional District put it best when talking about the need for the bill:

The margins on small hydro are very small. Districts need to be able to make timely investment decisions without the prospect of environmental reviews of unde-termined length and expense. Additionally, Western water districts share the Nation’s desire to make investments that can put people to work immediately. Environmental reviews of small hydropower development and rural jobs act represent an unnecessary and often chilling uncertainty for an economically marginal investment.

This legislation, which applies to all projects on Reclamation conduits without exception, seeks to address this concern and fix an unwieldy environmental review process that requires small developers to jump through unnecessary and duplicative bureauocratic hoops in order to complete a project on existing conduits that has already undergone the proper environmental reviews. By doing this, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012 will jump-start small hydropower development through which power generated will be sent directly to the grid and create revenues that will help pay for aging infrastructure in our communities.

The SPEAKER pro tempore. The gentleman from Massachusetts, Ranking Member MARKEY.

Mrs. NAPOLITANO. I couldn’t agree more. My only objection is the small portion of the NEPA waiver. Mr. Chairman, I yield such time as he may consume to my colleague, the gent-lemman from Massachusetts, Ranking Member MARKEY.

Mr. MARKEY. I thank the gentlelady very much.

Mr. Chairman, I rise in opposition to this legislation. After 427 days in the majority and having no energy or jobs strategy to show for it, House Republicans are now offering H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act.

We need legislation that gets hydro projects moving and that gets hard hats down in the ditches again. Instead, Republicans are offering more legislation that is certain to be ditched by the Senate. We should encourage the development of small hydropower projects at existing facilities. In fact, if the legislation simply gave the Bureau of Reclamation exclusive jurisdiction to develop hydropower at Federal reclamation facilities, I would support it.

If it mandated that the Bureau of Reclamation institute categorical exclusions for their small hydro projects, I would support it.

But Republicans, they just couldn’t help themselves. It doesn’t matter the nature of the problem. For Republicans, the problem is always just nature, so they went and gutted environmental review altogether in this bill. That’s what happens when your entire economic platform is deregulation and gutting safety and environmental protections. You start waiving environmental review even when the industry you’re trying to help isn’t asking for it. If the Republicans had simply followed the advice of the hydro industry, we would have a noncontroversial bill that I could support and recommend to all of the Democratic Members that we pass 435 to nothing out here on the House floor this afternoon. Instead, it’s ideology over hydrology. That’s what the Republicans bring to the floor today.

But Republicans are serious about advancing the hydro industry, here is what they can do: extend the production tax credit, support clean renewable energy bonds, support domestic clean energy manufacturing tax credits, and extend the section 1603 renewable energy grant program.

Here is what those successful Recovery Act programs have already done:

Three companies have received $17 million in tax credits to build hydro-related manufacturing facilities in the United States. Eight companies have received $2 million in grants to support hydro deployment under the 1603 renewable energy grant program. Clean renewable energy bonds have supported $531 million in public power hydro projects across the country.

But Republicans aren’t interested in doing something constructive for hydro or for any other clean energy tech-
Republicans on our committee have reported out a bill that would repeal the borrowing authority that the Western Area Power Administration currently has to help finance transmission serving renewable energy projects. Between one project in Montana that is already in construction and three others that are deep into development, there are 11,500 jobs at stake, but the Republicans don’t care about those 11,500 jobs.

There is the wind industry. Ten thousand American workers have already been cut in the wind industry because the production tax credit is expiring at the end of the year and orders are drying up; 27,000 more wind workers will lose their jobs if Republicans get their way and raise taxes on the wind industry beginning on December 31 of this year.

A clean energy wave is upon us. America now vibrates on its clean, renewable hydroelectric industry, along with a healthy wind, solar, geothermal, and biomass industry, if we are to capture its benefits. Otherwise this wave will crash down upon us and, instead, carry the Chinese and the Indian and German economies to prosperity.

Let us vote down this bad bill before us and move on to the real policies that will help America’s hydro sector.

Mr. Chairman, the gentleman from California (Mr. McClintock).

Mr. McClintock. I thank the gentleman for yielding.

I would say to the gentleman from Massachusetts that nothing in this measure has anything at all to do with oil production. Quite the contrary, this bill reduces our reliance on fossil fuels by bringing hundreds of thousands of megawatts of new, clean hydroelectricity to the grid.

I don’t understand the objection to this bill. This measure by Mr. Tipton does everything the environmental left says that it likes: At precisely no cost to taxpayers, it produces absolutely clean and renewable electricity; taking hundreds of thousands of new, clean hydroelectricity to the grid. It’s simply by installing small generators in existing pipelines and canals where there are no fish or no flora or no fowl of any kind.

This is the alpha and omega of Mr. Tipton’s measure.

Let us vote down this bad bill before us and move on to the real policies that will help America’s hydro sector.

Mr. Chairman, I am pleased to yield 5 minutes to the chairman of the subcommittee that dealt with this legislation, the gentleman from California (Mr. McClintock).

Mr. McClintock. I thank the gentleman for yielding.

Our Nation desperately needs clean, affordable, and abundant electricity; and it desperately needs permanent jobs. To get them, it must of all needs common sense restored to its government. The progress the American people have made in doing that, as well as the unfinished business remaining before them, will be very precisely measured by the roll call on this bill.

Mrs. Napolitano. Mr. Chairman, how much time remains on both sides? The CHAIR. The gentleman from California has 20½ minutes remaining, and the gentleman from Washington has 14 minutes remaining.

Mrs. Napolitano. I reserve the balance of my time.

Mr. Hastings of Washington. Mr. Chairman, I yield 5 minutes to a cosponsor of this legislation and a very valuable member of the Natural Resources Committee, the gentleman from Arizona (Mr. Gosar).

Mr. Gosar. Mr. Chairman, I rise in support of the bill Congressman Tipton and I have worked closely on, H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012.

Arizona has been hit hard by the recent recession. The rural counties that I represent are faced with unemployment rates that far exceed the national average. This bill could provide a little of the much-needed relief for these communities.

The Bureau of Reclamation Small Conduit Hydropower Development and
Rural Jobs Act of 2011 is common sense legislation that will create jobs in rural Arizona, increase our country’s renewable energy portfolio, and generate revenues for the Federal Treasury by cutting duplicative, bureaucratic red tape.

Specifically, it would allow Arizonans that operate existing irrigation canals and ditch systems, man-made canals and pipes as you can see from here, to install hydropower generators.

To be clear, we are not talking about free-flowing rivers or streams. These are man-made structures that have already gone through environmental review. These canals, as you can see, do not contain endangered fish or wildlife. I worked very closely with the Irrigation & Electrical Districts Association of Arizona, the special districts, municipalities, Indian utility authorities and project managers that are engaged in the management and delivery of water and power in my State as Congressman Tipton and I crafted this legislation.

I am proud to be from a State that is as innovative and as resourceful as Arizona. Our State is a leader in developing safe ways to tap into our natural resources, which provides much-needed energy and jobs. Unfortunately, due to Federal constraints, Arizona is unable to fully tap its hydroelectric power generation potential because of the duplicative regulations that make it too expensive and burdensome to develop. It is simply the failure of the Federal policies to facilitate an environment that is conducive to this type of development. Instead of working with communities that share common goals and values, the Federal Government is dictating to them.

The experts on the ground in Arizona say that we are literally sitting on a hydropower gold mine waiting for the needed clarifications and streamlining that will cut costs and make this program more attractive.

This bill does just that. For example, the Maricopa-Stanfield Irrigation & Drainage District, located in Pinal County, Arizona, estimates that it has the capacity to build 14 to 17 hydropower units if this legislation is signed into law. Those units could generate a total of approximately 2,200 kilowatts of renewable energy, which is enough electricity to power 550 to 1,000 homes.

Another district, the Central Irrigation and Drainage District centered in Eloy, Arizona, has indicated they could install eight to 10 hydropower units with a capacity of 1,200 to 1,500 kilowatts that would generate energy, amounting to 500 or so homes. These economic impacts are not small for these rural communities. They would provide a real economic boost and will reduce consumer energy costs.

There is not one solution to our Nation’s energy crisis, but hydropower is clearly part of an overall all-options-on-the-table solution. Hydropower is the highest source of noncarbon-emitting energy in the world. It accounts for approximately 70 percent of the United States’ total renewable electricity generation, and we are not even tapping the potential. Investing in hydropower infrastructure will strengthen our economy and help move us towards energy independence.

To top it off, the nonpartisan Congressional Budget Office estimates that our bill will generate $5 million in Federal revenues over 10 years. Increased revenues from the sale of this renewable energy can result in a new source of funding for operating, maintaining, and rehabilitating our aging water-delivery infrastructure at lower costs to farmers.

This legislation is truly a win-win for the American people and is exactly the type of legislation this House should be passing.

Vote “yes” on this bill, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011. It will create jobs in rural America, increase U.S. energy independence, and raise revenue for the U.S. Treasury.

So I guess the opponents of this bill are right: if commonsense solutions are your cup of tea, then I guess I can’t help myself. And this is at no—let me repeat myself and this fact—this renewable energy is at no cost to the taxpayer or the public.

Mrs. NAPOLITANO. Mr. Chairman, I couldn’t agree with Mr. Gosar more on some of his presentation that the bureau works with during some of these projects, and they are working on that categorical exemption determination to be able to understand how they can expedite some of these projects.

NEPA is not some radical piece of legislation. It was overwhelmingly approved by Congress more than four decades ago and signed into law by President Nixon.

It is not an obstacle. It’s a tool to be used to facilitate coordination, cooperation, and public input. It is not a barrier. It is a shield protecting our communities, yours and mine, from the unintended consequences that can occur when a big, clumsy Federal Government acts without thinking.

NEPA does not and cannot prevent projects from moving forward. They just require the government to analyze alternatives and, most importantly, seek public comment. Evidence that NEPA does not stop projects is plain. Our majority cannot provide a single example that NEPA prevented one of these small projects, the hydroprojects from moving forward. Most applications are expedited expeditiously and easily. It also provides the Bureau of Reclamation all the flexibility necessary to apply NEPA quickly and efficiently to the projects. There is no delay.

To oppose NEPA is to oppose public input. Again, it would then oppose public input. Again, this NEPA is to oppose thinking before we act.

This unnecessary and unwise blanket waiver of NEPA should be struck from this bill and then this bill could be passed unanimously and go on to approval in our other body.

I reserve the balance of my time.

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

Mr. Chairman, I just want to point out what this bill does and the simplicity of this bill.

In 1902 when this House, along with the other House, created the Bureau of Reclamation, which was to reclaim the Nation’s water “unopposed,” it was designed to develop areas that heretofore did not have the resources with which to develop. Mainly, the resource they were lacking was water. And so the Bureau of Reclamation was created so that those arid areas, certainly my area of central Washington qualified as that because the Grand Coulee Dam is a facility that irrigates the 500,000-plus acres in central Washington, but it was designed to develop areas that couldn’t be developed before.

So now we have these facilities in place all over the West. They’ve gone through extensive environmental reviews in order to be put into place. Yet even with the technology that makes irrigation better and better and more and more efficient, there still is water in these canals that goes back to the river, in my case the Columbia River. It starts in the Columbia River and ends up in the Columbia River some 120 to 130 miles downstream. And during that process where the water goes to irrigate various parts of the project, we can better, more efficiently use that water by producing power, and that’s what this legislation does.

Again, we have gone through the extensive environmental review to build the ditch, the canal. We saw pictures of that earlier. All we’re suggesting now is we put something in there to capture the water power to generate electricity. It’s not more complicated than that. That’s all this bill is about. So with that, while there is an objection to the NEPA process, there is an amendment that will address that, and we will have more extensive debate on that.

But I would just repeat, Mr. Chairman, all of the building of the ditches, which is what really disturbs the land, that went through extensive environmental reviews to get to that point. We are now building within what we disturbed. Boy, to say that you have to have another process, environmental process, doesn’t make sense, at least to this Member.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, how much time remains?

The CHAIR. The gentlewoman from California has 18½ minutes, and the gentleman from Washington has 6 minutes.

Mrs. NAPOLITANO. Mr. Chairman, I would like to reiterate that we fully
support the intent of the legislation without the exemption of NEPA stated on page 4, lines 12–15. And I must say that I have working relationships with some of my universities; and one of them, Cal Poly Pomona, has been working with hydropower for awhile. We have been the leaders of tracking the issues of hydropower and some of their results, the projects that they’ve got in New Jersey and New York, to be able to generate electricity. We have for at least 5 years been trying to make Congress and the committee understand that this is something that is very viable. Even the heat off the pumping motors is being recaptured and converted into electricity in one of my areas.

So I fully understand and I’m glad that it’s finally beginning to take hold that there is the ability to create electricity from hydro. We support increased generation at all facilities by developing conduit and in-canal hydropower.

And, again, I support all of the provisions that I stated here, but waiving NEPA does not provide the clarity and the certainty needed to be a clear process for the development of hydro at reclaim facilities. That’s Federal facilities only. We must ensure that the lease-of-power privilege, the law, is clear and does provide specific certainty. It should be consistent with the FERC process, as stated in the letter from the National Hydropower Association and the Rivers, as introduced into the Record. We will be proposing an amendment to fix the problem, and we want to make this in a truly bipartisan manner and look forward to working with my colleagues on the other side.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I would like to ask my friend from California if she has any more speakers on the debate portion of this.

Mrs. NAPOLITANO. I do not.

Mr. HASTINGS of Washington. If not, I am prepared to yield back and start the amendment process if the gentleman yields back.

Mrs. NAPOLITANO. I yield back the balance of my time.

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

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today in order to debate H.R. 2842. “Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act” would authorize the Bureau of Reclamation to permit private entities to develop small hydropower units on irrigation canals and conduits under the agency’s jurisdiction. Under current law, the Bureau or the Federal Energy Regulatory Commission, FERC, has jurisdiction over hydropower development at such facilities.

Currently both the Federal Energy Regulatory Commission and the Bureau of Reclamation have the authority to manage small conduit hydropower projects in all Bureau of Reclamation irrigation canals and conduits. This bill would give this authority only to the Bureau of Reclamation thereby streamlining regulation. There will be jobs created by this measure, however not enough to be considered a Rural Jobs bill. The American people need a jobs bill.

I would have supported this legislation without hesitation if this bill did not contain a poison pill. As written I am concerned about a provision in the bill that would exempt small conduit hydropower projects from having to comply with the National Environmental Policy Act, NEPA. H.R. 2842 removes the requirements that current law, the Bureau or the Federal Energy Regulatory Commission and the Bureau of Reclamation Small Conduit Hydro-power facilities currently providing almost seven percent of the Nation’s total renewable electricity generation. In addition to providing low-cost electricity, multipurpose dams provide water for irrigation, wildlife, recreation and barge transportation and offer flood control benefits.

As part of the New Deal, the Roosevelt Administration sought to bridge the urban-rural divide in access to electricity. In the early 1930s, according to one estimate, 90 percent of Americans in urban areas had access to electric power, while only 10 percent of rural America had access.

The establishment of the Rural Electrification Administration, REA, in 1935 sparked a series of Federal investments that brought power to rural American homes over the coming years. By 1939, the REA had helped to expand electricity to more than 400 rural electric cooperatives, which served nearly 300,000 households.

Today, the RUS continues to provide credit and other assistance to help improve electric, water, and telecommunications services in rural areas. For example, between 2002 and 2009, the RUS invested $36 billion in electric systems and $14 billion in water and waste management systems throughout rural America. Small hydropower projects help to address the electricity needs of rural areas in a green way.

The Department of the Interior’s Bureau of Reclamation also provides hydropower, and drinking water and irrigation services to rural America. Today, the Bureau is the Nation’s largest wholesaler of water, serving 31 million people, and provides irrigation water to over five million farmers. This is a very clever manner to use existing water ways and existing technology to create electricity.

Three manufacturers in the Nation build these small conduits. Apparently they are so prevalent that they are available at Home Depot. Again hydropower represents approximately two-thirds of the renewable electricity generation in the United States and is currently providing almost seven percent of the
country's total energy generation. About forty-five percent of all hydropower in the United States is generated at federally-owned facilities. With only three percent of the nation’s approximately eighty thousand federal and non-federal dams currently generating hydropower there is great potential to increase hydropower production. Additional hydropower can be sited, constructed, and operated in a responsible manner to reduce or avoid environmental damages.

FAST FACTS

Each kilowatt-hour of hydroelectricity is produced at more than twice that of any other energy source. Where hydropower does have environmental impacts, particularly on fish species and their habitats and extensive work is done within the Bureau to evaluate and mitigate these impacts. Further, hydropower is very flexible and reliable when compared to other forms of generation. Reclamation has nearly 500 dams and dikes and 10,000 miles of canals and owns 58 hydropower plants, 53 of which are operated and maintained by Reclamation. On an annual basis, these hydropower plants produce an average of 40 million megawatt, MWh, hours of electricity, enough to meet the entire electricity needs of over 9 million people on average.

Reclamation is the second largest producer of hydroelectric power in the United States, and today we are actively engaged in looking for opportunities to encourage development of additional hydropower capacity at our facilities. Conventional hydropower is one of the oldest and most well-established among a growing number of technologies that provide low-carbon energy. Nationally, hydropower provides about 75,000 megawatts of capacity, and represents nearly 7 percent of total generation. It is anticipated that hydropower will continue to be a part of our nation’s energy mix for years to come, and accordingly we have signed dozens of agreements supporting the continued, long-term operation of hydroelectric dams that together provide our Nation with thousands of megawatts of generating capacity. Reasonable modifications have dramatically improved the performance of these dams, providing fish passage, improving flows, enhancing water quality, protecting riparian lands, and restoring recreational opportunities.

Hydropower represents approximately two-thirds of the renewable electricity generation in the United States and is currently providing almost seven percent of the country’s total energy generation. About forty-five percent of all hydropower in the United States is generated at federally-owned facilities. With only three percent of the nation’s approximately eighty thousand federal and non-federal dams currently generating hydropower there is great potential to increase hydropower production.

JOBS/ECONOMY/H.R. 3710—DEFICIT REDUCTION AND ENERGY SECURITY ACT

I am committed to producing tangible results in suffering communities through legislation that creates jobs, fosters minority business opportunities, and builds a foundation for the future. Every American deserves the right to be gainfully employed or own a successful business and I know we are all committed to that right and will not rest until all Americans have access to economic opportunity.

It has been over 10 months since the Republicans took control of the House, and Republican Leadership has not considered a single jobs creation bill on the House floor. With the national unemployment rate at 9.2 percent, and almost 1.9 million men and women who have exhausted the maximum of up to 99 weeks of state and Federal unemployment benefits, we cannot afford to continue with inaction. Rather than wait for the economic tide to turn, Congress must take advantage of its exceptional opportunity to create jobs by embracing the development of natural and renewable resources in a responsible and environmentally conscious partnership with the energy industry.

I have recently introduced H.R. 3710 “The Deficit Reduction and Energy Security Act of 2012.” My bill would protect America’s energy security, reduce the deficit, and create jobs.

The energy industry has a long and storied history of facilitating robust job creation and economic growth. This legislation will help pay down the deficit and create jobs for workers with varying skill-levels nationwide. H.R. 3710 would also establish the Coastal and Ocean Sustainability Health Fund to provide grants for addressing coastal and ocean disasters, restoration, protection, and maintenance of coastal areas and oceans, as well as, research and programs in coordination with state and local agencies.

Additionally, the Deficit Reduction and Energy Security Act establishes the Office of Energy Employment and Training, and the Office of Minority and Women Inclusion to help foster job creation for groups who have traditionally been underrepresented in the energy industry. H.R. 3710 will spur our Nation’s economic growth.

Working in a bipartisan spirit, Congress can aggressively take on the problem of job creation, by supporting measures like H.R. 3710. The energy sector provides us with an exceptional starting point. In fact, we need to only look to Houston and the state of Texas for a strong example of how embracing the development of our own natural and renewable resources can play a major role in spurring our economy.

Texas stands as proof that the energy industry offers tremendous potential to provide jobs and foster economic growth. As a matter of fact, in 2008, Texas was one of the few states that saw its economy grow, grossing the second highest revenue of all states at $1.2 trillion.

As the Representative of the 18th Congressional District of Houston, Texas, I can attest to the importance of a healthy energy industry. My district is the energy hub of Texas and is recognized worldwide for its energy industry, which already pumps about $1 trillion to our economy. From Canada, and cultivating a domestic biofuels energy program, the United States could achieve energy independence within 15 years.

Expansion of our domestic energy industry presents us with the opportunity to divert the staggering amounts of money we spend on importing massive amounts of foreign oil. Instead, we can use these funds to make a considered investment in our own American energy industry, which already pumps about $1 trillion into our economy and helps create jobs for many Americans across many other industries. Furthermore, we must also bolster our investments in natural gas, wind, solar, and other forms of renewable alternative energy.

We must of course, act responsibly, and apply the safety lessons learned in the wake of the BP oil spill. Throughout my tenure in Congress, I have worked tirelessly to foster better relationship between the energy industry and regulating agencies. With an open dialogue and productive communication, we can forge compromise that will protect the environment without harming economic growth.

The benefits of a seamless domestic energy policy go beyond just creating jobs in the energy sector. A seamless domestic energy policy also promotes the ongoing need to develop the best technology to reduce risks and increase efficiency.

Demand for this technology creates an increased demand for Americans educated in Science, Technology, Engineering and Math, STEM. The energy sector can partner with educational institutions to meet that demand, foster American innovation and increase American competitiveness in an increasingly globalized economy.

The energy industry is putting my constituents back to work, and the Wood Mackenzie study indicates that increasing domestic development will create new jobs and generate government revenue.

It is time for my colleagues to join me in a truly bipartisan effort to create jobs, improve our education system, and strengthen the economy. It is time to acknowledge the age of American ingenuity and prosperity. It is time for a seamless domestic energy policy. It’s time to support job creation it is time to support legislation like the bill I recently introduced, H.R. 3710 “The Deficit Reduction and Energy Security Act of 2012.”

The CHAIR. All time for general debate has expired.

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

The amendment in the nature of a substitute, printed in the bill, shall be considered as an original bill for the purpose of amendment under the 5-minute rule. Each section of the committee amendment in the nature of a substitute shall be considered as read.

No amendment to the committee amendment in the nature of a substitute shall be in the nature of a substitute shall be considered as read.

No amendment to the committee amendment in the nature of a substitute shall be considered as an amendment on the substitute shall be considered as read.
1 day before the date of consideration of the amendment; and (2) pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered read if printed.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 2842

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 ‘‘Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011’’.

The CHAIR. Are there any amendments to section 1?

AMENDMENT NO. 2 OFFERED BY MR. TIPTON

Mr. TIPTON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, strike ‘‘2011’’ and insert ‘‘2012’’.

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

Mr. TIPTON. Mr. Chairman, this is a technical amendment that changes the year of the bill from 2011 to 2012, and I ask my colleagues to support this non-controversial amendment.

I yield back the balance of my time.

The CHAIR. Does any Member seek recognition?

The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

The CHAIR. The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. AUTHORIZATION.

Section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485b(c)) is amended—

(1) by striking ‘‘The Secretary shall be authorized to enter into contracts to furnish water’’ and inserting ‘‘The Secretary is authorized to enter into contracts to furnish water’’;

(2) by striking ‘‘(1) The Secretary shall be authorized to enter into contracts to furnish water’’;

(3) by striking ‘‘(2) shall’’ and inserting ‘‘(A) shall’’;

(4) by striking ‘‘(2) shall’’ and inserting ‘‘(B) shall’’;

(5) by striking ‘‘respecting the terms of sales of electric power and leases of power privileges shall be in addition and alternative to any authority in existing laws relating to particular projects’’ and inserting ‘‘respecting the sales of electric power and leases of power privileges shall be an authorization in addition to and alternative to any authority in existing laws related to particular projects, including small conduit hydropower development’’; and

(6) by adding at the end the following:

‘‘(2) When carrying out this subsection, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred work, or to the irrigation district or water users association receiving water from the applicable reserved work. The Secretary shall determine a reasonable time frame for the irrigation district or water users association to accept or reject a lease of power privilege offer.


‘‘(4) The Power Resources Office of the Bureau of Reclamation shall be the lead office of small conduit hydropower policy and procedure-setting activities conducted under this subsection.

‘‘(5) Nothing in this subsection shall obligate the Western Area Power Administration, the Bonneville Power Administration, or the Southeastern Power Administration to purchase or market any of the power produced by the facilities covered under this subsection and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

‘‘(6) Nothing in this subsection shall alter or impede the delivery and management of water: Provided, That water used for small conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved, nor shall it create any unmitted financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the applicable transferred work respecting the lease of power privilege and shall prescribe such terms and conditions that will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

‘‘(7) Nothing in this subsection shall alter or affect any existing agreements for the development of conduit hydropower projects or disposition of revenues.

‘‘(8) In this subsection:

‘‘(A) CONDUIT.—The term ‘conduit’ means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

‘‘(B) IRRIGATION DISTRICT.—The term ‘irrigation district’ means any irrigation, water conservancy district, multicounty water conservancy or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

‘‘(C) RESERVED WORK.—The term ‘reserved work’ means any project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

‘‘(D) TRANSFERRED WORK.—The term ‘transferred work’ means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

‘‘(E) SECRETARY.—The term ‘Secretary’ means the Secretary of the Army.

‘‘(F) SMALL CONDUIT HYDROPOWER.—The term ‘small conduit hydropower’ means a facility capable of producing 1.5 megawatts or less of electric capacity.’’.

The CHAIR. Are there any amendments to section 2?

AMENDMENT NO. 1 OFFERED BY MRS. NAPOLITANO

Mrs. NAPOLITANO. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike lines 12 through 15.

The CHAIR. The gentlemanwoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Mr. Chairman, this is a simple amendment striking out language in section 2, page 4, lines 12-15. It removes the exemption of the NEPA waiver for small conduits on Federal land.

The proponents of this measure again will note that FERC regulations allow for categorical exemption for certain conduit hydropower projects that meet statutory and regulatory criteria and do not have the potential for significant environmental impacts. This is true.

First, treatment of conduits is not the same. It is not the same as what the legislation attempts where all environmental regards are completely waived. This bill, H.R. 2842, as amended, proposes to totally exempt all small hydro from the FERC exemption process. Reclamation already has the same authority as FERC to develop a process of complying with NEPA. Reclamation has already been in the process of investigating whether hydropower developed in conduits or canals may be appropriately placed under categorical exemption.

As I stated before, the draft is already out. They are consulting with developers and irrigators to determine that this bill is what they need. They have also granted specific categorical exemptions to three LOP projects, as mentioned in my opening statement. Low impact hydropower can be efficiently developed by utilizing existing environmental review provisions.

We have seen examples of projects that have not unduly delayed project development, and I again point to the three projects as stated before utilizing the yellow pea process. I have placed the letters from the National Hydropower Association and American Rivers and others to highlight the views of the hydropower industry and the leading conservation group on hydropower.

Both are supportive of H.R. 2842 as long as it is modeled after the process used by FERC.

It would provide for proper oversight, a longstanding practice FERC has shown.

I urge my colleagues to vote positively ‘‘yes’’ on this amendment, and I yield back the balance of my time.

Mr. TIPTON. Mr. Chairman, I move to strike the last word.

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

Mr. TIPTON. Mr. Chairman, I think our opponents on this piece of legislation are confused as to actually what the debate is truly about. If it is about jobs, if it is about the American people, if it is about providing energy certainty, and if it is about reducing the carbon footprint in this country, then 2842 is a good piece of legislation.

They say conceptually they embrace it, but they want to put on the backs of hardworking Americans more cost and more uncertainty at a time when we need to create certainty and when we
need to be able to have that opportunity to be able to reduce costs.

Our opponent commented that we see no evidence that projects are being delayed. Well, the fact of the matter is, when we had testimony, Chris Trees of the Oregon Water District testified it took well over a year for a project to be approved. Many projects were not being considered simply because of the regulatory costs.

When we look at this chart on a projected small hydroelectric installation, the actual cost to build the unit is $20,000. By the time that we concur with our Democrat colleagues’ insistence that we expand bureaucracy and have more government, we are going to add an additional $50,000 in cost.

What’s the challenge for rural America? It is dollars. We have struggling communities of people that need jobs. People need to be able to be put back to work. It may, in big cities, not be big money when you start to talk about $50,000, but for our small water districts, it truly is.

This is a chance to stand up for the American people. This is a chance to be able to create clean energy for this Nation.

When we looked at examples in terms of what does overregulation by the government do, when we went through the NEPA process, no one argued as we had photos that my colleague, Mr. Gosar, had shown of constructed ditches made by men, were put into place to have the NEPA process, but then to duplicate that process, we could look at Bureau of Reclamation’s process in which it took 5 years for it to find out that it even had jurisdiction over the Klamath project C-Drop Canal in order to pave the way for conduit hydropower—5 years.

Join with us in caring about the environment, to make sure that we’re going to be delivering clean hydroelectric power—not delaying it for 5 years, not delaying it for a year, not putting more costs on the backs of the American people when they simply can’t afford it—and putting people back to work. That’s the choice we have on this legislation.

As Chairman Hastings has noted, it’s a commonsense piece of legislation. It makes sense, and it makes good common sense to vote for it.

Mr. Chairman of Washington. Would the gentleman yield?

Mr. Tipton. I’ll certainly yield to my colleague.

Mr. Hastings of Washington. I thank the gentleman for yielding.

Please put that poster back up again. That, I think, real-life example demonstrates why America is so fed up with what happens in Washington, DC. Here is a project that is affordable at $20,000, and so somebody wants to take that opportunity to perhaps make something wrong with that in our country—and you find out that the cost of regulation is 2½ times what the project is. Now, what certainty does that send to the marketplace that we want to do business? That is absolutely incredible.

And its environmental permitting costs here, in this particular example, which, of course, are exemplified by what? NEPA. And this amendment would put a common-sense solution out of proportion of the equation. In other words, under the bill that you have authored—correct me if I am wrong—that red dot, that red slice there would be dramatically, dramatically reduced; is that correct?

Mr. Tipton. I yield back the balance of my time.

Mr. McClintock. Mr. Chairman, I move to strike the last word.

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

Mr. McClintock. Mr. Chairman, this amendment, as the gentlelady has pointed out, strikes the NEPA exemption for small hydroelectric projects. Perhaps she hasn’t been listening to the debate for the last hour. The NEPA exemption is the entire point of the bill.

As our subcommittee heard earlier this year, it’s precisely this duplicative, costly, time-consuming, and energy-wasteful process that has more than doubled the cost to small hydro projects which simply makes them cost-prohibitive. They don’t apply for permits because they know they don’t pencil out once all of the studies are factored into their costs. The Bureau of Reclamation doesn’t even deny permits; it simply demands such costly environmental studies as to make these projects cost-prohibitive.

The bill authorizes these projects so they don’t have to go through the costly, time-consuming, and pointless environmental studies.

The gentlelady, several times, mentioned the fact that the Bureau of Reclamation was moving ahead with three permits in Colorado. So what’s the problem? Well, let’s look at those three projects. One of these wasn’t conduit hydropower, one was specifically approved by Congress in the 1980s, and the third took a full year to get the permitting done on an existing canal outlet. Now, if that’s what the gentlelady describes as success, I think she has just proven our point.

Let me ask her this: What is the point of requiring expensive and time-consuming environmental reviews when the Bureau of Reclamation is putting a small generator in an existing Bureau of Reclamation pipe that has already undergone extensive environmental reviews?

FERC already provides for the categorical exemption on non-Federal projects. The Bureau’s own NEPA manual, updated a decade ago, clearly allows categorical exemptions for—and this is from their manual—“minor construction activities associated with authorized projects which merely augment the use of energy not previously or more enclosed within existing facilities.” These small hydro generators precisely meet this requirement. The problem is the agency ignores its own guidelines. That is precisely why this bill is necessary.

Mr. Chairman, either placing generators in pipelines is environmentally damaging or it’s not, and anybody with a lick of sense already knows the answer to that question, and I would expect them to be supporting the bill of the gentleman from Colorado.

I yield back the balance of my time.

Mr. Gosar. I move to strike the last word, Mr. Chairman.

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

Mr. Gosar. Mr. Chairman, I rise against the amendment from the gentlelady from California.

In fact, I want to highlight two of the Arizona witnesses who have some of the most applicable understanding of this hydropower bill.

The first person I would like to quote is Mr. Bob Lynch, in which he testified: We need Congress to streamline the process both for reclamation facilities and for non-Federal facilities. A private enterprise will open up the West to a whole new product line of small hydropower facilities that can tap the energy in flowing water that is currently being wasted. If the red tape can be cut down, the cost of installing these units can be amortized. These are existing facilities and will have no impact other than to provide affordable, clean, renewable hydropower in small quantities all over the Western United States.

The second person I would like to highlight is Mr. Grant Ward, who represents one of these districts in which he testified how the permitting costs of $50,000 for every small conduit hydropower unit in his area are more expensive than the actual installation of $20,000.

So here we hear from Mr. Bob Lynch representing the Irrigation and Electrical Districts Association in Arizona, someone who has countless decades of experience and expertise in these issues, as well as Mr. Grant Ward, who represented this on the ground level, exactly dictating exactly their testimony.

So I rise in opposition to this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlelady from California (Mrs. Napolitano).

The question was taken; and the noes appeared to have it.

Mrs. Napolitano. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

Mr. Ellison. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:
SEC. 3. NO NET LOSS OF JOBS.

Section 2 and the amendments made by section 2 shall not take effect unless the Secretary finds that such section and amendments in effect, shall not result in a net loss of jobs.

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

Mr. ELLISON. Mr. Chairman, our transportation program expires at the end of March, and we are still facing high unemployment. Why aren’t we working on a real jobs bill that will create good infrastructure jobs?

The GOP has wasted about 427 days since they’ve been in charge by not producing a real jobs agenda, but it’s around transportation and infrastructure where we have real opportunity. Unfortunately, certain people have used creative titles—deceiving titles in some cases—to try to distract the public. Their transportation bill is called the American Energy and Infrastructure Jobs Act, but it wouldn’t promote jobs in energy or infrastructure. It would actually cut highway investment by $16 billion in 5 years. This would mean a loss of half a million jobs nationwide. That’s right, the American Energy and Infrastructure Jobs Act would cut 500,000 jobs. The bill would cost about 11,000 jobs in my home State of Minnesota.

Today, we’re debating the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act. Why are we talking about small conduit hydropower when we need investment in highways, bridges, transit and airports? Now, don’t get me wrong, I’m not here to run down small conduit hydropower. I just think it’s too small. Also on the floor this week is the so-called Jumpstart Our Business Startups Act, JOBS. This is a rehash of the American Recovery and Reinvestment Act of 2009 when Federal water diversions in California were waiting for us to do something. We are waiting for us to do something. We need the kind of action in this Chamber and the lack of attention being paid by the majority to the American people who desperately need these jobs.

The current transportation authorization expires at the end of March, but we are still facing high unemployment and a weak economy. We need the kind of long-term transportation policy that will repair our crumbling infrastructure and bring back good-paying construction jobs.

I have been on the House Transportation and Infrastructure Committee for 20 years this year; and up until now, the committee has worked in a bipartisan fashion and we have produced sound, commonsense legislation. But the process that could have been made has been stymied by partisan bickering and bad policy.

The current transportation bill offered by the majority would cut investment in our Nation’s highways by almost $28 billion over the next 5 years. This would mean a loss of over 500,000 jobs nationwide.

Mr. Chairman, we talk about this being a jobs bill. What is before us is a job-killing bill. But the American people are waiting.

The CHAIR. The time of the gentlewoman has expired.

Mr. McCLINTOCK. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. McCLINTOCK. Mr. Chairman, this amendment would give to the Secretary of the Interior the ability literally to unilaterally veto this measure if he finds it would result in a loss of jobs.

Now, let’s be clear of what we’re talking about here. This is the same Secretary of the Interior who came to the Natural Resources Committee in 2009 and said water diversions in California’s Central Valley were throwing thousands and thousands of farm workers into unemployment. Before the committee, he admitted that he had the authority to stop the diversions and stop throwing these thousands of hard-working families into poverty, but he chose not to do so because he said it would be like admitting failure.

This is the same administration that blissfully allowed the thousands of gulf war workers into unemployment by declaring a de facto moratorium on oil production in the gulf. This is the same administration that’s blocking energy development in the Arctic tundra. This is the same administration that’s torpedoed the Keystone pipeline and the thousands of jobs it would have created. And now the gentleman from Minnesota would give this same office the power to shut down small hydropower facilities that could add thousands of megawatts of additional electricity to our energy supplies.

I would assure the gentleman that this amendment is not for a reason is because we fully expect it to produce a quantum leap in demand for small generators; and somebody’s going to have to build them, and somebody’s going to have to install them. That means more jobs.

Now, if the gentleman is worried about jobs being lost in the regulatory bureaucracy because they won’t have as many businesses to harass, I can assure him they have demonstrated over the years a tremendous creativity in finding new ways to harass and new reasons to increase their budgets. But I say again, I don’t believe it would be a good idea to put in the hands of this Secretary and this administration yet another tool to stifle energy and job development. Now, high electricity prices might not be a problem in Minnesota, but I can assure the gentleman they are a serious problem in California; and that’s why his amendment is so dangerous.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, the bill that I’m speaking of is called the Transportation and Infrastructure Committee bill.

The Secretary of Transportation, who has served on this committee, has clearly explained what this bill in its present form will do for this country. Now, I know that probably no one wants to quote this particular Secretary, who has had inside experience as well as outside experience. He is very aware because he served on this committee during the time we worked in a bipartisan fashion.

We’re talking about highways. And because someone put a lot more extraneous stuff in this bill that does not relate to these highways, then the progress that could have been made was really stymied by this very kind of propaganda and bad policy.

The current transportation bill offered by the majority would cut investment in our Nation’s highways and kill jobs. We want to create jobs and do something about the crumbling infrastructure in this country.

Mr. Chairman, the American people are waiting for us to do something. We are working on a real jobs agenda to rebuild our infrastructure and put Americans back to work.

Mr. Chairman, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the gentleman from Minnesota for leading this position.

I rise today to speak about the current extension of the transportation bill, which is set to expire at the end of this month. I’m frustrated by the lack of action in this Chamber and the lack of attention being paid by the majority to the American people who desperately need these jobs.

The current transportation authorization expires at the end of March, but we are still facing high unemployment and a weak economy. We need the kind of long-term transportation policy that will repair our crumbling infrastructure and bring back good-paying construction jobs.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.
produce a transportation bill that will repair our Nation’s infrastructure and get thousands of Americans back to work—not to try to challenge this administration because you don’t like the administration. We want to see something that’s real and something that addresses the problem. It’s not a skirt around with a lot of ideas and a lot of propaganda that simply does not relate to this bill.

I yield back the balance of my time.

Mr. HASTINGS of Washington. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I find this debate rather interesting because the gentlelady from Texas who spoke, of course, did not speak on this bill. She spoke on another piece of pending legislation that dealt with jobs. That’s good. That pending piece of legislation, I might add, had two components to it. It had the energy component, and it had a transportation component. Both of which, of course, is pending. We know that expires at the end of this month.

But we did pass the energy component of that bill which creates tens of thousands of jobs. And I just want to point out, Mr. Chairman, the gentlelady voted against that piece of legislation. Sometimes we hear mixed messages here, but I just wanted to set the record straight.

This bill is another extension of energy production and, of course, creating American energy jobs. And with that, I find the gentleman from Minnesota’s amendment really very interesting, because what he is saying by his amendment is, unless the bureaucracy decides, by giving all this authority to the Secretary—and by the way, I’m not sure why Secretary it is because it’s not delineated in the amendment. But leaving that aside, he is saying there will be no jobs unless—what? The Secretary decides there will be jobs. Now, how ludicrous is that?

But that is precisely where we seem to be today. And I think this is, as I mentioned earlier, this is one of the reasons why I think Americans are so fed up with what’s happening here in D.C. with this sort of back and forth.

Let me repeat, this is infrastructure that is in place. There is water running through this infrastructure. All we’re trying to do is capture that energy, at no cost to the Federal Government, and create jobs and lower the cost of energy. There’s nothing more simplistic than that, Mr. Chairman.

So I urge my colleagues to vote “no” on this amendment, and I urge my colleagues to vote “yes” on the underlying bill.

I yield back the balance of my time.

Mr. TIPTON. Mr. Chairman, I move to strike the last word.

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

Mr. TIPTON. Mr. Chairman, it’s interesting, our colleagues do talk about jobs. We want to be able to create jobs, to be able to facilitate that opportunity for Americans to be able to go back to work, to be able to create clean energy right here in the United States. As my colleague was pointing out, a commonsense approach.

We’re going through existing conduits, what we call in our part of the world ditches, to be able to capture that energy, to be able to deliver it to allow local decisions to be able to be made.

But our colleagues seem to want to make sure that we’re standing up, or they are standing up, for the status quo, and that just means say no—say no to clean energy. No, join with us and support clean energy and hydroelectric power.

You’re saying no to jobs. Join with us to be able to create jobs right here in this country and be able to put our people back to work.

We have to skirt around with a lot of ideas and a lot of propaganda. This amendment will simply grow more government.

And as we saw from testimony in our committee and charts that have been shown during this debate, there’s no need to put more expense on the American people, who simply cannot afford your stand to build more government.

This is an amendment that deserves to be rejected. I ask for that, and ask for a favorable vote on H.R. 2842. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was rejected. Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCLINTON) having assumed the chair, Mr. CHAFFETZ, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill to authorize the Secretary of the Interior to sell to the highest bidders all public lands within the States of Idaho, Oregon, and Utah for the purpose of converting the public lands of those States into national forests.

DESTRUCTION ACROSS SOUTHERN INDIANA

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

Mr. PENCE. We are told to mourn with those who mourn and grieve with those who grieve.

Mr. Speaker, is that what we are to do today. Across southern Indiana, in small towns like Henryville, Marysville, Pekin, and others, Hoosier families and communities are picking up the pieces after one of the most devastating tornadoes in my lifetime swept through our State.

I come to the House floor today to pay tribute to the lost, and to those who lost their homes and their businesses, and pay tribute to the first responders and to the countless thousands of Hoosiers who have come alongside their neighbors in this grievous hour.

Close to millions of Americans have witnessed on television, these violent storms left utter destruction in their wake across a three-State area. Schools, businesses, and homes were reduced to piles of rubble. Cars were flipped and thrown about as if they were toys. Some communities, as one local official said it, were “completely gone.”

In the Hoosier State we lost 13 lives, including an entire family from Pekin, Indiana. Yet in this dark hour, for so many families, as is always the case in the Hoosier State, we hear stories of communities coming together to rebuild. Despite the snow and cold that follow, the Hoosier spirit, the generosity, community spirit in full display.

Over the coming days, weeks and months the wounds will heal, debris will be cleared, homes and businesses and barns will be rebuilt. And as the Federal Government makes its assessment today about Federal support, we look forward to supporting all Federal assistance.

But I rise today to commend Governor Daniels, the Indiana National Guard, the Indiana State Police, all of our first responders and Homeland Security and community leaders for their decisive leadership in this moment.

But I also rise today to commend all of those who stepped forward to provide a helping hand, either with time or talent or treasure, volunteers donating food and clothing and labor. It is profoundly inspiring and humbling, and makes me proud to be a Hoosier.

May God comfort the families of the lost, and give strength and courage to those who will rebuild in the wake of these storms.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

The SPEAKER pro tempore (Mr. FINCHER). Under the Speaker’s announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Mr. Speaker, today, as you heard, the House, the Congress as a whole and the 10th District of New Jersey, our Nation, the countries of Africa and the Caribbean, of Ireland, where he was an honorary citizen and, indeed, the world, has suffered a great loss. DONALD PAYNE was a friend who advanced this world and all of its people, but particularly for the sons of Africa here and worldwide.

Tonight I am honored to chair this Special Order in his honor, and to recognize my colleagues from both sides of the aisle who will be coming to pay tribute to DONALD PAYNE.

I’d like to begin by asking unanimous consent that all Members might
have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of the Special Order.

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

There was no objection.

Mrs. CHRISTENSEN. I'd like to begin by yielding 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, DONALD PAYNE played a very special role in my service, for 3 straight hours. I didn't know him nearly as long as many other Members, and I guess I probably didn't know him as well; but there is no doubt that as a Member coming into Congress trying to figure out how to be the best Member I could be, DONALD PAYNE was one of the people who I admired and looked to, and no more so than when he was fighting for the human rights of all people.

DONALD PAYNE gave me a new and unique opportunity to see the horrors unfolding in Darfur, explaining the complexities as it related to making sure that Darfurians not only got relief, but also it related to making sure that the government’s horrific human rights abuses.

Congressman PAYNE was the sponsor of the congressional resolution calling attention to the horrors unfolding in Darfur, a resolution which was rightly labeled as “tragedy,” “genocide.” The list goes on and on.

I had the honor of being with Congressman PAYNE in Nairobi, Kenya, in 2005 for the historic signing of the Comprehensive Peace Agreement which marked the end of a brutal civil war between the north and the south which spanned 21 years and claimed the lives of more than 2 million people. Congressman PAYNE labored for years to see that everyone of more than DON PAYNE to bring about the new country, which is now the country of southern Sudan.

He, fittingly, returned to South Sudan in July of 2011 to join the people of that land in celebrating their long-awaited independence, a fulfillment of the promise. Upon being chosen to be part of the official U.S. delegation, Congressman PAYNE issued the following statement. He said:

As a ranking member on the House Foreign Affairs subcommittee on Africa, Global Health, and Human Rights, I have been committed to helping Sudan achieve peace and justice.

Indeed, he was committed. Congressman PAYNE worked hard. He traveled to the region countless times. He experienced the people suffering, and then he acted. Congressman PAYNE heard the people suffering and never chose to look the other way.

My thoughts and prayers are with Congressman PAYNE’s family as they grieve, and Congress will profoundly miss his voice, as will thousands of others around the world.

Mrs. CHRISTENSEN. I would like to yield 2 minutes to the Congresswoman from Texas, Congresswoman ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the gentlelady for yielding and for leading this Special Order for our good friend and colleague, DONALD PAYNE, whose passing leaves me shocked and deeply saddened and marks 12 terms and 18 years of service in the House of Representatives.

DON was a friend. He was more than a colleague. He was the kind of friend you could always strike up a conversation with about matters technical or just matters at hand because DON was easy of manner but strong of conviction.

DON was a real path breaker and history maker. He came to Congress as the first African American to serve in Congress from the state of Nebraska. He followed the great Peter Rodino, who had served Newark for decades. Newark had become a majority African American city, but DON grew up in a neighborhood that was as Italian as it was black and felt comfortable with people of all ethnic groups.

When Congressman Rodino, who was then chair of the House Judiciary Committee, retired—that was, of course, before I came to Congress, but it was more often commented what happened and the logical person to win that seat, plunged into his work for a city that needed a man of his depth of understanding and conviction of their problems, their education, their health care, their housing needs.

For Newark, when the Congressman came here 12 terms ago, personified, symbolized the great urban communities of our country and the upheavals that they were undergoing. He plunged into that work, and yet he was able, at the same time, to become perhaps the House’s most expert Member on Africa and the Caribbean.

DON was a leader on Africa, who did not work from the newspapers or the journals, but traveled the continent and came back with firsthand information. As the highest ranking Democrat on the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, he worked to promote human rights around the world and helped secure billions of dollars in foreign aid for treating HIV/AIDS, tuberculosis, and malaria.

It is difficult to lose a member of the Congressional Black Caucus. We’re small but very connected. And it’s difficult to lose a member. The Congressional Black Caucus as well.

There’s thoughts and prayers of course with his family today in this difficult time.

Mrs. CHRISTENSEN. I’d like to yield 2 minutes to the Congresswoman from the District of Columbia, Congresswoman KAREN R. NELSON.

Ms. NELSON. I thank the gentlelady for yielding and for leading this Special Order for our good friend and colleague, DONALD PAYNE, whose passing leaves me shocked and deeply saddened and marks 12 terms and 18 years of service in the House of Representatives.

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first. Go to the expert first, find out if you're on the right foot, and then perhaps move forward.

Don was rigorous in his evaluation of the leadership of the various countries of Africa. He never withheld when an African conducted the strongest form of criticism. The United States and his own strong criticism. Thus, his leadership was trusted across the Congress when he stepped forward with his views. He worked with every President because Republican and Democratic Presidencies. We've been very public in the issues affecting Africa; and they, like us, turned to Don on those issues.

Where will we find such a Member today? Is there such a Member who has devoted so much of his life not only to urban America, but especially to Africa, who knew everything, knew everyone, and knew anything we needed to know?

Don will be greatly missed by this Chamber. He will always be remembered. I speak for us all when I say that his family has our deepest sympathy and our everlasting love.

Mrs. CHRISTENSEN. Thank you, Congresswoman.

I would like to yield 2 minutes to another colleague from New Jersey, Congressman Frelighuysen.

Mr. FRELINGHUYSEN. I thank the gentlewoman for yielding.

Don Payne and I have been friends for over 35 years. We served together in county government as freeholders in New Jersey's 19th congressional district, Morris and Essex Counties, before he preceded me to Congress.

During his service in this House, he worked long and hard on issues that literally cried out for attention.

At home was his steadfast commitment to ensuring that our Nation's children had the best quality education possible.

Abroad he focused on global public health issues like childhood survival and human rights on the continent of Africa and elsewhere. Don Payne took up the cause for suffering people around the world and gave voice to their plight even at great personal risk.

Mr. Speaker, Don Payne loved Congress, he loved public service, he loved New Jersey, and he loved his hometown of Newark.

I was proud to work with him to revitalize the Passaic River in Newark, that waterfront that for many years had remained inaccessible to the public.

Don will be sorely missed, especially for his dedicated service to his constituents over many decades. I'll never forget his valuable service and his enduring friendship. We've lost a great principled man who lived a life from which we could all learn something.

May the tributes and prayers of so many of his colleagues here this afternoon today be a source of strength to his family.

Thank you.

Mrs. CHRISTENSEN. Thank you for joining us for offering those words on behalf of Congressman Payne.

I would now like to yield 2 minutes to the Congresswoman from California, another dear friend of Congressman Payne. Lynne Woolsey.

Ms. WOOLSEY. Mr. Speaker, I rise to pay tribute to a man I loved, a man I respected, a friend for life, and a mentor.

When I came to Congress, I couldn't have picked a better mentor: a public school teacher from New Jersey, someone kind and smart, dedicated, actually burning in his belly about issues of value and conscience.

I served on Congressman Payne's Africa Subcommittee. He served on my Workforce Protection Subcommittee. On both panels, I benefited from his wisdom, advice, and his expertise.

As change continues and as change continues to come—particularly to Africa in the coming years—we'll all remember the role that Donald Payne played in laying the groundwork in helping make that change happen.

A true statesman and a humanitarian, Donald's death this morning already leaves an indescribable void. Donald Payne had a huge heart and a keen mind. And believe me, I will miss this guy. That was true in person too. He was not a you're-on-your-own kind of guy. He was better together than separately. He was a strong advocate for peace, democracy, and human rights to Africa. He almost gave his life for the cause a few years ago when his plane was shot by rebels as he prepared to come home after a Somalia mission that actually the State Department had turned him against.

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Mrs. CHRISTENSEN. Thank you, Congresswoman Woolsey.

I would now like to yield 2 minutes to another colleague from New Jersey, Congressman Lance.

Mr. LANCE. Thank you very much, and thank you for yielding.

The Payne family occupies a fabled position in the history of Newark, New Jersey's largest and greatest city. The whole family has been involved in public service; and, of course, Congressman Payne's public service here is of almost a quarter-century duration.

Congressman Payne succeeded Congressman Rodino, the distinguished chairman of the House Judiciary Committee at the time of Watergate, well-known in American history. Congressman Rodino succeeded Congressman Hartley, who was the Congressman from that part of New Jersey for a generation, he, the author, with Senator Taft, of the Taft-Hartley Act.

Over the course of the 20th century, in the district that has been represented by Congressman Payne for a quarter-century, the provenance of that district is Fred Hartley, a Republican, of the Taft-Hartley Act; Peter Rodino, the distinguished chairman of the Judiciary Committee during Watergate; and now for 24 years, Donald Payne. The character of that district is the character of the Nation and certainly the character of the great city of Newark over the course of the 20th and into the 21st century.
The Payne family not only includes the distinguished Congressman, but his brother, Bill Payne, with whom I had the honor of serving in the New Jersey Legislature. His brother, Bill, and I worked together in the creation of the Amistad Commission in New Jersey. Of course, that before the work dealing with the work of the great Amistad trial based upon the mutiny in 1839 of a slave ship, so brilliantly defended by John Quincy Adams, whose portrait hangs 10 feet from the entrance of the House of Representatives. And in working with Congressman Payne’s brother, Bill Payne, in the New Jersey Legislature, I got to know the Payne family and certainly, through his brother, Bill, I got to know the Congressman, and what a great honor for me to have served here in Congress with Don Payne.

Mr. Speaker, finally, several days before Martin Luther King was assassinated in Memphis, he was in Newark, and I was at the request of leaders there, including Donald Payne and William Payne. Among the most prized possessions of the Payne family are photographs of Martin Luther King taken days before his assassination as the Paynes were attempting to bring about justice in the city of Newark. Certainly no Member of the House of Representatives was more committed to justice, not only here in this country, and within this country, in the city of Newark and the State of New Jersey, but across the globe, so that children in poverty could have a decent quality of health care and, as has been cited, the Congressman almost lost his life in that regard.

The country is poorer for the loss of Donald Payne, but this country is greater for his public service, his public service on the governing body of the city of Newark, his public service as a county commissioner—we use the term freeholder in Essex County, New Jersey—the service to the State, and I respectfully suggest, to the United States of America. We mourn his loss, but we celebrate his life.

Mrs. Christensen. Thank you, Congressman Lance.
I yield 2 minutes to the Congressman from Texas (Mr. Al Green).

Mr. AL GREEN of Texas. I thank the gentlelady.

Mr. Speaker, it is said that a politician will always rise to the occasion, and the Honorable Don Payne did rise to the occasion on many occasions. But it is also said that a statesman makes the occasion. Don Payne was more than a politician, he was a statesman. He made the occasion in Darfur, where he went to make sure those who were suffering, among the very least, were very last, the very least, knew that they would have an opportunity to have a better quality of life, and he was to this day still working to help the people of Darfur. He made the occasion when it came to AIDS, $50 million, $50 million to help those who are beset with this disease. He made the occasion when it came to working with his colleagues, pulling us together, helping us unite to do things collectively that we could never do alone, and through that, it builds a relationship among his many relationships. When I think of Donald Payne, I will always remember that he was a person of honor. He honored his word. To his friends his word meant something, but more importantly, he honored his word to foes, people who disagreed with him. Once they had his word, they had a word they could count on.

I will remember that he was a person who respected this institution. This institution meant something to the Honorable Don Payne.

What this institution stood for and how we could utilize this institution to make a difference in the lives of others was important to him. He was a person of valor. He would stand with you. He was determined. He was a fighter. He could stand firm. I’ve told, in Africa as he was trying to help others.

And finally, I will say this: I truly do believe that God is good all the time.
Even under circumstances such as these, I believe God is good because we didn’t have to have him for 77 years. We didn’t have to have him in this House for 12 terms. I didn’t have to have him as a friend for 8 years. I believe that God is good all the time, and I am so proud that God allowed him to come this way and I had the benefit of calling him my friend.

DON, we love you, and I know that wherever you are, there is a statesman there who is making the occasion.

Mrs. CHRISTENSEN. I thank Congressman GREEN, and now I would like to yield to another colleague from New Jersey and friend of DONALD PAYNE, Congressman SMITH.

Mr. SMITH of New Jersey. I thank you very much and appreciate the gentlelady for yielding. Let me join my distinguished colleagues in expressing our deepest condolences to DON PAYNE’s family. He was truly a remarkable man. I had the privilege of sitting next to him for about 15 years as I was the chairman or he was the chairman of the Human Rights Committee as well. I was his ranking, he was my chairman, and we always worked in a very cooperative way. We always had mutual respect, and he had such a deep compassion for the people who have suffered so much on the continent of Africa.

DON PAYNE was quiet, but always determined. Extremely thoughtful, a humanitarian in the extreme, and he fought for so many important issues. You know, it was not a slam dunk or in any way a given that PEPFAR, the President’s Emergency Plan for AIDS Relief, would become law. DON was there working in a bipartisan way to ensure that sufficient funding, sufficient authorities were given to the U.S. Agency for International Development to mount a massive effort to combat the pandemic of HIV/AIDS. He did the same thing with malaria and the Malaria Caucus, and he did the same thing with tuberculosis, which sadly is an opportunistic that affects so many people who have HIV/AIDS.

On the Sudan Peace Act, again when we were looking and working so hard to try to stop the slaughter in South Sudan, there was DON PAYNE working every day of the week to ensure that somehow peace would break out and the genocide would end there, as well as in Darfur.

Again, I know that he cared deeply because I was there having those conversations with him day in and day out. You know, very often in my Subcommittee on Human Rights when I chaired that and he was the ranking member, we would go on receiving testimony for hours. There would be two Members left standing in the room, DON PAYNE and me, because he cared so deeply about human rights globally, as well as in Africa. He will be deeply missed. Again, a great man, a great voice, fighting for what was right, his passion mourned by everyone in this Chamber and everybody in the State of New Jersey.

God bless him, God bless his family; and thank you, DON PAYNE, for the great work you did in the U.S. House of Representatives.

Mrs. CHRISTENSEN. I thank Congressman SMITH, and now I’d like to yield to the gentleman from Michigan (Congressman CLARKE).

Mr. CLARKE of Michigan. Mr. Speaker, I want to thank the gentlewoman from the Virgin Islands for yielding to me.

I am one of the newest members of the Congressional Black Caucus. Being a freshman here in this body, you become immediately aware of the tradi-tions of the House. For example, male Members of the House are referred to as the gentleman from the State that they represent. DONALD PAYNE was a gentleman not because he was elected to Congress but because he was a good, decent human being. He welcomed me with open arms as a new guy from Detroit that very few in the House even knew about.

Less than 2 weeks ago, DONALD PAYNE returned a call that I had placed to him. We had a short, but gracious, conversation. And I knew after I hung up the phone that I would see him soon right here in the Halls of Congress, but that never came to pass. The lesson is clear to all of us: our time, our life here on Earth is very fleeting. Let’s do everything we can to cherish each moment, not necessarily to pursue a wild ambition or a great thing, but just to be like DONALD PAYNE, respecting others, caring for others. That’s what he stood for.

Mrs. CHRISTENSEN. I now would like to yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I thank the gentlelady for yielding me this time. Just a few hours ago, we lost a dear friend, an esteemed and honored and respected colleague, Congressman DON PAYNE of New Jersey.

DON was a proud member of the New Jersey delegation. He was a faithful servant to his constituents. For more than two decades, he served them in this body. He was also a committed member of our Foreign Affairs Committee. He was chairman and the ranking Democrat on the Subcommittee on Africa, Global Health and Human Rights; and in that capacity he showed us his unwavering commitment to resolving the conflict in Darfur, in particular, and especially in Africa. He shone the light on human rights abuses throughout the world. DON’s tireless efforts provided a voice for the afflicted and for the oppressed.

We are saddened as an institution, as a body, and as friends by the loss of such a courageous and loyal and conscientious public servant. DON will be greatly missed by our Foreign Affairs Committee because he was such a tireless advocate for the causes for which he felt such passion.

He will be missed here on the House floor because he was ever present whenever there was an important issue to be debated. He will be missed in his home State of New Jersey where he was so revered and respected by his constituents whom he so faithfully served. He will be missed especially by the thousands and, indeed, countless people whom we will never know who he helped and he impacted throughout his tenure and long career in public service.

So without a doubt, Congressman DON PAYNE’s contributions will be remembered for many years to come, and our thoughts and prayers are with all of the Members of the Payne family and all of the people whom he touched in a very special way.

I thank the gentlelady for the time; and in our Foreign Affairs Committee tomorrow, we will hold a special remembrance for Congressman DON PAYNE.

Mrs. CHRISTENSEN. Thank you, Congresswoman ROS-LEHTINEN. And now I would like to yield to the gentleman from American Samoa, Congressman FALEOMAVAEGA.

Mr. FALEOMAVAEGA. I do want to thank the gentlelady from the Virgin Islands for managing the time for our colleagues in this Special Order that has been taken to honor our good friend who has just passed away, Congressman DON PAYNE.

Don was my classmate. We sat next to each other for the past 23 years as members of the House Foreign Affairs Committee. We were talking about the situation where it looked very interesting as proud Americans.

I am so proud that God allowed him to have him as a friend for 8 years. I believe that we didn’t have to have him in this Chamber, DON PAYNE and me, because it has been truly an honor to be sitting next to my brother, DON PAYNE, and to commit to the idea that as a champion and advocate for the needs of the poor, the great champion of human rights throughout the world, not just towards Africa, but also other regions of the world, DON PAYNE and I worked on the plight, the needs of the people of West Papua, New Guinea.
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I always have remembered Don Payne’s admiration to me every time we discussed issues about fairness and equality. He said,

Eni, let me just remind you of what Martin Luther King, Jr., once said: “In the end, we will remember not the words of our enemies, but the silence of our friends.”

I think it’s so true in terms of what he instituted in my own heart and mind: you can’t just sit back and just let others go through. We’ve got to be proactive and expressing ideas that will solve the many issues and the problems that we are faced with, not only in our own country, but throughout the world.

I want to express my deepest sympathies and condolences to the family of my brother, Congressman Don Payne. And I’m reminded of the saying, “blessed are the peacemakers, for they shall be called the children of God.”

I have written a friend of mine, Don Payne, whom I’ve had the honor and privilege of witnessing his life as an example not only to our colleagues, but certainly to the Members of the American people. Both in deed and by his conduct, Don Payne was truly a statesman, and his voice will be surely missed in the years to come.

Mr. Speaker, I am so happy to see that so many of our colleagues are here to pay special tribute to this great man, a gentle man, and yet by such great tremendous example showing us what we should be doing: going about and helping other people. I want to wish him well. We have a saying in my culture, “Ia manuia lau faiga malaga”—“May you have a good voyage.”

Mrs. CHRISTENSEN. I thank the gentleman from American Samoa.

I would now like to yield 2 minutes to the gentlelady from Illinois, Congresswoman Scharowsky.

Ms. SCHAROWSKY. Thank you for this opportunity to speak about a really good friend of mine, Don Payne. When I heard that his situation was grave, I called his brother Bill, whom I had gotten to know on trips he and Don took, and had the privilege then of speaking with Don. He was in hospice. This was just a couple of days ago. And I was able to tell him how much I loved him and able to tell him that I hoped that he found peace and comfort in the knowledge that he helped so many people in this world.

Don Payne was a real citizen of the world, a quiet and dignified gentleman, but he had a direct commitment to justice and human rights everywhere. He was really the de facto ambassador to Africa. No one in this Congress knew or cared more for the people of Africa. He also personally knew the leaders, and they respected him. His knowledge and his relationships will leave a big hole here. He was the go-to person. If you wanted to know anything about what was going on, the political situation, or who was who on the continent, Don Payne was the one to go to.

As I said, I was able to travel with Don and Bill to many places around the world and always listened carefully, as everyone did, when Don spoke with the kind of knowledge that he had about all things dealing with foreign relations, about all things dealing with human rights. So my heart goes out to my good friend, Bill Payne, to the children and grandchildren of Donald Payne, my beloved friend, whom I’ll miss so much.

Mrs. CHRISTENSEN. Thank you, Congressman Scharowsky.

I would now like to yield 2 minutes to another friend of Don Payne from New Jersey, Congressman Bill Pascrell.

Mr. PASCRELL. Ladies and gentlemen, the House has lost a real advocate, a person who respected this institution and who understood what it was. So I know I speak for all of us when I say our condolences to the family and our condolences to his constituents. He served most distinctly.

Rather than tell you some things I was going to tell myself about my relationship with Donald, I got a letter this afternoon, and I think it’s appropriate if I read this letter on the floor of the House because it tells us that Donald Payne was not just interested in issues and politics as a humanitarian went beyond that.

Sinn Fein President Gerry Adams has spoken of the deep sadness at the death of United States Congressman Donald Payne. On behalf of Sinn Fein, on behalf of those in Ireland who met Congressman Payne on his many visits here, the Sinn Fein leader extended his deepest sympathy to Congressman Payne’s children and his family circle and many friends. And this is what Gerry’s own words are:

Donald Payne was a champion for the disadvantaged and the downtrodden in the United States and around the world. He devoted his life to promoting civil rights, equality and democracy. My friends, just think who is saying this. A man of valor, a very courageous person, Gerry Adams. This is how close we were. I’ve gotten to know each other too much in this place. We are a team.

My friends, just think who is saying this, a man of valor, a very courageous person, Gerry Adams. This is how close we are in the tribe of humanity and how many times we fail to recognize it.

I met Donald many times both in Washington and in Ireland. He was always very interested in Ireland and had visited the north before the cessations in the mid-1990s. Donald was very supportive of the Irish peace process from the beginning and was a regular participant in briefings which I and other Sinn Fein visitors gave to political leaders on Capitol Hill.

Many of us were there, many of us in this room.

He was also a frequent member of congressional delegations that visited Ireland. Donald will also be fondly remembered by citizens on Garvaghy Road, in north Belfast, and the Short Strand, which he visited at a time when efforts were being made to force controversial Orange marches through those districts.

His experience as a civil rights campaigner resonated with his audience in west Belfast when he spoke there during the west Belfast Feile on the issue of equality and anti-discrimination laws.

During a debate in Washington on the McBride principles he remarked that: “I and other members of the Congressional Black Caucus can easily identify with the Catholic minorities. I recognize many similarities in how they are treated with how people here were treated.”

Donald was a thoughtful, generous and well-informed politician who was personally dedicated to improving conditions for others throughout the world. Over the years, I’ve had to extend regrets and deepest sympathy to his family and his friends. Go neanalnaih dia trocaire as a n’anam daill—may he rest in peace, and may all of his friends gather in this institution that he loved so well.

Mrs. CHRISTENSEN. Thank you, Congressman Pascrell. And thank you for bringing the sympathies of Sinn Fein to the floor.

I would now like to yield 2 minutes to a person who served with Don for quite awhile on the Foreign Affairs Committee, Chairman Dan Burton of Indiana.

Mr. BURTON of Indiana. I thank the gentleman for yielding.

You know, we judge, as Congressmen, our colleagues based upon their ability and how hard they work. But the thing I liked about Don Payne, as a colleague with whom I worked for 24 years on the Foreign Affairs Committee, was that he was a nice guy. He was really a nice guy. Even when we had our differences—and there were many when we served on the Africa Subcommittee together—we would debate, and then we would walk together down the hall and talk as friends and still discuss our differences, but we did it in such a friendly way, and I really liked the guy.

One of the things I think is so important is we really don’t get to know each other too much in this place. We have 435 of us. And people come who are wealthy and some who are very poor, some who came from bad beginnings and tough beginnings and some come from the top; and we don’t get to know each other very well. But I knew Don Payne because he worked so hard for the people he represented in Newark, and he really fought for them.

He wanted a garage in Newark because he saw the business downtown. When he spoke there during the west Belfast Feile on the issue of equality and anti-discrimination laws.

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know his staff is going through a difficult time right now as well as his family, so I want to extend my deepest sympathy to them as well.

Mrs. CHRISTENSEN. Thank you, Chairman BUTTON.

At this time, I would like to yield 2 minutes to another colleague from New Jersey, Congressman ROB ANDREWS.

Mr. ANDREWS. I thank my friend for yielding.

Sometimes the quietest voices are the ones that have the greatest impact. DONALD PAYNE always spoke quietly, humbly; but as we reflect on his life, the impact is monumental.

Tonight, there are villages in Africa where people have self-determination, human dignity, education, and health care because of the impact of his voice and his life. There are people working in the city of Newark, the counties of Essex and Union and Hudson because of businesses he helped to bring and schools he helped build and progress he helped to make.

As we heard my friend BILL PASCRELL talk about, there are people in Ireland from very different heritages and backgrounds that DONALD brought here who are celebrating his life because of the reach of his voice and of his life.

I think, most importantly, the impact of his voice is the hollowness and sorrow that we all feel here in this institution because the quietness of his voice brought us together at times of discord and stress. DONALD believed passionately in his progressive ideology, but he believed with equal passion in tolerance for those who disputed it. DONALD fought fearlessly for the causes in which he believed and he and others believed, but he never fought the rights of others to express differing views. He cared very personally about his causes, but he never took personally those who disagreed with them. This is a lesson that we should learn and abide by in this institution in years to come because it makes us better people and it makes our institution stronger.

Later this week, it is a remarkable thing that this humble young man, a school teacher, a leader in the YMCA who at the beginning of his career lost many more elections than he won—lost two elections for the county executive position, lost multiple attempts to become a member of the city council or even on the floor. He had a passion for the diaspora. And I joked with him that everywhere I've ever been in this institution, every official or a king or prince or potentate in the diaspora who does not know the name of DONALD PAYNE.

And what I hope will happen is one of the Members will pick up the mantle and delve into the issues and matters of foreign relations as has DONALD PAYNE. Somebody needs to step up to the plate and do that.

My final comment is this: I hate cancer. I hate cancer. I can't think of a human being that I hate, but I hate cancer. And in my hatred of cancer, I have come to the realization that all of us are temporary, that we are not permanent creatures. No matter how
strong and healthy we feel we are, we are all temporary. And if we understand our temporariness, it might inspire us to be just a little better, a little kinder, a little nicer, a little more receptive to others, because we are temporary, as we are all in this place.

Now, I conclude by saying that life must end, but death is not a cul-de-sac. It leads somewhere. And if Donald Payne is not there, that door must be locked and the rest of us can give up. He was about as good and decent and lovely a being who’s walked these Halls, and I’m glad that God gave me the chance to know him.

Mr. ROE of Tennessee. I now would like to yield time to the minority leader from California (Ms. Pelosi).

Ms. PELOSI. Thank you, Mr. ROE, for yielding. I thank you and I thank our colleague, Congresswoman CHRISTENSEN, for taking this Special Order today so that we can sing the praises of a great man, our colleague, dear friend, and my fellow Democrat, Donald Payne. I waited. I said I wanted to go after Mr. CLEAVER because I didn’t know how I was going to even have the strength to come to the floor because this is a personal as well as official loss to me, and Mr. Payne is a source of strength to us, putting in perspective the fragility of life and the value that we must place on the contribution of all of our colleagues, especially when we are blessed with the life, the service, the wisdom of a gentleman like Donald Payne. There are very few people that you can say “someone like Donald Payne,” because he was exceptional and unique.

When the distinguished Mr. CLEAVER and Reverend CLEAVER says that we have to fill in where and take his mantle, that would be almost impossible to do because, over a lifetime, in public service, and a long time in the Congress of the United States, Donald Payne valiantly engaged on issues that takes years to do. But he did teach us along the way. He gave us guidance on what paths to follow, what clues to recognize, and doing the right thing. Whether it was in the continent of Asia, Africa, or Latin America, wherever it was, and in our own country.

I had the privilege of traveling with Donald Payne when we were going to Darfur. He didn’t want to go to the Sudan. He’d been there many times, Darfur, but that didn’t mean that he was boycotting the regime in Khartoum because of how they treated their people there. And while we were in Khartoum and in Darfur, he was in Ethiopia and Somalia and the rest, always working, always working. He had policy advice to all of us and caring about what the impact of that policy was on people.

What was interesting to us, though, it was on that same trip to Africa, which many of the members of the Congressional Black Caucus were on, including our distinguished leader, Mr. CLYBURN, when we went to Liberia it was a boiling hot day. And we all went to the AME college there, the AME university, and they were honoring Donald Payne for his everything, for what he knew about Africa, for his values and how he was concerned about, again, policy as it related to people, the encyclopedic knowledge that he had, the great wisdom that he shared from that knowledge, the plans that he always had to make things better, and the way people just flocked to him because they would learn, they would be inspired, and they would love Donald Payne.

It was a day that we went there and they decide that we’re all going to dress alike that day, so it even got hotter as we donned our robes. And here we were, seeing—not only telling them the esteem with which he was held in Congress, that was the least of it, because what we were hearing was what people from around Africa, the esteem in which they held him, named a library for him at that university in Liberia.

He was a schoolteacher, and he never forgot how important it was for us to put our students first. He called them the bright lights of our Nation’s future, for investing in their potential, for inspiring them to succeed, igniting the sparks that they had within them to do their very best.

He was very proud of Newark and serving there. I remember when he first came here, his work on behalf of his constituents, his neighbors, the middle class, working people, people who were striving to receive into the middle class, he was always working for them.

He was New Jersey’s, as has been mentioned, first African American Member of Congress. He remained a committed champion of equality and opportunity for all. His accomplishments, both on his committee, where he served with Congressman George Miller, where the members were held in the highest esteem, and now the Foreign Affairs Committee, where he serves with Congressman Howard Berman. Well, to hear the two of them talk today as if they have lost a brother, and we all have.

We all have an appreciation of his hard work ethic. The knowledge that he brought to his subject, the concern he had for the American people, and the love he had for our country.

Just think, last week we had a visit to our office from Bill Gates coming to our office to talk about the issue of global health, and he asked if Donald Payne could be in the meeting. We had hoped that would be possible but then had to say that he was not feeling well that day. That was a week ago.

But up until the end, he was in demand, recognized for his, again, standing on issues that related to the alleviation of poverty, the eradication of disease, again, alleviation of hunger through food aid. And what more could be about the gospel of Matthew than ministering to the needs of God’s creation, which the Bible tells us is an act of worship. To ignore those needs is to dishonor the God who made us. Donald Payne was all about worshipping God by ministering to the needs.

He was an expert on economic, political, and security situations throughout Africa, and I had the honor of being in the White House with him and having the extraordinary work around the world. I was proud to recommend that President George W. Bush name Congresswoman Payne, our representative of the House Democrats, at the United Nations, specially it was permanent. In the case of Donald Payne, we went beyond that in recognition of the extraordinary contribution that he makes.

So again, whether it was in his own district, whether it was Newark, New Jersey, or across the world, he was a powerful and passionate voice. I hope it’s a comfort to his children—to Donald, Jr., to Wanda, and Nicole—and all who loved Donald Payne, his dear brother, Bill, who traveled with him frequently and loved him so much, I hope it’s a comfort to them that so many people who knew him well, loved him so much, mourn their loss and are praying for them at this sad time.

With that, Mr. Speaker, I again thank Mr. ROE and Congresswoman CHRISTENSEN for the opportunity to say just a few things about our dear friend who will be sadly missed and long remembered. His legacy lives on in the Congress of the United States.

Mr. ROE of Tennessee. I would now like to yield time to the distinguished gentleman from Maryland, Mr. Steny HOYER.

Mr. HOYER. I thank the gentleman for yielding.

This is a sad day for America. It’s a sad day for the Congress. It’s a sad day for our African American brothers and sisters who have lost a real leader and an extraordinary friend.

I first met Donald Payne when I was in my mid-twenties. He was active in the Young Democrats in New Jersey, and I was active in the Young Democrats in Maryland, and that’s how we first met. Don was about 6 years older than I am. When you’re in your middle twenties, somebody in their thirties is really old. But we all saw him as a very serious individual, serious about his activities, serious about his objectives, serious about the people.

He had an extraordinarily productive career. As the leader has mentioned and as I know other speakers before me have mentioned, he was a teacher. He was a teacher in the tradition of Frederick Douglass. Frederick Douglass, a fellow Marylander, said that it is easier to build strong children than it is to repair broken men. Donald Payne was focused on that concept as a teacher.

Then throughout his life, he was focused on making sure that America kept faith with the world; that its values, that its hopes, its visions for ourselves were also our hopes and visions for others.
DONALD PAYNE, before he came to the Congress, I think had traveled to more countries than perhaps any other Member of Congress. He cared about people, and particularly people who lived in Africa. I think there was no Member who cared more than DONALD PAYNE, no Member who risked more for the welfare of those who lived on that continent.

My first trip as majority leader, I went to Sudan and to Darfur. I made that first trip because, at that point in time, it was one of the most troubled—and still remains—lands in our globe. DONALD PAYNE, unfortunately, could not go on that trip. He had another thing to do.

But we had a briefing before we went, and DONALD PAYNE was there. It was clear from those who briefed us that DONALD PAYNE was obviously the person they looked to for knowledge and insight into how we could get from where we were then to the places, to what is now the independent South Sudan, and hopefully it will remain so, notwithstanding the violence of Sudan itself.

DONALD PAYNE was an extraordinarily conscientious Member of this body, but more than that, he was a man who cared about his fellow man and fellow woman. DONALD PAYNE was a serious Member of this body.

That does not mean he was always serious. He had a sense of humor. He was a wonderful, engaging person, but he was serious about what he did, and it reflected how deeply he cared about those whom he served and about his country.

We could all speak for Special Order after Special Order after Special Order and still not reach the magnitude of praise and thanks that he deserves. Suffice it to say that this body was a better place for his presence for his service. As Reverend CLEAVER so eloquently intoned, we were better people for having been his friend and his colleague and his co-worker.

I am pleased to join all of you who, like me, knew DONALD PAYNE as a Member of Congress, yes, but as a human being, as an individual, as someone who cared about us, and we cared about him.

I join Leader PELOSI and all of you and our friends on the other side of the aisle, because DON worked across the aisle. DON was not an observer of partisan differences, although he understood they existed. His objective was to work with all for the betterment of all.

So, I’m pleased to have this opportunity to join all of you in thanking God that He gave us DON PAYNE, that He gave him sufficient years to make an extraordinary mark here in this country and around the world.

Mr. ROE of Tennessee. Mr. Speaker, I would now like to yield time to the dean of the Michigan delegation, Mr. CONYERS.

Mr. CONYERS. I thank the gentleman for yielding to me. I also thank DONNA CHRISTENSEN for her leadership in bringing us all together this evening.

This is a wonderful way, when this RECORD is read of this Special Order for DONALD PAYNE, for everyone to know the depth of the love and respect that all have for this great and gentle human being.

He was a committed public servant and a true champion for social and economic justice at home and around the world. This I know, no matter who you were in his district who needed something, you could count on DON PAYNE. He loved the richness of his district and its diversity, but you can be sure that he was fighting for the poor and dispossessed.

Maybe that’s what brought him to his affinity and kinship for Africa. One of my predecessors, Mickey Leland, whom DON PAYNE knew, we always said died on the side of an Ethiopian mountain while trying to feed those who could not feed themselves.

DON PAYNE was everywhere, from Ethiopia to Sudan, to South Africa, to Angola, to the Congo, to Ghana, to Liberia. He was in all of those, if you will, conflicts where he wanted to bring about peace. He counseled Presidents—Republicans and Democrats. I remember Bill Clinton’s historic trip, and you can be assured that DONALD PAYNE was at the nexus of drawing him to making that historic trip. I believe, in 1998, he counseled George Bush and others, and he counseled President Obama.

I don’t know if you know that DONALD PAYNE was a longshoreman who worked on many different places; but when reminded of his work as a longshoreman, he said, I loved the port. I heard a Member talk about that. I believe, but he loved the working person.

Let me just conclude, as I salute him for being the progressive who did not forget the poor as well as being one who could speak eloquently with the leaders of international positions around the world, albeit that he was coach and teacher and council member and ethic freeholder, that I remember...
traveling to Africa on occasions, plural. In this instance, what I would say, beyond having known that in Somalia he was almost, in essence, taken down, is that many of you will remember the first Kabila, the father of the present President of the Congo, and you will know that he has always been in conflict and that DONALD PAYNE never shunned going into conflict.

Two places we went: Angola, when it was still in conflict. DONALD PAYNE said, Well, I know we can meet the President in his castle and office and the place where he is, but I’m going up in the bush, and if you all are with me, we’re getting on this little one-propeller plane—not two propellers—it only had one—and we’re going to go up there and meet with the opponent of the President.

We sat with DONALD PAYNE, encouraging this opponent to put down his guns and come and meet with this President, who through DONALD PAYNE had promised peace. I know that man wished that he had answered the call that DONALD PAYNE made. He never left to that place in that region. I got to see him up close and personal, where no risk of life was too much for him to bring about peace.

As I conclude, let me simply say to the peacemaker, to the intended noble peacemaker, DONALD PAYNE as a public person embodied old school qualities of humility and toughness. He seldom sought out a microphone but commanded attention naturally by being a presence in the room.

In the aftermath of the Newark riots, the Payne brothers became the strongest South Ward political brand in the city, using the Bergen Street business district as their most visible base of operations. The congressman scorned conventional polling, preferring instead to gauge his popularity by the number of beeps on the horn he heard as he walked along his beloved Bergen Street.

He was a former leader of the Congressional Black Caucus. DONALD PAYNE served as a Newark City councilman and as an Essex Freeholder. Congressman PAYNE was someone who knew presidents and kings but was more comfortable with the man in the street, that’s just who he was.

America has lost a noble statesman, New Jersey has lost a brilliant and caring Representative, and one of DON’s very dear colleagues. A skilled and compassionate politician, DONALD PAYNE represented his constituents well. An ardent supporter of educational opportunity, he worked to ensure college was within reach for everyone. He was a Newark City councilman and had a focused passion for Africa. Because of his knowledge and dedication to the issues of human rights and peace—he saved lives all over Africa. He enjoyed the respect of his colleagues; his calm demeanor will be missed. DONALD dedicated his life to helping the less fortunate and expanding and promoting human rights everywhere in a strong and determined way. He will be sorely missed by all who knew him. My thoughts and prayers go out to his family, friends and constituents at this sorrowful time. The world has suffered a great loss.

Mr. ROE of Tennessee. Mr. Speaker, I thank DON PAYNE for yielding.

I have a lot of DON PAYNE stories. I wanted to tell one which I think says a lot about the man.

I listened to SHEILA JACKSON LEE said before about how he was always humble, that he was a gentleman, and people respected him as such in the city of Newark and throughout his district.

Mr. SESSIONS, Mr. Speaker, let me say that I join my colleagues in recognizing not only the life and work of DON PAYNE, but I also wanted to add my personal words of support for what DON meant to me personally as a co-chairman of the Caribbean Caucus a number of years ago.

Mr. Speaker, I have spoken before about my respect for the people from north Jersey and Newark often refer to us with names like “clam digger” and other things to indicate that DON was always looking for answers and responses to the needs of our friends in the Caribbean, and really found a way to cut some good friendships with people to where they became better friends of the United States Congress because of his personal involvement in issues and matters.

I enjoyed working with DON. He accepted not only his role and mine, we working together—I as a younger Member, he as a senior Member. He welcomed my advances or ideas and thoughts.

It was difficult for me also as I was walking into the Capitol a few minutes ago to see the beautiful flag that flies over the United States Capitol at half mast in honor of our colleague DON PAYNE.

So I do want to thank this body for allowing me a chance to express not only my thoughts about DON, but also to recognize him as an outstanding Member of this body.

Mr. ROE of Tennessee. May I inquire, Mr. Speaker, how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Tennessee has 26 minutes remaining.

Mr. ROE of Tennessee. We have 11 speakers, so I would ask if you would limit your remarks. I want to have an opportunity for everyone who wants to speak to speak.

Now I would yield time to my colleague and one of DON’s very dear colleagues from New Jersey (Mr. PALLONE).

Mr. PALLONE. I thank the gentleman for yielding.

As Chair of the Subcommittee on Africa for the Congressional Foreign Affairs Committee, Congressman PAYNE became a leading advocate for international human rights. “I would be remiss if I did not thank those who are personally responsible for making sure that I know about Africa,” said then-President Bill Clinton.

After a 2009 trip to Africa, the congressman prepared to depart from Mogadishu when his plane sustained small arms gunfire from the ground, according to CNN. The congressman had earlier that same day discussed the crisis of piracy off the failed state’s coast.

DONALD PAYNE grew up in a section of the North Ward known as Doodletown and worked on the waterfront as a longshoreman. “I love this place,” he told longshoremen at a 2008 campaign stop at Port Newark. “I worked down here from 1952 to 1956, on Doremus Avenue, where they used to have about one ship a week, believe me. But we’re so glad to see this port come to where it is today.”

At the beginning of the Newark riots, the Payne brothers worked in tandem as they sought greater African-American representation within the Newark Democratic Party, with Bill Payne very early gaining a reputation as the aggressive activist and DONALD PAYNE showing skills as a diplomat. Never an obvious self-promoter, DONALD PAYNE as a public person embodied old school qualities of humility and toughness.

By the dawn of the 1970s, the Paynes relocated to the South of Newark, where they built a political base on Bergen Street that served as the launch pad for Mr. PAYNE’s historic campaigns for Congress in the 1980s.

DONALD PAYNE was a champion of the poor and下文
that we're not as sophisticated as the people from Essex County.

I was at a meeting with African American ministers in this new area of my district. And of course the purpose of DON being there was to tell them it was okay; in other words, it was okay that this guy from the shore, the clam digger, so to speak, was now going to represent you because he was okay.

As you know, DON couldn't take an occasion like that without making it into a joke getting the point across, but in a very humorous way. So he said to the African American ministers as we assembled:

Well, you know, this guy Frank Pallone is now coming up here and he is going to represent you. But he is down at the shore, and most of the time he spends his time talking about crabs and fish and the things at the shore. You know, I don't know if he can relate to this urban area now that he is going to represent where you all know me, but I'm going to tell you a story. You will often see Congressman Pallone in pictures at the shore picking up the crabs, and he picks up the crabs and he talks about how the crab had been injured, and it was important to help the crab, and the crab needed some help and now coming up here and he is going to represent you, because he was okay. That's how DON was. He was obviously relate to you. He could relate to a crab, so he could represent you because he was okay.

Don had passed. A great American man from very humble beginnings did not have it easy growing up in America and didn't have it easy acquiring political power that enabled him to help everyone, whether it was in Newark or Essex County, in New Jersey, the United States or in the world.

History will record that this young man from Newark, DONALD PAYNE, literally saved tens of thousands of lives—he did—all over the world. In America, in Africa, and in Northern Ireland. And he was known throughout the world as a champion of the downtrodden, those in need, and a champion of human rights.

He was a longshoreman; he was a teacher; he was a waiter. He was an elected official from New Jersey who made us all so proud, but he was a citizen of the world. He was a leader in this world.

And he leaves behind a legacy, not only as a beloved husband, father, grandfather, great-grandfather, brother, family man, but also as a dear, loving friend. Beneath that strong, serious statesman's demeanor was a warm, charming, funny, irreverent, smart, and great friend. I will miss him very, very much.

God bless you, DONALD PAYNE, my friend.

God bless you, Congressman DONALD PAYNE, you iconic figure for America and the world. We will miss you dearly, but we will never forget you.

Mr. ROE of Tennessee. Madam Speaker, I now would like to yield to the distinguished gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the gentleman for yielding. Madam Speaker, in the book of Ecclesiastes 3:1-2, these words are recorded:

To everything there is a season, and a time to every purpose, and to everything under the sun, a time to be born and a time to die, a time to plant and a time to pluck up that which is planted.

Madam Speaker, today a giant oak tree has fallen. There's a gaping hole in the forest. DON PAYNE has moved from an earthly life into an eternal heavenly life. A time, a purpose, a season.

DON PAYNE did not take his time, his season, nor his purpose for granted. Every moment, every season, the purpose for which he was created meant something to him and he gave his life. He spent his life working on his time, his season, and his purpose.

Last Thursday, DON, through his chief of staff, asked me to come to the hospital; and we talked for awhile and he whispered some words to me, some directions for me, some orders from me, his hospital bed. But what stands out to me on that occasion last Thursday was his last words spoken to me. We were in the middle of votes, and he said: Make those votes. Don't miss those votes.

Here, a man who knew he was spending his last hours on this Earth, he knew that his life was coming to an end. He had told me some weeks before that he was cancer, but he didn't know what was going to happen, but his last words to me were not: "Woe is me," but he was thinking about public service. He was thinking about this House. He was thinking about me and the vote that I was to cast. He was thinking about a time and a purpose and a season.

In the book of Micah, life really becomes quite simple. God asked the Prophet Micah:

What do I require of thee, O man, but to love mercy and do justice and walk humbly before your God.

Madam Speaker, I know that DON passed God's requirement. He lived his life with purpose. He was a son of Africa, but he was also a servant of America and a servant of the world.

We're all going to miss DON. We all looked to DON as being a beacon in terms of public service. I will miss him, and my condolences go out to his entire family and his entire staff.

I might add that just this morning my staff and I went to his office, as others have. We sang a song together, "Jesus, Keep Me Near the Cross." DON not only had the cross in mind, but now he sits in his heavenly home in a better place.

God bless you, DON. God bless you.

Mr. ROE of Tennessee. I now would like to yield to the distinguished gentleman from California (Ms. LEE).

Ms. LEE of California. I thank the gentleman for yielding.

Madam Speaker, it is with a very heavy heart that I rise tonight to honor and commemorate the life of a world leader, but more importantly, a grandfather, a great-grandfather, a father, a brother, a boss, a dedicated family member to so many. I offer my condolences and prayers to DON's family, to his staff. They need our comfort during these very difficult days.

DON was more than a colleague to many of us, myself included. He was a very good friend. We lived near each other in Washington, D.C. Here, and I had the privilege to drive him home quite often. These were special moments for me which I will always cherish; for it was during these rides that he counseled me. He cracked so many jokes to cheer me up because he always knew what we were going through, and we talked about family, friends and what was really real in our lives.

DON loved children, and he relished his membership on the committee on Education and the Workforce. Of course, before coming to Congress, he was the national president of the YMCA and an elementary school teacher. But, yes, DON was also a global
leader. And I have traveled abroad with DON, and he was greeted as a head of state and a comrade. But DON didn’t especially like traveling with large congressional delegations. He liked going by himself and with his brother to the middle of conflicts, sometimes in the bush with guerrillas, to meet with guerrilla leaders and freedom fighters. He helped negotiate truces; and all sides, everywhere in the world, loved and respected him.

Now for many years, DON was the lone voice in the wilderness calling for a declaration of genocide in Darfur. Sudan. Finally, we all got it. And as a result of DON’s persistence working with both sides of the aisle to address the atrocities of genocide, his bill passed, thus averting a declaration of genocide, with bipartisan support.

I was honored to serve on Congressman PAYNE’s subcommittee for many, many years, the Subcommittee on Africa. He was a brilliant and a fair chairman and helped me shepherd and negotiate many bills and many of my legislative efforts.

Yes, I was blessed to have visited DON on Thursday afternoon. He smiled, he talked, he whispered a few words, and he gave me a hug. I met DON PAYNE through the mail in 1998 when my predecessor, who I know sends his condolences today, Congressman Ron Dellums, told him I was running for Congress. He sent me a wonderful card. I didn’t even know him—and a contribution. And when I was elected, he came up to me; he hugged me and he became my mentor on so many issues.

In the book I just say that I know—and we talked a lot about this, and I’ve been to church with him—that DON PAYNE was a humble man of tremendous faith. In thinking of DON this evening, I’m reminded of a Scripture taken from 2 Timothy, chapter 4, verses 6–8. It says:

> "And now there is waiting for me the crown of righteousness, which the Lord, the righteous Judge, will give me on that Day—and not only to me, for there is also a crown for you. So we press on toward the goal for the prize of the upward call of God in Christ Jesus.

As for me, the hour has come for me to be sacrificed; the time is here for me to leave this life. I have done my best in the race, I have run the full distance, and I have kept the faith. And now there is waiting for me the victory prize of being put right with God, which the Lord, the righteous Judge, will give me in that Day—and not only to me, but to all those who wait with love for Him to appear.

May DON’s soul rest in peace.

Mr. ROE of Tennessee. I would now like to yield to the distinguished gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the gentleman for yielding.

Madam Speaker, the untimely passing of my good friend and colleague, Congressman DONALD PAYNE, early this morning is a terrible loss for DONALD’s family and friends, the House of Representatives, the people of the Tenth Congressional District of New Jersey, and our Nation.

DONALD PAYNE was a tireless advocate for his constituents at the local and municipal level before winning election to the House more than two decades ago. As New Jersey’s first entry into the Congress, and he made me feel at home from day one. He was, indeed, a gentleman, quiet but with a marvelous record for peace and for justice for the downtrodden people who needed a helping hand.

DONALD PAYNE had the opportunity through the auspices of CARE and the Gates Foundation to travel with Congressman PAYNE, his brother and others to Rwanda, to Goma and to Congo this past August; and I saw how he was beloved among people in Africa where he would travel on many occasions before. We shared the experience of going to the memorial to the victims of the genocide there, and Congressman PAYNE told me some stories about when he’d been there with President Clinton, and President Clinton had gone back and expressed his regrets of not having done more earlier to prevent the genocide, but was strong in supporting the nation of Rwanda and the people getting their country back together.

DONALD PAYNE had a progressive record. He was respected and loved by all. I was fortunate that my life intersected with his for he made me feel at home. And as so many other Members of the Congressional Black Caucus have done, he made it to where it was necessary to be a member of the Congressional Black Caucus to be with the Congressional Black Caucus. I value my time with him.

Mr. ROE of Tennessee. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. BURKLE) announced policy of January 5, 2011, the Chair now recognizes the gentlewoman from California (Ms. LEW) for 30 minutes.

Ms. LEW of California. Madam Speaker, I’d like to yield now to the gentleman from South Carolina, our assistant leader, Congressman JIM CLYBURN.

Mr. CLYBURN. I thank the gentlelady for yielding me the time.

Madam Speaker, I often quote the poet Robert Frost, who once admonished us that two roads diverged in the wood, and I picked the one less traveled by, and that has made all the difference. I would not quarrel with Mr. Frost, but I would believe that it’s the people that you meet as you travel the roads of life that really makes the difference with all of us.

Several years before I came to this body I met DONALD PAYNE. I was a bit in awe of him because he struck out to do things that a lot of people that you meet as you travel the roads of life that really makes the difference with all of us.

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out of country after country, sitting with him as he called heads of state by their names, and to see the respect that all of them had for him was just a joy to behold.

I learned a lot from DONALD PAYNE. And I always, when I could, wanted to be around him. Just this past December, in my congressional district, DONALD came to Charleston to help me participate in a congressional panel, talking about sustaining good, healthy communities. Don, that particular day, was sort of a star, as he usually was. I had no idea at that time that we would be in this place today.

I think I can say without any threat of contradiction that if anybody has left his or her mark of service in this body, it was DONALD PAYNE. His record will never, in my estimation, be equaled. To know two continents as well as he did is something few people in this body will ever get to attain.

I wish to share with my colleagues in wishing his family—his brother, Billi, who I got to know so well; his son, Donald, Jr.; and other family members—as much sympathy as I can muster. I hope that they will achieve real solace in the fact that their brother, their dad, their uncle gave so much and demanded so little in return.

Ms. LEE of California. I would now like to yield to the gentleman from Illinois, Representative DANNY DAVIS.

Mr. DAVIS of Illinois. I thank the lady for yielding.

We’ve heard a great deal about Representative PAYNE this evening. Some of the fondest memories that I have of DONALD was talking. He was a philosopher and a poet. All of the things that people have said that he did, he has done those. The last conversation we had was sort of a philosophical conversation. I believe that Tennyson framed DONALD PAYNE long before he was born, and he wrote this poem that said:

Sunset and evening star
And one clear call for me!
And May there be no mourning of the bar,
When I put out to sea.

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark:

For though from out our bourn of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crossed the bar.

DONALD crossed, but he left a great deal behind.

Ms. LEE of California. I would now like to yield to the gentlewoman from New York, Congresswoman YVETTE CLARKE.

Ms. CLARKE of New York. I thank my colleague, BARBARA LEE.

Madam Speaker, today I’m here to pay tribute to a quintessential public servant, a person who tirelessly fought on behalf of his constituents of the 10th Congressional District of New Jersey, and for all Americans of all backgrounds across this Nation. Today I pay tribute and celebrate the life of our beloved colleague, Congressman DONALD PAYNE.

DONALD made history as the first African American in New Jersey to be elected to Congress. He served as the former chairman of the Congressional Black Caucus and was recent chairman of the Congressional Black Caucus Foundation, where I really saw him go so strong on behalf of the people across this Nation.

Along with many others, I consider Representative PAYNE not just an accomplished colleague, but a role model and a dear friend. He was a relentless and iconic advocate for the continent of Africa, the African diaspora, as well as the Caribbean region. He spoke out boldly against genocide in Darfur and Rwanda, and fought alongside the Congressional Black Caucus to help Haiti recover from the devastating earthquake that struck the nation in 2010.

Congressman PAYNE was a representative of Newark, but his leadership was global. We are grateful for his world view. We will never forget his passion, zeal, and commitment to improve the United States diplomatic relations around the world.

I count myself fortunate to have established a real bond with Congressman PAYNE. He shared with me his quick wit, and we shared a lot of laughs together. We often joked about who was tougher, Newark or Brooklyn. And he was also very skilled on the dance floor. I had an opportunity to trip the world fantastic with Mr. PAYNE.

And so, I extend my condolences to his son, Councilman Donald Payne, Jr.; to his very devoted brother; his daughters Nicole and Wanda; his grandchildren; his close friends; his devoted staff; and the people of the 10th Congressional District of New Jersey.

1800 Know that he has left us a great legacy, building blocks, if you will, for future generations of leaders. We will continue to celebrate the contributions of this great statesman. The stars in the heavens will twinkle just a bit brighter as Congressman DONALD PAYNE makes his transition to be with our Creator in heaven.

Thank you, Congressman, for all your commitment and sacrifice for the betterment of our global community.

Ms. LEE of California. I would now like to yield to the gentleman from North Carolina, Congressman PRICE.

Mr. PRICE of North Carolina. Madam Speaker, it was with great sadness that I learned of the passing of my good friend and colleague, DONALD PAYNE. Few Members who’ve served in this institution have left a greater impression on their constituents, their colleagues, and their country’s domestic and foreign policy than DON PAYNE.

From the moment DON set foot in Congress, he was a powerful advocate for the needs and interests of his central New Jersey community and of working Americans across our country. Bringing to bear his impressive and diplomatic skills as a public schoolteacher, President of the National Council of YMCAs, and an elected official in Newark, DON quickly became one of the most forceful and effective advocates for public education in the Congress, playing a key role as a member of the Education and Labor Subcommittee on virtually every major educational reform enacted over the last two decades.

As the first African American elected to Congress from New Jersey, DON was an equally forceful advocate for the continued struggle for civil rights, eventually becoming chair the Congressional Black Caucus.

Now, these accomplishments in education and civil rights would qualify as a successful career for any Member, but DON didn’t stop there. Driven by a fascination with Africa and his adventurous travels there, DON recognized that the struggle for civil rights and human dignity knew no borders, rising to become one of the most effective chairmen of the Foreign Affairs and Global Health Subcommittee that we have ever had in this institution.

Our Nation’s expanded focus on AIDS, malaria, and other pandemic diseases over the past decade would simply not have occurred without DON’s visible and leadership and moral courage. It was fitting that USAID announced the launch of a DONALD PAYNE Fellowship Program last week, designed to help young people enter careers in international service.

I was fortunate to benefit from DON’s knowledge and advice personally as he became a founding member of the bipartisan House Democracy Partnership, which I cochair with my California colleague, Representative DAVID DREIER.

DON’s counsel and guidance and encouragement were invaluable as the House Democracy Partnership initiated partnerships with legislatures in Africa and conducted outreach in countries affected by the Arab Spring. Our frequent travels together in the region forged a deep and lasting friendship. He probably knew more about the ins and outs of Africa politics than all the other Members of this institution combined. He had strong and well-informed views about what our country’s policies should be, and he was ready to articulate those views persuasively, no matter who the President was or which party was in charge.

He also insisted on investigating situations on the ground for himself, which led to quite a few one-man codes and some anxious moments for those regional and local officials who had congressional visits or maintain airtight security. It was fascinating to talk to him about his diplomatic forays, which
offered a combination of high adventure and a remarkable, inspiring dedication to the freedom and dignity of the people of Africa.

Congress has lost a true statesman, a dedicated humanitarian, and a loyal public servant. We mourn his passing, and we miss DON PAYNE’S counsel and friendship.

Ms. LEE of California, Madam Speaker, I would like to yield now to the gentle lady from Florida, Congresswoman DONNA CHRISTENSEN.

Ms. BROWN of Florida. Often I say, God is good, and the audience says, All the time. But God has been good for giving us the life of DONALD PAYNE.

You know, when you’re born, you get a birth certificate, and when you die, you get a death certificate, and that dash in between is what you have done to make this place a better place, and DON PAYNE has done his work.

When I think of what Paul said, You have fought a good fight, and he has. And he crossed the course, but there is still work for us to do.

We talk about DON, DONALD PAYNE, and all of his work in Africa, and I don’t know anyone that knew the continent or the people more than DONALD PAYNE.

But I want to mention that my first trip as a Member of Congress was with Congressman PAYNE, and we went to Ireland and we went to other countries. He was an international leader. I want to thank his family, the constituents that sent him here. You know that you sent someone here that loved. He loved the Lord, but more than that, he was what we want our public servants to be: someone that actually believes in serving the public.

So DONALD’s work speaks for itself, and we are so grateful that we’ve had the opportunity to serve with him.

My thoughts and prayers go out to his family and staff. And in fact, I participate in a weekly prayer call, and I have asked all of the parishioners and participants to pray for him and his family, and all of the constituents who cared about him in the State of New Jersey.

Beyond a doubt, our Nation will mourn the loss of such a dedicated Member of Congress, who lived his life as a true symbol of an ideal public servant.

I feel privileged to have been able to work with Congressman PAYNE on a number of issues throughout the years. For me personally, within the Congressional Black Caucus, and for me personally, he was a leader on all issues relating to the continent of Africa. He knew all of the leaders, and knew extraordinarily well the various countries’ histories and domestic politics, and worked tirelessly throughout his tenure to resolve numerous deep-seated conflicts on the continent, while leading many congressional delegations to war-torn areas. Indeed, Congressman PAYNE always spoke out on behalf of people who struggled in many of the most difficult nations around the world: from Rwanda to Sudan and Haiti, to the peace process in Northern Ireland.

Congressman PAYNE will be deeply missed here in Washington. I will always remember his calm, soft spoken manner, will power, drive, intelligence and energy. And as the first African-American to serve in the House of Representatives from the state of New Jersey, I am certain that he will serve as an inspiration for others to follow in his footsteps.

Ms. LEE of California. I would now like to yield to the gentle lady from the Virgin Islands, Congresswoman DONNA CHRISTENSEN.

Ms. CHRISTENSEN. Thank you, Congresswoman LEE. And thank you, everyone who’s come out to pay tribute to DONALD PAYNE this evening; and thank you, Father Conroy, for being here with us.

I recently had the opportunity to introduce DONALD at an annual gala of the Mountainside Marketing Group, where he was being honored with the 2011 Congressional Minority Business Award, and it was really an honor to do that.

I talked then about his commitment to Africa and how I always told DONALD I would never travel with him. You see, he was, you’ve heard, meeting rebels in the jungle as he was meeting Presidents and chiefs. State Department warnings meant nothing to him. You heard about his plane being shot at in Mogadishu, and he also held high honor home for protests on behalf of the justice here and abroad.

Because of the high respect in which he was held by everyone on all sides, he was able to bring peace to warring factions, to break the chains of diplomacy, and to ease the pathway to democracy for many. And his legacy as a peacemaker was not limited to Africa. He’s considered an honorary son of Ireland for his contributions there.

I talked that evening about his commitment to children. As a teacher, he used his senior position on Education and Labor to ensure that educational opportunities are available for all children, but especially poor and minority children. He worked hard to close the achievement gap, and was also a key player in legislation to reduce interest rates on college loans and to increase Pell Grants.

I was able to tell those gathered how working families had no stronger supporter of labor and worker protections than DONALD PAYNE.

Last year the Health Braintrust and all of our partners honored DONALD with the Congressional Leadership Award.

I had the honor also of traveling to Newark every other year to the Donald Payne health summits and health fairs. He was just as determined that the people in his district have access to quality health care as he was committed to their education and economic opportunity. It was always an event that was looked forward to and attended by thousands who were then connected to the health care system, some for the very first time.

But his outreach to health extended beyond his district to our entire country, to Africa and the Caribbean. He made sure that global health was added to the responsibility of the Subcommittee on Africa, which he chaired.

He led the effort to increase PEPFAR funding more than threefold. When President Bush signaled his willingness to go from 15 to 30 billion over 5 years, DONALD took that as an opening to push for his friends, DONALD, Barb LEE and others, parlayed that to $48 billion. He also led in ensuring that, for the first time, all the countries in the Caribbean would be included.

So it’s no surprise that condolences are pouring in from all over the world, and I want to submit one from Dr. Claire Nelson on behalf of the Institute of Caribbean Studies.

There were only a few of us that knew that DONALD was diagnosed with cancer and undergoing treatment. He was truly amazing. I thought he was even more feisty after his diagnosis than before. He would add his humorous commentary even more often at our meetings. He teased many of us mercilessly.

He led the Congressional Black Caucus Foundation with boundless energy, which, of course, all of us on the board and the staff had to try to keep up with.

DONALD was not only a respected member of the Congressional Black Caucus, which he chaired. He was loved by all of us. We will miss him terribly, but we will remember him with such great affection and consider ourselves blessed to have known him, to have served with him, and to have him call us his friends.

But above all, DONALD was a dear friend.

In the end, he succumbed to the cancer, but up until the very last, he lived his life to the fullest. The people of the U.S. Virgin Islands, and he visited us several times, my family and staff join me in extending our heartfelt sympathy to his family: his children Donald, Jr., Wanda, and Nicole; his four grandchildren and his great-grandchild, his brother Bill, and sister Kathryn: Laverne, and all of his staff, past and present here and in the district; and the people of the 10th District of New Jersey.

DONALD was not only a respected member of the Congressional Black Caucus, which he chaired. He was loved by all of us. We will miss him terribly, but we will remember him with such great affection and consider ourselves blessed to have known him, to have served with him, and to have him call us his friends.

So long, DONALD. Rest in peace. Until we meet again.

March 6, 2012

Dear Friends: “Every once in a while a GIANT walks the earth.”

Over the past several years, I was privileged to have worked with Congressman Payne who was tireless in his support for the Caribbean, as well as Africa. I remember well the first time I moderated a Task Force at the CBC Annual Legislative Caucus, that he...
was Co-Chair of. He was so gracious, with my anxiety about following the appropriate pro-
tocol. As Chair of the Bi-partisan Caribbean Caucus, he led the way for us to have our voice heard and helped us to understand how we as Caribbean Americans may better im-
pact the Congress he loved and served so well.

On behalf of the Caribbean American community, ICS will offer condolences to his family and friends as the arrangements be-
known to us... by way of our Advi-
sors who were his personal friends.

In the meantime, I offer my prayers of thanksgiving for his life and legacy and my prayers of comfort to those he loved best. May he rest in peace.

DR. CLAIRE NELSON,  
President of the Institute  
of Caribbean Studies.

Ms. LEE of California. I would like to 
yield now to the gentleman from Indi-
ana, Congressman ANDRE CARSON.

Mr. CARSON of Indiana. Madam Speaker, from my first days in Con-
gress, I always considered DONALD PAYNE to be a mentor and a friend. He took me under his wing and showed us what it truly means to be a Member of Congress, not just a politi-
cian. He showed me, like he showed so many of us in this Chamber, how much more we accomplish through humility and dedication than through bravado and partisanship.

He was brilliant, and he put thought into every word he said; and because of that, Madam Speaker, his words car-
ried weight on both sides of the aisle and in both parties. Most recently, I was privileged to serve under his leadership on the board of the Congressional Black Caucus, and I was able to see up close how he brought together the diverse personal-
ities and opinions of the caucus in order to achieve a greater purpose.

Congressman PAYNE made our caucus strong and united; and while we at-
tempt to fill the gap he leaves behind, I know we will never have another leader like DONALD PAYNE.

Madam Speaker, learning to serve in the House is truly an honor, but it also comes with many challenges. As a young Member, I am continuing to 
grow and find my place amongst my distinguished colleagues; but I feel just a little more confident, and I felt a lit-
tle more confident because I had a role model in DONALD PAYNE.

As long as I am given the privilege to serve in this great House, I look for-
toward to carrying that legacy, the one that he started—to fight for the under-
privileged, to bring attention to the critical issues that don’t make the front page, Madam Speaker.

I want to extend my deepest symp-
thies to his family and staff, and they know I do. How great a Mem-
ber and how great a man he was.

I’m reminded of a passage of a con-
versation that Jesus had with his disci-
plers in the Book of Matthew, and they 
were dealing with this notion of leader-
ship; and Jesus said very succinctly and 
very clearly and very wisely, and pro-
phetically to them, when he said: “He who wishes to be chief among you
shall first be your servant.” Let us re-
member and honor DONALD PAYNE, a 
true public servant.

Ms. LEE of California. I would like to yield to the gentleman Oregon, Con-
gressman BLUMENAUER.

Mr. BLUMENAUER of Oregon. Today, we mourn the loss of a colleague and friend. New-
ark lost its champion. Africa lost its 
informal ambassador, as DONALD PAYNE exercised tremendous leadership and influence as a senior member and chair of the Africa Subcommittee.

But with the passing of DONALD PAYNE, I think it’s important to note one other loss, because for millions of people around the world who never knew DON PAYNE, they lost a hero. DON knew that almost a billion of the world’s poorest people lacked access to clean drinking water, that almost three times that number lacked access to sanitation resulting in the death every 15 seconds of a child needlessly to waterborne disease.

One of the great privileges of my ca-
reer in the House was working with DON PAYNE on the Paul Simon Water for the Poor Act. DON PAYNE was a quiet Member of Congress, but he knew what was important. He was clear in expressing what needed to be done; and his leader-
ship, his work behind the scenes, as well as on the front lines, made it pos-
sible for the first time in our history for the United States to have a cohe-
sive policy toward making sure the unmet needs of water and sanitation for these poor people, to set a very clear objec-
tive that within the next 4 years we would cut in half the number of people who lack access to this fundamental.

Because of the leadership of Con-
gressman DONALD PAYNE, literally mil-
ions of lives have been touched, im-
proved, indeed, saved.

We thank you, Congressman PAYNE, for your leadership and influence that extended your district in New Jersey, and we thank his family and constituents for sharing him with us and sending him back repeatedly so that he could do his important work.

Ms. LEE of California. I would now like to yield to the gentleman from Georgia, Congressman SCOTT.

Mr. DAVID SCOTT of Georgia. Thank you very much, Ms. LEE.

This is indeed a very sad and, at the 
same time, a very precious time be-
cause we have lost one of the meanest, most difficult part of Africa going to the Congo, going to the real heart of the matter, going into Kenya, and going into Somalia into Yemen. But there was DONALD PAYNE with the courage at a very difficult time, at a challenging time when al-
Shabab was in control of the situation in Somalia. You hear on the news that there is a Congressman who’s in harm’s way trying to get on an airplane to get out of Somalia at a very hot moment. But he was there in the toughest, meanest, most difficult part of Africa bringing some reason.

So all over this world, we can all say that we thank God for sending DONALD PAYNE our way.

Ms. LEE of California. Madam Speaker, how much time do I have re-
main?

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

Ms. LEE of California. Madam Speaker, may we request an additional 10 minutes?

The SPEAKER pro tempore. The Chair cannot entertain that request.

Ms. LEE of California. Madam Speaker, I am here this evening to thank God for the life of DONALD PAYNE—to thank God for a man who was a true man, who was a trailblazer, for a man who when he came to Congress knew what he wanted to do. People sometimes do not know what their purposes are in life. Sometimes folks get here, and they wander all of their lives to find that purpose. DONALD PAYNE knew what his purpose was. He fought and was determined to get to this House of Representatives so that he could make a difference in so many lives.

Once he came here, he never changed his focus, and he never changed his purpose. He knew that he wanted to deal on the international scale. He knew he wanted to take care of the people of Newark, and he knew he was focused on education. So when he had the opportunity to go on the powerful Appropriations Committee, he was so focused on what his mission was that he said “no” to Appropriations and stayed on Foreign Affairs because that is what he wanted to do.

He paved the way for someone like me so that, when I came to Congress, I looked to him. It wasn’t popular to be on Foreign Affairs when DONALD came.
Donald Payne did what he knew his purpose was.

So I want to just say, thank you, Donald Payne. Thank you for your work and for your mission and for paving the way for someone like me so that I now don’t have to have a machete to cut away the grass. You’ve done it for us.

Thank you, staff. Thank you, family. Thank you, God, for sending us Donald Payne. I can see you now just talking to him. Well done. Job well done, my good and faithful son.

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

Ms. McCollum. Someone was saying today that you remember your first and your last time.

The first time I met Donald Payne was in my first term on the Education and the Workforce Committee. We were talking about the inequities in college funding for minorities, and they were talking about the Hispanic higher education institutions and about historical black colleges.

I asked Fudge, I said, What about the tribal colleges?

Mr. Payne said, And we will never forget the tribal colleges again when we list off all of our colleges that serve our minority youth.

And he never did, so I thank him for that.

The last time—and it’s fitting that Congresswoman Woolsey is on the floor with me—was at the State of the Union. Finally, Donald sat on this side. Lynn and I had the privilege of keeping him warm that night. So, with that, here are my remarks.

Today, the U.S. House of Representatives and the American people lost a statesman and a dedicated public servant. Committed to human rights, quality education and social justice at home and around the world. It was my honor to serve with Donald Payne on the Africa Subcommittee, as well as on the Education and the Workforce Committee. I will always remember Donald as a friend and as a gentleman, a kind soul who spoke with authority and who legislated on behalf of those who were often too voiceless.

My deepest condolences to Donald’s family, to his staff, to his New Jersey constituents, and to people all over the world.

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

Mr. Bishop of Georgia. Madam Speaker, all the world is a stage, and all the men and women merely players. Each has his entrance and his exit. One man in this time may play many parts. So it is with Donald Payne. He was a son, a brother, a husband, a father, a grandfather, a great grandfather, a teacher, a coach, a mentor, a leader. He led the CBC. He led the Congressional Black Caucus Foundation, and he was an extraordinary legislator. He represented the people of Newark, New Jersey, very well.

But one thing that I learned about Donald from personal conversations was that he was truly a family man, that he loved his family. He spoke with love about the sacrifices that he made upon the untimely death of his wife, and he always fought. He determined that he was going to take care of those children himself, not farm them out to other family members. So he sacrificed—he did the PTAs; he did the hair; he did all of the things so that his children had a good life. It seems that Donald’s early life was difficult, and he was determined that his children would not have the difficulties that he had.

Donald was a great man. We have lost him. The family has lost a great man. We feel your pain; but the joy we share because we knew him will sustain us because we were blessed to know, love, be a part, and to share the life, as you did, with this great, great man. He was a friend. We will miss him as you will.

Our thoughts and prayers are with you.

Mr. Dreier, Madam Speaker, I am deeply saddened by the loss of my dear friend and esteemed colleague, Donald Payne. I was privileged to serve with DON for more than two decades. I always had enormous respect for his passion, dedication and encyclopedic knowledge of a range of foreign policy issues, particularly the South of Africa. He was one of the founding Members of the House Democracy Partnership, a commission that benefited tremendously from his expertise and commitment.

In November, DON and I had the opportunity to travel together throughout Eastern and Central Europe to commemorate the post-Soviet transition to democracy of several nations. He endured with good spirits a number of speeches honoring Ronald Reagan, never failing to remind me that John F. Kennedy was the world’s leading champion of democracy long before Reagan’s presidency. We continued on to Egypt, where DON and I served as international witnesses in the first round of parliamentary elections. His enthusiasm and energy were unflagging. He spent two long days traveling from poll to poll in Egypt’s first true election in 7,000 years.

As DON always exemplified, our endeavor to protect human rights, promote the rule of law, create economic prosperity and eradicate violent extremism through the building of democratic institutions is a thoroughly bipartisan one. He will be greatly missed by all who were privileged to know him.

Mr. Hinojosa. Madam Speaker, I rise with great sadness to pay tribute to and honor the life of Representative Donald Payne, an esteemed colleague and devoted public servant.

Committed to social and economic justice, Representative Donald Payne spent his life helping the most vulnerable in America and abroad.

During my tenure in Congress, I had the pleasure of serving with Congressman Donald Payne on the Education and Workforce Committee. As a former public school teacher, Congressman Payne understood the needs of students, parents, teachers, and educators and the value of a good education.

As a senior member of the Education and Workforce Committee, Representative Payne worked tirelessly to expand educational opportunities for disadvantaged children and youth, and to ensure that all children had access to a quality education.

Congressman Donald Payne was a true champion for American workers and the mid- century African American workforce. He knew that workers had safe working conditions and family-sustaining wages. In the area of Foreign Affairs, Congressman Payne was known around the globe for his outstanding leadership in promoting peace and democracy in Africa.

Today, the U.S. House of Representatives mourns the passing of one of our most valued legislators. It was an honor to serve with DON for more than two decades. His leadership was welcomed and respected at home and in the Congress. His passion for civil rights and life in the fight against global poverty, he will always be remembered. My thoughts and prayers go out to the Payne family and the residents of the 10th district who lost a champion of their interests.

Mr. Fudge, Madam Speaker, on March 6, 2012, Congressman Donald Payne of New Jersey passed away due to complications from colon cancer. Today, along with my colleagues in the U.S. House of Representatives, I pay tribute to the memory of Congressman Payne. While today marks the end of his work on earth, the results of his labor will live on for many years to come.

In 1988, Donald Payne became New Jersey’s first African American to be elected to the U.S. Congress. As a public school teacher, the first African American to lead the National YMCA and most recently as a Member of Congress for over two decades, Donald was a tireless advocate for children, working families and senior citizens. He was a leader and a role model, who dedicated his life to removing other things, closing the achievement gap, providing equitable funding for public schools and making healthcare more affordable. In the 112th Congress, he was a senior member of the House Committee on Education and the Workforce. He was a key player in the passage of the 21st Century Education and Access Act, which cuts interest rates on Stafford loans in half, increases Pell Grants and provides loan forgiveness to public service employees with student loan debt. Donald was also a senior member of the House Committee on Foreign Affairs, most recently serving as the highest ranked Democrat on the Subcommittee on Africa, Global Health, and Human Rights.

Donald will always be remembered as a champion for human rights and a strong advocate for humanitarian aid for developing countries, especially African countries. Beyond his work in Africa, he traveled throughout the world serving as a voice on issues impacting the social conditions of the global community.

As a member of Congress, always fighting for what is right, serving as a voice for the voiceless, I will always cherish his support and guidance during the past few years. My heartfelt prayers
are with his family, staff, and constituents. May the thoughts and prayers of many give solace to his family and friends during this trying time.

Mr. RANGE. Madam Speaker, I cannot fully express my sadness over the death of my dear friend and former Black Caucus Colleague Congressman DONALD PAYNE. Today his constituents in New Jersey’s 10th Congressional District, our Colleague in Congress, people across America and around the globe mourn the loss of a great man, leader and humanitarian. DONALD was a champion of the lesser among us who saw wrong and was determined to make it right.

DONALD sought to give every child a quality education and a fair chance at success no matter where they came from. For over 23 years in Congress, as former Chairman of the Congressional Black Caucus, and Member of the House Committee on Education, he advocated for low-income students across our nation. Moreover, as a Member of the Committee on Foreign Affairs, DONALD worked passionately to restore democracy and human rights in Africa and throughout the world. DONALD and I shared a vision in giving Americans from all walks of life the opportunity to serve and represent our nation abroad. His most recent achievement before he passed was the creation of USAID’s DONALD Payne Development Fellowship Program. Thanks to DONALD’s efforts young Americans will have the opportunity to continue DONALD’s legacy of promoting peace and compassion to the rest of the world.

I will deeply miss my brother DONALD PAYNE whose kindness and commitment to humanity will forever be remembered. My deepest condolences go out to his family and loved ones. Mr. BISHOP of Georgia. Madam Speaker, I come to the House Floor today to pay tribute to our beloved colleague, dear friend and one of our nation’s preeminent humanitarian icons—the late Congressman DONALD PAYNE.

I first met Congressman PAYNE nearly two decades ago and I will always remember him as a kind, welcoming and intellectually gifted individual.

In serving in this distinguished body with Congressman PAYNE over the past few decades, I had the pleasure of seeing him excel in multiple roles and often under challenging circumstances.

As a former Chairman of the Congressional Black Caucus and more recently Chairman of the Congressional Black Caucus Foundation, I observed firsthand his relentless and passionate advocacy on improving the standards of living for disadvantaged and disenfranchised communities of color all around the world.

And anyone who knew DONALD PAYNE well, knows that one of his biggest priorities was doing all he could to improve the educational standing of our nation’s students and young scholars. As a former teacher, he understood better than most in this body, the insurmountable tasks that our educators have in simultaneously instructing and mentoring our future leaders.

He used his senior position on the U.S. House of Representatives Education and the Workforce Committee to aggressively advocate on behalf of America’s children. He remained engaged in exploring ways that we could close our nation’s educational achievement gap; provide equitable funding for public schools; and make college more affordable.

As the Ranking Member of the House of Representatives Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, he worked extensively to protect human rights and provide vital humanitarian assistance to developing countries throughout the African continent.

Madam Speaker, today the world has lost an uplifting and inspiring public figure and a remarkable human being. Those of us who were fortunate and blessed to have known and worked with DONALD PAYNE have lost a nurturing mentor and widely-admired colleague.

Congressman PAYNE once said, “There is a lot of dignity in being able to achieve things without having to create rapture.” This quote speaks not only to the symbolism of DONALD’s civil nature but to the substance of his lifelong mission of accomplishing good deeds through consensus rather than conflict.

Madam Speaker, I would ask that all my colleagues take time out of their schedules today to pay tribute to DONALD PAYNE for all that he did and all the good things that his legacy will continue to inspire us to do.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3606, JUMPSTART OUR BUSINESS STARTUPS ACT

Mr. SESSIONS (during the Special Order of Mr. ROE of Tennessee), from the Committee on Rules, submitted a privileged report (Rept. No. 112–409) on the resolution (H. Res. 572) providing for consideration of the bill (H. R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, which was referred to the House Calendar and ordered to be printed.

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

The SPEAKER pro tempore. Under the Speaker’s unanimous policy of January 5, 2011, the gentleman from North Carolina (Mr. JONES) is recognized for 30 minutes.

Mr. JONES. Madam Speaker, thank you very much.

I was elected in 1995. Shortly after being sworn in, I was appointed to the Armed Services Committee. In my district of eastern North Carolina, we have Camp Lejeune Marine Base, Cherry Point Marine Corps Air Station, New River Air Station, and Seymour Johnson Air Force Base. At the time, I was familiar with the Marine Corps’ desire and need to have the MV–22 Osprey. The Osprey is the plane that can go from a helicopter mode to a plane mode. I realized it was at that time very controversial.

In fact, Secretary of Defense Dick Cheney was opposed to the plane’s ever becoming a reality, and as a Member of Congress I was very supportive. I was a new Member, obviously, and I was very much supportive.

Madam Speaker, I am just going to hold up for a moment what the Osprey looks like, which is the plane I was just describing. It is an unusual-looking bird, but the Marine Corps believes it’s what it definitely needs to complete its mission of serving this great Nation.

On April 8 of the year 2000, a tragedy happened in Marana, Arizona. Colonel John Brow, who is to my left on this poster, was the pilot; and the copilot was Major Brooks Gruber. That night, 19 marines on a mission at Marana, Arizona, on Night Hawk 72, which was being piloted by Brow and copilot Gruber, flipped and crashed and burned, and 19 marines were killed. It was a very tragic, tragic happening, a very tragic night.

The wife of Major Brooks Gruber contacted me and asked me if I would please look into the fact that the Marine Corps had issued a press release, and I’m going to just touch on this very briefly.

The Marine Corps officials say that a combination of factors caused the Osprey accident. A report released by Marine Corps officials today confirmed that a combination of human factors—and that’s a problem, Madam Speaker, those words “human factors”—caused the April 8 accident. General Jones replied: ‘‘Unfortunately, the pilots’ drive to accomplish that mission appears to have been the fatal factor.”

Madam Speaker, again, from Marine headquarters, they sent out this press release nationally and internationally. Therefore, people started believing that the pilots were somewhat responsible for the accident.

About a year later is when Connie Gruber contacted me, and I would like to read part of her email to me, December 10, 2002:

I contacted you in hopes that leaders of integrity, free of bias, would have both the integrity and the courage to decide the facts for him or herself. If you do that, you will agree the “human factor/pilot error” findings should not stand as it is in marine history. Again, I respectfully ask for your support. Please do not simply pass this matter along to General Jones without offering the support my husband and his comrades deserve. Please remember, these 19 marines can no longer speak for themselves.

Madam Speaker, that email from Connie Gruber started a 10-year journey. From that journey I continued to reach out to experts, which I am no expert, Madam Speaker, at all. But I had to believe the wife of Brooks Gruber that she and Trish Brow, the wife of the pilot, Major John Brow, that they told me that their husbands have the right to rest in peace.

Mr. JONES. Madam Speaker, from that I would like to read some comments. Rex Rivolo wrote me this in the effort of trying to clear the names of John Brow and Brooks Gruber:

I write in an attempt to help correct a great injustice perpetuated on Lieutenant Colonel John Brow, United States Marine Corps, and Major Brooks Gruber, United States Marine Corps, in attributing the cause of the MV–22 mishap in Marana, Arizona, on April 8, 2000, to aircrew error. At the time of the mishap, I was the principal
Madam Speaker, another individual who’s an expert that joined us in this effort to clear the names of John Brow and Brooks Gruber is Phil Coyle, and I want to quote what he put in an email to me on November 8, 2000:

Major Gruber should not be blamed for flying his aircraft on a flight path that he was not trained to fly and expected to fly. The Marine Corps knows today that flight path was lethal, but they did not know it then, and neither did General Gruber. Concluding it was ignorance on the part of the Marine Corps that caused the April 8, 2000 accident, the Marine Corps should make it clear to Major Gruber’s family—with no ifs, ands, or buts—that Major Gruber was not responsible for the accident.

Madam Speaker, I continue to go on, because this has been a 10-year effort for the families of John Brow and Brooks Gruber.

Madam Speaker, the Marine Corps, shortly after the accident, assigned three marines the day after the accident on April 8 to fly to Arizona and to do their own investigation for the United States Marine Corps. At the time, Colonel Mike Morgan was the lead investigator, assisted by Colonel Ron Radich and also Major Phil Stockhouse.

In the JAGMAN report that was the official report for the Marine Corps of the accident, on page 77 they stated:

During this investigation we found nothing that we would characterize as negligence, deliberate pilot error, or maintenance/material failure.

Madam Speaker, in this 10-year journey to clear the names of these two Marine pilots, I reached out to the attorneys, John Brow and Brooks Gruber, their families employed Jim Furman, an attorney in Texas, who himself, was a helicopter pilot in Vietnam. He is an outstanding attorney, and he defended the two pilots when they went and filed suit against Bell Boeing.

In a letter on April 28, 2010, from Jim Furman to me in this effort to clear the names of John Brow and Brooks Gruber, he wrote:

It was not the mission of the operation evaluation crew to discover the new boundaries and limitations associated with the V-22. Engineering test pilots, under appropriate test conditions, should have done this. It is simply wrong and improper to place this burden upon Gruber and Brow. They did the best job they could have done under the circumstances.

Prior to the March 2000 crash, the Navy already had reports of strange asymmetric response in the aircraft. These events should have been completely investigated before any more operational testing continued.

Madam Speaker, I have over seven or eight emails that are two or three pages from Jim Furman in his effort to help us clear the names of Colonel John Brow and Major Brooks Gruber.

From the attorney for the 17 marine’s family who were in the V-22 that crashed—and these young men were killed in that crash—Brian Alexander defended the 17 families, and he said:

Please thank Congressman Jones for contacting me and assure him that I stand by ready to assist him in any way that I can. As a former Army aviator who has the privilege of representing the marines who gave their lives in the Marana crash, I applaud the Congressmen’s efforts to clear the names of pilots Gruber and Brow from any and all blame for this senseless tragedy. Due to these undisputed reasons, the pilots are not to blame and should be fully exonerated.

Again, the two attorneys, Jim Furman in Texas and Brian Alexander in New York, they defended the families in the lawsuit that was settled out of court by Bell Boeing. Madam Speaker, I also would like to share for the Record—you might say, well, if the lawsuits are over, then why won’t the Marine Corps give the families what they are looking for as a clear exoneration of John Brow and Brooks Gruber?

Madam Speaker, I can’t answer that but recently, about 4 months ago, I had the pleasure of meeting with General Rutter, who was representing the Commandant, and let me say to the Commandant, we didn’t need that, we could help the wives bring this to an end, so to speak. There is no way you can replace the husbands and the 17 marines who were burned to death. So the wives gave me a paragraph that they would like for the Marine Corps to issue to them on Marine Corps stationery and also a press release, Madam Speaker, and it states:

The United States Marine Corps concurs that pilots Lieutenant Colonel John Brow and Major Brooks Gruber were not at fault for the April 8, 2000, Osprey accident. The original accident report will officially include this statement of fact. A copy of the official statement will be formally presented to the Gruber and Brow families as written evidence to this fact. A press release and formal statement will also be publicly issued by military officials.

Madam Speaker, I don’t know why the Marine Corps has not been willing to give to the families this closure that they have asked for.

I just touched on a few of the letters of many people who were so familiar with the program and the V-22 in the early stages that have joined in this effort, so it is hard to understand why the Marine Corps gave the families this one paragraph. Madam Speaker, I will continue to work and to speak out because that’s the least that the Marine Corps can do for these families.

Let me also share that I reached out to the investigators, Major Morgan, Major Radich, and Major Stackhouse. Madam Speaker, they in July and August of this year sent me 2-page letters from each one of them stating clearly that if there is anything in the JAGMAN report that has been misunderstood or misinterpreted, that they found it was pilot error, to please have it recanted because that’s not what they wrote in the JAGMAN.

Madam Speaker, I have a copy of the JAGMAN. I have read from one page what they said about the pilots on page 77 that nothing was done by the pilots in a deliberate way to cause the accident.

Madam Speaker, I’d like to read now just a couple of sentences from Lieutenant Colonel Mike Morgan’s letter back to me. He again was the lead investigator that wrote the JAGMAN report. He said:

John Brow and Brooks Gruber performed as model wingmen on this mission. They were doing exactly what was expected of a wingman on a tactical flight.

Lieutenant Colonel Morgan further stated:

John Brow and Brooks Gruber did their job, and did it well. I look forward to the day when DOD officials accurately recognize the sacrifice made by them and all the marines of Night hawk 72.

From Lieutenant Colonel Ron Radich, he was the assistant JAGMAN investigator:

It would be morally wrong to place the blame on the pilots of Night hawk 72. Prior to the mishap, control measures to mitigate the risk of vortex ring state were deficient. With no knowledge, training, or warning concerning the possible consequences of vortex ring state, the pilots of Night hawk 72 were essentially on their own in uncharted territory.

Madam Speaker, what Colonel Radich is saying is that they were put into the cockpit flying this plane with 19 marines, counting the two pilots on this plane, and they had no idea of how to react to the condition known as vortex ring state, VRS. They had not been trained. The plane was not even prepared to warn them of such a happening.

And the third investigator, Madam Speaker, was Captain Phil Stockhouse and he said:

I do not feel that our investigation reflects that the mishap was a result of pilot error and if this investigation was interpreted that was misinterpreted. A record that reflects the mishap was a result of pilot error, it should be corrected. For any publication that reflects the mishap was a result of pilot error, it should be corrected and recanted.

Madam Speaker, there cannot be stronger support for this change to make sure that the Marine Corps would issue a statement to the families and issue it to the families, the paragraph that would clearly state that their husbands were not at fault.

Madam Speaker, some people might just say, Congressman, why have you spent 10 years trying to clear the names of two pilots that you never knew?

Well, Connie Gruber, the wife of Major Brooks Gruber, she does live in Jacksonville, North Carolina, and she and her a little girl, Brook, deserve to have this paragraph for the future of their family, to clearly state that the pilots were not at fault.

Trish Brow lives over in California, Maryland. John Brow was her husband,
and I have been with one of her sons, Michael, who was in my office a year ago in March when we talked about our strategy to clear the names of these two Marine pilots. I never will forget that Michael leaned up after we talked, about five adults, including his mom in there, and his dad and he said, "May I say something? And we all said, "Certainly, whatever you’d like to say." And he said, "Will you please let me clear my father’s name."

Madam Speaker, the ball is in the Marine Corps’ court. All of the evidence and all of the experts have joined in this effort to clear the names of the two pilots. On these charts, you can see the faces of the two Marine pilots. Right immediately close to me is Colonel John Brow, the pilot; and beside him is Major Brooks Gruber, who was the copilot. I think about what I have said to the wives and to their sons and daughters: It’s time that the Marine Corps salute Colonel John Brow and Major Brooks Gruber and say, Colonel and Major, you may rest in peace. Don’t ever worry about your name again. We have done everything we can as the United States Marine Corps to make sure that the public knows that you two, pilot and copilot, were not at fault for that tragedy on April 8 of 2000.

Madam Speaker, just a couple more minutes and I will bring my comments to a close.

I had someone sent to me a quote by Voltaire, and that says, "To the living, we owe respect; to the dead, we owe the truth." And that’s why I wanted to be on the floor tonight to share just a few comments by the experts, not by me. I am no expert. I’m just one man who believes what the wife said, Connie Gruber:

My husband and John Brow cannot speak for themselves. Someone has to speak for these two men to clear their names.

The lawsuits are over. They were settled out of court. It was a closed settlement. Nobody knows the figures except the families. I’ve never heard a figure, so I have no idea. But I know one thing. When a firm as large as Bell-Boeing, which manufactured the V-22, when they settle out of court, they must feel some responsibility for the accident.

I hope and pray that soon the Marine Corps will close the chapter on the tragedy in the life of Trish Brow and Connie Gruber. The reason they want the letter, Madam Speaker, is so their children, 10, 15, 20 years from now, whenever there’s another article written about the V-22 crash in Arizona in the year 2000 and they misstate that this was pilot error, that the families will have an official letter from the Commandant of the Marine Corps that will clearly state that John Brow and Brooks Gruber were not at fault.

Madam Speaker, I’m going to close in about 2 minutes.

I want to call on the United States Marine Corps to come forward and give the families what they are asking. The three investigators, as I said earlier, have joined in this. Jim Shaffer, Madam Speaker, who was in the air at the same time as this crash, he was flying a V-22 when the other two were flying and before Nighthawk 72 crashed. He was a friend of John Brow and Brooks Gruber. He has joined in this effort, to make sure that the right thing is done, based on the circumstances of the time, that the right thing to do is to say that the two pilots were not at fault.

Madam Speaker, I want to thank you for staying a little bit later tonight to give me this time. I’m not going to take the full 30 minutes. There is a lot more I could say, but I think that I’ve done the first step of what is going to be many steps in coming to the floor and talking about these two pilots and their families until we get the letter from the Commandant that is just one paragraph that clearly states that Lieutenant Colonel John Brow, Major Brooks Gruber, pilot and copilot, were not at fault for the crash that happened on April 8, 2000, in Arizona.

So with that, Madam Speaker, I will ask God to please bless the families of these two pilots and the families of the 17 Marines who were in the back of the V-22 that crashed and 19 died, to bless those families as well. I will ask God to please touch the heart of the United States Marine Corps so that these two Marines can rest in peace.

Madam Speaker, with that, I yield back the balance of my time.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1710. An act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

ADJOURNMENT

Mr. JONES. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o’clock and 48 minutes p.m.), under its previous order and pursuant to House Resolution 571, the House adjourned until tomorrow, for Thursday, March 7, 2012, at 10 a.m., for morning-hour debate, as a further mark of respect to the memory of the late Honorable DONALD M. PAYNE.

EXECUTIVE COMMUNICATIONS, ETC.

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

581. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Captain Hugh D. Wetherald, United States Navy, to wear the authorized insignia of the grade of rear admiral (lower half); to the Committee on Armed Services.

582. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Cedric T. Wins, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

583. A letter from the Director, Regulation Policy and Management Staff, Department of Health and Human Services, transmitting the Department’s final rule — Exceptions or Alternatives to Labeling Requirements for Products Covered by the Strategic National Stockpile (Docket No.: FDA-2006-N-0694) received February 13, 2012, pursuant to 5 U.S.C. 501(a)(1)(A); to the Committee on Energy and Commerce.

584. A letter from the Program Manager, Department of Health and Human Services, transmitting the final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act (Docket No.: 0938-AQ74) received February 14, 2012, pursuant to 5 U.S.C. 501(a)(1)(A); to the Committee on Energy and Commerce.

585. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation’s Statement on the System of Intra-Departmental ContROLS and Title III Audited Financial Statements; to the Committee on Oversight and Government Reform.

586. A letter from the Senior Program Analyst, Department of Defense, transmitting the Department’s final rule — Airworthiness Directives; BAE SYSTEMS (Operations) Limited Airplanes (Docket No.: FDS-2011-0986; Directive 2012-NM-251-AD; Amendment 39-16870; AD 2011-24-06) (RIN: 2120-AA44) received February 16, 2012, pursuant to 5 U.S.C. 501(a)(1)(A); to the Committee on Transportation and Infrastructure.

587. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a statement of actions with respect to the GAO report entitled: “NASA: Key Controls NASA employs to Guide Use and Management of Funded Space Act Agreements are Generally sufficient but Some Could Be Strengthened and Clarified”; to the Committee on Science, Space, and Technology.

588. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, Engagement in Additional Work Activities and Expenditures for Other Benefits and Services, April-June 2011: A Temporary Assistance for Needy Families (TANF) Report to Congress; to the Committee on Ways and Means.


591. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Department’s final rule — Section 51 — Work Opportunity Tax Credit; Section 52 — Special Rules; Section 511(e) — Credit for Employment of Qualified Veterans [Notice 2012-13] received February 14, 2012, pursuant to 5 U.S.C. 501(a)(1)(A); to the Committee on Ways and Means.

592. A letter from the Inspector General, Department of Health and Human Services, transmitting Community Living Assistance Services and Supports Final Report to Congress; jointly to the Committees on Energy and Commerce and Ways and Means.
H.R. 4147. A bill to amend title XIX of the Social Security Act to provide States an opportunity to cover a children’s program of all-inclusive coordinated care (ChiPACC) under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. Moran:

H.R. 4148. A bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. Southerland:

H.R. 4149. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial benefits are not to be considered available resources under the supplemental security income program; to the Committee on Ways and Means.

By Mr. Smith of New Jersey:

H. Res. 571. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Donald M. Payne, a Representative from the State of New Jersey; considered and agreed to.

By Ms. Woolsey (for herself, Ms. Wasserman Schultz, Ms. Moore, Mr. Oliver, Ms. Bordallo, Ms. Norton, Ms. McCollum, Mr. Lewis of Georgia, Mr. Levin, Mr. Rangel, Ms. Richardson, Mr. Van Hollen, Mr. Capps, Mr. Grijalva, Mr. Langevin, Mr. Farr, Ms. Loretta Sanchez of California, Mr. Hinchey, Ms. Clarke of New York, Ms. Speier, Mr. Ryano, Mr. Kind, Mrs. Davis of California, Ms. Lee of California, Mr. Carnahan, Ms. Matsui, Mr. Conyers, Mr. Sires, and Mr. Shadakowsky):

H. Res. 573. A resolution supporting the goals and ideals of National Women’s History Month; to the Committee on Oversight and Government Reform.

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. Baca:

H.R. 4141. Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, Article I, Section 8, Clause 1, which grants Congress authority regarding Defence [sic] and general Welfare of the United States; and Clause 3 regarding the regulation of commerce among the states.

By Mr. Petri:

H.R. 4142. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. Southerland:

H.R. 4149. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

ADDITIONAL SPONSORS

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

H.R. 31: Mr. McCotter.
H.R. 32: Mr. Hinojosa, Mr. Kissell, and Mr. Bonamici.
H.R. 157: Mr. Luettke and Mr. Amodei.
H.R. 192: Ms. Slaughter.
H.R. 303: Ms. Bonamici, Mr. Berg, and Mr. Amodei.
H.R. 431: Mrs. Lummis.
H.R. 456: Mr. Jones, Mr. Benishek, and Mr. Walsh of Illinois.
H.R. 452: Mr. Abercrombie and Mr. Hastings of Washington.
H.R. 469: Ms. Norton and Mr. Smith of Washington.
H.R. 578: Mr. Buchanan.
H.R. 584: Mr. Ryan of Ohio.
H.R. 870: Mr. Rothman of New Jersey and Mr. Bishop of Georgia.
H.R. 925: Mr. Hinojosa.
H.R. 972: Mr. Manzullo.
H.R. 1176: Mr. Israel.
H.R. 1179: Ms. Granger.
H.R. 1190: Mr. Pierlisi.
H.R. 1236: Mr. Rigell, Mrs. Black, and Mr. Young of Alaska.
H.R. 1280: Mr. Braley of Iowa, Mr. Webster, Mr. Gary G. Miller of California, and Mr. Luettke.
H.R. 1287: Mr. Schrader.
H.R. 1288: Ms. Hahn, Mr. Baca, Mr. Honda, Mr. Doyle, Mr. Bowser, and Mr. Latta.
H.R. 1443: Mr. Manzullo.
H.R. 1488: Ms. Bonamici.
H.R. 1565: Mr. Gutthrie.
H.R. 1599: Ms. Wasserman Schultz.
H.R. 1614: Mr. Alkire.
H.R. 1639: Mr. Bartlett.
H.R. 1681: Mr. Clarke of Michigan and Ms. Bonamici.
H.R. 1697: Mr. Tiberi, Mr. Gohm, Ms. Granger, Mr. Farenthol, and Mr. Welf.
H.R. 1794: Ms. Hahn and Mr. Perlmutter.
H.R. 1716: Mrs. Capps.
H.R. 1738: Mr. Clarke of Michigan and Mr. Lewis of Georgia.
H.R. 1742: Mr. Towns, Mr. Tierney, Mr. Johnson of Georgia, Mr. Latham, and Mr. Platts.
H.R. 1746: Ms. Zor Lofgren of California.
H.R. 1786: Mrs. Capps.
H.R. 1802: Mr. Fitzpatrick.
H.R. 1905: Ms. Clarke of New York and Mr. Sires.
H.R. 1922: Mr. Ross of Florida.
H.R. 1956: Mr. Mylett.
H.R. 1964: Mr. Duffy.
H.R. 1971: Mr. Kissell.
H.R. 4411: Mr. CLEAVEN, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4141: Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4070: Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4071: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4072: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4073: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4074: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4075: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4076: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4077: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4078: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4079: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4080: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4081: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4082: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4083: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4084: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4085: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4086: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4087: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4088: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4089: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4090: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4091: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4092: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4093: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4094: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4095: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4096: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4097: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4098: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4099: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4100: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4101: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.

H.R. 4102: Mr. RUSH, Mr. RUSH, Ms. Lee of California, Mr. CONYERS, Ms. Clarke of New York, Mr. FALLOMADVARA, Mr. MEERS, Mr. CONNOLLY of Virginia, Mr. SHERS, and Ms. WILSON of Florida.
The Senate met at 10 a.m. and was called to order by the Honorable Richard Blumenthal, a Senator from the State of Connecticut.

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

Let us pray.
O God, who put into our hearts such deep desires that we can’t be, I pray, until we rest in You, satisfy the longings of our souls with Your merciful presence.

Lord, open the minds of our lawmakers to the counsels of Your eternal wisdom, breathing into their hearts Your peace which passes understanding. Increase their hunger for justice in our Nation and world, as they find grace to seek first Your kingdom. May their moments and days ever flow in ceaseless praise.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE
The Honorable Richard Blumenthal led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER, the clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE
PRESIDENT PRO TEMPORE
Washington, DC, March 6, 2012
To the Senate:
Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Richard Blumenthal, a Senator from the State of Connecticut, to perform the duties of the Chair. DARIK K. INOUYE
President pro tempore.

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

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

SCHEDULE
Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business for 1 hour. The majority will control the first half, Republicans the second half. Following morning business, the Senate will resume consideration of S. 1813, which is the surface transportation bill. The filing deadline for second-degree amendments is today at 11:30. At noon there will be a cloture vote on the substitute amendments. The Senate will recess from 12:30 to 2:15 p.m. to allow for the Phillips and Rice nominations to be judges. Will the Chair announce the business today?

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, there will now be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Washington.

RICE NOMINATION
Mrs. MURRAY. Mr. President, I come to the floor today to urge my colleagues to vote in support of Thomas Rice. He has been nominated to serve as the next Federal judge for the Eastern District of my home State of Washington.

Mr. Rice is a distinguished attorney who has dedicated his professional career to serving the public in the U.S. Attorney’s Office. In that time he has earned the respect of Federal judges, opposing defense attorneys, his fellow prosecutors, and local law enforcement officials.

Mr. Rice has a deep connection to eastern Washington and its legal community. He graduated from Gonzaga University with a degree in accounting, and then he returned on a full scholarship to earn his law degree. After earning that degree, Mr. Rice moved directly into public service as a trial attorney with the Department of Justice in Washington, DC. He then returned to the Eastern District to work in the U.S. Attorney’s Office, climbing the ranks to become the first U.S. attorney responsible for the management of the Spokane office, and he is currently the highest ranking career DOJ official in the Eastern District.

Over his 20 years of practice, Mr. Rice has tried over 1,000 criminal cases dealing with nearly every area of Federal law. He has gone above and beyond his duties, volunteering additional hours at the office, taking on extra cases, and establishing the local Antiterrorism Advisory Council, which brings together representatives from every law enforcement agency in the Eastern District.

As the assistant U.S. attorney, he has earned the reputation of being tough on crime but also levelheaded and fair in the conduct of his prosecutions. Mr. Rice clearly meets the
standards of fairness, evenhandedness, and adherence to the law we expect of our Federal judges.

I know I speak on behalf of so many in the Washington State legal community in supporting his nomination today. Mr. Rice's nomination is the product of a bipartisan selection commission we use in the State of Washington, and he received strong endorsements from both sides of the aisle.

We continue to use our bipartisan selection process in Washington State, despite the fact that it does take more time and a lot of effort, because it works to select judges of the highest quality and because it is intended to remove partisanship in the selection of our judges. You would think someone such as Thomas Rice would be able to move through this process very quickly and get to work on the court. Unfortunately, some of our colleagues on the other side of the aisle have slowed down. Despite this vote Mr. Rice's nomination was actually reported unanimously out of the Judiciary Committee in October of last year, with strong bipartisan support—almost 4 months ago. But his nomination has sat on the Executive Calendar because some Republicans refuse consent to debate and vote on nominations just like his. I have not heard any objections from Republicans about Mr. Rice's qualifications, nor have I heard and Republican claim they have been unfairly blocked from any process. This delay is the result of an unprecedented effort by Senate Republicans to delay and block all of President Obama's judicial nominees.

There are now 20 judicial nominations reported favorably by the Judiciary Committee that are still sitting in wait on a final Senate vote. Fourteen of those nominations have been pending since last year and should have been confirmed before the end of last year. Those nominations received strong bipartisan support from the Judiciary Committee. They deserve to move through this process in a fair way and get a vote here on the floor of the Senate—especially when both sides have agreed they are going to pass—because even though Republicans are making this about politics here in DC, this does have a real impact on our families and the court system throughout America. Nearly 10 percent of our federal judgeships remain vacant right now, and 130 million Americans live in districts or circuits that have a vacancy that could be filled today if the Republican obstruction would end on nominations that have been vetted, considered, and favorably reported by the Judiciary Committee, including families in the Eastern District of my home State. This kind of obstruction is not good for our country. It hurts families' ability to access the courts in a timely fashion, and it impacts our politics outside of our judicial system.

I urge all of our colleagues today to vote in support of Thomas Rice. He is a great lawyer, and he is a community leader who I believe will make an exceptional Federal judge.

I really come today to also call on Republicans to end their obstruction and allow us to move forward quickly on debates and votes on these judicial nominations that have been backlogged for far too long.

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

The ACTING PRESIDENT pro tem. 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 the quorum call be rescinded.

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

PUBLIC TRUST

Mr. DURBIN. Mr. President, we live in a time when public trust in all of our government institutions is at an all-time low and unfortunately continues to deteriorate. Recent polls indicate public confidence in Congress is at 11 percent, which is a record-low approval rating.

Americans have been skeptical of politicians in general and Congress in particular from the beginning of this Republic. It is a healthy skepticism which recognizes that we are part of our democracy and the right of people to disagree with leadership with impunity under our Constitution, with some limitations. So I take it in historical context but still cannot escape the reality that the numbers today are lower than ever.

The legislative branch is not the only branch of government the public holds in low regard. Polls also indicate that the U.S. Supreme Court has recently received its second lowest approval rating in history.

One way those of us who serve in government can increase public trust and confidence is to be more transparent about how we operate and the standards to which we are held. The recent passage of the STOCK Act in the Senate is an indication of a continuing effort to alert the public to what we do as Members of Congress which bears scrutiny.

I make a disclosure each year, which goes beyond the requirements of the law, and many others do as well. The STOCK Act will bring many Members of Congress to an even higher level of disclosure—as they should be. One way we can increase our confidence in the institutions of government is to address those aspects which add to transparency and add to trust.

I think it is time for the Supreme Court to provide more transparency and accountability in two specific areas: First, the Supreme Court should allow live broadcasts of all open Court sessions so the general public can see firsthand how the Court operates and arrives at critical decisions that literally change our lives. Second, the Supreme Court should formally adopt the Judicial Code of Conduct, which currently applies to all other Federal judges but for some inexplicable reason does not apply to Justices of the Supreme Court. The Court should also make public the other ethics rules it follows.

The Supreme Court decisions impact the lives of every American, but access to open sessions of the Court is incredible. The Court's proceedings and the way it arrives at decisions are a mystery. Most Americans will never see the Supreme Court at work unless they are willing and able to travel to Washington, DC, and wait in line for hours or sometimes sleep outside overnight on the pavement in an effort to secure one of 250 seats in the Supreme Court courtroom.

In a democratic society that values transparency and openness, there is no valid justification for such a powerful entity of our government operating largely outside the view of American people.

I am pleased to have partnered with Senator CHUCK GRASSLEY, my Republican colleague from Iowa, on theavored the yearlong congressional debate on health care reform, every hearing, floor debate, and vote was accessible to every American with a television set or a Webcast and a computer, at all times. The American people should have the same opportunity to watch the open session of the Supreme Court as our constitutional right. Our bill would require the Court to consider all legislation. On this point, there is bipartisan agreement. Despite our strong disagreements about the Affordable Care Act, Democrats and Republicans from both Chambers have written to the Supreme Court, urging them to permit live video and audio broadcasts of the health care reform argument. The Court should allow live broadcasts of the health care reform hearing and all other open sessions of Court since each of the Court's decisions has the potential to have a transformative impact on the lives of so many Americans.

There are some who say we should not allow cameras in the Supreme Court because only bits and pieces of Court proceedings would be televised,
and they might be taken out of context. That reminds me of an editorial from a few years ago, and here is what it said:

Keeping cameras out to prevent people from getting the wrong idea is a little like removing the paintings from a museum out of fear that visitors might not have the art history background to appreciate them.

Similar arguments were made when consideration was given to televising these proceedings. Nevertheless, for two and a half decades the legislative sessions and committee meetings in the Senate and the House have been broadcast live, and the legislative branch is better for it. The majority of States permit live video coverage in some or all of their courts. It is time the Supreme Court did the same.

Mr. President, I am sure you have found when you have gone back home there are people who watch C-SPAN nonstop. I have literally had people in my hometown of Springfield come up to me in the grocery store and say: Is Senator BERNIE SANDERS feeling well? I saw him sitting at his desk, and he looked a little bit pale.

They follow it with such close regard for the people who sit on the bench that it is a surprise to many of us who live in this institution and work in it every day.

In my view, the Cameras in the Courtroom Act is a reasonable approach to increasing the public interest in, and trust of, the Court, improving access to, and scrutiny of, Supreme Court proceedings. It would make it clear that the Justices will follow the same regulations on outside employment, honoraria, and income that apply to other federal judges. I recently sent a letter—along with Senators LEAHY, WHITEHOUSE, FRANKEN, and BLUMENTHAL—to John Roberts, the Chief Justice of the Supreme Court, asking him to publicly release one of the Court’s resolutions which says that the Justices will follow the same regulations on outside employment, honoraria, and income that apply to other justices. The Chief Justice agreed to make these regulations public.

In my view, the Cameras in the Courtroom Act is a reasonable approach to increasing the public interest in, and trust of, the Court, improving access to, and scrutiny of, Supreme Court proceedings. It would make it clear that the Justices will follow the same regulations on outside employment, honoraria, and income that apply to other federal judges.

Nevertheless, there is more work for the Supreme Court to do to increase transparency and accountability. The Court should either adopt a code of conduct—same as the one which we, all Federal judges—adopt and publicly disclose their own ethics code. Many have called for the Supreme Court to adopt the Judicial Code of Conduct.

In response, Chief Justice Roberts has explained that the Justices use the code as one source of guidance but not the only source. I encourage him and the other Justices to continue on this path by releasing all of their ethics rules.

In this regard, I would like to touch on a related issue. Just as Supreme Court hearings should be televised to the American people, so too should the Court’s ethical standards be available for review by the public. The ethics rules for all branches of government should be clear and public. When ethics decisions arise in the Senate—for example, the Senate Ethics Committee is responsible for enforcing the rules in question—anyone who ever worked in the Senate, has worked for many years to increase openness and transparency in Congress and the executive branch.

I encourage the Supreme Court to take the same approach. Televising Supreme Court proceedings and making public the Court’s ethics rules would be a good start. The American people deserve to be able to watch the Supreme Court arguments and cases that can affect their lives, and they deserve to know the ethical standards that govern the Court when it decides cases.

GASOLINE PRICES

Mr. DURBIN. Mr. President, I mentioned yesterday on the Senate floor I spent a great deal of time in deep southern Illinois where some devastating and fatal tornadoes hit last week. As I said then and will repeat briefly now, the amazing outpouring of volunteerism and support from people near and far and wide was inspiring to me. It is great to know that, just as I had hoped, the people in my State rallied to help the victims.

There were formal organizations such as the American Red Cross and informal organizations such as Operation Blessing which brought together churches from all over the area. There was a Methodist church from Carrier Mills with about 20 of their parishioners. Some were children with rakes doing everything they could to help clean up the mess. It was inspiring to see that. I was happy for that.

I will tell you that in addition to the tornado issue we faced, the one thing that hit people between the eyes in Illinois this last week was gasoline prices. I was in the suburbs of Chicago on Friday evening and saw a gas station with regular gasoline for $4.09. I saw some lower prices over the weekend, but that was the high watermark and high gasoline prices in my State that I observed. People are very sensitive to this. Gasoline prices literally affect the lives of people individually and families as well. They also have a direct impact on business.

Volunteers at a vice president of Walmart about monitoring retail sales and how to increase retail sales, and he told me that with all of the hundreds and thousands of Walmart stores and employees, they literally monitor sales by the second in real time. He was able to observe the sales pattern in a store somewhere in America and tell you within a few pennies or dimes what the price of gasoline is in
that community. When gasoline goes up, people put the money into the tank instead of on the counter, and they stay home instead of going out to shop. That is how the price of gasoline directly impacts economic recovery.

I have listed so many of the comments that have been made on the Senate floor by individuals on the other side, their approach on how to deal with the issue of gasoline prices and what to do with it. I see the Senator from California. I sometimes wonder if I am reading the same basic information.

The Keystone Pipeline could serve a valuable purpose, but to believe that this is somehow going to have an immediate impact or any major impact on gasoline prices is not realistic. Currently, the pipelines from Canada that export these oil sands to the United States are operating at less than 50 percent of capacity. So there is plenty of room for more oil sands to come to the United States for refining. In fact, one of the pipelines goes directly to my State to the Conoco refinery in Wood River, and this refinery has the capacity that could be used to process these Canadian oil sands right now. So to accuse the Keystone Pipeline of somehow holding back the export of Canadian oil sands that might have an impact on gasoline prices just does not work.

I have noted there has been a significant increase in the amount of oil exploration and drilling that has taken place under this administration. I believe that is an indication of what we can and should do as a nation to deal with the problem of providing the oil resources in an environmentally responsible way. It is 2 years after the BP spill, and I think it is time for us to reflect on the fact that we never ever want that to happen again.

The devastation that has been caused to so many wildlife habitats, and to so much in terms of wildlife will not be calculated. Perhaps it never will be. But we know we cannot allow that to occur again. We should not exult speed over safety. We have to make certain that as we move forward to develop our energy resources, both oil and gas, we do it in a sensible way. I hope we can gather together and agree that is the way to approach it, along with the administration’s proposals for more fuel efficiency. In the vehicles we drive, and for the development of alternative fuels which will be environmentally friendly and spark new innovation, new businesses, and new jobs in this country in the 21st century.

Mr. BOXER. Will the Senator yield for a question?

Mr. DURBIN. I am happy to yield.

Mrs. BOXER. Mr. President, I thank my friend for putting the gas price situation into a larger picture and also note that one of the factors playing a role is manipulation due to some of the instability in the world that our President is certainly dealing with, and many of us have heard the oil prices, the fact that we have sanctions, the fact that there is also a greater demand coming for this product from China and other very high-growth areas.

I say to my friend, is he aware—I know he is, but because of the rules I have to ask it in a question—that we are producing far more of this resource, oil, in this country than we have done? Since 2008 we have many more riggs out there, and is my colleague also aware that there is no drilling on oil leases, that gas is well over 50 million acres of leases on which they are not drilling when they could? And, my last point, is my friend aware that we are exporting more than we ever have from America? That is also a very important point.

To those who say, “drill, baby, drill,” that is not an answer if it is “export, baby, export.” The fact is we are drilling more, and more is leaving America.

So I say to my friend, is he aware of all the oil companies, and he be as concerned as I am about the other side playing more politics with this because “drill, baby, drill” is not the answer? We are drilling more than ever. We only have 2 percent of the world’s proven supply of oil, and if my friend could comment on those points.

Mr. DURBIN. I thank the Senator from California. In response, I would ask consent of the Chair to have printed in the RECORD the New York Times editorial of Tuesday, March 6, 2012, entitled “Drill Baby Drill, Redux.”

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

[From the New York Times]

**DRILL BABY DRILL, REDUX**

**REPUBLICANS’ TIRED REMEDY FOR RISING GAS PRICES HELD UP AGAINST THE GRASSROOTS**

It’s campaign season and the pandering about gas prices is in full swing. Hardly a day goes by that a Republican politician does not hop on this bandwagon and claim that rising costs at the pump are the result of President Obama’s decisions to block the Keystone XL pipeline and impose sensible environmental regulations and modest restrictions on offshore drilling.

Next, of course, comes the familiar incantation of “drill, baby, drill.” Mr. Obama has rightly derided this as a “bumper sticker” not a strategy. Last week, he agreed that high gas prices were a real burden, but said the only sensible response was a balanced mix of production increases, conservation and innovation in alternative fuels.

There are lots of reasons for the rise in gas prices, but the lack of American production is not one of them. Domestic crude oil production is actually up from 5.4 million barrels a day in 2004 to 5.59 million now; imports have dropped by more than 10 percent in the same period. Despite a temporary slowdown in exploration in the Gulf of Mexico after the BP oil disaster, the number of rigs in American oil fields has quadrupled over 3 years. There have been new discoveries, and the administration has promised to open more offshore reserves. To say that Mr. Obama has denied industry access is nonsense.

In the past, the Republican claim that Mr. Obama’s proposed repeal of $4 billion in annual tax breaks for the oil and gas industry—which oil company hideouts posted $137 billion in profits last year—would drive prices upward. As is Newt Gingrich’s claim that a proposal now taking shape in the Environmental Protection Agency, and fiercely opposed by refiners, to lower the sulfur content in gasoline would add 25 cents to the cost of a gallon. Agency experts say it would add about a penny.

The truth is that oil prices are set by world markets by forces largely beyond America’s control. Chief among these is soaring demand in countries like China. Unrest in oil-producing countries is another factor. The Trump administration notes fears in oil markets that gas could jump to $5 a gallon if the standoff with Iran disrupted world supplies.

Therein lies the biggest weakness in the Republican litany. A country that consumes more than 20 percent of the world’s oil supply but owns 2 percent of its reserves cannot drill its way out of high prices or dependence on exports from unstable countries. The only plausible strategy is to keep production up while cutting consumption and embarking on a serious program of alternative fuels.

American innovation is a big part of the answer. Two byproducts of the automobile bailout were the carmakers’ acceptance of steeply improved fuel standards and the new commitment to building cars that can meet those standards. The new rules are expected to cut consumption by 2.2 million barrels a day—more than America now produces in the gulf. These and other measures are not nearly as catchy as Drill, Baby, Drill. But they have a far better shot, long term, of lessening this country’s dependence on oil imports and keeping gas prices under control.

Mr. DURBIN. It answers specifically what the Senator just raised, and I would like to read a portion of it.

Domestic crude oil production is actually up from 5.4 million barrels a day in 2004 to 5.59 million now; imports have dropped by more than 10 percent in the same period. Despite a temporary slowdown in exploration in the Gulf of Mexico after the BP oil disaster, the number of rigs in American oil fields has quadrupled over 3 years. There have been new discoveries, and the administration has promised to open more offshore reserves. To say that Mr. Obama has denied industry access is nonsense.

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The Times noted fears in some quarters that gas could jump to $5 a gallon if the standoff with Iran disrupted world supplies.

The editorial continues:

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As the Senator from California noted—more than 20 percent of the world’s oil supply but owns 2 percent of its reserves cannot drill its way out of high prices or dependence on exports from unstable countries. The only
Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak for up to 10 minutes in morning business.

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

GAS PRICES

Mr. ISAKSON. Mr. President, I am glad to be able to come to the floor. I wish to talk about a subject that was talked about to me a lot during the Presidents Day break back in Georgia. I spent most of that week traveling in my State, going to townhall meetings, listening to Georgians from Savannah, GA, to Murray County, GA, and everywhere in between. It was absolutely easy to tell what the No. 1 issue for the average American or the average Georgian family is; that is, what the price of gasoline is doing to their budget.

Gasoline prices continue to escalate. In fact, I have a Chevrolet Silverado pickup truck that I use from time to time and I had to fill it last weekend. It cost $78 to fill it, and it wasn't totally empty. That is a big price tag to fill a pickup truck. When I think of every carpenter or farmer or landscaper or student taking their goods back to school to their dormitory room and how much they have to pay for gasoline to deliver those goods and services or that furniture, I realize how harmful current gas prices are and I fear how high they are going to go.

We need a comprehensive energy policy in the United States of America. I was listening to the distinguished majority whip speak before me. He made an interesting comment about the Keystone Pipeline. He said, even if we approved the Keystone Pipeline, it would not do anything for gas prices today. He is right because we have to build the pipeline. But if we had approved it 2 years ago and it was operating, we would have 700,000 barrels of petroleum more a day coming into the United States. As a result, because it would not be ready today doesn't help gas prices is not keeping our eye on the ball.

What we have to recognize is, in the absence of a comprehensive policy, in the absence of foresight, in the absence of putting all the general items on the table that generate energy, we are putting off the day in which the United States would be energy independent. Because we are not energy independent, then what goes on in Iran, in the Strait of Hormuz, and in Venezuela affects the speculation on gasoline and petroleum which affects the price of gasoline in the United States. I am not one of these "burn gas right and left, drill as much as you can, fossil fuels are fine." I know we have problems with carbon. I drive a hybrid vehicle, not because I am trying to drive a point but because it makes sense. Anytime you can reduce carbon, that makes sense. But you cannot eliminate it. You cannot eliminate it. You have to do all you can to put all sources of energy on the table. And one of those is to continue to explore for gasoline and petroleum in the domestic United States of America—off the Gulf of Mexico, off of our coastline, in our national lands that we own where we know we have shale oil and where we also know we have natural gas.

That exploration ought to be replete throughout the country, so we are expanding our supply and reducing our dependence on foreign imports. The best way to lower the price of gasoline in the future for Georgians and for Americans is for the Congress of the United States and the President of the United States to have a comprehensive energy policy that embraces all forms of energy.

To the credit of the President, he approved not too long ago the loan guarantees on reactors 3 and 4 at Plant Vogtle. They will be the first nuclear reactors built in the United States of America since Three Mile Island. Nuclear energy is a safe, reliable, carbon-free—carbon-free—generation of energy every time. Every time we use our nuclear capability we are lessening the pressure on domestic and foreign oil to be burned.

We know in the Haynesville shale and the Marcellus shale, which has been discovered in Pennsylvania and Louisiana and Texas, that we have gone from having a finite supply of natural gas to an infinite supply. Yet, because there is some contest over whether hydraulic fracturing is good or not good, we are going to pay that gasoline as we should or that natural gas as we should. We should be exploring it as much as possible, because it is a cleaner burning fuel than liquid petroleum and gasoline. We ought to be doing renewable energy whatever it makes sense. But we have seen renewable energy has its limits. We spent $6 billion a year subsidizing ethanol in hopes that it would have reduced foreign imports, but it has not. It has had limitations on the engines. But ethanol has a place. It is scalable on the farm in some cases. That is a good source of energy.
Solar is a good source of energy where it works. But it only works as a supplement. It is not a primary supply or source. And wind, great. But it is only great in the Midwest and down toward the Southwest. But we ought to be using and encouraging it.

What Congress is doing is encouraging all forms of exploration, all forms of generation, and all of them domestically in the United States of America. That will bring down gas prices.

The distinguished majority whip was right: It will not bring it down today, because we have put off having an energy policy. But once we finally develop an energy policy, and we stick to it, and we explore all forms of renewable energy and all forms of fossil fuel and all forms of coal, and we enhance nuclear, then we will have a plethora of energy and we will have a lower price and less competition with foreign oil and foreign petroleum, which is where the United States of America needs to be.

Right now, we all realize what is going on in the Middle East is the root cause of most of the increase in the cost of oil, because of speculation. Every time we can improve our position and be free of those influences is better for the United States of America and, most importantly, it is better for the average citizens we all represent.

My message from the people I represent—and I have talked to all during the Presidents Day recess and that week is: Do everything you can to expand your supply of energy wherever you can find it. Take us out of a dependence on foreign imports and get us independent of foreign oil; that will bring down the price of oil. As a byproduct, that will be in the best national security interests of the people of the United States of America.

I yield the floor and suggest the absence of a quorum call be rescinded.

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

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

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

Mr. BOOZMAN. Mr. President, as February came to a close, it left behind an unfortunate new record, $3.73 per gallon, the national average, for unleaded gasoline, the highest ever recorded during this month. Prior to this morning’s drop of three-tenths of a cent, gas prices had been on the rise for 27 straight days. In just 3 years, gas prices have doubled, and they are not stopping there. Back home in Arkansas, the average price of a gallon of regular gasoline is up over 25 cents from a month ago. Many analysts are predicting we will hit $4 a gallon by summer.

Think about what that does to the economy. For our small business owners and farmers, it means much higher overhead. Those costs ultimately get passed on to the consumers. In very dire cases, which many of our small businesses are facing today due to reduced profit margins, threats of higher taxes and increased regulations, high gas prices are a straw.

It puts extra pressure on budgets of already cash-strapped local governments. Just the other day I was reading a story from the Booneville Democrat that documented the negative effects of the price of gas has on Logan County, AR. The county judge, Gus Young, noted if gas prices reach $4, it is “going to take away from the other things that need to be done.”

In Blytheville, AR, which is a 300-mile trek from Booneville, those same concerns are being voiced. In the Blytheville Courier News, former mayor Barrett Harrison described how in recent years, despite efforts to use more fuel-efficient vehicles and to cut the budget, it would still end up having to amend the budget at the end of the year due to the high fuel costs.

For hard-working Arkansans, it is changing the way they live, and not for the better. It is very painful for our seniors and single parents who live on fixed incomes. The high price of gas is one of the top issues I am hearing about in letters, calls, and during my visits across the State. I also recently received an email where the rising price of gasoline in Arkansas is affecting them on my Facebook page. I want to share a few of the responses I received.

Tim in Rogers, AR said, “The more we have to pay for gas, the less money we have for the other necessities and pleasures of life and living.”

Melody in central Arkansas said it costs her family “nearly sixty-five dollars to fill up their truck” and said they have limited their driving to only their doctor in Hot Springs and the grocery store.

And it goes on from there. Many respondents said that it limits their spending at places like the grocery store and will affect their vacation plans. The overwhelming common thread in those responses is that Washington needs to do something about the high cost of gas.

There is no denying that rising fuel prices are hard on Americans and further complicate our efforts to revitalize the economy. There is also no denying that we are not moving fast enough to address these concerns. Americans want to know why, while their gas bills mount, Washington still does not have an energy policy. It is past time that we move forward on one and that begins with increasing our energy production here at home.

We have the largest recoverable resources of oil, gas and coal of any nation on the planet. America’s recoverable resources are larger than the combined supply of Saudi Arabia, China and Canada. Despite that, we depend on hostile regimes—and nations that have agendas that are often at odds with our own—for much of our oil.

The current tension between Israel and Iran only serves to make matters worse. If Israel strikes Iran, there is a good chance that the Iranians could attack the United Arab’s oil fields to retaliate against the West.

It doesn’t have to be this way. The Keystone XL Pipeline, Arctic National Wildlife Refuge, ANWR, and drilling in the eastern Gulf of Mexico would produce 3 million barrels of oil per day. The lack of will in Washington to increase production here at home is unnecessary. It is a literal road block. It prevents our economy from picking up, increases the costs Americans pay for fuel, and it creates an enormous liability for our national and economic security.

President Obama has said that increased domestic oil production is unnecessary as he contends it is at the heart of why gas prices have doubled, and they are not stopping there. Back home in Arkansas, the average price of a gallon of regular gasoline is up over 25 cents from a month ago. Many analysts are predicting we will hit $4 a gallon by summer.

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President Obama has said that increased domestic oil production is unnecessary as he contends it is at the heart of why gas prices have doubled, and they are not stopping there. Back home in Arkansas, the average price of a gallon of regular gasoline is up over 25 cents from a month ago. Many analysts are predicting we will hit $4 a gallon by summer.

Think about what that does to the economy. For our small business owners and farmers, it means much higher overhead. Those costs ultimately get passed on to the consumers. In very dire cases, which many of our small businesses are facing today due to reduced profit margins, threats of higher taxes and increased regulations, high gas prices are a straw.

It puts extra pressure on budgets of already cash-strapped local governments. Just the other day I was reading a story from the Booneville Democrat that documented the negative effects of the price of gas has on Logan County, AR. The county judge, Gus Young, noted if gas prices reach $4, it is “going to take away from the other things that need to be done.”

In Blytheville, AR, which is a 300-mile trek from Booneville, those same concerns are being voiced. In the Blytheville Courier News, former mayor Barrett Harrison described how in recent years, despite efforts to use more fuel-efficient vehicles and to cut the budget, it would still end up having to amend the budget at the end of the year due to the high fuel costs.

For hard-working Arkansans, it is changing the way they live, and not for the better. It is very painful for our seniors and single parents who live on fixed incomes. The high price of gas is one of the top issues I am hearing about in letters, calls, and during my visits across the State. I also recently received an email where the rising price of gasoline in Arkansas is affecting them on my Facebook page. I want to share a few of the responses I received.

Tim in Rogers, AR said, “The more we have to pay for gas, the less money we have for the other necessities and pleasures of life and living.”

Melody in central Arkansas said it costs her family “nearly sixty-five dollars to fill up their truck” and said they have limited their driving to only their doctor in Hot Springs and the grocery store.

And it goes on from there. Many respondents said that it limits their spending at places like the grocery store and will affect their vacation plans. The overwhelming common thread in those responses is that Washington needs to do something about the high cost of gas.

There is no denying that rising fuel prices are hard on Americans and further complicate our efforts to revitalize the economy. There is also no denying that we are not moving fast enough to address these concerns. Americans want to know why, while their gas bills mount, Washington still does not have an energy policy. It is past time that we move forward on one and that begins with increasing our energy production here at home.

We have the largest recoverable resources of oil, gas and coal of any nation on the planet. America’s recoverable resources are larger than the combined supply of Saudi Arabia, China and Canada. Despite that, we depend on hostile regimes—and nations that have agendas that are often at odds with our own—for much of our oil.
March 6, 2012

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technologies. These will ultimately ease our dependence on foreign oil and gas. But we need relief now and American oil is necessary and available.

For the foreseeable future, our economy will rely heavily on fossil fuels. While we certainly need to encourage the market for alternative energy sources, it has yet to be fully developed. But there is no denying that by stalling domestic production, we create an unnecessary burden on an already weak economy and are hurting our efforts to meet energy needs. We need to lift the moratorium on offshore oil development, open ANWR for exploration and move the Keystone Pipeline forward instead of further postponing the decision.

As I mentioned earlier, the people of Arkansas are demanding action from Washington. They are frustrated by the high gas prices. I will continue with another chart to show other examples. I will be sure to report.

The assistant legislative clerk read as follows:

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1813, which the Clerk will read.

As my friend knows, he and I have had a long-term relationship. I have been working with Senator HUTCHISON. We now have added to the package 37 bipartisan amendments. What more do my friends want? We have added more bipartisan amendments to it. All these are at stake, and today we can end all this dithering and wasting time. The people of America look at us and wonder what we are about. Vote your party line. Vote yes on cloture.

I wish to talk about what is at stake if we don't invoke cloture and don't wind up with a bill. That is not just hyperbole; these are facts. All our transportation programs expire on March 31.

My friend in the chair served as a great Governor of his State of West Virginia. He knows how important the highway bill is. We work together with the States and with the planning organizations, and we get those funds out there in March. This bill reauthorizes that program, and 1.8 million jobs are at stake. As soon as we fail, there is no more program. There is no more authority to collect the Federal gas tax that supports the highway program. There is no authority to spend any money on transportation.

Again, 1.8 million jobs are at stake. Let's go to the next chart. I did a breakdown of the various States. In this time, I am going to highlight a few of the States. The charts will be available for everybody.

In Alabama, we are talking about only 27,000 jobs; in Alaska, 18,000 jobs— I am skipping; in California, 164,000 jobs; in Florida, 76,000 jobs; right here in DC, 18,000 jobs; in Georgia, almost 50,000 jobs; in Illinois, 65,000; in Indiana, 34,000; in Iowa, 17,000; in Louisiana, 25,000; in Maine, almost 7,000.

We will go on and give the rest of the charts. We have a chance today to vote to reauthorize a transportation bill. That is not just hyperbole; these are facts. All our transportation programs expire on March 31.

I wish to talk about what is at stake if we don't invoke cloture and don't wind up with a bill. That is not just hyperbole; these are facts. All our transportation programs expire on March 31.

Mrs. BOXER. Mr. President, we are back in our fourth week trying to get a transportation bill through this body. To me, it is a very sad statement about the dysfunction of this body that we spent approximately 3 weeks dithering over a contraception amendment that has nothing to do with the highway bill and other threats to the foreign policy amendment and so on.

We have a chance today to vote to end this dithering, and the Chamber of Commerce is asking us to do that. The AFL-CIO is asking us to do that. One thousand organizations are asking us to do that because they know thousands of businesses and well over 1 million jobs are at stake.

I wish to say I heard the tail end of Senator BOOZMAN’s talk about the Keystone Pipeline. I wanted to make sure it was on the record—this is from a conversation I had with Senator DURBIN—that under this President we are drilling now more than we have ever drilled. Anyone who says “drill, baby, drill” doesn’t understand that the number of rigs that are now moving are four times as many as in 2008. They don’t understand we are now exporting oil. They don’t understand the fact that we are importing less. Does that mean we are done? No. The oil companies have acres of approved leases. They ought to drill there and hands off my coast because my coast is an economic gold mine the way it is because we have tourism and recreation and fishing. Those jobs far outweigh anything that could come from oil drilling, which would tend to undermine the very economy of my great State. If we have to vote on Keystone, we will. If we have to vote on offshore drilling, we will. But I will be here to point out that if we care about jobs and about making sure the price of gasoline goes down, when we have Keystone, let’s make sure the oil stays here, that oil is made in America and stays in America. These issues are not one-dimensional; they are many sided, as my friend knows. He and I have agreed on much and we have disagreed on some.

What we need is the kind of balance President Obama brings to the table when it comes to energy. He says we will do “all of the above,” but we will do it wisely. Interestingly, on the Keystone Pipeline—we now have the tea party talking about property rights and the fact that they have to be respected and that they would have to be dealt with in a new pipeline such as this. So we will have votes.

May I make a plea to my colleagues? At noon, just about 50 minutes from now, we can have a clean vote; 60 of us can vote to move to this Transportation bill, to get rid of, as my friend OLYMPIA SNOKE has said, polarizing amendments. Why not move to something that was voted unanimously out of our committee, 18 to zero—Republicans and Democrats, all together; Senator INOUE and myself; together; Senator SHELBY and Senator JOHNSTON, together on the bill; Senator BAUCUS, working in a bipartisan way with his committee; and Senator ROCKEFELLER, once they got rid of some bumps, working with Senator HUTCHISON. We now have pending an agreed-upon bill, plus we have added to the package 37 bipartisan amendments.

What more do my friends want? We have added more bipartisan amendments. What more do my friends want? We have added more bipartisan amendments to it. All these are at stake, and today we can end all this dithering and wasting time. The people of America look at us and wonder what we are about. Vote yes on cloture.

I wish to talk about what is at stake if we don't invoke cloture and don't wind up with a bill. That is not just hyperbole; these are facts. All our transportation programs expire on March 31.
is a real reform bill. We have done away with every earmark. One particular program we increased is the TIFIA Program, transportation infrastructure financing. We took it up to $1 billion because it leverages Federal dollars 30 times. So let’s say one of our counties wanted to do half a billion for a highway, we might contribute 180 million to build a system. We would come in—and the Federal Government, you make an application from your State and we would front that money. So you could build it all in 1 or 2 years instead of waiting for the funding over 10. This was an idea that came from Mayor Antonio Villaraigosa and the Chamber of Commerce and the labor unions in Los Angeles.

So the bottom line here is not only are we saving 1.8 million jobs, but we have the potential of creating another 1 million jobs. If we fail today to cut off debate and we don’t have a path forward—which I hope the leaders will figure out—if we abandon this, 2.8 million jobs are at stake.

Let’s look at some other charts of unemployment. Mr. President, you know as well as anyone in your State, and I know in my State, that construction workers have been hit very hard. The national unemployment rate is 8.3 percent. We are hopeful it is on the downturn, but the construction industry unemployment rate as a whole is 17.7 percent. It could be even worse in some areas, but this is an average. So if we actually expand employment in the construction industry, we are looking at a total crisis, a total disaster. Right now, we have 1.48 million construction workers out of work. If we fail to do this bill, we are adding another 1.8 million. So you could say this would be a depression for construction workers.

It doesn’t stop there. The industry is feeling it, the businesses are feeling it, and we have a chart that talks about the thousands of businesses that would be adversely impacted by a shutdown on March 31. So in addition to the 1.8 million workers who would be laid off, 11,000 transportation construction companies—many of them—would have to shut their doors. And that is a very modest number.

Let me show a picture that I often show when speaking of the construction industry because sure you are a Super Bowl fan—we all are, Mr. President—and this is a picture of a stadium during the Super Bowl. Every seat there, about 100,000 seats, is filled. Imagine every one of these seats filled with an unemployed construction worker, and then close your eyes and envision 14 more of these stadiums filled with unemployed construction workers. That is where we are today. Then you would have to envision another 25 or 30 of those. We cannot afford to lay off this road. So today, let’s vote “aye” for cloture.

The last thing I want to show is the strong support for this cloture vote. We received this yesterday from the U.S. Chamber of Commerce. The Chamber of Commerce:... strongly supports this important legislation. Passing surface transportation reauthorization legislation is a specific action Congress and the administration know to support job growth and economic productivity without adding to the deficit.

Because, as you know, this bill is 100 percent paid for. We also have a history-making group of organizations that have come together to answer you a question: why do they support this? They sign up to stick to the highway bill, stick to the transportation bill. This vote is a very important vote for folks because I think if you don’t vote to move to the bill and you vote to prolong this debate, you will end up telling the American people to head home and tell them why you are playing Russian roulette with the highway bill, because on March 31 it all stops.

It is true in the past we have had extensions. This is different than usual because the trust fund is short of funds, so you can’t just extend. If you extend, there is a price to be paid. Because the trust fund doesn’t have the funds it needs—which is repaired in this bill—you would have an immediate cut of a third of third—right which means 500,000 jobs, if you did an extension. We don’t want that. We want a bill that is a reform bill, that takes this from 90 programs to 30, that uses leveraging in a smart way, and that is truly bipartisan.

Let me sum up. In a few minutes we will be voting, and let me say to my friends again, you have all the facts at hand. If you don’t know what your State job loss would be if we fail to act, you simply can’t vote. If there is no way you can run away from what you know.

We had 85 votes to proceed to this bill. That was a long time ago. It seems like ages ago. Yet we can’t get off dead center because people are offering unrelated amendments. So my hope is we will get to 60. My hope is we can, in short order, get this bill done and send a message of hope to the people.

I heard just now that Speaker Boehner has said he wants to call the roll in the Senate bill; that he is going to take a look at the Senate bill because, at this point, they haven’t been able to get a bill that they feel has a chance. This bill, I would reiterate for America, is bipartisan, the most bipartisan bill I have ever seen around here, and it unites people who fight and argue on everything else. When INHOFE and BOXER agree on something, you know that is a real good compromise. And we do agree. When Vitter and Baucus come in and agree on the same thing that INHOFE and BOXER have agreed to, it is a good day around here. And that is what we have before us.

So I call on colleagues to vote aye on the cloture vote and let’s get on with this. Let’s spare the people the untold suffering that will come if we have to lay off 1.8 million workers and hurt more than 11,000 businesses.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum. The PRESIDING OFFICER: The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.
Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Mr. President, I ask unanimous consent that the time during which these quorum calls be charged to both sides equally.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. We appreciate everyone’s patience. The Republican leader and I wanted to come and say a few words.

The measure before the Senate today is moderate bipartisan legislation. Its four component parts were reported out of four different committees with bipartisan support. Eighteen Republicans voted to begin debate on this legislation. As everyone will remember, we had to file cloture on a motion to proceed to this bill, and the Senate agreed we should move forward on this legislation.

This bill will create or save 3 million middle-class jobs, and it enjoys broad bipartisan support. Eighty-five Senators voted to begin debate on this legislation and passed it. The majority leader indicated, we have 37 amendments that is before this body. But in addition to that, we have agreed additionally to 30 other relevant amendments, so we have agreed to offer a “no” vote—no to stop the bill. This is a bill that is not going to be stopped. It has broad bipartisan support. Senator BOXER and Senator INHOFE have worked very hard on this legislation, and we anticipate being able to wrap it up.

But just to underscore where we are, I have indicated I would like to offer a unanimous consent agreement that kind of summarizes where I think we are.

I would ask unanimous consent that the pending Reid amendment be withdrawn, that it be in order to offer a new perfecting amendment cleared by both leaders which contains the three things: first, that the following non-relevant amendments be in order to S. 1813, and they be subject to the 60-vote affirmative threshold; Senator COLLINS No. 1660, Boiler MACT; Senator VITTER No. 1535, OCS; Wyden side-by-side relief; Senator HAYES No. 1515, Highway; Senator HATCH No. 1337 related to the Keystone Pipeline; Levin amendment on offshore tax havens; McConnell or designee relevant to Levin amendment; a Cantwell amendment on energy tax extenders; a McConnell or designee amendment relevant to the Cantwell amendment; Menendez amendment on natural gas; and a Coburn amendment, No. 1738, on duplication.

I further ask unanimous consent that the following highway-related amendments also be in order: DeMint No. 1756; Coats No. 1517; Blunt No. 1540; Paul No. 1556; Portman No. 1736; Portman No. 1742; Corker No. 1785; Corker, on highway trust fund, No. 1788; Hutchinson No. 1568; McCain No. 1699; and 10 highway-related amendments to be offered by the majority leader or his designee.

I further ask unanimous consent that following the disposition of the above-listed amendments and the managers’ package of amendments to be cleared by both managers of the bill, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended.

Finally, I ask unanimous consent that following passage of S. 1813, the bill be held at the desk and that when the Senate receives the companion measure from the House, the Senate proceed to its immediate consideration, all after the enacting clause be stricken, the text of S. 1813 as passed by the Senate in lieu thereof; that the bill then be read three times and passed, the Senate insist on its amendment, request a conference with the House, and
the Chair be authorized to appoint con-
feres on the part of the Senate with a
ratio agreed to with the concurrence of
both leaders.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to ob-
cject.

The PRESIDING OFFICER. The ma-
rORITY leader.

Mr. REID. I don’t know why every-
thing we do has to be a fight—not a
disagreement, a fight. This bill was
brought up on February 7, and we have
been spending the better part of a
month dealing with contraception—by
the way, an amendment I had to offer
because they wouldn’t bring it up so we
could vote on it.

My math says this agreement that
has been suggested by the Republican
leader calls for 34 amendments. I un-
derstand and I appreciate that some of
them are related to what is in this bill—but of course, as I understood earlier, we have been dealing with
contraception. There are amendments
dealing with clean water standards and
clean air standards. Nothing in this bill
should deal with America having to
breathe more mercury, more lead, and
then, list for good measure, how about
some arsenic? That has nothing to do
with the highway bill.

As I said before, the amendment I
looked at from my friend from Lou-
siana calls for drilling for oil anyplace
there is water beneath them they will be
gong to Lake Mead outside Las Vegas. We
are producing more domestic oil now
than in decades. The President has
opened areas in Alaska that have never
been opened before.

Why can’t we just invoke cloture on
this bill and move forward on it? It is
not easy to get to conference—we know
that—but we could go to conference.
The House is doing its best to come up
with a bill. They are struggling hard.

On the last day of April, it will be
April Fools’ Day for a lot of people in
America because we will lose almost
800,000 jobs on April 1. It will be a real
April Fools’ Day. So if we can’t move
forward on this—why can’t we get seven
Republicans to break from the
pack over here and say that not every-
thing we do has to be an arm-wrestling
contest?

I appreciate that we at least have some
writing in it. I appreciate that. I will
take a look at it, but I object.

The PRESIDING OFFICER. Objec-
tion is heard.

The Republican leader.

Mr. McCONNELL. Mr. President, not
to continue to debate much further,
but I would point out that there are de-
mands for amendments on both sides
here. We are very close to getting an
agreement. I think a “no” vote on clo-
ture is not the end of this bill but the
beginning. It gives us an opportunity
to go back and reexamine discussions
we have been going on entirely too long, it
seems to me, and I know the majority
leader has been frustrated by it, and so

have I. But we are very close to getting
agreement on a list of amendments,
and we should be able to finish this bill
by the end of the week.

The PRESIDING OFFICER. The ma-
rORITY leader.

Mr. REID. Mr. President, I am, for
lack of a better word, disappointed.
These amendments are going to do
nothing to advance the work product of
almost 3 million Americans—one of
them.

We should invoke cloture. I ask my
Republican colleagues: Break this im-
passe. Do something that is good for
the American people. Invoke cloture
and stop the filibuster—another one.

The PRESIDING OFFICER. Under
the previous order and pursuant to rule
XXII, the Chair lays before the Senate
the pending cloture motion, which the
clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accor-
dance with the provisions of rule XXII of
the Standing Rules of the Senate, hereby
move to bring to a close debate on the Reid amend-
ment No. 1761 to S. 1813, a bill to reauthorize
Federal-aid highway and highway safety con-
struction programs, and for other purposes.

Harry Reid, Barbara Boxer, Christopher
A. Coons, Robert P. Casey, Jr., Tom
Harkin, Mark Udall, Richard
Blumenthal, Debbie Stabenow, Patrick
J. Leahy, Herb Kohl, Frank R. Lauten-
berg, Max Baucus, Tom Udall, Kent
Conrad, Robert Menendez, Kirsten E.
Gillibrand

The PRESIDING OFFICER. By unan-
imous consent, the mandatory quorum
call has been waived.

The question is, Is it the sense of the
Senate that debate on amendment No.
1761, offered by the Senator from Ne-
veda, Mr. Reid, to S. 1813, a bill to re-
authorize Federal-aid highway and
highway safety construction programs,
and for other purposes, shall be
brought to a close?

The yeas and nays are mandatory
under the rule.

The clerk will call the roll.

The bill clerk read the roll.

Mr. DURBIN. I announce that the
Senator from Alaska (Mr. BEGICH) and
the Senator from Vermont (Mr. LEAHY)
are necessarily absent.

I further announce that, if present
and voting, the Senator from Vermont
(Mr. LEAHY) would vote “yea.”

Mr. KYL. The following Senators are
necessarily absent: the Senator from Illi-
nois (Mr. KIRK) and the Senator from
Neveda (Mr. HELLER).

The PRESIDING OFFICER. Are there
any other Senators in the Chamber de-
siring to vote?

The yeas and nays resulted—yeas 52,
nays 44, as follows:

[Rollcall Vote No. 25 Leg.]
Judge for the Eastern District of Washington. The PRESIDING OFFICER. Under the previous order, there will be 2 minutes for debate equally divided in the usual form.

Mr. SMITH. Mr. President, today the Senate will vote on the confirmation of two highly qualified, consensus nominees to the Federal bench: Mary Elizabeth Phillips to the U.S. District Court for the Western District of Missouri and Thomas Owen Rule to the U.S. District Court for the Eastern District of Washington. I thank the majority leader for pressing for these votes. These are nominees who were reported unanimously by the Senate Judiciary Committee last October, almost 5 months ago. They are both supported by their home State Senators, Democrats and Republicans, as are all of the judicial nominations of this President been who have been voted on by the Senate Judiciary Committee.

Last month the majority leader had to file cloture petitions to end a 4-month and 2-day filibuster of the confirmation of Judge Adalberto Jordan of Florida and to end the 5-month filibuster of the nominations of the Supreme Court's new Counselor to Attorney General Mukasey. The majority leader should not have had to file cloture petitions for the Senate to vote on these outstanding judicial nominees. Senate Republicans have opted to obstruct judicial nominations despite the fact that he has reached out to both Republican and Democratic home State Senators and nominated qualified, ideologically moderate men and women to fill vacancies on our Federal courts.

From the start of President Obama's term, Republican Senators have applied a double standard to this President's nominees. Last week, at a meeting of the Judiciary Committee, the Senate President pro tempore conceded that the "new standard" is being applied to President Obama's nominations. Senate Republicans have chosen to depart dramatically from the long tradition of deference on district court nominees to the home State Senators. Instead, an unprecedented number of President Obama's highly qualified district court nominees have been targeted for opposition and obstruction.

The nominations the Senate consider today do not receive a single negative vote in the Judiciary Committee. Still, they have been stalled from confirmation for almost 5 months. It is good that Senate Republicans are finally allowing them to be considered. But we need to do much more. These are only 2 of the 14 remaining judicial nominations voted on by the Judiciary Committee last year that have been stalled by Senate Republicans for months. They all should have been considered and confirmed last year. Many of President Obama's nominees are being treated differently than those of any President, Democratic or Republican, before him. Of those 14 judicial nominations still on the calendar from last year, none are the kind of divisive ideological nominees that should lead to the kinds of delay we have seen, let alone filibusters. President Obama should be acting on consensus judicial nominees for making consensus picks like his two nominations to fill vacancies on Federal Circuit courts. Stephanie Dawn Thacker of West Virginia, nominated to the Fourth Circuit, and Judge Jacqueline Nguyen of California, nominated to fill one of the many judicial emergency vacancies on the Ninth Circuit. Ms. Thacker, an experienced litigator and prosecutor, has the strong support of her home State Senators, Senators ROCKEFELLER and MANCHIN. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and would become the first Asian Pacific Islander woman to serve on a U.S. court of appeals. Both were reported unanimously by the Judiciary Committee last year, and both should be considered and confirmed by the Senate without additional damaging delays.

With 1 out of nearly every 10 Federal judgeships vacant, the Senate should be acting on all of the judicial nominations approved by the Senate Judiciary Committee but that Republican objections have stalled. Regrettably, delay and obstruction have stalled action on President Obama's judicial nominees since the beginning of his administration. After the first year of President Obama's first term, only 12 Federal circuit and district court judges were confirmed, the lowest total in 50 years. Senate Republicans allowed the Senate to confirm only 48 circuit and district court nominations the next year. That set a modern record for fewest judicial nominations confirmed in office, the lowest in 35 years. As a result, judicial vacancies rose again over 110 and stayed around 90 for the longest period of historically high vacancies in 35 years. This is in stark contrast to the 100 confirmations that I oversaw during the last 17 months of President Bush's first 2 years in office. That action led to a significant reduction in judicial vacancies. The truth is that the actions of Senate Republicans in stalling judicial nominations during President Obama's administration has led to what the Congressional Research Service documented as the longest period of historically high judicial vacancy rates in modern times. At the end of President Obama's second year and again at the end of last year, Senate Republicans opted to obstruct final confirmation votes on consensus judicial nominees for no good reason. Last year it took us until June to make up the ground we had refused to do in June of 2008 to complete action on judicial nominees at the end of 2010. This year the Senate started with 19 judicial nominees pending on the Senate's calendar, all but 1 of them reported with significant bipartisan support, and 16 of them unanimously. To date, the Senate has only been allowed to work its way through 5. This means that it could again in 2012, before the Senate is granted the opportunity to work its way through the judicial nominees who could, and should, have been confirmed the year before.

The result of the Senate Republicans' opposition is that we federal courts to provide justice to Americans around the country is compromised. Millions of Americans, who are in overburdened districts and circuits, experience unnecessary delays in having their cases resolved. One hundred and thirty million Americans live in districts or circuits that have a judicial vacancy that could be filled today if Senate Republicans would just agree to vote on the nominations now pending on the Senate calendar. It is wrong to delay votes on these qualified, consensus judicial nominees.

Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. The voters expect for hard-working Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait 3 years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

In his "2010 Year-End Report on the Federal Judiciary," Chief Justice Roberts rightly called attention to the problem of overburdened courts across the country. Unfortunately, the unprecedented obstruction of consensus judicial nominations by Senate Republicans dramatically departed from the Senate's longstanding tradition of regularly considering consensus, non-controversial nominations, marked a new chapter in what Chief Justice Roberts calls the "persistent problem" of filling judicial vacancies. If Republican Senators were concerned about ensuring that our courts have the judges they need to administer justice for the American people, they would not have refused consent to delay votes on the 16 of 19 judicial nominees pending on the Senate calendar. The obstruction reminds me of the Republican pocket filibusters that blocked more than 60 of President Clinton's judicial nominations from Senate consideration.

When I became chairman in 2001 and made the committee blue slip process public for the first time and worked to confirm 100 judicial nominees of a conservative Republican President in 17 months, I hoped we were past these partisan tactics. I am disappointed that, after working for more than a decade to restore transparency and fairness to the process of considering
judicial nominations, we see the Senate Republicans again using obstruction to block progress at filling judicial vacancies. I wish that the Republican Senators who came to the Senate and the Senate Judiciary Committee in 2005 had described what they characterized as a broken judicial confirmation process. In 2010 and 2012 when President Bush was not consulting closely with home State Senators and, instead, insisted on sending the Senate ideological nominees, I have done my part to fix and to improve the process.

By contrast, those Republicans who deemed filibusters unconstitutional and demanded up-or-down votes for every judicial nominee just a few years ago have now filibustered nine of President Obama’s judicial nominees. What happened to their principle that a partisan minority should not be allowed to frustrate the will of the majority? They used to say that judicial nominees should not be required to serve an indefinite period of time in the stocks as targets for these special interest groups that attack them on a regular basis. These same Senate Republicans obstruct votes on qualified, consensus nominees and allow reputations to be savaged without good cause.

On day 95 of 2005, the so-called Gang of 14 adopted a standard for filibusters that require “exceptional circumstances.” That standard was abandoned by Republicans who filibustered the nomination of Caitlin Halligan last year. The Washington Times’ banner headline on December 7, 2011, noted what had long been apparent to me: “GOP Ends Truce on Judicial Hopefuls.”

It is wrong to dismiss the delays resulting from the Senate Republicans’ obstruction as merely political tit for tat. We need a new and more constructive standard that Senate Republicans have devised. The standard had been that non-controversial judicial nominees reported by the Judiciary Committee were confirmed by the Senate before the end of the year. That is the standard we should have followed in 2010 and 2011, but Senate Republicans did not. Senate Republicans set a new and destructive standard to hold up qualified, consensus judicial nominees for no good reason. On January 4, 2011, refers to Senate Republicans “refusal to give prompt consideration to noncontroversial nominees” a “terrible precedent.”

In a column last week, the president of the American Bar Association reiterated the call for a “sustained, concerted and bipartisan effort” to “make meaningful progress toward filling vacancies on the federal bench. While consensus judicial nominations are stalled without a final vote by the Senate, millions of Americans across the country are being harmed by delays. The American people and our Federal courts cannot afford these unnecessary and damaging delays. As the ABA president noted last week:

Backlogs mean justice delayed in cases involving protection of individual rights, advancement of business interests, compensation of injured victims and enforcement of federal laws.

Longstanding vacancies on courts with staggering caseloads impede access to the courts. They also if not eased, threaten to reduce the quality of our justice system. They erode confidence in the courts’ ability to uphold constitutional rights and apply the law.

Delay at the federal courts puts people’s lives on hold while they wait for their cases to be resolved. Businesses face uncertainty and costly holdups preventing them from investing and creating jobs. In sum, judicial vacancies kill jobs.

Justice delayed, as the famous maxim goes, is justice denied. It’s bad for business. It’s unfair to individuals, and it slows government enforcement actions, which ultimately costs taxpayers money.

The Senate remains far behind where we should be in confirming President Obama’s judicial nominations. The Senate had confirmed a lower percentage of President Obama’s judicial nominees than those of any President in the last 35 years. The Senate has confirmed only 53 percent of President Obama’s circuit and district nominees, with more than one in four not confirmed. In stark contrast, the Senate confirmed nearly 87 percent of President George W. Bush’s nominees, nearly 9 of 10 of those nominees he sent to the Senate over two terms.

The Senate remains well behind the pace set during President Bush’s first term. By the end of President Bush’s first term, the Senate had confirmed 205 district and circuit nominees. To date now in the fourth year of President Obama’s first term, the Senate has confirmed only 129 district and circuit nominees. By this date in 2004, the Senate had confirmed 170 district and circuit nominees. Today the total is more than 40 confirmations shy of the mark.

Another way to think about this is that during President Bush’s first term, the Senate confirmed the 130th nominee to our circuit and district courts in early June of his third year in office. Here we are, approaching the spring of President Obama’s fourth year, nearly 9 months later, and we are just reaching that milestone—9 months later. It has taken us far too long to return to a normal pace of work. Why the judicial vacancy rate remains nearly double what it was at this point in the Bush administration.

Today we can finally confirm these two highly qualified, consensus nominees, Mary Elizabeth Phillips and as a local prosecutor Jackson County, MO. The ABA’s Standing Committee on the Federal Judiciary unan- mously rated her “well qualified” to serve on the U.S District Court, its highest possible rating.

This week the Senate has been nomi ned to the U.S. District Court for the Eastern District of Washington. Currently the first assistant U.S. attorney in the Eastern District of Washington, Mr. Rice has spent his entire career in public service as a Federal prosecutor, including as chief of the Criminal Division in the Eastern District of Washington. Both of Washington’s Senators Senators Murray and Cantwell—support Mr. Rice’s nomination. Both of these nominations were reported by the Judiciary Committee by voice vote with no dissent nearly 5 months ago in October 2011.

I thank the majority leader for his efforts to break through the Republicans’ obstructionist tactics. Last Thursday, several other Democratic Senators also came before the Senate to talk about the need for more action to fill the judicial vacancies that have remained historically high for far too long. I thank Senators Durbin, Schum nein, Coons, Cardin, and Klobuchar for their involvement and their thoughtful statements.

Last Thursday, we had a discussion before the Judiciary Committee, as well. I commended Senator Coburn for the statement he made at that time in which he called upon Senators to step back and return to the practice of moving forward on consensus nominees and that we need to build bridges instead of burn them.

It is important that we confirm these two nominees so they can serve the people of Missouri and Washington, but we need to do much more. The Senate needs to proceed without delay to consider all 20 of the judicial nominees currently before it and to promptly consider those being sent by the Senate by the Judiciary Committee. That is how we can fulfill our responsibilities to the American people. That is how we can begin to restore the American’s people’s confidence in this institution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I yield back any pending time on the first nomination.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that there be 2 minutes of debate between the two votes equally divided and controlled between the two leaders or their designees.
The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Mary Elizabeth Phillips, of Missouri, to be United States District Court Judge for the Western District of Missouri. The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Nevada (Mr. HELLER).

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

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 26 Ex.]

YEAS—95

Akaka
Alexander
Ayotte
Barrasso
Baucus
Bennet
Bingaman
Bunning
Blumenthal
Blunt
Boozman
Boyer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Casey
Chambliss
Coats
Collins
Coburn
Coons
Corker
Corryn
Crapo
Durbin
Enzi
Feinstein
Franken

NAYS—2

DeMint
Lee

NOT VOTING—3

 Begich
Heller
Kirk

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will immediately be notified of the Senate’s action, and the Senate will resume legislative session.

The Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LOUTHENBERG. Mr. President, I rise to pay tribute to a long-time friend from New Jersey. It is a sad day for all of us from New Jersey who knew Congressman DONALD PAYNE from north New Jersey, and I pay tribute to my colleague who died this morning after a battle with colon cancer.

Congressman PAYNE was the first African American from New Jersey to be elected to Congress. He was a trailblazer and a fine leader, one of the finest our State has ever known. For more than two decades, Congressman PAYNE served New Jersey with distinction, but the whole world benefited from his leadership. He was a proud son of Newark and became an expert on foreign relations and led efforts to reassert democracy and human rights around the world, including places as far away from one another as northern Ireland and Sudan. President Clinton chose Congressman PAYNE to accompany him on his historic tour of Africa in 1998.

The Congressman also worked hard. He secured more than $100 million to treat victims of malaria, tuberculosis, HIV and AIDS, and stopped the spread of these diseases in Africa’s poorest nations.

Three years ago, against the State Department’s advice, Congressman PAYNE went to Somalia to see the turmoil there for himself, narrowly escaping with his life when insurgents launched a mortar attack near his airplane when he was leaving.

The Congressman also helped with passage of a resolution declaring the killings in Darfur as genocide and raising global awareness of these travesties.

At home Congressman PAYNE was a tireless advocate for his constituents. He brought significant economic development to counties in New Jersey, including Essex, Hudson, and Union. He was a former schoolteacher and was a leader on education. He worked hard to close the achievement gap, with making college more affordable and bringing more equity to school funding. Congressman DONALD PAYNE was a man of conscience and conviction.

I knew him for many years, and I was always struck by his soft-spoken demeanor, and that kind of made him a rarity in politics. But Congressman PAYNE knew he didn’t need to raise his voice; his ideas were powerful enough. The Congressman put it best when he said: “There is a lot of dignity in being able to achieve things without having to create rapture.”

As I mentioned, DONALD PAYNE was a teacher in the Newark public schools, and Newark was a poverty-stricken city. His mission was to inspire young people to use education in their lives to fully prosecute a variety of criminal cases to protect our eastern Washington communities. He has wide support from his peers and numerous accolades.

I hope my colleagues will support his nomination, making Gonzaga University, his alma mater, Spokane, and the State of Washington proud of his nomination.

The PRESIDING OFFICER. Is there further debate? If not, the question is, Will the Senate advise and consent to the nomination of Thomas Owen Rice, of Washington, to be United States District Judge for the Eastern District of Washington?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Nevada (Mr. HELLER).

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

The result was announced—yeas 93, nays 4, as follows:

[Rollcall Vote No. 27 Ex.]

YEAS—93

Akaka
Alexander
Ayotte
Barrasso
Baucus
Bennet
Bingaman
Bunning
Blumenthal
Blunt
Boozman
Boyer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Casey
Chambliss
Coats
Collins
Coburn
Cooper
Coryn
Crapo
Durbin
Enzi
Feinstein
Franken
Franken

NAYS—4

Chambliss
DeMint

NOT VOTING—3

Begich
Heller
Kirk

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will immediately be notified of the Senate’s action, and the Senate will resume legislative session.

The Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

REMEMBERING CONGRESSMAN DONALD PAYNE

Mr. LAUTENBERG. Mr. President, I rise to pay tribute to a long-time friend from New Jersey. It is a sad day for all of us from New Jersey who knew Congressman DONALD PAYNE from north New Jersey, and I pay tribute to my colleague who died this morning after a battle with colon cancer.

Congressman PAYNE was the first African American from New Jersey to be elected to Congress. He was a trailblazer and a fine leader, one of the finest our State has ever known. For more than two decades, Congressman PAYNE served New Jersey with distinction, but the whole world benefited from his leadership. He was a proud son of Newark and became an expert on foreign relations and led efforts to reassert democracy and human rights around the world, including places as far away from one another as northern Ireland and Sudan. President Clinton chose Congressman PAYNE to accompany him on his historic tour of Africa in 1998.

The Congressman also worked hard. He secured more than $100 million to treat victims of malaria, tuberculosis, HIV and AIDS, and stopped the spread of these diseases in Africa’s poorest nations.

Three years ago, against the State Department’s advice, Congressman PAYNE went to Somalia to see the turmoil there for himself, narrowly escaping with his life when insurgents launched a mortar attack near his airplane when he was leaving.

The Congressman also helped with passage of a resolution declaring the killings in Darfur as genocide and raising global awareness of these travesties.

At home Congressman PAYNE was a tireless advocate for his constituents. He brought significant economic development to counties in New Jersey, including Essex, Hudson, and Union. He was a former schoolteacher and was a leader on education. He worked hard to close the achievement gap, with making college more affordable and bringing more equity to school funding. Congressman DONALD PAYNE was a man of conscience and conviction.

I knew him for many years, and I was always struck by his soft-spoken demeanor, and that kind of made him a rarity in politics. But Congressman PAYNE knew he didn’t need to raise his voice; his ideas were powerful enough. The Congressman put it best when he said: “There is a lot of dignity in being able to achieve things without having to create rapture.”

As I mentioned, DONALD PAYNE was a teacher in the Newark public schools, and Newark was a poverty-stricken city. His mission was to inspire young people to use education in their lives to fully prosecute a variety of criminal cases to protect our eastern Washington communities. He has wide support from his peers and numerous accolades.

I hope my colleagues will support his nomination, making Gonzaga University, his alma mater, Spokane, and the State of Washington proud of his nomination.

The PRESIDING OFFICER. Is there further debate? If not, the question is, Will the Senate advise and consent to the nomination of Thomas Owen Rice, of Washington, to be United States District Judge for the Eastern District of Washington?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Nevada (Mr. HELLER).

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

The result was announced—yeas 93, nays 4, as follows:

[Rollcall Vote No. 27 Ex.]

YEAS—93

Akaka
Alexander
Ayotte
Barrasso
Baucus
Bennet
Bingaman
Bunning
Blumenthal
Blunt
Boozman
Boyer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Casey
Chambliss
Coats
Collins
Coburn
Cooper
Coryn
Crapo
Durbin
Enzi
Feinstein
Franken
Franken

NAYS—4

Chambliss
DeMint

NOT VOTING—3

Begich
Heller
Kirk

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will immediately be notified of the Senate’s action, and the Senate will resume legislative session.

The Senator from New Jersey.
achieve opportunity. The people of New Jersey sent him to Washington for the first time in 1988, and they continued sending him back by overwhelming margins for the next 22 years. He became an inspiration to many, including members of his family who followed him into public service.

But most of all, DONALD PAYNE was an inspiration to the people he served. He gave them hope. He gave them some ideas of what they could make of their lives. His voice sounded important and deliberate enough to convince people to try harder, and he did succeed many times.

In 1988, during his first campaign for the House, Congressman PAYNE told a reporter: "I want to be a role model for the kids I talk to on the street corner. He used to see a lot of them. He said: "I want to see there are no barriers to achievement.""

He used to see a lot of them. He said: "I want to see there are no barriers to achievement.""

One entire generation of New Jerseyans has come of age knowing and respecting Congressman DONALD PAYNE. He has undoubtedly inspired many young New Jerseyans to enter public service, and I expect we will see one day some of them walking the Halls of Congress and following in DONALD PAYNE's footsteps, but today these Halls feel empty without his presence.

I am going to miss DONALD PAYNE. We will mourn his absence from our lives, but with complete comfort the knowledge that his legacy will endure for a long time to come, way beyond his life. We thank him at this time for all of the good he did and that he brought to our people and our State.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

INDIANA TORNADO DAMAGE

Mr. COATS. Mr. President, I wish to speak about a turning business on a matter that affects a lot of Hoosiers. I do so with a great sense of heartfelt confidence to all who have suffered from the tragic storm and tornadoes that swept across the southern part of our State this past Friday, gratitude for all of those who responded in such a wonderful way to address this situation, and deep pride for the people of Indiana for how they have come together to help one another. Mother Nature’s unforeseen Friday afternoon storm changed the lives of many Hoosiers. Imagine, if you would, a stretch of land extending for nearly 50 miles, between a quarter of a mile and a half mile wide, with everything in its path destroyed by tornadoes that touched down and moved with such unimaginable force.

Most of us from the Midwest are used to tornadoes that usually jump around and take out a shed here, a barn there, maybe a home, in perhaps a short stretch of space, but I have never seen—and most have never seen—a tornado that touches down and stays down for miles and miles with 175 mile-per-hour winds crushing everything in its path. On Sunday, I flew over the path of the tornadoes and walked on the ground and saw a site of total destruction. Every home and every business in that path destroyed. Every open field or road was gone. Some debris was carried for miles before it was deposited. Every tree was stripped bare and flattened, every car or truck within that path damaged with either softball-sized hail or torn up side down by 175 mile-per-hour winds. Miraculously, some homes that miraculously stood intact was picked up off its foundation and moved 100 yards east.

Several rural towns—small rural towns in southern Indiana—were totally destroyed by the force of nature. A high school of more than 1,100 students now lies in complete shambles. Buses stationed at the schools and cars were hurled into the buildings across the street. An entire family—mom, dad, and four kids—were killed just because the storm hit seconds before they were able to reach the steps leading down to the basement.

Yet, through all of these devastating images, I saw and heard firsthand stories of heroism and resolve that I will always remember:

Two schoolbus drivers who made a split-second decision to turn around and get the kids off the bus and into a shelter—both of those buses were totally destroyed just moments later. The first responders, local police, fire, and rescue teams who searched for victims, helped the injured and did everything they could to offer support in light of this tragedy. Bürgermeister who rushed in to help the injured, citizens from nearby towns and counties who poured into the area offering food and drink and shelter; people saying: Do you have a place to stay? Do you have something to eat? What can we do to help? Former strangers became immediate friends.

On Sunday morning, as I walked through what was the town of Henryville, I witnessed a remarkable scene: displaced homeowners sticking through the rubble of their homes trying to recover lost memories and precious keepsakes; one man planting an American flag on the rubble of his former home. I was deeply moved by the indomitable spirit of the American, a spirit still so alive and well in the lives of those lost from Mother Nature’s destruction, but Hoosiers will come together to rebuild one day at a time. It is the Hoosier way, and thank goodness it is still the American way.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, what is the Senator's statement?

The PRESIDING OFFICER. The Senator is considering the Transportation bill.

Mr. KERRY. Thank you, Mr. President.

TALK HAS CONSEQUENCES

Mr. President, several of us in the Senate have run for the office of President of the United States. Two of us have been our party’s nominees, and dozens of others have played major roles in tough campaigns. So none of us will ever forget Mr. Nixon’s comments on the rough and tumble of American politics. I think we all understand on a personal level what the humorist said at the turn of the century when he wrote: ‘Politics ain’t beanbag.’ One has to have a thick skin and a strong backbone to survive in this business. One has to be able to take a punch and deliver one, and we all understand that.

So it is not as an innocent that I come to the floor today to say that I was troubled—deeply troubled—to read an op-ed in this morning’s Washington Post by the likely Republican nominee for President Mitt Romney. It was an attack on the administration’s Iran policy, and it was as inaccurate as it was aggressive.

Every candidate for the Oval Office has the right to criticize the President. But, particularly this week, while Prime Minister Netanyahu is in Washington meeting with the administration, it was a particularly pointed attack that might mean the difference between war or a diplomatic solution—particularly at that moment when so much is on the line, we all ought to remember that the nuclear issue with Iran is deadly serious business, and it ought to invite soberness and serious-minded solutions, not sloganeering and fiction and sound bites.

I don’t think we should allow Iran to become another party’s applause line on the Presidential stump. Talk has consequences, particularly when it is talk about war, and talk of war only helps Iran and others at this moment, by increasing the price of Iranian crude
oil that pays for its nuclear program. To create false differences with the President just to score political points does nothing to move Iran off a dangerous nuclear course. Worst of all, Governor Romney's op-ed does not even try to put the record straight. He says he did nothing for a year while Iranian revolutionaries held Americans captive. In fact, it was the months of President Carter's negotiations, leading up to an all-night session of negotiation—the very night before the inauguration of President Reagan on January 20—that actually freed the hostages.

I bring up the hostage crisis for another reason, because when those helicopters crashed in the desert during the failed rescue attempt in 1980, the United States not only lost the opportunity to get our people back sooner but President Carter fundamentally lost any chance he had at reelection. Not only did the reality of that reality, notwithstanding the lesson of Desert One and those helicopters that crashed and the failed mission—notwithstanding that—President Obama, whom Governor Romney calls “the most feckless President since Carter,” threw that lesson out the window, knowing if he attempted to go into Pakistan and failed he would probably lose his chance at reelection—notwithstanding that, he authorized the gutsy and dangerous raid in Pakistan that finally killed Osama bin Laden.

Despite everything that could have gone wrong with that raid, the mission was ordered with confidence, executed with courage, and the man who planned the September 11 attacks was finally held accountable for the murder of thousands of Americans. George W. Bush may have said, “Wanted: Dead or Alive,” but it was President Obama who delivered.

I don’t know if Governor Romney has checked the definition of the word “feckless” lately, but that raid ain’t it. The rest of Romney’s argument doesn’t stand any better. In fact, he goes on to propose action after action that President Obama has already taken. Just look at the analysis. Let me read the first sentences from an article in today’s New York Times:

To put an end to Iran’s nuclear ambitions, Mitt Romney says he would conduct naval exercises in the Persian Gulf. . . . He would try to ratchet up Security Council sanctions on Iran, targeting its Revolutionary Guards, and the country’s central bank and other financial institutions. And if Russia and China do not go along, he says, the United States should consider military action. The man who promised to put such punitive measures in place. As it turns out—

And this is part of the quote—

As it turns out, that amounts to what President Obama is doing.

Ambassador Nick Burns, President Bush’s lead negotiator on Iran, said:

The attacks on Obama basically say, “He’s weak and we’re strong.” But when you look at the specific financial sanctions you don’t see any difference.

That is a quote.

So let’s go point by point through the Romney plan. He writes he would proceed with missile defenses to protect Iran. He ignores the fact that one of the very first things the administration did was to issue its plans for the phased adaptive approach—so that we would be able to sooner protect our friends and allies against the Iranian missile threat and to provide increasing levels of capability as the technology advances. During the debate over the New START treaty, the Senate heard in great detail—including from the Commander of the Strategic Command and the Director of the Missile Defense Agency—how that particular system was going to work and how the administration planned to proceed with it. In fact, the President sent the Senate a letter affirming his commitment to missile defense, and over the past year he has stuck by that promise.

So then Romney goes on to say that President Obama doesn’t understand the seriousness of the threat from nuclear terrorism. Again, just look at the record. For the first time, the President secured international support to secure all vulnerable nuclear material around the world within 4 years. He won international endorsement of that effort at the 2010 Nuclear Security Summit.

Last year alone, the Department of Energy removed or eliminated over 250 kilograms of highly enriched uranium from places such as Ukraine, Belarus, Serbia, and Kazakhstan. In the budget request before Congress, the administration plans to eliminate highly enriched uranium from countries, including Vietnam, Ukraine, and Mexico.

That is clearly an administration and leader who understands the danger of nuclear material, far more than any effort previously.

Then Romney lays out the single greatest willful avoidance of facts in his article. He calls for ever-tightening sanctions on Iran.

I don’t know what he thinks has been going on around here for the last few years, but when President Obama took office Iran was in the ascendency. As the Vice President used to say when he chaired the Senate Foreign Relations Committee: Freedom wasn’t on the march; Iran was on the march. Its reach through proxies such as Hezbollah threatened the United States, its allies, and the region, and particularly, obviously, Israel.

The international community was divided; diplomacy—both multilateral and bilateral—was stalled. But in June 2010, with a decisive push from President Obama, the United Nations put in place the most comprehensive and biting international sanctions the Iranian Government has ever faced—imposing restrictions on Iran’s nuclear activities, ballistic missile program, conventional military exports to Iran, Iranian banks and financial transactions, and the Islamic Revolutionary Guard Corps.

What is more, in coordination with allies such as the European Union, Japan, South Korea, Australia, Canada, and others, the Obama administration put in place additional measures, ratcheting up pressure on the country’s petrochemical industry, oil and gas industry, and financial sector. Recently, Europe announced the ban of oil imports from Iran, which will further pressure Iran’s economy, and that has come with significant leadership effort and diplomacy by Secretary Clinton and by the administration and Secretary Geithner.

That is just on the multilateral front. President Obama also worked closely with Congress to pass the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, which strengthened existing U.S. sanctions. He made it harder for the Iranian Government to buy refined petroleum and to modernize its oil and gas sector. Recently, we imposed tough new sanctions on the Central Bank of Iran. So one doesn’t have to take my word for it.

Let me quote Iran’s President Ahmadinejad, who is the one feeling the pinch. Here is his last fall: “Our banks cannot make international transactions anymore.”

Today, all of these sanctions are beginning to bite. Iran is now virtually cut off from large parts of the international financial system.

Almost $60 billion in energy-related projects in Iran have been put on hold or discontinued. Iran is starting to lose access to key oil buyers in Europe and Asia. All you have to do is look at the front page of today’s newspapers and read the stories of Iran hastily running around and looking for additional people to buy their oil. In fact, they have lost customers in Asia. Those losses could reach up to 40 percent of its daily sales, according to the International Energy Agency.

Banking sanctions have prevented several of Iran’s customers from paying for its petroleum products, leaving the Central Bank short of hard currency and driving down the unofficial foreign exchange rate by 40 percent in a single month.

Mr. Romney needs to understand what is going on if he wants to run for President. Just yesterday the deputy chief of the Iranian Revolutionary Guard Corps was quoted as saying, “The regime is at the height of isolation.” This is the Revolutionary Guard speaking.

The regime is at the height of isolation and in the midst of a technological, scientific and economic siege. We are not in a situation of international financial sanctions. Threats and sanctions against us are effectively being pursued.
Iran is also divided internally and isolated diplomatically like never before. Iran’s most important ally, Syria, is facing regime collapse, which a former director of Israel’s Mossad recently said could be a bigger strategic setback for Iran than a military strike against them. That came from the former director of Israel’s Mossad.

To talk about Iran for a second, we all ought to remember that President Obama has provided record amounts of security to help Israel maintain a qualitative military edge. Prime Minister Netanyahu has spoken of President Obama’s ironclad commitment to Israel’s security. He said, “Our security cooperation is unprecedented, and President Obama has backed those words with deeds.”

So when you add it all up, Mitt Romney evidently is trying to ignore, twist, and distort the administration’s policy. For what purpose? For his own gain—simply to try to drive a wedge in American politics. It seems to be that the strategy of his campaign is to just say anything. It does not matter what it is based on—just say it. Put it out there whether or not it is true.

I might say that I think that is exactly what the American people are tired of and fed up with, what has turned them off of all of our politics, and what threatens the quality of our democracy in this great country of ours.

We should be crystal clear. Yes, we have to prevent Iran from acquiring a nuclear weapon. That is not a question of containment and never has been; it is a question of prevention, outright denial of this ability. That is why President Obama again made that clear in his public comments yesterday, even as he builds pressure for a diplomatic solution.

I think it is appropriate to have a President who first seeks a diplomatic solution, as one of those here in the Senate who, together with a few others of our generation, served in Vietnam—very few—and with one or two, I think, who served in World War II: Senator Inouye, Senator Lautenberg, maybe Senator Cochran. I don’t recall if there are still more here. But the fact is that I think anybody who has served in a war first wants leaders who try to find if there is a way to make that war inevitable, if it has to happen, and at least turns over every stone possible to find out if diplomacy can find a solution to a problem.

President Obama has reiterated that all of the options are on the table. In its long history, Iran has had many amazing moments and has provided great accomplishments, culturally and in other ways, to its history and to all of us. This regime, many people believe, is something different and some hope might even become something different at some point in time, although it has to go to evidence to evaluate that. But President Obama has emphasized—in his approach, he has said, “I don’t bluff.” I am convinced, as I think all of us are, that the President means exactly what he says, that Iran cannot have this weapon. I think you can ask Osama bin Laden what President Obama means when he says that he means what he says.

I know we are going to have tough debates going forward. That is appropriate. And we are going to have a bruising election season. That is OK if it is on the up-and-up, if it is really about real differences and real issues. And we have those tough fights. That has proven to be how we decide the big issues in the United States. We always have. But let’s have an honest debate, not a contrived one, not a phony set of propositions that have nothing to do with the reality of the situation. The American people deserve more than that.

Governor Romney can debate the man in the White House instead of inventing straw men on the op-ed pages of our newspapers. He ought to be armed with facts instead of empty rhetoric.

If we are going to succeed, as the American people want us to do in order to avoid a situation in which some point all of us have to act like statesmen, not candidates. We need to be clear-eyed about what we have accomplished and what we have yet to do. That is precisely what Americas expect from their Commander in Chief, and that is exactly what Americans deserve—no less.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. MENENDEZ. Madam President, I rise to announce of a great man, a great leader, a proud New Jerseyan, and my friend, Congressman Donald Payne. I am saddened beyond words by his death. Personally, I have lost a close friend and the people of New Jersey have lost a tireless voice, a true advocate who spent a lifetime fighting for fairness, for justice, and for the little guy.

Wherever there was injustice, intolerance or suffering, wherever someone was downtrodden, he was a more powerful and didn’t have a fair chance, Donald Payne was there intervening. From his earliest days in Congress, he focused on New Jersey, but his influence was profoundly felt around the world. As a member of the House Committee on Foreign Affairs and the ranking member of the Subcommittee on Africa, Global Health, and Human Rights, Donald Payne followed his passion to restore democracy and human rights in places where the suffering was greatest.

If we asked him what his greatest accomplishment was—and there were many—he would tell us it was working on global health issues, cofounding the Malaria Caucus that he launched with First Lady Laura Bush, securing $50 million to fight drug-resistant tuberculosis, and $50 billion for HIV/AIDS, TB, and malaria that literally—and I mean literally—saved whole villages in Sub-Saharan Africa, because that is the kind of man he was.

He built a reputation as chairman of the Africa and Global Health Subcommittee for his integrated approach to Africa, combining health, development, economic growth, and improvements for a better quality of life. He once said:

Malaria, TB and HIV/AIDS are diseases that are caused, as well, by poverty, and until we really start dealing with poverty elimination, we are going to continue to have these diseases that follow poverty. We cannot be serious about development [assist- ance or engagement] without effectively dealing with these three major diseases.

He did everything he could to live up to those words.

He could not ignore the fact, as he pointed out, that . . . more than 29 million people in Sub-Saharan Africa live with HIV/AIDS . . . that malaria and HIV together kill more than 4 million people each year . . . that 90 percent of those are in Africa . . . that, for millions around the world—particularly in Sub-Saharan Africa, where the global malaria burden is heaviest—the disease is a daily reality, an ever-present epidemic that kills millions and impedes the progress of entire nations . . .

He believed in putting an end to the scourge of these diseases and helped broaden our focus in dealing with pov- erty, disease, and development as a single issue and always said: "These are global problems that warrant a global collaborative approach . . . ."

On World Malaria Day in 2010 he said: "This is not an endeavor for which we lack the knowledge, skills or resources to achieve.

Donald Payne was determined to win.

When he put his mind to it, he could do anything. He believed he could change the world one village at a time, and he did because that is the kind of man he was.

I served with Donald Payne in the House. I got to know him. I grew to respect his deep and passionate commitment to the institution and the people he served, his belief in the process as it was intended by our Founders, to bring together people of all races for a better future.

Donald considered himself hugely lucky to serve. He saw it as a honor and he made a difference because that is the kind of man he was. Donald Payne was a Congressman’s Congressman. To me he was what public service is all about. He embodied the concept of Congress, the assembly of a few good people committed to the betterment of all of us.
In his passion for these issues, he worked in common cause to bring together people who were often from totally different ends of the political spectrum. Many of us would refer to him as “the great convener” because he had the unique ability to bring together people of disparate beliefs on behalf of these issues he believed in and felt so passionately about.

Don’s career and accomplishments were exemplary. Before he was elected to Congress, he was an educator in the Newark Public Schools and an official in the Passaic Public Schools.

He was the former national president of the YMCA. He became New Jersey’s first African-American Congressman, winning election overwhelmingly in 1988, and was serving, at the time of his death, his 12th consecutive term—this year. He was a senior member of the House Committee on Education and the Workforce, and he was a steadfast vocal advocate for early childhood education. He was instrumental in ensuring that 18-25 education was successful and for making college more affordable. He worked to cut in half the cost of the Stafford loans and increased the Pell grants. He was a tireless champion of working families, always an advocate of increasing the minimum wage, always enforcing workforce protections, because that is the kind of man DONALD PAYNE was.

Through his life and service, he was a steadfast vocal advocate for early childhood education. He was instrumental in ensuring that 18-25 education was successful and for making college more affordable. He worked to cut in half the cost of the Stafford loans and increased the Pell grants. He was a tireless champion of working families, always an advocate of increasing the minimum wage, always enforcing workforce protections, because that is the kind of man DONALD PAYNE was.

In the end, Congressman PAYNE will be remembered for the dignity and honor he brought to this institution and the Congress and the district he represented, always putting the interests of the community, New Jersey, and humanity first, because that is the kind of man he was. DONALD made New Jersey proud, and he will forever be missed by all of us who were touched by his life and compassion. I ask my colleagues in mourning the passing of a great man.

I visited Congressman PAYNE on Saturday at the hospital and talked to his brother, who said leaders throughout the world had been calling to inquire as to how he was. Leaders throughout the world mourn his passing. They knew how he touched the lives of their constituents.

Our thoughts and prayers go out to DONALD’s beloved children and his entire family and all of those who were touched by him throughout his life. He will be missed and we certainly hope God will bless this great man who gave back much more than he ever received in life.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING JAMES LAWRENCE ROSE

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an individual who worked tirelessly to strengthen Kentucky’s economy through his contributions to the coal and the banking industries. James Lawrence “Jim” Rose of Lexington, KY, passed away on December 19, 2011. He was 73 years old. Although Mr. Lawrence may not be with us today, the legacy he has forged throughout his lifetime will carry on for many years to come.

Jim Lawrence was born in Clay County, KY, but received his education in the small town of Berea, where he graduated from the Berea Foundation High School and Berea College before completing his education at the University of Kentucky. Jim was passionate about education and made it a priority for himself, and he set out to make it one for the youth of the Commonwealth as well. He was in large part responsible for the project to construct Lexington Christian Academy’s 75-acre “Rose Campus” in Lexington, KY.

Although Mr. Rose was involved in all sorts of different business aspects, his most noted business accomplishments were those in the banking and coal industries. Mr. Rose returned to Clay County and started a small coal company in 1959. Over the next three decades, his business would receive numerous national awards for conducting the best mining rescues and operating the safest mines in the United States, and the company would eventually grow to be one of the top three producers of coal in the State of Kentucky upon his retirement in 1993.

Mr. Rose made tremendous strides in the world of banking as well. He formed a bank holding company in his hometown of Manchester, KY; the town served as the site where Jim would also open his first bank in 1978. He went on to open seven more banks throughout central and southern Kentucky. Mr. Rose was an exceptional consultant and manager, and under him the many banks he had acquired flourished.

We are all undoubtedly aware that Mr. Rose made a permanent mark on the economy of Kentucky, but let us not forget that Mr. Rose was first and foremost a devout man of God and a beloved family man. Mr. Rose was a husband and a father who is survived by his wife of 49 years, Judy Sizemore Rose, and by his son James F. Rose and by his daughter Sonya Rose Hiler. Jim also leaves behind eight grandchildren and three step-grandchildren. He was preceded in death by his son, Dwayne Scott Rose.

The legacy left by Mr. Rose is one that will not be easily forgotten. He was able to give so much to the business world, working tirelessly for the people of Kentucky, and he was also able to pour his heart into building relationships with his employees and his family members. Mr. Rose led a life that one could be nothing but proud of.

I would like to ask my colleagues in the United States Senate to join me in commemorating the life and works of Mr. James Lawrence Rose, an innovative, committed and truly genuine entrepreneur.

There was an article recently printed in the Laurel County-area publication the Sentinel Echo on the accomplished and dedicated Mr. Rose. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Sentinel Echo, Dec. 23, 2011]

BANK, COAL COMPANY FOUNDER DIES AT 73

(By Carol Mills)

James “Jim” Rose, 73, died Monday of complications from a heart attack in Lexington. Mr. Rose, who moved to Lexington in 1988, was a former Laurel Countian. He began his career by starting a small coal company in 1959 in Clay County where he was born. He moved his family to Laurel County in 1975.

Over three decades he grew his coal business dramatically, founding Interstate Coal Company, which had several operations in eastern Kentucky, including one in Laurel County on Ky. 192 where College Park is now. The coal stacks are still on the property, which is owned by the city and the community. Mr. Rose retired from the coal business in 1993.

While Rose was still in the coal business, he entered the banking business by buying a bank in his hometown in 1978. He formed a bank holding company, United Bancorp of Kentucky, and acquired seven additional banks in London (London Bank & Trust, now PNC), Danville, Nicholasville, Richmond, Versailles, Corbin, and Harlan. United Bancorp merged with National City in 1995.

Lawrence Kuhl went to work for Rose at the London Bank & Trust in 1983 as vice-president and two years later as president. Kuhl said, “He was so compassionate for humanity. He loved to help people in need. He hired a number of people throughout southeastern Kentucky to work in the coal mines as well as in his banks, and he was a very, very caring person. He helped a lot of individuals. His whole family is like that. He has given Cardinal Hill millions of dollars to help recuperate people. He was a super fellow, very intelligent, a good businessman.”

Charles Elza worked for Rose as president of London Bank & Trust from 1978 to 1985 before Kuhl took the helm.

“He was a great guy, a hard worker,” Elza said. “He was a great family man. He loved his kids. He and his wife were first and foremost a devout man of God and a beloved family man. Mr. Rose was a husband and a father who is survived by...
Bill Schubert’s 33 year career at Cincinnati Children’s Hospital Medical Center included 13 years of service as the center’s president and chief executive officer. Under his leadership, Cincinnati Children’s Hospital Medical Center was ranked within the top 5 best pediatric medical centers in our country and was also designated as a Level I pediatric trauma center. Some of his other notable career achievements include establishing new clinical and research divisions for the center and overseeing the opening of the hospital’s first two satellite outpatient centers.

In addition to his service to the Cincinnati Children’s Hospital Medical Center, Bill Schubert remained active in the Cincinnati community through involvement in local and national organizations. In 1993, he was named a Great Living Cincinnatian by the Greater Cincinnati Chamber of Commerce. He left a legacy of leadership and kindness, and his devotion to his community serves as an example for others to follow.

I would like to remember Dr. William Schubert for his dedication to Cincinnati Children’s Hospital and for the extraordinary impact he made on our community.

ADDITIONAL STATEMENTS

RECOGNIZING YOUNG AUDIENCES ARTS FOR LEARNING

• Mr. BROWN of Ohio, Mr. President, I wish to acknowledge the 60th anniversary of Young Audiences Arts for Learning and for its contributions to our Nation’s school children. Young Audiences is the Nation’s leading source of arts-in-education services. Comprised of 30 affiliates and 5,000 teaching artists, Young Audiences, in 2011 alone, reached 5 million children in over 6,000 schools.

Specifically, I would like to recognize the Young Audiences affiliate in my home state of Ohio, Young Audiences of Northeast Ohio, YANEO. Serving 18 counties, YANEO has enabled over 2,000 students in urban, rural, and suburban Ohio school districts to benefit from arts education through more than 7,000 programs during the 2009–2010 school year.

Young Audiences’ mission and goal is to help make the arts an essential part of education. For this reason, Young Audiences offers programs for students throughout the P-16 pipeline. From integrating music into a middle school math class to providing poetry writing classes for high school students, Young Audiences takes a comprehensive and innovative approach toward strengthening students’ academic experiences.

According to the Arts Education Partnership, art plays a central role in a child’s and a nation’s cognitive development. Over time, this can help make students more engaged in school and thus better learners.

Arts education can alter a student’s entire school experience. Involvement in the arts fosters creativity and problem solving—both of which help students during the school day and in their personal lives. From helping a student find a new social group, to providing a student with a new avenue of achievement, arts-in-education can keep students engaged and enrolled in school. Young Audiences has helped numerous students get back on track in the classroom and on a path towards higher education or the workforce.

Young Audiences not only plays a valuable role in our classrooms, but can benefit entire neighborhoods. Members of the Fullerton School community in Cleveland participated in the ‘Parents as Arts Partners’ program. With the guidance of Young Audience artists, community members were able to design and install a mural that now brightens the Cleveland neighborhood. The experience was so positive for the parents, students, and the Fullerton community, they are now looking for funding to create another community mural.

To all the students who participate in Young Audiences, thank you for taking a stake in your education and in your community.

To the teachers and parents like those in the Fullerton community, thank you for your commitment to integrating arts throughout your students’ lives. Even during challenging economic times, you go beyond your duties to provide your students with a well-rounded academic experience.

And to the dedicated artists of Young Audiences of Northeast Ohio, thank you for your service to the students throughout the region. Your passion and dedication for the arts will help lead to a new generation of artists and musicians—and engaged citizens.

I am proud to celebrate the work of Young Audiences nationwide. Thank you, for your 60 years of service.

TRIBUTE TO BISHOP JOHN R. BRYANT

• Mr. CARDIN. Mr. President, I wish to recognize the 50th anniversary of the ministry of Bishop John R. Bryant, senior bishop and presiding prelate of the Fourth Episcopal District of the African Methodist Episcopal, AME, Church. Bishop Bryant is a native of Baltimore and a graduate of Baltimore City College and Morgan State University. From a young age, he learned the importance of spiritual and civic leadership from his father, Rev. Harrison Bryant, a Baltimore pastor and civil rights activist.

After John Bryant graduated from Morgan State, he served in Liberia with the Peace Corps, beginning his lifelong involvement in Africa. He returned to the United States and earned graduate degrees in theology and ministry and served as a pastor in Boston before returning to Baltimore in 1975, where he took on the mantle of leadership at Bethel AME Church, where his father had been pastor. At age 31, he was elected to the church’s history. He brought incredible energy to the pulpit and the congregation grew by the thousands. He was
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committed to both spiritual leadership and community development and transformed the church’s Labor Day celebration into a job fair for the unemployed. He created an outreach center for the poor, 40 specialized ministries and Christian day school for children from kindergarten to fourth grade.

In 1988, Rev. Dr. Bryant was named Bishop of the AME Church’s 14th Episcopal District, which included 101 churches in West Africa and shortly added the 10th District, including Texas and the Southwest. In 2000, he was named bishop of the Fifth District, which included 200,000 church members in 14 Western States. In 2001, he appointed senior bishop and president prelate of the Fourth Episcopal District, which includes much of the Midwest and Canada.

Bishop Bryant’s wife, the Reverend Dr. Cecilia Bryant, has been an integral partner in his ministry. She founded the AME Church in the Republic of Ivory Coast, cofounded the AME Church in India, and is currently serving alongside her husband as supervisor of the Fifth Episcopal District. Their children, the Reverends Jamal Bryant, pastor of Baltimore’s Empowerment Temple, and Dr. Thelma Bryant-Davis, a psychologist, poet, dancer, and minister, continue the family tradition of spiritual leadership.

I ask my colleagues to join me in congratulating Bishop John R. Bryant on 50 years of ministry in the African Methodist Episcopal Church. He has built a legacy of outstanding leadership, and he has delivered a message of social reform and economic justice in Baltimore, in Maryland, throughout our Nation, and around the world.

RECOGNIZING THE 11TH STREET FAMILY HEALTH SERVICES CENTER

Mr. CASEY. Mr. President, on January 17, 2012, I visited the 11th Street Family Health Services Center of Drexel University. The Center is located in north Philadelphia, PA, and provides outpatient health care services to one of the most underserved communities in the city. As we work to ensure that all Americans have access to quality, affordable health care, the 11th Street Family Health Services Center serves as a model that is both innovative and effective, and I wish to highlight its efforts today.

The Center was born out of a partnership between the College of Nursing at MCP-Hahnemann University, now Drexel University’s College of Nursing and Health Professions, and the Philadelphia Housing Authority to address the community’s health concerns. It began as a Center focused on health promotion and disease prevention, but thanks to the tireless work of community leaders and Dr. Patty Gerrity, it quickly evolved into a comprehensive, nurse-managed, federally qualified health center.

In 1998, the center received a Health Resources and Services Administration grant for over $3 million, which it used to build a state-of-the-art health center that was opened in 2002. That facility and the nurses that manage it now provide primary care, behavioral health, dental health, and wellness programs to more than 2,500 adult patients annually. In fact, in 2011, the center provided 30,000 patient visits to a section of Philadelphia that has the highest percentage of unem- ployed people, 70% of families of people living in poverty and the highest rate of diabetes in Philadelphia.

Not only does the Center serve as a creative model to address chronic health issues in underserved communities, it also serves as a great educational tool. As operated by the Drexel University College of Nursing and Health Professions, the Center encourages employment in the health care field and provides nursing students with the opportunity to learn, first-hand, the skills needed to work in today’s health care industry.

As we move forward with the ongoing fight to ensure that quality and affordable care are available to all Americans, I strongly recommend that we learn from and seek to emulate innovative models like the 11th Street Family Health Services Center. It effectively serves our most vulnerable citizens, improves their general health and in doing so reduces the burden on our larger hospitals while decreasing medical costs in the long-term.

TRIBUTE TO DR. MARY PAT SEURKAMP

Mr. CARDIN. Mr. President, I wish to recognize the outstanding leadership and accomplishments of Mary Pat Seurkamp, Ph.D., president of Notre Dame University of Maryland until September of 2011, when it was officially renamed Notre Dame of Maryland University. The College of Notre Dame of Maryland was founded in Baltimore by the School Sisters of Notre Dame to educate women and the poor. The institution was chartered in 1895 and was known as the College of Notre Dame of Maryland until September of 2011, when it was officially renamed Notre Dame of Maryland University.

Under Dr. Seurkamp’s leadership, Notre Dame of Maryland has flourished as one of the nation’s strongest women’s institutions, fully embracing its role in preparing young women to understand and meet society’s challenges. Under Dr. Seurkamp’s leadership, Notre Dame of Maryland has flourished as one of the nation’s strongest women’s institutions, fully embracing its role in preparing young women to understand and meet society’s challenges.

Under Dr. Seurkamp’s leadership, the college has also found new ways to meet society’s needs. The Accelerated College was founded to help working women and men earn their undergraduate degrees. Now known as the College of Adult Undergraduate Studies, this division has continued to adapt to the needs of working adults and community institutions, offering courses on the Baltimore campus and at regional higher education centers and partnering hospitals.

Dr. Seurkamp, responding to expanding job opportunities in the area of health care, worked to found the Notre Dame of Maryland University School of Pharmacy, the second pharmacy school in Maryland and the first at a women’s college in the United States. The School of Pharmacy, like the new School of Nursing and the School of Education, offers professional edu- cation rooted in the Catholic tradition of the liberal arts and service to others.

As part of the implementation of the campus’s 20-year master plan, Dr. Seurkamp worked not only to enhance the beauty of the university grounds but also to ensure that university buildings are environmentally sustainable.

Dr. Seurkamp has been honored with numerous leadership awards, as well as the papal honor of Dame of the Order of St. Gregory. Her work reminds us of the critical role that higher education plays in defining our country’s workforce and shaping our country’s future. I want to join millions in congratulating Dr. Seurkamp on her 15 years of outstanding accomplishments as president of Notre Dame University of Maryland and in wishing her well in her retirement.

RECOGNIZING HOSMER, SOUTH DAKOTA

Mr. THUNE. Mr. President, today I wish to recognize Hosmer, SD. The town of Hosmer will commemorate the 125th anniversary of its founding this year.

Hosmer was platted on May 9, 1887. The name Hosmer comes from Stelila A. Hosmer, who was the wife of a railroad agent from Illinois. A great majority of Hosmer’s residents claim German-Russian as their ancestry. Because of this heritage, the early settlers were able to thrive in the harsh South Dakota conditions which proved to be similar to those of their home countries.

From the beginning, Hosmer has been known to provide excellent services to its citizens. In the 1920s, the town prided itself on its fine educational system, as well as a road system that was well ahead of its time. Hosmer maintained a strong business reputation in the mid-1900s, when Dun and Bradstreet gave its businesses some of the best credit ratings of any Midwestern city. Hosmer’s citizens are strong and determined like their ancestors. They have endured the hardships that are common in rural communities and have not only survived but have excelled.

Hosmer has been a successful community for the past 125 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of
Hosmer on this landmark occasion and wish them continued prosperity in the years to come.

TRIBUTE TO MIKE SHAW
- Mr. UDALL of Colorado. Mr. President, today I want to recognize Mike Shaw, an outstanding Coloradan and this year’s recipient of the prestigious TIME Dealer of the Year award. This award is given to outstanding new-car dealers who have also performed community service and exhibited a commitment to improving the world. Mike is an exceptional business owner in Colorado, an active philanthropist, and a role model in his community. I applaud Mike’s achievement and would like to take a few moments to share his work with you.

Mike has long been devoted to serving his community, a value that was instilled early in his life. He is a veteran of the U.S. Army, having served in Vietnam, and as a member of the Senate Armed Services Committee, I want to extend my gratitude for his service to our country.

After returning home and entering the new world of business, Mike opened the Mike Shaw Chevrolet Saab dealership in the heart of Denver. Today he is the owner of seven dealerships throughout Colorado, Louisiana, and Texas. Mike’s entrepreneurial spirit serves as a perfect example of how small businesses can take root and help drive our economy, creating jobs and taking care of their customers and communities.

The auto industry has served as the backbone of American manufacturing. When it was hit hard by the 2008 recession and near bankruptcy in 2009, thousands of dealerships across the country were at risk of closing. I had the privilege of working with Mike to help give these important Colorado businesses and the jobs they support a second chance. He stood up to inform Congress of the actual impacts of closing auto dealerships and helped promote solutions to keep them in business. He has been a steadfast leader in Colorado, and we can all learn from his principled approach. As Mike says, “My mantra in business is that quality comes first, customers are always the focus, and integrity is never compromised.”

I also want to commend him for his commitment to expanding education and opportunity for the youth in our State. His reach has extended to countless organizations and boards on which he has served or contributed to in other ways. The Denver Zoological Foundation, the Urban League of Denver, Keep Denver Children’s Foundation, the National Western Stock Show Association, and St. Joseph Hospital Foundation are just a few that have felt his impact.

His exceptional leadership in the auto industry and involvement with these important community partners has earned Mike the Dealer of the Year award. His achievements are far-reaching and each one of them is in the spirit of service to his community.

Mike is a determined and selfless community leader whose drive has helped provide our children a brighter future and made Colorado a better place to live. I extend to him my congratulations for being honored as the 2012 TIME Dealer of the Year, and I look forward to his continued leadership throughout Colorado.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED
At 10:04 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1134. An act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

At 11:07 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. 3413. An act to designate the facility of the United States Postal Service at 1449 West Avenue in Bronx, New York, as the “Private Isaac T. Cortes Post Office”.

H.R. 3637. An act to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the “Roy Schallern Rood Post Office Building”.

The message further announced that the House has passed the following bill, without amendment:

S. 1210. An act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

The message also announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 35. Concurrent resolution to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 21, 2013.

S. Con. Res. 36. Concurrent resolution to authorize the use of the rotunda and Emancipation Hall of the Capitol by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

At 4:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following enrolled bill:

S. 1710. An act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES REFERRED
The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3413. An act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the “Private Isaac T. Cortes Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3637. An act to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the “Roy Schallern Rood Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED BILL PRESENTED
The Secretary of the Senate reported that on today, March 6, 2012, she had presented to the President of the United States the following enrolled bill:

S. 1134. An act to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

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–5191. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Importation of Wooden Handicrafts from China” (RIN 0579–AC90) (Docket No. APHIS–2007–0117) received in the Office of the President of the Senate on March 2, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5192. A communication from the Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Designation of Biobased Items for Federal Procurement” (RIN 0593–AA39) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5193. A communication from the Director of Operational Test and Evaluation, Office of the Secretary of Defense, transmitting, pursuant to law, the report of a rule entitled “Designation of Biobased Items for Federal Procurement” (RIN 0579–AA83) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Armed Services.

EC–5194. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of seven (7) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5195. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the
grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5196. A communication from the Chairman of the Senate Committee on Banking, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Kingdom of Morocco; to the Committee on Banking, Housing, and Urban Affairs.

EC–5197. 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 “Extension of Time to File Contest of Spousal Unusual Exclusion Amount!” (Notice 2012–21) received in the Office of the President of the Senate on February 7, 2012; to the Committee on Finance.

EC–5198. 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 “Applicable Federal Rates—March 2012” (Rev. Rul. 2012–9) received in the Office of the President of the Senate on February 29, 2012; to the Committee on Finance.

EC–5199. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of Commerce, transmitting, pursuant to law, a report relative to an amendment to part 126 of the International Traffic in Arms Regulations (ITAR); to the Committee on Finance.

EC–5200. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of the rule entitled “Reasonable Contract or Arrangement Under Section 408(b)(2)—Fee Disclosure” (RIN0648–AX50) received in the Office of the Senate on the President of the Senate on February 3, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–5201. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Re- port of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, for the six months ending June 30, 2011”; to the Committee on Judiciary.

EC–5202. A communication from the Secretary, Transportation, transmitting, pursuant to law, a report entitled “U.S. Department of Transportation’s 2011 Annual Report to Congress and the National Transportation Safety Board Responding to Issues on the National Transportation Safety Board’s Most Wanted List”; to the Committee on Commerce, Science, and Transportation.

EC–5203. A communication from the Acting Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to the following aviation authorities to which the Administration provided services during fiscal year 2011; to the Committee on Commerce, Science, and Transportation.

EC–5204. A communication from the Administrator, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report relative to the National 911 Program; to the Committee on Commerce, Science, and Transportation.

EC–5205. A communication from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report relative to the National Oceanic and Atmospheric Administration’s ”Deep Sea Coral Research and Technology Program 2012 Report to Congress”; to the Committee on Commerce, Science, and Transportation.

EC–5206. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Television Broadcasting Services: Lincoln, Nebraska” (MB Docket No. 11–129; DA 12–81) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5207. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened and Endangered Status for Distinct Population Segments of Atlantic Sturgeon in the Northwest Region” (RIN0648–XJ00) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5208. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Final Listing Determinations for Two Distinct Population Segments of Atlantic Sturgeon (Acipenser oxyrhynchus oxyrhincus) in the Southeast” (RIN0648–XN50) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5209. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Taking and Importing Marine Mammals; U.S. Navy’s Research, Development, Test and Evaluation Activities Within the Naval Sea Systems Command Naval Undersea Warfare Center Kuyper Port Range Complex” (RIN0648–AX11) received in the Office of the President of the Senate on March 1, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5210. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Amendment 83; Correction” (RIN0648–BB36) received in the Office of the President of the Senate on February 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5211. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Amendment 83; Correction” (RIN0648–AY53) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5212. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Proposed Rule” (RIN0648–XH94) received during adjournment of the Senate in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5213. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fishery” (RIN0648–XA948) received in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5214. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska” (RIN0648–XA964) received in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5215. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Area” (RIN0648–XA965) received in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5216. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Proposed Rule” (RIN0648–XH947) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5217. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Pacific Whiting and Non-Whitling Allocations; Pacific Whiting Seasons” (RIN0648–XA927) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5218. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer” (RIN0648–XA946) received in the Office of the President of the Senate on February 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5219. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal To 80 Feet (18.3 Meters) Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area” (RIN0648–XA947) received in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5220. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic” (RIN0648–XA944) received in
the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5221. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States: Dogfish Fishery: Commercial Period 2 Quota Harvested” (RIN0648–XA268) received in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5222. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Operating as Catcher/Processors Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska” (RIN0648–XA966) received in the Office of the President of the Senate on February 28, 2012; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–65. A petition transmitted by a private citizen relative to prostate prisoner litigants; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BEGICH:
S. 2136. A bill to amend the Migratory Bird Hunting and Conservation Stamp Act to permit the Secretary of the Interior, in consultation with the Migratory Bird Conservation Commission, to set prices for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users; to the Committee on Commerce.

By Mr. NELSON of Florida (for himself and Mr. RUBIO):
S. 2157. A bill to ensure that all of Brevard County, Florida, is treated as a HUBZone, and for other purposes; to the Committee on Commerce.

By Mr. LEAHY:
S. 2164. A bill to authorize the Secretary of the Army to carry out activities to manage the threat of Asian carp traveling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):
S. 2164. A bill to amend the Social Security Act to improve Medicare benefits for individuals with kidney disease, and for other purposes; to the Committee on Finance.

By Mr. CONRAD:
S. 2163. A bill to amend title XVIII of the Social Security Act to improve Medicare benefits for individuals with kidney disease, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):
S. 2164. A bill to amend the Social Security Act to improve Medicare benefits for individuals with kidney disease, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself, Mrs. MURRAY, Mr. REID, Mr. DURBIN, Mrs. FEINSTEIN, Mr. TESTER, Mr. ISAKSON, and Mrs. BOXER):
S. Res. 389. A resolution designating the first week of April 2012 as “National Asbestos Awareness Week”; considered and agreed to.

ADDITIONAL COSPONSORS

S. 227. At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 227, a bill to amend title XVII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 296. At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 381. At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORGAN) was added as a cosponsor of S. 381, a bill to amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes.

S. 394. At the request of Mr. KOHL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 394, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 677. At the request of Mr. CONRAD, the name of the Senator from Idaho (Mr. Risch) was added as a cosponsor of S. 677, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 1384. At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1384, a bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services.

S. 1591. At the request of Mrs. GILLIBRAND, the name of the Senator from Colorado (Ms. BERNSTEIN) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1672. At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1672, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1872. At the request of Mr. CONRAD, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1956. At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1956, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1966. At the request of Mr. THUNE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1966, a bill to prohibit operators of civil aircraft of the United States;
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S1423

States from participating in the European Union’s emissions trading scheme, and for other purposes.

S. 195

At the request of Mr. Moran, the name of the Senator from Missouri (Mr. Blunt) was added as a cosponsor of S. 195, a bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes.

S. 2066

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

S. 2104

At the request of Mr. Carper, the name of the Senator from Alabama (Mr. Sessions) was added as a cosponsor of S. 2104, a bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

S. 2118

At the request of Mr. Inhofe, the name of the Senator from Arkansas (Mr. Boozman) was added as a cosponsor of S. 2118, a bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities.

S. Res. 380

At the request of Mr. Graham, the name of the Senator from Florida (Mr. Rubio), the Senator from Michigan (Ms. Stabenow), the Senator from Indiana (Mr. Lugar), the Senator from Virginia (Mr. Warner), the Senator from Delaware (Mr. Carper) and the Senator from Utah (Mr. Lee) 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.

AMENDMENT NO. 1506

At the request of Mr. Casey, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of Amendment No. 1506 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1652

At the request of Mr.arkin, the name of the Senator from Arkansas (Mr. Pryor) was added as a cosponsor of amendment No. 1652 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1784

At the request of Mr. Harkin, the names of the Senator from Arkansas (Mr. Pryor) and the Senator from Vermont (Mr. Sanders) were added as cosponsors of amendment No. 1784 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. Kohl:

S. 2158. A bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area, and for other purposes;

to the Committee on Energy and Natural Resources.

Mr. Kohl. Mr. President, I wanted to speak today regarding a bill I am introducing to establish the Fox-Wisconsin Heritage Parkway National Heritage Area. The Fox-Wisconsin Heritage Parkway would cut diagonally across Wisconsin through parts of 15 counties following the Fox River from Green Bay to Portage and the Wisconsin River from Portage to the Mississippi River. This Parkway marks the route taken in 1673 by explorers Father Jacques Marquette and Louis Joliet through Wisconsin.

The Fox-Wisconsin Heritage Parkway concept was created in 1991 by the National Trust for Historic Preservation and the Wisconsin Department of Commerce with the purpose of highlighting and enhancing the unique heritage of the State of Wisconsin. The Fox and Wisconsin rivers that serve as the pathway of Wisconsin’s first explorers will increase heritage and recreational tourism to sites within the 280 mile Parkway and create awareness of this region’s contributions to United States history.

A National Heritage Area designation would revitalize the Parkway as an economic, environmental and recreational resource and ensure it for future generations. This project has the strong support of local towns, cities, businesses and non-profits that are located within this proposed parkway. I look forward to working with my colleagues in Congress on this National Heritage Area designation.

By Mr. Leahy (for himself and Mr. Grassley):

S. 2159. A bill to extend the authorizations of Drug Free Communities Support Programs through fiscal year 2017; to the Committee on the Judiciary.

Mr. Leahy. Mr. President, today, I am pleased to join with Senator Grassley to introduce the Drug Free Communities Reauthorization Act of 2012, a bill to reauthorize the successful Drug Free Communities Program. It is crucial that communities around the country have the support and resources needed to respond to serious drug problems in a comprehensive and coordinated manner. Drug Free Community, DFC, coalitions have been proven to significantly lower substance abuse rates in our communities nationwide.

DFC programs encourage local citizens to become directly involved in solving their community’s drug issues through grassroots organizing and data-driven approaches. Since the program’s inception, DFC grants, which must be matched dollar for dollar, have helped to fund needed coalitions and have mobilized nearly 9,000 community volunteers. Today’s legislation will reauthorize the DFC Program for an additional 5 years, at a reduced rate to reflect current fiscal realities. The community coalition model has proven extremely effective and has achieved impressive outcomes. It is critical that today’s bill become law.

The DFC Program strategically invests Federal anti-drug resources at the community level with those who have the most power to demand for drugs—parents, teachers, business leaders, local media, religious leaders, law enforcement, youth, and others in the community. Grantees execute collaborative strategies to address their communities’ unique substance use and abuse issues. This is the optimal way to ensure that the entire community benefits from prevention. I have consistently supported funding for these coalitions, and was pleased that last year, eight Vermont coalitions were awarded Drug Free Community grants totaling $946,852.

In Vermont, we have felt the presence of drug abuse and drug-related crime in our communities, and prescription drug abuse is on the rise. The myth persists that drug abuse and drug-related crime are only big-city problems, but rural America is also coping with these issues. I have brought the Judiciary Committee to Vermont several times to examine these problems and gain perspectives to help shape solutions. The thing is clear. Law enforcement, while crucial, cannot solve the problem on its own. Reducing substance abuse requires a comprehensive approach with equal attention to law enforcement, prevention and education, and treatment, all with active community buy-in.

We see significant results in the fight against youth drug abuse when we have people working together at the local, State, and Federal levels, and in the law enforcement, prevention, and treatment fields. We have seen success driven by DFC coalitions in Vermont and throughout the country, but there is more work to be done. Drug abuse and drug-related crime is a persistent problem in major metropolitan areas and rural communities alike. I hope all Senators will support this bill so that communities nationwide can sustain effective community coalitions to reduce youth drug use.
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 2162

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


Section 102(a) of the National Narcotics Leadership and Law Enforcement Act (21 U.S.C. 1524b(a)) is amended by striking paragraph (9) and all that follows and inserting the following:

"(9) $30,000,000 for fiscal year 2006;
(10) $59,000,000 for fiscal year 2007;
(11) $109,000,000 for fiscal year 2008;
(12) $114,000,000 for fiscal year 2009;
(13) $119,000,000 for fiscal year 2010;
(14) $124,000,000 for fiscal year 2011;
(15) $129,000,000 for fiscal year 2012;
(16) $100,000,000 for fiscal year 2013;
(17) $100,000,000 for fiscal year 2014;
(18) $100,000,000 for fiscal year 2015;
(19) $100,000,000 for fiscal year 2016; and
(20) $100,000,000 for fiscal year 2017.".

Mr. GRASSLEY. Mr. President, throughout my years in Congress, I have worked to keep drugs out of our communities. We have all seen the destruction our nation’s drug use have on our communities, and our families. For years, we have heard tragic stories of the lives impacted by drug abuse. These problems plague our society and we must remain united in this struggle to end them.

In 1997 I, along with then-Senator BIDEN, sponsored legislation to create the Drug Free Communities, DFC, program. I believed then—as I still do today—that one of the most effective ways to prevent drug abuse is by supporting community antidrug coalitions to identify, prevent and eradicate the sources of abuse at the grass roots. Since the enactment of the Drug Free Communities Act, thousands of community antidrug coalitions have received Federal support to further their efforts to halt drug abuse in their communities.

Coalitions, across the country and in my home State of Iowa, are leading their communities in finding ways to overcome them. For example, the Van Buren Safe Coalition in Keosauqua, IA implemented comprehensive community wide strategies to address marijuana use among 11th graders. A one year project led to young adults decreasing marijuana use in their community. They conducted town hall meetings to raise awareness about the dangers of drug use; facilitated various community and youth education opportunities; and partnered with local schools to ensure drug policies and codes of conduct were in place. As a result, the Van Buren County SAFE Coalition reduced marijuana use among 11th graders by one-third in a 5-year time span according to the Iowa Youth Survey.

The Kossuth Connections coalition, which is headquartered in Algona, IA, is also taking action to fight underage drinking and smoking, although still below the statewide average, has increased slightly between 2008 and 2010 in this county. As a result, the Kossuth Connections coalition has partnered with local businesses and schools to ensure compliance with laws requiring age restrictions on selling alcohol and tobacco products. Youth from the county have surveyed area stores, inspected advertisements targeting children, and helped to determine whether or not the store displays a “We ID” sticker at the counter. These youth are committed to ensuring local stores are in compliance with the law and are actively working to reduce underage drinking and smoking.

These coalitions are a small sampling, but they represent the incredible efforts that many are putting into controlling and reducing drug abuse in our communities. Now is not the time to abandon community drug prevention efforts.

Unfortunately, recent trends indicate youth drug use nationally is on the rise and new synthetic drugs like K2/Spice and bath salts are gaining in popularity. In fact, the latest Monitoring the Future Survey indicates that one in nine high school seniors used synthetic drugs like K2/Spice in the past year. This is the first year this survey tested students on synthetic drug use. The short time span illustrates how rapidly drug use can spread among certain populations and communities. It is discouraging to see these surveys and to read about more tragedies on a daily basis. These negative trends will continue if they are not aggressively addressed.

It is vital that communities are made aware of abuse trends and the new drugs coming on the horizon. The actions of our coalitions, and this legislation, will help turn the growing tide of rising drug abuse, like synthetic drug abuse, can and have made a real difference. By holding town hall meetings, launching school programs, and confronting local businesses that market or sell inappropriate products community coalitions are making a real positive difference.

Whether it is synthetic drug outbreak, a meth epidemic in a Midwestern town, or a challenge in underage drinking, community antidrug coalitions will lead the way to unite their community against drug abuse. It is vital in these tough times that these coalitions continue to receive support from communities and from the Federal Government. That is why I am pleased to join my colleague, Senator LEAHY, in introducing a bill to reauthorize The Drug Free Communities Support Program for an additional 5 years.

This reauthorizing legislation recognizes the good work local antidrug coalitions have done over the years, but it also recognizes the fact that resources at the Federal level are tight and that authorizations need to more closely resemble appropriations. Further, this program is part of an ongoing review conducted by the Government Accountability Office (GAO) that I, along with Senator FEINSTEIN, requested to determine how it has impacted entire neighborhoods.

This study will take some time to develop and should not hinder our efforts to reauthorize the program, but should also be taken into consideration once the results are available. We must remain vigilant and not relent in our efforts to eradicate drug abuse. Drug abuse flourishes when the problem is ignored. If we are going to make a better future for our children and communities, we must face this menace together.

By Mr. REED (for himself, Mr. DURBIN, Mr. SCHUMER, Mr. LEAHY, Mr. BROWN of Ohio, Mr. WHITEHOUSE, Mr. AKAKA, Mr. FRANKEN, Mr. BLUMENTHAL, and Mr. AKAKA):

S. 2162. A bill to provide for the redevelopment of abandoned and foreclosed-upon properties and for the stabilization of affected neighborhoods, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I introduce the Project Rebuild Act today, and I thank Senators DURBIN, SCHUMER, LEAHY, BROWN of Ohio, WHITEHOUSE, AKAKA, FRANKEN, BLUMENTHAL, and AKAKA for joining me as original cosponsors of this bill.

Rhode Island, like America, is facing a foreclosure crisis. The bill we are introducing offers an opportunity to address this crisis—tackling foreclosures and affordable housing at the same time.

Building upon the successful, proven, and bipartisan Neighborhood Stabilization Plan, NSP, which has helped put Americans back to work stabilizing neighborhoods, the Project Rebuild Act could provide $43 million for Rhode Island to help create jobs and overhaul distressed neighborhoods and commercial properties.

Nationwide, about $10 billion would be directed to States and local governments through a formula modeled after NSP, and $5 billion would be distributed through new competitive grants. This initiative will provide a flexible source of funding to help local communities leverage federal dollars to effectively address vacant and blighted properties.

In communities across Rhode Island and across our country, we see how the foreclosure crisis has affected not just those who have lost their homes, but also how it has impacted entire neighborhoods.
I helped ensure that Rhode Island would receive additional NSP funding to assist communities hit hardest by the foreclosure crisis. Based on my visits to many NSP sites in Rhode Island, the State’s NSP allotment of $26 million is making a difference in neighborhoods across the State. This additional investment in Rhode Island has not only begun to help reverse the fallout from foreclosures, but has also provided families with affordable rental housing.

But more needs to be done. According to the Department of Housing and Urban Development, despite three rounds of NSP funding, “there is an unaddressed high need in more than 76 percent of high need census tracts across the country.” According to the Federal Reserve’s recent housing white paper, the number of new homes that will have completed the foreclosure process could be as high as 1 million propert...
amendment SA 1776 submitted by Ms. Cantwell and intended to be proposed to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1800. Mr. BROWN of Ohio (for himself and Mr. Mirkley) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. Reid to the bill S. 1813, supra; which was ordered to lie on the table; as follows:

TEXT OF AmENDMENTS

SA 1800. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1761 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; as follows:

On page 1454, between lines 8 and 9, insert the following:

(c) AGENCY APPROVALS FOR POSITIVE TRAIN CONTROL—

SEC. 22. BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS AND CERTAIN TRAINING PROVIDERS.

(a) In General.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(i) in section 901(a) (42 U.S.C. 3791(a)—

(A) in paragraph (26), by striking “and” at the end;

(b) Spectrum Applications.—The Chairman—

(i) shall approve or deny applications for spectrum necessary to implement public safety control systems pursuant to section 10107(a) of title 49, United States Code.

(2) Approval Process.—

(a) GENERAL.—The Chairman shall provide to the applicant—

(i) the application, or unit responsible for maintaining on line of duty by the officer and directly and proximately results in the death, or

(ii) in paragraph (27), by striking “;” and “and”;

(iii) in paragraph (28), by striking “;”;

(iv) in subparagraph (B) of paragraph (2), by adding at the end the following:

(A) engages in a situation involving non-routine stressful or strenuous activity, including, but not limited to, medical services, prison security, disaster relief, hazardous material response, emergency medical services, or other emergency response activity, or a public safety officer's benefits are available under section 20157(a) of title 49, Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.)—

(ii) in section 1201 (42 U.S.C. 3796)—

(h) In General.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by—

(i) in paragraph (1), by striking “follows:”;

(ii) in paragraph (26), by striking “and” at the end;

(iii) in paragraph (27), by striking “;” and “and”;

(iv) in paragraph (28), by striking “;”;

(v) in subparagraph (B) of paragraph (2), by adding at the end the following:

(A) by adding at the end the following:

(4) by inserting a semicolon;

SEC. 21. SHORT TITLE.

This subtitle may be cited as the “Dale Long Public Safety Officers' Benefits Improvement Act of 2012.”

SEC. 21. SHORT TITLE.

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SEC. 21. SHORT TITLE.
executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit of Government or other similar records of the public safety officer.

(3) in section 1202 (42 U.S.C. 3796a) —
(A) in subsection (a), after each place it appears the second place it appears, and inserting "fatality, or disability, or injury;"
(B) in subsection (c) —
(i) in paragraph (2), by striking "acts as prima facie evidence of the facts asserted in the certification;"
(ii) by redesignating subparagraphs (A), (B), and (C) respectively;
(iii) as subparagraphs (A), (B), and (C), respectively;
(iv) by inserting "volunteer member of a rescue squad or ambulance crew (as defined in section 1204(8) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this subtitle), the amendments made by this subtitle shall apply to injuries sustained on or after June 1, 2009.
(C) in subsection (b)(1), by striking "as prima facie evidence of the facts asserted in the certification;"
(D) in paragraph (8) —
(i) in subparagraph (A), by striking "as prima facie evidence of the facts asserted in the certification;"
(ii) by inserting "employee or volunteer member of a rescue squad or ambulance crew (as defined in section 1204(8) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this subtitle), the amendments made by this subtitle shall apply to injuries sustained on or after June 1, 2009.

Subtitle B—Liability Protection for Volunteer Pilots That Fly for Public Benefit

SEC. 44. SHORT TITLE. This subtitle may be cited as the "Volunteer Pilot Protection Act of 2012".

SEC. 45. FINDINGS. —CONGRESS finds the following:

(1) Many volunteer pilots fly for public benefit and provide valuable services to communities and individuals.
(2) In 2006, volunteer pilots provided long-distance, no-cost transportation for more than 58,000 people during times of special need.
(3) PURPOSE.—The purpose of this subtitle is to promote the activities of volunteer pilots who fly for public benefit and to sustain the availability of the services that such volunteers provide, including the following:

(A) Transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis.
(B) Flights for humanitarian and charitable purposes.
(C) Other flights of compassion.

SEC. 46. LIABILITY PROTECTION FOR VOLUNTEER PILOTS THAT FLY FOR PUBLIC BENEFIT.

Section 101(a) (42 U.S.C. 14503(a)(4)) of the Volunteer Protection Act of 1997 (42 U.S.C. 14503(a)(4)) is amended by striking "as prima facie evidence of the facts asserted in the certification;".

SEC. 47. SHORT TITLE. This title may be cited as the "Dale Long Public Safety Officers' Benefits Improvements Act of 2012".
SEC. 02. BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS AND CERTAIN TRAIN-EES; MISCELLANEOUS AMENDMENTS.

(a) In General.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 901(a) (42 U.S.C. 3791(a))—

(A) in paragraph (35), by striking "and" at the end;

(B) in paragraph (27), by striking the period at the end and inserting "and"; and

(C) by inserting at the end the following:

"(28) the term 'hearing examiner' includes any medical or claims examiner.

(2) in section 1201 (42 U.S.C. 3796b)—

(A) by striking paragraph (1) and inserting:

"(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares), and 50 percent to the surviving spouse;

(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

(4) if there is no surviving spouse of the public safety officer and no surviving child—

(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection by the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving individuals (in equal shares) who would qualify under the definition of the term 'child' under section 1204 but for age;

(6) in section 1205 (42 U.S.C. 3796b), by adding subsection (k) to read as follows:

"(k) by amending subsection (k) to read as follows:

"(1) as determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

(A) the public safety officer, while on duty—

(i) engages in a situation involving nonroutine stressful or strenuous physical law enforcement, rescue, hazardous material response, emergency medical services, prison security, disaster relief, hazardous material response, emergency medical services, or other emergency response activity; or

(ii) is officially designated as a prehospital emergency medical response agency;

(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); or

(D) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); or

(2) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer, unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation described in paragraph (1) or directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors.

(7) in section 1212 (42 U.S.C. 3796d–1)—

(i) in subparagraph (A), by striking "as a chaplain, or as a member of a rescue squad or ambulance crew," and inserting "or as a chaplain;"

(ii) in subparagraph (B), by striking "after the semicolon;

(iii) in subparagraph (C), by striking the period at the end and inserting "employee or volunteer;

(iv) in paragraph (3), by striking "or" after the semicolon;

(v) by striking paragraph (4) and inserting "employee or volunteer;

(vi) in paragraph (4), by striking "or" after the semicolon;

(vii) by striking "That these" and all that follows through "(B) the

(8) in section 1213 (42 U.S.C. 3796d–2), by adding the following:

"(B) in paragraph (1), by striking "as a chaplain, or as a member of a rescue squad or ambulance crew," and inserting "or as a chaplain;"

(9) in section 1213(b)(2) (42 U.S.C. 3796d–2(b)(2)), by striking "dependents" each place it appears and inserting "dependents;" and

(10) in section 1214 (42 U.S.C. 3796d–3), by adding the following:

"(B) in paragraph (1), by striking "consequences of an injury that" and inserting "an injury, the direct and proximate consequences of which;"
of 1968, as amended by this title, shall apply to heart attacks, strokes, and vascular rup-
tures sustained on or after December 15, 2008.
SA 1804. Mr. HARKIN submitted an amend-
ment 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; the corporation was ordered to lie on the
table; as follows:

SEC. 103. TERMINATION OF PROVISIONS.
Sections 402(1) and 404(e) of the Em-
ployment Retirement Income Security Act of 1974 (29 U.S.C. 1322(g) and 1344(e)), as added by
section 404 of the Pension Protection Act of 2006, are repealed as of October 1, 2011, and
shall not apply with respect to proceedings initiated under title II, United States Code,
or under any similar Federal law or law of a
State or political subdivision, on or after that
date.

SA 1805. Mr. ROBERTS submitted an amend-
ment intended to be proposed to amendment SA 1741 proposed by Mr. LEVIN (for himself and Mr. CONRAD) and
intended to be proposed to the bill S. 1813, to reauthorize Federal-aid
highway and highway safety construction programs, and for other purposes; the corporation was ordered to lie on the
table; as follows:

SEC. 103. TERMINATION OF PROVISIONS.
Sections 402(1) and 404(e) of the Em-
ployment Retirement Income Security Act of 1974 (29 U.S.C. 1322(g) and 1344(e)), as added by
section 404 of the Pension Protection Act of 2006, are repealed as of October 1, 2011, and
shall not apply with respect to proceedings initiated under title II, United States Code,
or under any similar Federal law or law of a
State or political subdivision, on or after that
date.

SA 1806. Mr. BARRASSO submitted
an amendment intended to be proposed to amendment SA 1776 proposed by Ms.
CANTWELL and intended to be proposed to the bill S. 1813, to reauthorize Fed-
eral-aid highway and highway safety construction programs, and for other purposes; the corporation was ordered to lie on the
table; as follows:

SEC. 232. EXEMPTION FROM ELECTRONIC ON-
BOARD RECORDING DEVICE RE-
QUIREMENT.
Section 31315(a)(1), as amended by section
32302(a)(1), is amended by striking “a commercial motor vehicle” and inserting “any commercial motor vehicle
SA 1807. Mr. BROWN of Ohio (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1761 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; as follows:

On page 888, line 18, strike “Section” and insert the following:

(a) In General.—Section 23205(f)(4) or 24405(a)(2) of title 49, United States Code, or under section 24305(f)(4) of title 23, United States Code, is amended by adding at the end the following:

“(g) APPLICATION TO HIGHWAY PROGRAMS.—

(1) In General.—Whoever commits an offense under subsection (a) with respect to a Federal-aid highway or highway safety construction program, if at least 1 contract for the project is funded with amounts made available to carry out such chapter, shall be fined not more than $10,000,000, imprisoned not more than 20 years, or both; and

(2) AMTRAK.—Section 24305(f)(4) of title 49, United States Code, is amended by adding at the end the following:

“(g) AMENDMENTS.—

(1) In General.—Whoever commits an offense under subsection (a) with respect to a Federal-aid highway or highway safety construction program, if at least 1 contract for the project is funded with amounts made available to carry out such chapter, shall be fined not more than $10,000,000, imprisoned not more than 20 years, or both; and

(3) Make any necessary conforming amendments.

SEC. 3. COUNTERFEIT DRUG PREVENTION.

This Act may be cited as the “Counterfeit Drug Penalties Enhancement Act of 2011”.

SEC. 2. COUNTERFEIT DRUG PREVENTION.

This Act may be cited as the “Counterfeit Drug Penalties Enhancement Act of 2011”.

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 6, 2012, at 9:30 a.m.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 6, 2012, at 10 a.m., to conduct a committee hearing entitled “Spurring Job Growth Through Capital Formation: While Protecting Investors, Part II.”

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during
the session of the Senate on March 6, 2012, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 6, 2012, at 10 a.m., in room 224 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Reform: Incentives for Capital Investment and Manufacturing.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 6, 2012, at 10:30 a.m.

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

COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 6, 2012, at 2:30 p.m.

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

COMMITTEE ON SCIENCE AND SPACE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 6, 2012, at 2:15 p.m., in room 233 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Keeping America Competitive through Investments in R&D.”

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

COUNTERFEIT DRUG PENALTY ENHANCEMENT ACT OF 2011

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 253, S. 1886.

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

The legislative clerk read as follows: A bill (S. 1886) to prevent trafficking in counterfeit drugs.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate will act today to combat the increasing problem of counterfeit pharmaceuticals. I thank Senators GRASSLEY and BENNET, and the other cosponsors, along with the bipartisan sponsors of the House companion bill, for their important legislation to deter the influx of counterfeit medication. The bill will not only support the American economy and job creation by protecting American intellectual property, but it will protect the health and safety of American consumers.

The illegal counterfeit pharmaceutical trade is a multi-billion dollar criminal industry. The Alliance for Safe Online Pharmacies wrote in support of this legislation that “criminals are drawn to counterfeit drugs because of the significantly higher profits in comparison to the very low risks and penalties.”

We cannot allow the counterfeiting of life-saving medicine to be just one more low-risk venture from which international organized criminals can profit. The Counterfeit Drug Penalty Enhancement Act raises the maximum sentences for trafficking in counterfeit pharmaceutical products and requires the United States Sentencing Commission to consider amending its guidelines to account for the harm to the public and need for an effective deterrent.

We should not expect that enactment of this or any legislation will completely deter the serious problem of counterfeit medication entering the American supply chain, but it is an important step in the fight.

Passage of this legislation today by the Senate also evidences that Congress can work together in a bipartisan manner to protect American consumers and promote American industries. I urge the House of Representatives to act quickly on this legislation and send it to the President’s desk.

Mr. DURBIN. Mr. President, I ask unanimous consent that the Leahy-Grassley substitute amendment at the desk be agreed to; the bill, as amended, be read a third time, and the Senate proceed to vote on the passage of the bill, as amended.

The amendment (No. 1880) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Counterfeit Drug Penalty Enhancement Act of 2011”.

SEC. 2. COUNTERFEIT DRUG PREVENTION.

Section 2320(b) of title 18, United States Code, is amended—

(1) by redesigning paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) COUNTERFEIT DRUGS.—

(A) IN GENERAL.—Whoever commits an offense under subsection (b) with respect to a drug (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) shall—

(i) if an individual, be fined not more than $4,000,000, imprisoned not more than 20 years, or both; and

(ii) if a person other than an individual, be fined not more than $10,000,000, imprisoned not more than 20 years, or both; and

(B) MULTIPLE OFFENSES.—In the case of an offense by a person under this paragraph that occurs after that person is convicted of another offense under this paragraph, the person convicted—

(i) if an individual, shall be fined not more than $8,000,000, imprisoned not more than 20 years, or both; and

(ii) if other than an individual, shall be fined not more than $20,000,000.”

SEC. 3. SENTENCING COMMISSION DIRECTIVE.

(a) DIRECTIVE TO SENTENCING COMMISSION.—

Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend, if appropriate, its guidelines and its policy statements applicable to persons convicted of an offense described in section 2320(b) of title 18, United States Code, as amended by section 2, in order to reflect the intent of Congress that such penalties be increased in comparison to those currently provided by the guidelines and policy statements.

(b) REQUIREMENTS.—In carrying out this section, the Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect the intent of Congress that the guidelines and policy statements reflect the serious nature of the offenses described in this section (a) and the need for an effective deterrent and appropriate punishment to prevent such offenses;

(2) consider the extent to which the guidelines may or may not appropriately account for the potential and actual harm to the public resulting from the offense;

(3) assure reasonable consistency with other relevant directives and with other sentencing guidelines;

(4) account for any additional aggravating or mitigating circumstances that might justify exceptions to the generally applicable sentencing ranges;

(5) make any necessary conformed changes to the sentencing guidelines; and

(6) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

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

The PRESIDING OFFICER. The question is on passage of the bill.

The bill (S. 1886), as amended, was passed without objection.

Mr. DURBIN. I ask unanimous consent that the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

NATIONAL ASBESTOS AWARENESS WEEK

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate...
Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. The resolution (S. Res. 389) was read as follows:

A resolution (S. Res. 389) designating the first week of April 2012 as “National Asbestos Awareness Week.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 389) was read as follows:

The legislative clerk read as follows:

A resolution (S. Res. 389) designating the first week of April 2012 as “National Asbestos Awareness Week.”

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas exposure to asbestos continues, but safety and prevention of asbestos exposure already has significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of such diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the establishment of a “National Asbestos Awareness Week” will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure; Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2012 as “National Asbestos Awareness Week”;

(2) urges the Surgeon General to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

ORDERS FOR WEDNESDAY, MARCH 7, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Wednesday, March 7, at 10 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 proceed to a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 1813, the surface transportation bill; and that the Senate recess from 5 p.m. to 6 p.m. to allow for a Senators-only briefing.

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

CONFIRMATIONS

Executive nominations confirmed by the Senate March 6, 2012:

MARY ELIZABETH PHILLIPS, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI.

THOMAS OWEN RICE, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON.
EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. VISCLOSKY. Mr. Speaker, on March 5, 2012, I was absent from the House and missed rollcall vote 95. Had I been present for rollcall 95, on the motion to suspend the rules and pass H.R. 3637, a measure to designate the facility of the United States Postal Service located at 401 Old Dixie Highway in Jupiter, Florida, as the “Roy Schallern Rood Post Office Building,” I would have voted “aye.”

RECOGNIZING THE OUTSTANDING SERVICE OF COLONEL MICHAEL G. NAYLOR ON THE OCCASION OF HIS RETIREMENT

HON. DARRELL E. ISSA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. ISSA. Mr. Speaker, I rise today to recognize the military service of Colonel Michael G. Naylor on the occasion of his retirement from the United States Marine Corps. I commend Colonel Naylor’s career and offer my sincerest thanks for his 30 years of dedicated service in protecting our nation.

Beginning his military career in 1982, Colonel Naylor entered Officer Candidate School where he was commissioned a Second Lieutenant and designated as a Naval Aviator in September 1983. This was just the start to a long and commendable career in the United States Marine Corps.

Colonel Naylor retires from his post as the Deputy Commander of Marine Corps Installations West (MCIWEST), located at Marine Corps Base Camp Pendleton. As Deputy Commander, Colonel Naylor helped oversee seven bases with stations occupying over 160,000 acres throughout California, Nevada, and Arizona. Colonel Naylor’s hard work and dedication aided Corps in providing continuous, uninterrupted service support, in a time of war, to Marines and Sailors of the First Marine Expeditionary Force (I MEF).

As a Naval Aviator he has accumulated over 4900 total flight hours in various rotary and fixed wing aircraft to include the first two operational tests of the V-22. He was also tasked with flying the President, Vice President, and dignitaries while as-assigned to Marine One (HMX-1). Colonel Naylor commanded the Marine Medium Helicopter Training Squadron 164 (HMMT-164) where his leadership and commitment provided well trained, organized, and combat ready expeditionary aviation forces capable of short notice world wide deployment to Marine Air Ground Task Force (MAGTF), fleet and unified commanders.

His personal decorations include the Defense Superior Service Medal, Legion of Merit with Gold Star, Meritorious Service Medal with Gold Star, Navy and Marine Corps Commendation Medal, Navy and Marine Corps Achievement Medal, the Presidential Service badge as well as numerous campaign medals and unit awards.

These recognitions are a testament of Colonel Naylor’s strong leadership and unwavering commitment to our country.

I offer Colonel Naylor my congratulations and hope that he enjoys rewarding retirement knowing that his years of service will not be forgotten by those he led.

HONORING EDITH PITTSenger ON HER 100TH BIRTHDAY

HON. MIKE PENCE
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 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 masters 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 of service and wish her the best in the years to come.

REPRESENTATIVE FARENTHOLD PRESENTS TECHNICAL SERGEANT ARTHUR NOWAKOWSKI WITH SILVER STAR COMMENDATION

HON. BLAKE FARENTHOLD
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. FARENTHOLD. Mr. Speaker, I had the tremendous honor of awarding Sergeant Arthur Nowakowski his Silver Star Commendation in his hometown of San Benito, Texas. This moment was over 60 years in the making, as Sergeant Nowakowski was originally awarded the Silver Star for his gallantry in action on July 5th, 1944 in France.

A WWII veteran, Sergeant Nowakowski voluntarily enlisted in the United States Army when he was eighteen years old, joining the 90th Infantry Division.

One month after landing on France’s Utah Beach on D-Day, a platoon carrying urgently needed supplies and ammunition to front line troops was pinned down by heavy fire. Sergeant Nowakowski quickly assumed command and, at risk of his own life, subjected himself to intense fire, reorganized the platoon, led it forward and delivered the supplies and ammunition to the troops. He then sent his men to the battalion command post, returned to the wounded Soldiers and, despite the unremitting fire, administered first aid to them and remained with them until they were evacuated.

His heroics saved the lives of three men. He risked his life to save his fellow soldiers and fight for the freedoms we all hold dear today. Presenting him with his commendation is only a small thank you to a man who has sacrificed so much for our Nation.

CONGRATULATING THE BEL-LINGHAM KIWANIS CLUB ON ITS 90TH ANNIVERSARY

HON. RICK LARSEN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. LARSEN of Washington. Mr. Speaker, I rise today to recognize and congratulate the Kiwanis Club of Bellingham on its 90th anniversary.

The members of the Kiwanis Club of Bellingham are continuing in the club’s long service to Whatcom County by supporting the community’s children.

Kiwanis have long served children around the world by raising money, collecting food and clothes, and by working with children one-on-one. In Bellingham, Kiwanis support local children in dozens of ways that have a true and meaningful impact in our community.

You can find Kiwanis working with students in classrooms across the county, raising money to help kids get computers and sports equipment, and working to beautify the community.

The Kiwanis’ work to support kids diagnosed with cancer is especially inspiring. As a father of two sons, I know how important community support is to developing happy and healthy kids.

The Kiwanis’ work helps families today and will pay dividends to our community for many generations to come. Their service projects strengthen the community one kid at a time by giving children healthy food and opportunities to succeed in school and sports. Bellingham and Whatcom County are better today for the 90 years of great service the Kiwanis have given.

Mr. Speaker, I ask my colleagues to join with me in congratulating the Kiwanis Club of Bellingham on its 90th anniversary and in recognizing their significant service to children and families in Whatcom County.

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor. Matter set in this typface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
HONORING THE GADSDEN ELEMENTARY SCHOOL DISTRICT MARCHING BAND, THE PRIDE OF SAN LUIS

HON. RAÚL M. GRIJALVA
OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. GRIJALVA. Mr. Speaker, I rise today to honor the Gadsden Elementary School District #32 Marching Band for their accomplishments as a student band and as representatives of the city of San Luis.

Gadsden Elementary School is in the San Luis, a city located in the Southwest corner of the State of Arizona on the border of San Luis Rio Colorado, Mexico. The school's marching band, the Pride of San Luis, is composed of 180 talented students and 15 dancers in grades 4–8. Director J Martin Peralta, Jr. and Music Coordinator Martin Peralta, Sr. have led this group of young men and women to countless victories, including first place awards in the Lake Havasu, Parada Del Sol Parade in Scottsdale, Arizona, the APS Phoenix Light Parade, as well as in the local Sonora Founder's Day Parade and the Yuma Lights Parade and most recently have been invited to the London Days Bridge Parade. Luis Marquez, Board President, said that “Listening to the marching band is like listening to an amazing group of professionals: they have the enthusiasm, character, and talent they need to keep making a great job everywhere they go.”

The Pride of San Luis is comprised of more than just talented musicians; they are exemplary scholars. Raymond V. Aguilera, Superintendent of Schools, said that “[m]any of the band members go on to receive college credit during High School, take the ACT test and qualify for the Johns Hopkins Center for Talented Youth Program. The band’s alumni have attended or will attend university programs throughout the country.” This group of hard working young people brings hope and pride to local residents. As William and Ellen Kiley stated: “For those who worry about the future of our country, you have only to look at these young people to feel reassured that all will be well”.

The parents, teachers, and citizens of San Luis cannot be more proud of their hometown marching band. Juan Carlos Escamilla, Mayor of the City of San Luis, declared: “It is truly an honor. I’m so very proud of every single one of our kids. I’m so proud as a parent. I know they have a very strong goal. If any organization could do it—it’s this group. They will make it happen.” Music Coordinator Martin Peralta Sr. articulated it best: “Esta generación de estudiantes van a hacer historia y la experiencia que van a hacer historia ya que moverá al mundo con su música donde cada uno de los ciudadanos del país se van a sentir orgullosos de ellos”.

Mr. Speaker, please join me in honoring these bright young student musicians and the adults that empower them to succeed.

HONORING MATTHEW R. COOK
HON. SAM GRAVES
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Matthew R. Cook. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 180, and earning the prestigious award of Eagle Scout. Matthew has been very active with his troop, participating in many scout activities. Over the many years Matthew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Matthew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Matthew R. Cook for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO EMORY CAMPBELL
HON. JAMES E. CLYBURN
OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a remarkable man who has distinguished himself as a great South Carolinian and an outstanding scholar and advocate of the Gullah/Geechee culture. He has dedicated his life to preserving the culture and the community he loves. He just underned his tenure as the first Chairman of the Gullah-Geechee Cultural Heritage Corridor Commission. I commend him for his outstanding work and thank him for his long-time friendship. We could not have had a better person to get this Commission off on the right foot.

Emory Shaw Campbell was born on October 11, 1941, on Hilton Head Island, South Carolina, which was at the time an isolated Sea Island inhabited by the descendents of former slaves, not the high-end resort it has become today. He was the sixth of 12 children born to Sarah and Reginald Campbell.

While he attended elementary school on Hilton Head Island, he had to travel by boat to attend high school at Michael C. Riley High School in the mainland town of Bluffton. He graduated as valedictorian of his class in 1960. He went on to earn his bachelor’s degree in biology from Savannah State College, and a master’s in environmental engineering from Tufts University in Boston, Massachusetts.

Following his academic training, Dr. Camp- bell returned home to his beloved Sea Islands. He served for ten years as the Director of Community Service Education at the Beaufort-Jasper Comprehensive Health Services in Ridgeland, South Carolina. This community health center provided quality, affordable health care to the underserved populations of the Sea Islands in the southeastern corner of the State. He also worked to protect Gullah communities that were threatened by the encroachment of resort development in the area.

In 1980, he became the Director of the Penn Community Center on St. Helena Island. This historic facility began as a school in the 1800s to educate freed slaves. It became a meeting place during the civil rights movement of the 1960s. As a student organizer at South Carolina State College, he met at the Penn Center and subsequently served as a member of its Board of Trustees. Dr. Martin Luther King retreated there to plan protest strategies. Today, the center serves to protect and preserve the heritage of the island and its Gullah culture. Dr. Campbell has been synonymous with these efforts, and he became a sought after expert on all things Gullah.

Most notably during his 22 years at the helm of Penn Center, Dr. Campbell led an effort to reconnect the Gullah community to its family roots in Sierra Leone, West Africa. This initiative resulted in Sierra Leone’s President Joseph Momoh visiting Penn Center in 1988, and the following year Dr. Campbell was given the title of Honorary Paramount Chief when he took a group from the Gullah community to Sierra Leone for a reunion with their ancestral families. In 1990, South Carolina Educational Television produced a documentary Family Across the Sea, which chronicles these events.

Dr. Campbell has sought to preserve the heritage of his native culture through his book Gullah Cultural Legacies that includes Gullah traditions, beliefs, art and language. He also helped in the effort to translate the New Testament of the Bible into Gullah, which I used when I was sworn in as House Majority Whip in 2007. When Dr. Campbell retired from Penn Center in 2002, he began Gullah Heritage Consulting Services to continue his lifelong work and he managed the Gullah Heritage Trail Tours on Hilton Head Island.

In 2005, Dr. Campbell received the Carter F. Woodson Memorial Award from the National Education Association for his efforts to preserve the Gullah heritage and communities and to improve the quality of life for the Gullah people.

In 2008, I succeeded in getting the Gullah-Geechee Cultural Heritage Corridor enacted into law. The legislation included the establish-ment of a Commission to manage the corridor, and Dr. Campbell was fittingly chosen to Chair the inaugural Commission.

Dr. Campbell lives on Hilton Head Island with his wife, Emma. They have two adult children and seven grandchildren.

Mr. Speaker, I ask you and our colleagues to join me in thanking Dr. Emory Campbell for his dedication to preserving, protecting and promoting the Gullah culture that is unique to the Sea Islands of the American South. He has made remarkable contributions throughout his career to bring recognition and support to Gullah communities, and he is one of their most distinguished members. His work has helped to save an entire culture that was rapidly disappearing due to encroachment and assimilation, and that is a tremendous legacy for any one individual.

HONORING KYLE A. DETERS
HON. SAM GRAVES
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kyle A. Deters.
Kyle is a very special young man who has ex-
emplified the finest qualities of citizenship and 
leadership by taking an active part in the Boy 
Scouts of America, Troop 180, and earning the 
most prestigious award of Eagle Scout. Kyle has been very active with his troop, 
participating in many scout activities. Over the 
many years Kyle has been involved with 
scouting, he has not only earned numerous 
merit badges, but also the respect of his fam-
ily, peers, and community. Most notably, Kyle 
has contributed to his community through his 
Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in 
commending Kyle A. Deters for his accom-
plishments with the Boy Scouts of America 
and for his efforts put forth in achieving the 
highest distinction of Eagle Scout.

CELEBRATING THE 100TH ANNIVER-
SARY OF THE OREO COOKIE

HON. ROBERT J. DOLD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. DOLD. Mr. Speaker, I would like to take 
a moment to celebrate the 100th anniversary of the Oreo. In 1912—the same year the 
South Pole was discovered, and the Titanic sank—the Oreo was first introduced. Growing 
up, there were many days where I would enjoy dunking an Oreo in my milk and that tra-
dition continues today with children and adults all over the globe. There is no doubt Oreos 
bring joy to many people throughout the world.

Kraft Foods, headquartered in my district, is 
the proud custodian of Oreo, and Oreo is one 
of the company’s 12 “billion-dollar” brands. 
Enjoyed in more than 100 countries, today the 
Oreo brand is the world’s top selling cookie. 
Here is to another 100 years of Oreo being 
the world’s number one cookie.

HONORING CONNOR S. THOMAS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I 
proudly pause to recognize Connor S. Thom-
as. Connor is a very special young man who 
has exemplified the finest qualities of citizen-
ship and leadership by taking an active part in 
the Boy Scouts of America, Troop 180, and 
earning the most prestigious award of Eagle 
Scout.

Connor has been very active with his troop, 
participating in many scout activities. Over the 
many years Connor has been involved with 
scouting, he has not only earned numerous 
merit badges, but also the respect of his fam-
ily, peers, and community. Most notably, Con-
nor has contributed to his community through 
his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in 
commending Connor S. Thomas for his ac-
complishments with the Boy Scouts of Amer-
ica and for his efforts put forth in achieving the 
highest distinction of Eagle Scout.

HONORING THE MODESTO CHAM-
BER OF COMMERCE ON 100 
YEARS OF BUSINESS LEADER-
SHIP

HON. JEFF DENHAM
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. DENHAM. Mr. Speaker, I rise today to 
acknowledge and honor the rich heritage of the 
Modesto Chamber of Commerce as they cele-
bcrate 100 years of business leadership in 
the Central Valley.

Anniversaries such as this provide an op-
portunity for us to reflect upon the significant 
impact our local businesses, both large and 
small, have on job creation and economic growth. It is critical that we continue to 
increase opportunities for business owners and 
entrepreneurs to take risks and succeed, so 
that they are able to grow, innovate, and cre-
ate jobs. Throughout the years, the Chamber 
has stayed true to its mission statement, which is “to promote the region’s economic 
strengths and vitality; identify and promote 
services that are valuable to our members; ad-
vocate for public policy that is advantageous 
to the business community; and fully partici-
pate and partner in activities to improve quality of life.”

Also celebrating 100 years is the iconic Mo-
desto Arch. The Arch was erected by the 
founders of the Modesto Chamber of Com-
merce as a symbol to promote the city, and 
remains as a welcome when you enter down-
town Modesto with the ever present slogan “Water, Wealth, Contentment, Health.”

I would also like to recognize the following 
six businesses for their continuous member-
ship in the Modesto Chamber of Commerce 
for the past 100 years: Foster Farms, Bank of 
America, Pacific Bell/ATT, Chicago Title Com-
pany, Pacific Gas & Electric, and J.S. West. 
They should all be commended for the com-
munity support and dedication to the city of 
Modesto.

Mr. Speaker, please join me in celebrating 
with the Modesto Chamber of Commerce on 
a day where we recognize not only where we 
have been, but the tremendous opportunities 
we have ahead in our efforts to fulfill our vi-
sion for the future. Congratulations on the past 
100 years, and I wish you the best success in 
the years to come.

HONORING EVAN JONATHAN 
LINARD
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. GRAVES of Missouri. Mr. Speaker, I 
proudly pause to recognize Evan Jonathan 
Linard. Evan is a very special young man who 
has exemplified the finest qualities of citizen-
ship and leadership by taking an active part in 
the Boy Scouts of America, Troop 247, and 
earning the most prestigious award of Eagle 
Scout.

Evan has been very active with his troop, 
participating in many scout activities. Over the 
many years Evan has been involved with 
scouting, he has not only earned numerous 
merit badges, but also the respect of his fam-
ily, peers, and community. Most notably, Evan 
has contributed to his community through his 
Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in 
commending Evan Jonathan Linard for his ac-
complishments with the Boy Scouts of Amer-
ica and for his efforts put forth in achieving the 
highest distinction of Eagle Scout.

INTRODUCTION OF THE FOX-WIS-
CONSIN HERITAGE PARKWAY NA-
TIONAL HERITAGE AREA ACT OF 
2012

HON. THOMAS E. PETRI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. PETRI. Mr. Speaker, today I am 
pleased to join my colleagues . . . in intro-
ducing the Fox-Wisconsin Heritage Parkway 
National Heritage Area Act of 2012, legislation 
which would designate the Fox-Wisconsin 
Heritage Parkway as a National Heritage Area. 
I am also pleased that Senator KOHL is 
introducing companion legislation in the Sen-
ate.

The National Park Service defines National Heritage Areas as:

. . . places where natural, cultural, his-
toric and scenic resources combine to form a 
cohesive, nationally important landscape 
arising from patterns of human activity 
shaped by geography. These patterns make 
National Heritage Areas representatives of 
the American experience through the phys-
ical features that remain and the traditions 
that have evolved in them. These regions are 
acknowledged by Congress for their capacity 
to tell important stories about our nation. 
Continued use of National Heritage Areas by 
people whose traditions helped to shape the 
landscape enhances their significance.

The Fox Wisconsin Heritage Parkway, 
which runs through parts of 15 counties 
throughout Wisconsin, marks the route taken 
in 1673 by explorers Father Jacques Mar-
quette and Louis Joliet as they traveled from 
the Great Lakes to the Mississippi River. This 
journey is an integral part of Wisconsin’s and 
our nation’s development. We should do all 
that we can to preserve it so that future gen-
erations have an appreciation for our country’s 
unique history, culture and heritage.

Establishing the Fox Wisconsin Heritage 
Parkway as a National Heritage Area will ac-
complish that preservation goal in a cost-effec-
tive manner. By utilizing public-private partner-
ships, the National Heritage Area designation 
can serve as a structure to coordinate the ac-
tivities of businesses, non-profits and residents 
so they can highlight their region’s unique con-
tributions to America’s national story.

Again, I am very pleased to support this re-

gion’s designation as a National Heritage 
Area, and I ask for my colleagues’ support in this 
effort.
HONORING STEPHEN DEAN NOLTING
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012
Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Stephen Dean Nolting. Stephen is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 247, and earning the most prestigious award of Eagle Scout.

Stephen has been very active with his troop, participating in many scout activities. Over the many years Stephen has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Stephen has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Stephen Dean Nolting for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION
HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012
Ms. WOOLSEY. Mr. Speaker, on March 5, 2012, I was unavoidably detained and was unable to record my vote for rolcall No. 95. Had I been present I would have voted:
R rolcall No. 95: “Yes”—Roy Schallern Rood Post Office Building.

HONORING JEFFREY JOSEPH DUER, JUNIOR
HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012
Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jeffrey Joseph Duer, Junior. Jeffrey is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 180, and earning the most prestigious award of Eagle Scout.

Jeffrey has been very active with his troop, participating in many scout activities. Over the many years Jeffrey has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jeffrey has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jeffrey Joseph Duer, Junior for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING THE 76TH ANNUAL WESTERN NEW YORK SAFETY CONFERENCE
HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012
Mr. HIGGINS. Mr. Speaker, I rise today to celebrate the 76th annual Western New York Safety Conference, which will be held in my Western New York community March 12th—March 15th, 2012. What began as a small group of safety-minded individuals in 1935, has evolved into a conference attended by over 500 delegates each year, and the largest gathering of safety-oriented and interested people on the East Coast.

The Western New York Safety Conference is recognized by both employers and employees alike as an outstanding organization. This annual exchange of safety, health and environmental information has contributed greatly to the advancement of safety for the worker, and the general public. I applaud their dedication to the conservation of human life and the safety and health of the individual through the prevention of accidents and occupational diseases.

Mr. Speaker, I want to congratulate those who have led the effort to host this important conference, and am sure that they will continue to service the Western New York community to reduce injuries and illness.

SUPPORT OF THE CONFERENCE REPORT TO H.R. 3630
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012
Mr. KUCINICH. Mr. Speaker, I rise in support of the Conference Report to H.R. 3630, Middle Class Tax Relief and Job Creation Act of 2012. The bill extends unemployment for those currently out of work through 2013. It continues the payroll tax break for the middle class through 2013. It prevents the scheduled cuts in Medicare reimbursement to doctors. It extends the Temporary Assistance for Needy Families (TANF) program. It protects current federal public servants by protecting their pensions and by dropping language that would have permitted an unjust and unnecessary payroll freeze. As a Member of the Committee on Oversight and Government Reform, I offered an amendment in Committee last week to protect the pensions of future federal public servants as well.

However, while providing needed relief, this bill is very flawed. It reduces benefits for new federal public servants, cuts assistance to hospitals and cuts long term unemployment benefits. It is wrong to limit any crucial safety net.

Still, extending the payroll tax means that middle class families in Ohio will have about $1000 more in their pockets at a time when speculation has pushed gas and basic food prices up. The needs of my district are urgent and immediate. This legislation will deliver relief. I stand with the workers and those trying to find work and I pledge to continue to fight for the middle class. When Congress returns we must ensure that our communities are protected and that hospitals and workers are taken care of. I will work with my colleagues to remedy the shortcomings of this bill.

RECOGNIZING THE 2012 NOMINEES FOR THE PRINCE WILLIAM COUNTY TEACHER OF THE YEAR—AGNES MEYER OUTSTANDING TEACHER AWARD
HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012
Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the nominees for the Prince William County Teacher of the Year—Agnes Meyer Outstanding Teacher Award.

The Agnes Meyer Outstanding Teacher Award program was established by “The Washington Post” to “recognize excellence in teaching, to encourage creative and quality instruction, and to contribute in a substantive way to the improvement of education in the Washington metropolitan area.” The annual recipients are comprised of one representative from each of the 19 metropolitan public school systems and a single representative from the area private schools. The winner selected from the Prince William Public School Division is also named the Prince William County Teacher of the Year. Teachers who meet the criteria for the award are those who instill in students a desire to learn and achieve, understand the individual needs of students, and demonstrate a thorough knowledge of subject matter and have the ability to share it effectively with students.

I extend my personal congratulations to the 2012 Prince William County nominees for the Agnes Meyer Outstanding Teacher Award:

Mrs. Anita Al-Haj—Osborn Park High School; Ms. LaTicia Anderson—Coles Elementary School; Mrs. Jenny Bates—Henderson Elementary School; Ms. Spring Byard—New Directions Alternative Education Center; Lt. Col. Ronald Cartee—Battlefield High School; Ms. Sharon Christner—Hylton High School; Mrs. Jessica English—Hylton High School; Mr. Aaron Finney—Victory Elementary School; Mrs. Kelly Haynes—Ashland Elementary School; Mr. Philip Keirstead—Marstellar Middle School

Ms. Hess Moore—Beville Middle School; Ms. Rebecca Patonetz—McAuliffe Elementary School; Mrs. Ingrid Perry—Gar-Field High School; Mrs. Ramona Peterson—Coles Elementary School; Mr. Richard Scavongelli—Brentsville District High School; Ms. Lydia Stewart—Osborn Park High School; Mrs. Patricia Swanson—Ashland Elementary School; Ms. Kendra Yount—Battlefield High School; Mrs. Ruthann Zalewski—Loch Lomond Elementary School.

Mr. Speaker, I ask that my colleagues join me in commending the nominees for the Prince William County Teacher of the Year—Agnes Meyer Outstanding Teacher Award and in thanking them for their dedication to our children. Their continued service will ensure that Prince William County students are provided with a world class education in a more vibrant learning community.
INTRODUCTION OF THE CHIPACC BILL: CHILDREN'S PROGRAM OF ALL-INCLUSIVE, COORDINATED CARE

HON. JAMES P. MORAN
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Mr. MORAN. Mr. Speaker, I rise today to talk about an issue of concern to all families, and everyone who has ever known a sick child.

The Children's Program of All-Inclusive, Coordinated Care, ChiPACC, program serves the needs of Medicaid-eligible children who suffer from potentially terminal illnesses or conditions. The legislation I am introducing will make ChiPACC a state option under Medicaid.

Medicaid-eligible children—like all children who suffer from potentially terminal illnesses or conditions—need comprehensive, coordinated care. Currently, nearly 30 percent of the children in the United States who have life-threatening conditions qualify for Medicaid. These children need access into a system that will only treat them on an emergency basis, sending them home to wait until their next health emergency.

Based on the highly effective, collaborative model of care developed by Children's Hospice International, CHI, the Children's Program of All-Inclusive, Coordinated Care provides each enrolled child an individualized treatment plan that includes and manages services from providers across the health care spectrum. ChiPACC's services will improve upon the often inconsistent care that is currently available to seriously ill children under Medicaid, doing so at a savings to taxpayers.

With appropriate comprehensive and coordinated services under ChiPACC, many emergency episodes can be avoided or anticipated and managed, such that children receive appropriate care in their homes instead of in hospitals, and so that even when they require critical care they can enter the hospital through the front door instead of the emergency room, significantly reducing health care costs.

Under the former Medicaid model, individuals could receive only “hospice” services and only after their doctors give them a prognosis of six months to live. Children, however, are much more likely than adults to go in and out of terminal phases multiple times. No family should be forced to give up curative care for their child in order to receive services that are predicated on accepting that their child has no more than 6 months to live. I am very pleased that the Affordable Care Act amended this policy to allow curative care for Medicaid eligible children in hospice. But ChiPACC goes beyond curative care and combines medical and support services currently available in Medicaid with counseling, respite, and other care that have previously only been available as hospice services.

Please join me in sponsoring this very important legislation.

TO RECOGNIZE THE FAIRFAX COUNTY YOUTH FOOTBALL LEAGUE AND THE 2012 FAIRFAX COUNTY FOOTBALL HALL OF FAME HONOREEES

HON. GERARD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Fairfax County Youth Football League and to congratulate the 2012 Fairfax County Football Hall of Fame honorees.

The importance of youth sports cannot be overstated. Participation in organized sports instills in our youth many values that will serve them well throughout life. These values include sportsmanship, teamwork, honesty, a sense of belonging, and maybe most important, the work ethic developed by striving for success and working to achieve a common goal. Organized youth sports also contribute to public society. Studies have shown a correlation between participation in sporting activities and increased academic performance. Some studies indicate that a reduction in gang activity can be partially attributed to refocusing at-risk children into organized, supervised activities such as youth sports.

I commend the Fairfax County Youth Football League for providing opportunities for our children to succeed and be a part of a team. I also congratulate the following students, coaches and community leaders who are being recognized at the 22nd Annual Fairfax County Football Hall of Fame:

Fairfax County Football Hall of Fame 2012 Inductees—Owen Schmitt (NFL Philadelphia Eagles, West Virginia University, Fairfax High School), Tom Verbanic (Fairfax High School and Westfield High School), and Angela Hay and Adam Wiles (Founder, Prince William County Clubs in FCYFL).

Football Official of the Year—Youth Sports—Kanyon MacRae (Fairfax County Football Officials Association).
Karl Davey Community Achievement Award—Jasmine Faubert (Volunteer, Herndon Optimist Club, FCYFL).
Tom Davis Meritorious Service Award—Taylor Dixon (Community Outreach Specialist, Neighborhood and Community Use).

Gene Nelson Commissioner of the Year Award—Derrick Spearman (Fort Hunt Youth Football and Cheerleading).

FCFHF $1,500 Scholarship Recipients: Dymond Cooper (Edison HS), Matthew Pisarcik (Westfield HS), EVan Jacquez (Madison HS), Michael Tobias (West Springfield HS).

High School Players of the Year: Stephen Trivioli (Stone Bridge HS), Hayden Knudson (Hayfield HS), Devin Vandyke (South County HS), Ken Ekanem (Centreville HS), Eric “Hunter” Windmuller (Flint Hill School), John Byrd (Manassas Park HS).

High School Coaches of the Year: Gerry Pannoni (South County HS), Chris Haddock (Centreville HS).

Youth Sports Coaches of the Year: Aaron Laham (Gainesville Youth Football), Clark Thomas (VYI), Kenny Dodson (MYF), Willy Counts (VYI), Brandon Burdick (CYA), Hagan Biddison (SCAA), Brandon Hilton (Fort Belvoir Youth Sports), Hunter Baldwin (FHYAA), Willy Counts (VYI), Brandon Burdick (CYA), Hagan Biddison (SCAA), Brandon Hilton (Fort Belvoir Youth Sports), Hunter Baldwin (FHYAA), William

liam Cusich (FHYAA), Zach Burdick (CYA), Nathanael Lomboy (APYFL), Benjamin Garcia (LFFL), Kyle Richbourg (SYA), Bryce Simpson (Alexandria Rec), Andrew Fall (BRYC), Tyler Scalon (SYA).

Youth Sports Cheerleaders of the Year: Lakyn Pearson (APYFL), Agnis Alessandrino (Herndon Optimist), Samantha Culin (SYI), Graciela Perez (SYA), Keenan Patricia Parker (VYI).

Mr. Speaker, I ask that my colleagues join me in congratulating the Fairfax County Youth Football League as well as those students, coaches and community leaders who are being honored at this 2012 Hall of Fame celebration.

MORE DEMOCRATIC SETBACKS IN UKRAINE

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 2012

Mr. SMITH of New Jersey. Mr. Speaker, last week, former Ukrainian Interior Minister Yury Lutsenko was sentenced to four years imprisonment in yet another politically motivated trial. This comes after the imprisonment—also the result of an unfair trial on spurious charges—of his ally, former Prime Minister Yuliya Tymoshenko, who continues to languish in prison in ill health.

The sentencing of Mr. Lutsenko is a further confirmation that the regime of President Viktor Yanukovych is not taking its OSCE human rights and democracy obligations seriously. The imprisonment of opposition leaders Tymoshenko and Lutsenko prohibits their participation in October’s parliamentary elections, raising serious questions about whether Ukraine will meet OSCE election standards. This could be especially troubling given Ukraine’s assumption of the OSCE Chairmanship in January, 2013, two months after these elections. As Chairman of the Helsinki Commission, it is also of concern to me and my colleagues, who have long advocated an independent, democratic, and free Ukraine.

Mr. Lutsenko’s conviction is disconcerting in that it starkly illustrates the deterioration of human rights, democracy and the rule of law under the presidency of Viktor Yanukovych, who has pressed the pause button on Ukraine’s once-promising advance towards democracy—and increasingly it seems he is switching to the reverse button. Instead, what we now see is something increasingly reminiscent of the kind of authoritarianism that exists in Russia, Belarus and elsewhere in the post-Soviet space.

Ukraine’s democratic backsliding is harming relations with the EU and the United States, and both have repeatedly made clear that for relations to improve, respect for human rights and the democratic process must improve. Most importantly, this new two-year deterioration negatively affects the Ukrainian people, who, following the Orange Revolution, had tasted the fruits of freedom, and are now increasingly experiencing the burden of its undoing.

It is time for President Yanukovych to show respect for the dignity of his own people by
putting an end to political prosecutions and other reprisals against those who oppose him and allow their full participation in political life. In order to find credibility with both the Ukrainian people and the international community, he must end restrictions on freedom of speech and association, reverse the debilitating corruption and judicial subservience to the ex-curious which has so eroded the rule of law.

Mr. Speaker, the time has come for the Ukrainian authorities to stop their slide to authoritarianism and resulting isolation which will only harm Ukrainians who for so long—and at such great cost—have struggled for freedom, dignity and justice.

RECOGNIZING FAIRFAX COUNTY PUBLIC SCHOOLS TEACHERS FOR PARTICIPATING IN THE SALLY RIDE SCIENCE ACADEMY

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize a select group of math and science teachers from Fairfax County Public Schools. They recently participated in the Sally Ride 2011 Science Academy in San Diego.

The Academy is an intense one-week professional development program in which elementary and middle school teachers learn new skills and introducing students to STEM (Science, Technology, Engineering, and Math) and educating their students about the diverse education and career opportunities in those fields. The Academy uses a train-the-trainer model, in which participants return to their school districts to train other teachers during the school year. Sally Ride Science, founded by the first American woman in space, operates the Academy in partnership with ExxonMobil, which has one of its corporate headquarters in Fairfax County.

With only 29% of American 4th graders and 33% of 8th graders performing at proficient levels in science, we need to redouble our efforts in the STEM fields, particularly to recruit more girls and minorities. In today’s economy, 8 of the 10 fastest growing jobs require proficiency in math and science, yet American universities rank 27th among developed nations with respect to the number of students graduating with science or engineering degrees.

Thanks to the work of the Sally Ride Science Academy, these and other teachers now have additional training and skills to assist them in encouraging more of our young people to become excited about science and math. I am pleased to recognize the following Fairfax County Public Schools teachers for participating in the Academy: Heather McCarthy; Leatrice Harris; Lauren Hoyseth; Lauren Bello; Jodi Hepner; Danielle Heffron; Alane Peragallo; Shannon Waite; and Holly Eelman.

To date, the Sally Ride Science Academy has successfully trained more than 650 educators spanning 16 States, and they have returned to their perspective districts to train an additional 4,400 teachers.

Mr. Speaker, I ask my colleagues to join me in recognizing these remarkable teachers for their efforts to change the way math and science are taught in our classrooms and for improving the quality of education for youngsters in our community.

CONGRATULATING MEME OMOGBAI FOR BEING NAMED CHAIR OF THE AMERICAN ASSOCIATION OF MUSEUMS

HON. LEONARD LANCE
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. LANCE. Mr. Speaker, I rise today to congratulate Meme Omogbai, Chief Operating Officer of The Newark Museum, on being named Chair of the American Association of Museums. This is an unprecedented honor for The Newark Museum in Newark, New Jersey. Prior to her election, Omogbai served the AAM in many capacities including as co-author of its ground-breaking strategic plan.

Ms. Omogbai was born in Nigeria and moved to the United States as a child. She obtained both a Bachelor of Science degree in accountancy and an M.B.A. in finance and management consultancy from Rutgers University. She has a keen interest in public service and pursued opportunities in New Jersey state government. During her 10-year tenure with the state she became the youngest deputy assistant chancellor of the NJ Department of Higher Education.

Ms. Omogbai is a community leader with important, active roles on the boards of such organizations as the New Jersey Historic Trust, the American Association of Museums, the Advisory Board of Montclair State University, St. Vincent Academy and the Newark Regional Business Partnership.

I congratulate Meme Omogbai on being named Chair of the American Association of Museums.

RECOGNIZING THE 51ST ANNIVERSARY OF THE PEACE CORPS AND 11TH DISTRICT VOLUNTEERS

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my great honor to rise today and recognize the Peace Corps on the 51st Anniversary of its inception. Since President John F. Kennedy’s inspirational call to service in the 1960s, the Peace Corps has played an integral role in the journey toward world peace and understanding.

The Peace Corps is vital to our strategies for diplomacy and development assistance. This year alone, approximately 9,000 Peace Corps Volunteers have made significant contributions in more than 75 countries. Volunteers learn more than 175 languages and dialects with placements in Asia, Africa, Europe, Central and South America, the Pacific Islands, the Caribbean, and the Middle East. The effects of service ripple across a wide variety of communities. The Peace Corps not only provides invaluable assistance to the developing world, but also returns effective cross-cultural leaders to the American workforce. Through their service, volunteers develop steadfast creativity and determination that permeates through everything they do.

It is with great pleasure that I recognize the 28 residents of the 11th District of Virginia who have met this extraordinary call to service: Daniel Beale, Michael Burke, Megan Bush, Michelle Carr, Jennifer Cook, Kevin Dansereau, Emily Forsyth Queen, Carolyn Glidden, Kendall Gordon, Salwan Hager, Holly Jacobson, Brittany Kennell, Shantonu Kundu, Catherine Leitch, Laura Lloyd-Braff, Douglas Mann, Patricia Marks, Ryan Mcgibony, Laura Olsen, Kristin Powers, Eric Reeder, Kristopher Reinertson, Ashley Studholme, Anh-Minh Tran, Anastasia Tucker, Emily Vallowe, Peter Weems, and Priscilla Yu.

Mr. Speaker, I ask my colleagues to join me in congratulating the Peace Corps for 51 years of invaluable service to our Nation and our world. Through its diplomatic and development service, the Peace Corps has established valuable cross-cultural understanding. Virginia’s 11th District is especially proud to recognize the service of our 28 residents abroad.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. TURNER of Ohio. Mr. Speaker, on March 5, 2012, I was unable to vote on rollcall vote 95. Had I been present I would have voted “yea” on rollcall vote 95, on passage of H.R. 3637.

PERSONAL EXPLANATION

HON. JIM JORDAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. JORDAN. Mr. Speaker, I was absent from the House Floor during yesterday’s roll call vote. Had I been present, I would have voted in favor of H.R. 3637.

RECOGNIZING THE RECIPIENTS OF THE 2012 DALE CITY CIVIC ASSOCIATION COMMUNITY AWARDS

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the recipients of the 2012 Dale City Civic Association Community Awards. The Dale City Civic Association was founded in 1967. Citizens formed the organization to give a voice to community initiatives and
collective action in Dale City. Today, the organization’s purpose is to represent the interests of the residents of Dale City in a manner that benefits the entire community. Members do this with robust beautification efforts, land use advocacy and volunteer responses to community needs.

The Association hosts an annual awards banquet to honor individuals and organizations that show an exceptional devotion to their community and public service. It is my honor to enter into the CONGRESSIONAL RECORD the names of the recipients of the 2012 Dale City Civic Association Community Awards:

High School Teacher of the Year: Ingrid Hoffman Perry; Middle School Teacher of the Year: Mary Lynn Thurman; Elementary School Teacher of the Year: Margie Norman; John D. Jenkins Youth Citizen of the Year: Donald E. Jones, Jr.; Dale City Youth Environmental and Conservation Award: Ann Nguyen; Kathie Feeney Nurse of the Year: Rosey Espiritu; Prince William County Police Department, Police Officer of the Year: Officer David C. McKeown; Dale City Volunteer Fire Department, Office of the Year: Lieutenant Christopher Gardner, Jr.; Dale City Volunteer Fire Department, Emergency Medical Service Provider of the Year: Technician Danielle Miller; Dale City Volunteer Fire Department, Firefighter of the Year: Technician Tinashe Banda; Dale City Volunteer Fire Department, "Second to None" Volunteer Community Servant Award: Irene Dell; Prince William County Department of Fire and Rescue, Firefighter of the Year: Captain Steve Barr; Prince William County Department of Fire and Rescue, Emergency Medical Service Provider of the Year: Lieutenant Leif Ericson; Deputy Sheriff of the Year: Deputy Jack Richards; Catherine Spellane Citizen of the Year: Ellen Carleton; Kathleen K. Seefeldt Community Service Award: Jo-Ellen Benson; Ernestine S. Jenkins Lifetime Volunteer Award: Janice Carr; and Business of the Year: Amici’s Restaurant.

Mr. Speaker, I ask that my colleagues join me in commending the winners of the 2012 Dale City Civic Association Community Awards for their dedication to building and maintaining a healthy community. Each recipient has made a tangible imprint on Dale City, and, with these awards, we hope to show them that their contributions have not gone unnoticed.

Today, it is $15,491,983,252,196.46. We’ve added $4,865,106,203,283.33 to our debt in 3 years. This is debt our Nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE 2012 OFFICERS OF THE OCCOQUAN WOODBRIDGE LORTON VOLUNTEER FIRE DEPARTMENT

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the 2012 Officers of the Occoquan Woodbridge Lorton Volunteer Fire Department.

The 2012 officers and members of the board of directors are taking leadership roles in one of Northern Virginia’s longest standing volunteer fire departments. The O.W.L. Volunteer Fire Department was created to address the need for organized fire response capabilities in the growing suburbs of Northern Virginia. In 1938, the Department officially formed to become the first fire department between Fredericksburg and Alexandria. In the subsequent decades O.W.L. has expanded to staff three stations and provide emergency medical services.

The members of O.W.L. are dedicated community volunteers, and the 2012 officers and directors will be diligent stewards of this tradition of service. The 250 active O.W.L. members answer 14,000 calls and serve 60,000 people each year. Their job is demanding and the hours are long, but these brave men and women are driven by their dedication to public safety and the communities that they serve. We would all do well to follow their example.

I congratulate and commend the following 2012 incoming officers:


Mr. Speaker, I ask that my colleagues join me in congratulating these remarkable volunteers on their new positions and in thanking all members of the Occoquan Woodbridge Lorton Volunteer Fire Department for the vital service they provide to the Prince William community. Stay safe.

HONORING PATRICIA SMITH OF LEBANON ON HER RETIREMENT FROM THE FARM SERVICE AGENCY

HON. JOE COURTNEY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to offer my heartiest congratulations and thanks to Patricia Smith of Lebanon for her more than three decades of service to farmers in eastern Connecticut. This past December, Pat retired after 31 years of working for the U.S. Department of Agriculture Farm Service Agency’s Connecticut office.

After graduating from Norwich Free Academy, Pat began working at the Groton Sub Base. She later worked in Boston at the Naval Shipyards, a rural letter carrier in Lebanon, Connecticut and also at the Social Security office in Willimantic, Connecticut. Always a dedicated public servant, Pat worked hard to serve the people of eastern Connecticut in her various capacities. In 1980, Pat was hired by current Connecticut Farm Service Agency Executive Director Marsha Jette to serve as a Program Technician assisting farmers in eastern Connecticut.

Pat’s experience as a herdswoman on her brother Nathan R. Cushman’s farm gave her the hands-on experience she needed to provide dedicated and timely service to her fellow farmers. At the time she began working for USDA in 1980, Pat also milked 16–20 Brown Swiss cows that she kept at her residence that belonged to her and her daughter Julie who was actively involved in the 4–H program.

Pat’s dedication to her work never wavered despite the challenging times dairy farmers and others in Connecticut faced during her three decades at USDA. While Pat’s retirement has left a void that will not easily be filled at the Farm Service Agency office, she continues her service through volunteer efforts at the New London County Farm Service Agency office. Always the dedicated public servant, Pat’s Smith’s experience and care for her fellow farmers will be sorely missed as she moves from full time work to volunteering for farmers in Connecticut. I ask that my colleagues join me in congratulating Pat on her retirement and wish her well in her continued efforts.

RECOGNIZING PRINCE WILLIAM COUNTY PUBLIC SCHOOLS TEACHERS WHO HAVE ACHIEVED NATIONAL BOARD CERTIFICATION

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the 21 Prince William County
Public Schools teachers who recently received certification from the National Board for Professional Teaching Standards. The National Board is an independent nonprofit organization governed by classroom teachers, school administrators, school board leaders, governors and state legislators, higher education officials, teacher union leaders, and business and community leaders.

These teachers have met the standards established by the National Board and have undergone a rigorous application process that required they demonstrate the knowledge, skills and accomplishments that comprise teaching excellence. A Board Certified teacher supports a vision of teaching based on the following five core principles:

1. Teachers are committed to students and their learning;
2. Teachers know the subjects they teach and how to teach those subjects to students;
3. Teachers are responsible for managing and monitoring student learning;
4. Teachers think systematically about their practice and learn from experience; and
5. Teachers are members of learning communities.

I extend my personal congratulations to the recent class of National Board Certified Teachers:

Ms. Laura Deering—Battlefield High School;
Ms. Susan Dommer—Stonewall Middle School;
Ms. Michelle Esmacher—Lake Ridge Middle School;
Ms. Amanda Esteban—Battlefield High School;
Ms. Crystal Figueroa—Triangle Elementary School;
Mr. Jason Fox—Hylton High School;
Mr. Mark Groom—Swans Creek Elementary School;
Ms. Erica Ippoliti—Rosa Parks Elementary School;
Ms. Michelle Marrero—Freedom High School;
Ms. Megan Martin—Henderson Elementary School;
Ms. Kristin McKitrick-Rojas—Benton Middle School;
Ms. Catherine Naujoks—Coles Elementary School;
Ms. Diana Pool—Battlefield High School;
Ms. Kelly Pratte—Rosa Parks Elementary School;
Ms. Ann Reighard—Rosa Parks Elementary School;
Mr. Mark Rendell—T. Clay Wood Elementary School;
Ms. Ramona Richardson—Coles Elementary School;
Ms. Karen Roth—Antietam Elementary School;
Ms. Amanda Shaw—Signal Hill Elementary School;
Ms. Amanda Taylor—Gainesville Middle School;
and
Ms. Jacquelynn Zanghi—Ellis Elementary School.

Mr. Speaker, I ask that my colleagues join me in commending these teachers for their commitment to education and professional development. Prince William County Public Schools delivers a world class education due to the tireless efforts of teachers who make excellence the standard.

TRIBUTE TO ELIZABETH McCANTS RAVENELL

HON. JAMES E. CLYBURN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to an everyday hero, whose abiding faith led her to a remarkable life of Christian service. Deaconess Elizabeth McCants Ravenell passed from this life on February 12, 2012, but her legacy lives on in everyone she touched.

Elizabeth McCants Ravenell was born on November 25, 1922 in Moncks Corner, South Carolina. She attended the public schools of Charleston County, but her calling was a Christian education. She earned certificates from the House of God Academy and Bible College and a degree from the Moody Bible Institute.

Mrs. Ravenell was a devout Christian, and devoted her life to her family and her faith. She first joined the Mt. Olive Baptist Church in North Charleston in 1943. Two years later, she and her husband joined the House of God—Keith Dominion, when their oldest child, Mary Elizabeth was just one year old.

As a member of the House of God, Mrs. Ravenell served in many capacities. She was a part of the National Complex committee, Deacons Union, Chief Overseer’s Anniversary Committee, and the International Missionary Outreach Society.

She sailed the Mediterranean Sea, ministering in Madrid, Spain as a guest of a community church her daughter, Margaret Catherine, organized. She represented the Piedmont Diocese of South Carolina in Mississippi. Mrs. Ravenell also took many visitors to the church’s General Assembly in Nashville, Tennessee, and provided food, clothes and shelter for many of them.

She met her husband, James L. Ravenell in Charleston, South Carolina. The couple had six children, and numerous grandchildren, great grandchildren and great-great grandchildren. Mrs. Ravenell was also “mother” to all of the children of the church. Children gave her the greatest joy in life, and she doted on all of them. I met Ms. Ravenell soon after marrying into the McCants family over 50 years ago. We became fast friends and remained so until her death.

Mr. Speaker, I ask that you and our colleagues join me in celebrating an abundant life well lived. Elizabeth Ravenell was a dear friend of the family and light to all who knew her. She radiated her Christian faith and spent her life doing good works. While her presence will be missed, she has left the world a better place because of her devotion and service to others.

RECOGNIZING THE 22ND ANNUAL
DR. MARTIN LUTHER KING JR.
YOUTH ORATORICAL COMPETITION

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 6, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the 22nd Annual Dr. Martin Luther King Jr. Youth Oratorical Competition hosted by the Prince William Alumnae Chapter of Delta Sigma Theta Sorority, Inc. and its Education Foundation.

The Reverend Dr. Martin Luther King Jr. left an indelible mark on our nation in his pursuit of civil rights through civil dialogue. Despite the violence perpetrated against Dr. King and other leaders of the Civil Rights Movement, Dr. King responded with reverent oratory and nonviolent resistance to condemn the injustice of social inequality. His legacy is one of tolerance and steadfast commitment to principled and peaceful communication.

Contestants in the MKY Oratorical Contest pay tribute to Dr. King’s legacy with their ability to exercise the strength of the spoken word. This skill will serve them well as they seize future leadership opportunities and forge the personal relationships necessary for effective community engagement and organizing.

I congratulate and applaud the following contestants of the 22nd Annual Dr. Martin Luther King Jr. Youth Oratorical Competition:

Middle School Contestants
Jonathan Adrien—Porter School;
Jacob Gonzalez—Parkside Middle School;
Nicolas Smith—Benton Middle School.

High School Contestants
Sadiyah Faruk—Gar-Field High School;
Ebenee Johnson—Manassas Park High School;
Seth Opoku-Yeoaba—Osborn Park High School.

Mr. Speaker, I ask that my colleagues join me in commending Delta Sigma Theta Sorority, Inc. for recognizing the benefit that Dr. King’s teachings bring to the development of our youth. We lay the foundations of a more tolerant society when we nurture the ability to engage and communicate with one another in a way that respects our common humanity.
Tuesday, March 6, 2012

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1401–S1432

Measures Introduced: Ten bills and one resolution were introduced, as follows: S. 2156–2165, and S. Res. 389.

Measures Passed:

Counterfeit Drug Penalty Enhancement Act: Senate passed S. 1886, to prevent trafficking in counterfeit drugs, after agreeing to the following amendment proposed thereto:

Durbin (for Leahy/Grassley) Amendment No. 1808, in the nature of a substitute.

National Asbestos Awareness Week: Senate agreed to S. Res. 389, designating the first week of April 2012 as “National Asbestos Awareness Week”.

Measures Considered:

Moving Ahead for Progress in the 21st Century—Agreement: Senate resumed consideration of S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, taking action on the following amendments proposed thereto:

Reid Amendment No. 1761, of a perfecting nature.

Reid Amendment No. 1762 (to Amendment No. 1761), to change the enactment date.

Reid motion to recommit the bill to the Committee on Environment and Public Works, with instructions, Reid Amendment No. 1763, to change the enactment date.

Reid Amendment No. 1764 (to the instructions) Amendment No. 1763), of a perfecting nature.

Reid Amendment No. 1765 (to Amendment No. 1764), of a perfecting nature.

Pending:

By 52 yeas to 44 nays (Vote No. 25), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Reid Amendment No. 1761 (listed above).

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on Reid Amendment No. 1761 (listed above).

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the bill, be withdrawn.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Wednesday, March 7, 2012.

Senate Briefing—Agreement: A unanimous-consent agreement was reached providing that the Senate recess from 5 p.m. to 6 p.m., on Wednesday, March 7, 2012, to allow for a Senators only briefing.

Nominations Confirmed: Senate confirmed the following nominations:

By 93 yeas to 4 nays (Vote No. EX. 27), Thomas Owen Rice, of Washington, to be United States District Judge for the Eastern District of Washington.

By 95 yeas to 2 nays (Vote No. EX. 26), Mary Elizabeth Phillips, of Missouri, to be United States District Judge for the Western District of Missouri.

Messages from the House:

Measures Referred:

Enrolled Bills Presented:

Executive Communications:

Petitions and Memorials:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Authorities for Committees to Meet:
Record Votes: Three record votes were taken today. (Total—27)

Adjournment: Senate convened at 10 a.m. and adjourned at 6:58 p.m., until 10 a.m. on Wednesday, March 7, 2012. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S1432.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION REQUEST AND THE FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine United States Central Command and United States Special Operations Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from General James N. Mattis, USMC, Commander, United States Central Command, and Admiral William H. McRaven, USN, Commander, United States Special Operations Command, both of the Department of Defense.

JOB GROWTH AND CAPITAL FORMATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine spurring job growth through capital formation while protecting investors, including S. 1695, to jump-start economic recovery through the formation and growth of new businesses, S. 1933, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, S. 1824, to amend the securities laws to establish certain thresholds for shareholder registration under that Act, S. 1544, to amend the Securities Act of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act, and S. 1970, to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, after receiving testimony from Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; Ike Brannon, American Action Forum; Robert D. Atkinson, Information Technology and Innovation Foundation; and J. D. Foster, Heritage Foundation, all of Washington, D.C.; and Michelle Hanlon, Massachusetts Institute of Technology Sloan School of Management, Cambridge.

FOREST SERVICE BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President’s proposed budget request for fiscal year 2013 for the Forest Service, after receiving testimony from Tom Tidwell, Chief, and Susan Spear, Acting Director of Budget, both of the Forest Service, Department of Agriculture.

TAX REFORM OPTIONS

Committee on Finance: Committee concluded a hearing to examine tax reform options, focusing on incentives for capital investment and manufacturing, after receiving testimony from Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; Ike Brannon, American Action Forum; Robert D. Atkinson, Information Technology and Innovation Foundation; and J. D. Foster, Heritage Foundation, all of Washington, D.C.; and Michelle Hanlon, Massachusetts Institute of Technology Sloan School of Management, Cambridge.

INTERNATIONAL DEVELOPMENT BUDGET

Committee on Foreign Relations: Committee concluded a hearing to examine the President’s proposed budget request for fiscal year 2013 for international development priorities, after receiving testimony from Rajiv Shah, Administrator, United States Agency for International Development.
NOMINATION
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission, after the nominee, who was introduced by Senator Blunt, testified and answered questions in his own behalf.

NOMINATIONS
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing 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, who was introduced by Representative Norton, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE
Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community. Committee recessed subject to the call.

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 6 public bills, H.R. 4144–4149; and 2 resolutions, H. Res. 571, 573 were introduced. Additional Cosponsors: Pages H1209–10 Reports Filed: Reports were filed today as follows: Supplemental report on H.R. 3606, to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies (H. Rept. 112–406, Pt. 2) and H. Res. 572, providing for consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies (H. Rept. 112–409). Speaker: Read a letter from the Speaker wherein he appointed Representative Jenkins to act as Speaker pro tempore for today. Recess: The House recessed at 11:01 a.m. and reconvened at 12 noon. Suspensions: The House agreed to suspend the rules and pass the following measure:

Applying the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries: H.R. 4105, to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, by a yea-and-nay vote of 370 yeas to 39 nays, Roll No. 96.

Moment of Silence: The House observed a moment of silence in memory of the late Honorable Donald M. Payne, a Representative from the State of New Jersey.

In Memory of the late Honorable Donald Payne of New Jersey: The House agreed to H. Res. 571, expressing the condolences of the House on the death of the Honorable Donald M. Payne, a Representative from the State of New Jersey.

Whole Number of the House: The House agreed to H. Res. 571, expressing the condolences of the House on the death of the Honorable Donald M. Payne, a Representative from the State of New Jersey.

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Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act: The House began consideration of H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law. Further proceedings were postponed. Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

Agreed to:
Tipton amendment (No. 2 printed in the Congressional Record of March 5, 2012) that strikes “2011” and inserts “2012” in section 1.

Rejected:
Ellison amendment (No. 3 printed in the Congressional Record of March 5, 2012) that sought to state that section 2 of the bill and the amendments made by section 2 should not take effect unless the Secretary finds that such section and amendments, if in effect, shall not result in a net loss of jobs.
Proceedings Postponed:

Napolitano amendment (No. 1 printed in the Congressional Record of March 5, 2012) that seeks to strike the exemption for small conduit hydropower development from the National Environmental Policy Act of 1969. Pages H1187–88

H. Res. 570, the rule providing for consideration of the bill, was agreed to by voice vote after the previous question was ordered by a yea-and-nay vote of 232 yeas to 177 nays, Roll No. 97. Pages H1179–80

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H1178 and H1179–80. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 6:48 p.m., pursuant to the provisions of H. Res. 571, it stands adjourned in memory of the late Honorable Donald Payne.

Committee Meetings

APPROPRIATIONS—U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT
Committee on Appropriations: Subcommittee on State Foreign Operations, and Related Programs held a hearing on FY 2013 Budget Request for the U.S. Agency for International Development. Testimony was heard from Rajiv Shah, Administrator, USAID.

APPROPRIATIONS—BUREAU OF LAND MANAGEMENT
Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on FY 2013 Budget for the Bureau of Land Management. Testimony was heard from Robert Abbey, Director, Bureau of Land Management; and Karen Mouritsen, Budget Officer.

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 Request for the Department of Agriculture. Testimony was heard from the following Department of Agriculture officials: Ed Avalos, Under Secretary, Marketing and Regulatory Programs; Gregory L. Parham, Administrator, Animal and Plant Health Inspection Service; Alan Christian, Acting Administrator, Grain, Inspection Packers and Stockyards; Robert Keeney, Acting Administrator, Agricultural Marketing Service; and Michael Young, Budget Officer.

APPROPRIATIONS—AIR FORCE BUDGET
Committee on Appropriations: Subcommittee on Defense held a hearing on FY 2013 Budget Request for the U.S. Air Force. Testimony was heard from Michael B. Donley, Secretary of the Air Force; and General Norton A. Schwartz, Chief of Staff, Air Force.

APPROPRIATIONS—NATIONAL SCIENCE FOUNDATION
Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on FY 2013 Budget Request for the National Science Foundation. Testimony was heard from Subra Suresh, Director, National Science Foundation.

APPROPRIATIONS—U.S. COAST GUARD BUDGET
Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FY 2013 Budget Request for the U.S. Coast Guard. Testimony was heard from Admiral Robert J. Papp, Jr., Commandant, U.S. Coast Guard.

APPROPRIATIONS—SECURITIES AND EXCHANGE COMMISSION
Committee on Appropriations: Committee on Financial Services held a hearing on FY 2013 Budget Request for the Securities and Exchange Commission. Testimony was heard from Mary L. Schapiro, Chairman, Securities and Exchange Commission.

APPROPRIATIONS—NATIONAL NUCLEAR SECURITY ADMINISTRATION
Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on FY 2013 Budget Request for the Nuclear Nonproliferation and Naval Reactors and National Nuclear Security Administration. Testimony was heard from the following National Nuclear Security Administration officials: Thomas D’Agostino, Administrator; Anne Harrington, Deputy Administrator for Defense Nuclear Nonproliferation; and Admiral Kirkland Donald, Director, Naval Reactors.

APPROPRIATIONS—U.S. GEOLOGICAL SURVEY
APPROPRIATIONS—HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on FY 2013 Budget Request for Health and Human Services. Testimony was heard from Kathleen Sebelius, Secretary, Department of Health and Human Services.

APPROPRIATIONS—BUREAU OF PRISONS

Committee on Appropriations: Commerce, Justice, Science, and Related Agencies held a hearing on FY 2013 Budget request for the Bureau of Prisons. Testimony was heard from Charles E. Samuels, Jr., Director, Bureau of Prisons.

U.S. SOUTHERN COMMAND AND U.S. NORTHERN COMMAND


MILITARY PERSONNEL BUDGET OVERVIEW

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on military personnel budget overview—service personnel chiefs' perspectives. Testimony was heard from Lieutenant General Thomas P. Bostick, USA, Deputy Chief of Staff, G–1, U.S. Army; Vice Admiral Scott R. Van Buskirk, USN, Chief of Naval Personnel, Deputy Chief of Naval Operations, U.S. Navy; Sheryl E. Murray, Assistant Deputy Commandant for Manpower and Reserve Affairs, U.S. Marine Corps; and Lieutenant General Darrell D. Jones, USAF, Deputy Chief Staff, Manpower and Personnel, U.S. Air Force.

NATIONAL DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2013 National Defense Authorization Budget Request for Missile Defense. Testimony was heard from Bradley H. Roberts, Deputy Assistant Secretary of Defense, Nuclear and Missile Defense Policy, Office of the Secretary of Defense; Lieutenant General Patrick O’Reilly, USA, Director, Missile Defense Agency; David G. Ahern, Deputy Assistant Secretary of Defense, Portfolio Systems Acquisition, Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics; and J. Michael Gilmore, Director, Operational Test and Evaluation, Office of the Secretary of Defense.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee held a markup of the following: H.R. 452, the “Medicare Decisions Accountability Act of 2011”; H.R. 3309, the “Federal Communications Commission Process Reform Act”; and H.R. 3310, the “Federal Communications Commission Consolidated Reporting Act”. The bills were ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Financial Services: Full Committee held a markup of “Approval of Views and Estimates of the Committee on Financial Services on matter to be set forth in the Concurrent Resolution on the Budget for Fiscal Year 2013”. The legislation was passed, as amended.

TERRORIST AND THE VISA OVERSTAY PROBLEM

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled “From the 9/11 Hijackers to Amine el-Khalifi: Terrorists and the Visa Overstay Problem”. Testimony was heard from John Cohen, Deputy Counter-Terrorism Coordinator, Department of Homeland Security; Peter T. Edge, Deputy Associate Director, Homeland Security Investigation, Immigration and Customs Enforcement, Department of Homeland Security; and David Dohahue, Deputy Assistant Secretary of State for Consular Affairs, Department of Homeland Security.

CHEMICAL FACILITIES ANT-ERRORISM STANDARDS PROGRAM

MISCELLANEOUS MEASURE

Committee on the Judiciary: Full Committee held a markup of H.R. 4119, the “Board Tunnel Prevention Act of 2012”. The bill was ordered reported without amendment.

EFFECTS OF THE PRESIDENT’S FY 2013 BUDGET AND LEGISLATIVE PROPOSALS FOR THE OFFICE OF SURFACE MINING

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on “Effect of the President’s FY2013 Budget and Legislative Proposals for the Office of Surface Mining on Private Sector Job Creation, Domestic Energy Production, State Programs and Deficit Reduction”. Testimony was heard from Joseph Pizarchik, Director, Office of Surface Mining Reclamation and Enforcement; Gregory E. Conrad, Executive Director, Interstate Mining Compact Commission; and public witnesses.

PRESIDENT’S FY 2013 BUDGET REQUEST FOR NOAA, OIA, AND FISH AND WILDLIFE SERVICE

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing on “Spending for the National Oceanic and Atmospheric Administration, the Office of Insular Affairs, the U.S. Fish and Wildlife Service and the President’s Fiscal Year 2013 Budget Request for these Agencies”. Testimony was heard from Jane Lubchenco, Undersecretary of Commerce for Oceans and Atmosphere, Administrator, National Oceanic and Atmospheric Administration; Dan Ashe, Director, U.S. Fish and Wildlife Service; and Tom Bussanich, Director of Budget, Office of Insular Affairs.

INDIAN HEALTH SERVICE AND OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS BUDGET REQUEST

Committee on Natural Resources: Subcommittee on Indian and Alaska Native Affairs held a hearing entitled “2013 Budget Request of the Indian Health Service and of the Office of Special Trustee for American Indians”. Testimony was heard from Yvette Roubideaux, Director, Indian Health Service; Michele F. Singer, Acting Principal Deputy Special Trustee, Department of the Interior; and public witnesses.

PROS AND CONS OF MAKING THE CENSUS BUREAU’S AMERICAN COMMUNITY SURVEY VOLUNTARY

Committee on Oversight and Government Reform: Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled “The Pros and Cons of Making the Census Bureau’s American Community Survey Voluntary”. Testimony was heard from Representative Poe, TX; Robert Groves, Director, U.S. Census Bureau; and public witnesses.

REOPENING AMERICAN CAPITAL MARKETS TO EMERGING GROWTH COMPANIES ACT OF 2011

Committee on Rules: Full Committee held a hearing on H.R. 3606, the “Reopening American Capital Markets to Emerging Growth Companies Act of 2011”. The Committee, granted by voice vote, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–17 shall be considered as adopted and the bill, as amended, shall be considered as original text for the purpose of amendment and shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those further amendments printed in the Rules Committee report. 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 considered as read, 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. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Capito; Schweikert; Frank, MA; and Waters.

BUDGET OVERVIEW OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Committee on Science, Space, and Technology: Subcommittee on Technology and Innovation held a hearing entitled “An Overview of the National Institute of Standards and Technology Budget for Fiscal Year 2012”. Testimony was heard from Patrick Gallagher, Under Secretary of Commerce for Standards and Technology and Director, National Institute of Standards and Technology.

BUDGET OVERVIEW OF NOAA AND EPA

Committee on Science, Space, and Technology: Subcommittee on Energy and Environment held a hearing entitled “An Overview of the National Oceanic
and Atmospheric Administration and the Environmental Protection Agency Budgets for Fiscal Year 2013”. Testimony was heard from Jane Lubchenco, Administrator, National Oceanic and Atmospheric Administration; and Lek Kedali, Acting Assistant Administrator, Office of Research and Development, Environmental Protection Agency.

DEPARTMENT OF VETERANS’ AFFAIRS

DUBIOUS CONTRACTING PRACTICES:
SAVANNAH

Committee on Veterans’ Affairs: Subcommittee on Oversight and Investigations held a hearing entitled “VA’s Dubious Contracting Practices: Savannah”. Testimony was heard from Robert L. Neary, Acting Director, Office of Construction and Facilities Management, Department of Veterans’ Affairs; and public witnesses.

INDEPENDENT PAYMENT ADVISORY BOARD AND MEDICARE

Committee on Ways and Means: Subcommittee on Health held a hearing on how the Independent Payment Advisory Board (IPAB) will impact the Medicare program, its beneficiaries, and health care providers. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY,
MARCH 7, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: To hold hearings to examine healthy food initiatives, local production, and nutrition, 9:30 a.m., SH–216.

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Health and Human Services, 10 a.m., SD–124.

Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Navy, 10:30 a.m., SD–192.

Committee on Armed Services: To hold hearings to examine the situation in Syria; with the possibility of a closed session in SVC–217 following the open session, 9 a.m., SD–106.

Committee on Commerce, Science, and Transportation: To hold hearings to examine priorities, plans, and progress of the nation’s space program, 10 a.m., SR–253.

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, 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, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 29, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1150, to establish the Susquehanna 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. 1198, to reauthorize the Essex National Heritage Area, S. 1215, to provide for the exchange of land located in the Lowell National Historical Park, S. 1589, to extend the authorization for the Coastal Heritage Rail 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 limestone forest 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 Cultural Heritage Partnership in the State of Iowa, 2:30 p.m., SD–366.

Committee on Finance: To hold hearings to examine the President’s 2012 trade agenda, 10 a.m., SD–215.

Committee on the Judiciary: To hold hearings to examine lending discrimination practices and foreclosure abuses, 10 a.m., SD–226.

Committee on Veterans’ Affairs: To hold joint hearings to examine a legislative presentation from the Veterans of Foreign Wars (VFW), 10 a.m., SD–G50.

Special Committee on Aging: To hold hearings to examine opportunities for savings, focusing on removing obstacles for small business, 2 p.m., SD–562.

House

Committee on Agriculture, Full Committee, hearing on budget views and estimates letter of the Committee on Agriculture for the agencies and programs under jurisdiction of the Committee for FY 2013, 10 a.m., 1300 Longworth.


Subcommittee on Defense, hearing on FY 2013 Budget Request for the Army, 10 a.m., H–140 Capitol.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 Budget Request for the Department of Agriculture, 10 a.m., 2362–A Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for Nuclear Energy and Nuclear Regulatory Commission, 10 a.m., 2362–B Rayburn.


Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on Installation, Environment, and BRAC, 2 p.m., H–140 Capitol.


Subcommittee on Financial Services and General Government, hearing on Fiscal Year 2013 Budget Request for the Treasury Inspector General, 2 p.m., 2359 Rayburn.


Subcommittee on Seapower and Projection Forces, hearing on assessing mobility airlift capabilities and operational risks under the revised 2012 defense strategy, 3:30 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled “Cybersecurity: The Pivotal Role of Communications Networks”, 10 a.m., 2123 Rayburn.


Committee on Foreign Affairs, Full Committee, markup of the following: H.R. 2106, the “Syria Freedom Support Act”; H.R. 890, the “Holocaust Insurance Accountability Act of 2011”; H.R. 1410 the “Vietnam Human Rights Act of 2011”; H.R. 3783, the “Countering Iran in the Western Hemisphere Act of 2012”; H.R. 4041, the “Export Promotion Reform Act”; and S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO), 10 a.m., 2172 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled “The State Department’s Reward Programs: Performance and Potential”, 2 p.m., 2127 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security, markup of H.R. 2179, to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organization, Incorporated, and for other purposes, 10:30 a.m., 311 Cannon.


Subcommittee on Immigration Policy and Enforcement, hearing on H.R. 3808, the “Scott Gardner Act”, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled “The Council on Environmental Quality’s Fiscal Year 2013 Funding Request and the Effects on NEPA, National Ocean Policy and Other Federal Environmental Policy Initiatives”, 10 a.m., 1324 Longworth.

Committee on Science, Space, and Technology, Full Committee, hearing entitled “An Overview of the National Aeronautics and Space Administration Budget for Fiscal Year 2013”, 2 p.m., 2318 Rayburn.


Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “Protecting Maritime Jobs and Enhancing Marine Safety in the Post-Budget Control Act Fiscal Environment: A Review of the Administration’s Fiscal Year 2013 Coast Guard and Maritime Transportation Budget Request”, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Full Committee, hearing entitled “Closely-Held Businesses in the Context of Tax Reform”, 10 a.m., 1100 Longworth.
Next Meeting of the SENATE

10 a.m., Wednesday, March 7

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of S. 1813, Moving Ahead for Progress in the 21st Century. 

(Senate will recess from 5 p.m. until 6 p.m. for a Senators only briefing.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 7

House Chamber


Extensions of Remarks, as inserted in this issue

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