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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. BISHOP of Utah).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 15, 2012.

I hereby appoint the Honorable ROB BISHOP 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 1:50 p.m.

NATIONAL POLICE WEEK AND DEPUTY JOHN MECKLENBURG

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

Mr. NUGENT. Mr. Speaker, I rise today in reference to National Police Week, which is going on right now.

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls as National Police Week. This year's National Police Week is Sunday, May 13, through Saturday, May 19.

As George W. Bush once described it:

Peace Officers Memorial Day and Police Week pay tribute to the local, State, and Federal law enforcement officers who serve and protect us with courage and dedication. These observances also remind us of the ongoing need to be vigilant against all forms of crime, especially to acts of extreme violence and terrorism.

On Sunday, May 13, I attended the candlelight vigil for our fallen officers from 2011. There were 163 peace officers who sacrificed their lives for us in the line of duty. Earlier today, I had the honor of attending the 31st National Police Officers Memorial Service right here on the front lawn of the Capitol. We honored over 19,000 law enforcement officers who have given their lives—the ultimate sacrifice—in the line of duty.

In 2011, 163 police officers gave their lives for this country. So far this year, we've lost over 40 officers in the line of duty. On July 3, 2011—and this is especially close to me—one of those who lost their lives was Hernando County Sheriff's Deputy John Mecklenburg, a deputy that I actually swore in to serve the citizens of Hernando County.

John died while in pursuit of a suspect and gave his life, and John left behind a wife, Penny, and two children. When he left that evening to go to work for the midnight shift, he had all expectations of coming home. But John gave the ultimate sacrifice for his county, for his State, and, ultimately, for his Nation.

I served as a police officer for 36 years before I came up here. I know what it is to go through the grief of losing one of our own. I want to thank the Fraternal Order of Police for highlighting this and working with the COPS organization to actually pay respect to those who have given the ultimate sacrifice.

We've been blessed in America, and we're protected by people who do it because it's the right thing to do, not because they're going to make a lot of money. They do it because they truly believe in the citizens that they serve. They do it with honor and dignity. And today, the President of the United States spoke to all of the survivors and police officers and their families that were in attendance on the front lawn of the Capitol, rightfully, as he should. We appreciate the President coming forward because it means so much to the survivors of a law enforcement officer who gave the ultimate sacrifice.

Once again, we've been blessed, Mr. Speaker, and we owe a debt of gratitude to our law enforcement officers who protect us 24 hours a day, 7 days a week.

Mr. Speaker, I ask that we also keep our thoughts and prayers, not only for the law enforcement officers that are out there today at this very minute across the United States putting their lives on the line, but also remember those who are serving in harm's way in our military who also have given the fullest measure that they can, and that's their life, in defense of this country.

Mr. Speaker, God bless us and God bless America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

We give You thanks, O God, for giving us another day.

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We ask Your blessing upon this assembly and upon all to whom the authority of government is given. Help them to meet their responsibilities during these days, enlightened by Your eternal Spirit.

We gather after celebrating Mother's Day. We thank You for the gift of self modeled by our mothers, who chose to place each of us before themselves in giving birth to us and nurturing us as we grew. May we all earn the pride of our mothers in the service we provide to the benefit of this Nation.

Finally, we take special notice this day, May 15, of National Peace Officers' Memorial Day, of the 163 peace officers who died this past year in the line of duty. We ask that You grant them eternal rest for having paid the ultimate price in protecting us, and give their families consolation in mourning their loss. May they be assured that we as a Nation hold them in our hearts and understand that we will always be indebted to them.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WOMACK 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.

NATIONAL DEFENSE AUTHORIZATION ACT

(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. Mr. Speaker, last Wednesday, the House Armed Services Committee met to mark up the National Defense Authorization Act for fiscal year 2013. Over the past year, the administration has targeted defense spending to shift to other programs, which destroys jobs.

Chairman BUCK MCKEON has successfully developed a bipartisan bill that will limit shifts. The Department of Defense budget accounts for less than 20 percent of our discretionary spending and does not contribute to our growing national debt. The legislation provides the support our brave servicemembers, military families, and veterans deserve as they dedicate their lives to defend our freedoms and protect our families from foreign threats.

This week, the House will vote on the National Defense Authorization Act. I urge my colleagues to support this bill and give military families the resources they deserve as they fight to promote peace through strength.

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

HAPPY 150TH ANNIVERSARY TO UNITED STATES DEPARTMENT OF AGRICULTURE

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

Mr. SABLAN. Mr. Speaker, I stand today to pay tribute to a great American success story. Today marks the 150th anniversary of the founding of the United States Department of Agriculture.

President Abraham Lincoln founded USDA, as it's commonly called, and directed its focus to advancing America's agriculture industry through science and engineering. Today, our country's advanced system of production agriculture is evidence of how successful we are by being the world leader in food production, conservation innovations, in the development and use of agricultural biotechnology that helps produce biofuels, as well as helping farmers export their products that contribute to our positive balance of agricultural trade.

And so, Mr. Speaker, I pay tribute and extend my personal best wishes to USDA on its 150th anniversary. I also congratulate Secretary Vilsack and all the fine men and women who work or have worked in the Department, and I wish them another 150 years of success.

CONGRATULATING KENNAMETAL

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

Mr. WOMACK. Mr. Speaker, I rise today to honor a milestone achievement at Kennametal, a company headquartered in Latrobe, Pennsylvania, with facilities across the country, including one in the Third District of Arkansas.

The employees at the Rogers facility were presented with the Three Million Work Hour Award by the Arkansas Department of Labor, the Arkansas Workers' Compensation Commission, and the Arkansas Insurance Department for, as the name of the award suggests, going 3 million work hours without a lost-time accident.

Kennametal's Rogers, Arkansas, facility was established in 1953. The facility is home to 500 employees who manufacture round tool blanks, energy compacts, substrates, wear parts, pelletizing dies, hard-facing rod, and powdered metal.

Mr. Speaker, 3 million work hours without a lost-time accident is a great accomplishment. It's a testament to what can be done when a group of employees, however large, share a common vision and come together to work toward that goal. Today, I'm honored to share this accomplishment with the Nation. Congratulations, Kennametal. You deserve it.

□ 1410

COMMEMORATING PEACE OFFICERS MEMORIAL DAY

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

Mr. CARNAHAN. Mr. Speaker, today is Peace Officers Memorial Day. Throughout the Nation, and in my home State of Missouri, flags fly at half staff at all our State buildings in honor of the members of our police forces who have reached the ends of their watch, including seven in 2011 and two in 2010.

These men and women gave their lives for their Nation, not on a battlefield with a foreign name, but in our neighborhoods, on streets our children walk. They're heroes, seldom recognized, frequently in danger, always ready to give what Abraham Lincoln called ''the last full measure of devotion'' to protect and serve our friends, our family, our community.

The peace officers lost in Missouri fell as enforcers of law and as first responders in times of need. We remember them all with an empty spot on the force and hearts full of thanks for their sacrifice and service.

MEDIA SPINS JOBS REPORT

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

Mr. SMITH of Texas. Mr. Speaker, according to the American Enterprise Institute, the labor force participation rate has dropped to its lowest level in 30 years. The only reason the unemployment rate fell slightly to 8 percent is because another 522,000 adults quit looking for work and are no longer counted.

Of course, it's no surprise that the liberal national media attempted to spin the numbers. Bloomberg dismissed the lack of new jobs as being a ''rounding error.'' Time magazine described the negative reports as being ''statistical noise.'' The liberal media fed this narrative with misleading statements like the economy is ''gaining steam,'' as The New York Times headlined the news, or that the economy was on a ''hiring surge,'' as the Associated Press claimed.

The liberal media show its bias when it ignores the President's failed promises and failed attempts to create jobs.

Americans are concerned about the lack of jobs and deserve the facts. When will the national media put their responsibility to the people ahead of protecting the President?

EMPLOYING AND FEEDING AMERICA

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

Mr. JOHNSON of Ohio. Mr. Speaker, growing up on that two-wheel wagon rut mule farm, I learned firsthand the critical role that America's farmers and ranchers play in our economy. And on the 150th anniversary of the United States Department of Agriculture, we are reminded that the average farmer in the United States feeds more than 150 people worldwide, creating countless jobs along the way.

Just think about where your bowl of cereal, your toast, and your pancakes came from this morning. The grain was planted, raised, harvested and sold, then bought, produced, marketed, and sold to you for your morning meal. Think about all those jobs that originated from one planted seed.

As the world's second largest producer and the largest exporter of agricultural products, a robust agriculture industry is critical to America's economic success. Today, I honor and thank America's farmers and ranchers who feed the world while putting America to work. And I commend the USDA on its anniversary for helping them do so.

COMMUNICATION FROM THE HONORABLE DARRELL ISSA, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. BISHOP of Utah) laid before the House the following communication from the Honorable DARRELL ISSA, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States District Court for the District of Columbia, for trial testimony.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DARRELL ISSA,
Member of Congress.

COMMUNICATION FROM CHAIR OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that the Committee on Oversight and Government Reform has been served with a subpoena, issued by the United States District Court for the District of Columbia, for documents.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 14, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 14, 2012 at 1:34 p.m.:

That the Senate passed without amendment H.R. 4967.

That the Senate passed S. 418.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1606

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Texas) at 4 o'clock and 6 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

MOBILE WORKFORCE STATE INCOME TAX SIMPLIFICATION ACT OF 2012

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1864) to limit the authority of States to tax certain income of employees for employment duties performed in other States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1864

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 ''Mobile Workforce State Income Tax Simplification Act of 2012''.

SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—The term ''employee'' has the same meaning given to it by the State in which the employment duties are performed, except that the term ''employee'' shall not include a professional athlete, professional entertainer, or certain public figures.

(3) PROFESSIONAL ATHLETE.—The term ''professional athlete'' means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) PROFESSIONAL ENTERTAINER.—The term ''professional entertainer'' means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) CERTAIN PUBLIC FIGURES.—The term ''certain public figures'' means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) EMPLOYER.—The term ''employer'' has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(7) STATE.—The term ''State'' means any of the several States.

(8) TIME AND ATTENDANCE SYSTEM.—The term ''time and attendance system'' means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) WAGES OR OTHER REMUNERATION.—The term ''wages or other remuneration'' may be limited by the State in which the employment duties are performed.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—This Act shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(b) APPLICABILITY.—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1864, as amended, currently under consideration.

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

There was no objection.

Mr. COBLE. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1864.

On the way back to Washington, D.C., this past weekend, I looked around in my local airport and saw dozens of business travelers preparing to board airplanes to leave North Carolina and conduct business in other States. This happens, Mr. Speaker, every day in every State in America. The American workforce is more mobile in the 21st century than it has ever been.

Nonetheless, the diversity of State income tax laws places a significant burden on people who travel for work and their employers, many of which are small businesses. Currently, 41 States tax the wages earned by a nonresident for work performed there. I do not take issue with the right of those States to impose an income tax, but I am concerned that the disparity of tax rules among those States is damaging small businesses and stifling economic growth.

□ 1610

For example, some States require a nonresident to pay income tax if he or she works in that State for just one day. Other states do not collect tax until the nonresident works for a certain number of days in the particular jurisdiction. Small businesses must expend considerable resources to figure out how much they must withhold for their traveling employees in 41 different jurisdictions. Employees are also confused about when their tax liability is triggered and in which States they must file a tax return.

To alleviate this problem, on May 12 I introduced H.R. 1864, the Mobile Workforce State Income Tax Simplification Act, with the distinguished gentleman from Georgia (Mr. JOHNSON). The bill we introduced establishes a clear 30-day threshold for tax liability and employer withholding. Under the bill, States remain free to set any income tax rate they choose.

Tax simplification—on both the Federal and State level—will allow workers and employers to predict their tax liabilities with accuracy and expend fewer resources researching the nuances of each State's respective tax law. The money they would have spent hiring accountants and tax lawyers can then be spent on creating meaningful jobs and growing the economy.

I urge all Members to cast a ''yes'' vote on this bill, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1864, the Mobile Workforce State Income Tax Simplification Act. This is an important bipartisan bill that will help all workers across the country. It will also help businesses, large and small.

I have been working on this bill since I was a freshman in the 110th Congress, at which time Chris Cannon from Utah, a former Member, was the lead sponsor. In the 111th Congress, I was the lead sponsor on H.R. 1864 as it is known now. This term, the 112th Congress, Mr. COBLE, whom I have been quite pleased to work with, has been the lead sponsor. Again, he is a good friend of mine, and I appreciate the opportunity to work with him.

H.R. 1864 provides for a uniform and easily administered law that would ensure the correct amount of taxes withheld and paid to the States without the undue burden the current system places on employees and employers. From a national perspective, the Mobile Workforce bill will vastly simplify the patchwork of inconsistent and confusing State rules. It would also reduce administrative costs to States and lessen compliance burdens on American workers.

Take my home State of Georgia, for instance. If an Atlanta-based employee of a St. Louis company travels to headquarters on a business trip once per year, that employee is required to file a Missouri tax return, even if her annual visit only lasts for 1 day. However, if that employee travels to Maine, she would not be required to file a Maine tax return unless her trips lasts for 10 days. If she travels to Arizona on business, she would only have to file an Arizona income tax return if she was in the State for more than 60 days.

In each case, her employer is also liable for withholding those States' taxes out of her paycheck, and the only way she can avoid double taxation is if she files for a credit for each State's tax in her resident State.

H.R. 1864 would fix this problem by establishing a uniform threshold before State income tax laws would apply to traveling employees. This bill would protect employees who perform employment duties in a nonresident State if they work in the State for less than 30 days. Until that threshold is reached, they will continue to pay in their State of residency.

When I initially started working on this bill, the withholding threshold was 60 days. In response to the concerns by the Federation of Tax Administrators, I sought a compromise and lowered the threshold to 30 days. I understand that the FTA may still have some concerns about the bill, but I believe that it is a good bill that addresses the bulk of their concerns. The FTA's concerns have certainly not been ignored.

In addition to lowering the day threshold, we also worked to clarify that the bill's operating rules were not drafted to avoid paying withholding tax, and clarified if an employer has a time and attendance system designed to allocate wages among States, it must be used.

At a time when more and more Americans find themselves traveling for their job, this bill is a commonsense solution that helps workers who are employed in multiple States by simplifying the tax reporting requirements for them and for their employers.

Madam Speaker, for the vast majority of States, this bill carries a minimal or no revenue impact. In fact, this bill will greatly increase compliance rates. This bill will end up saving States the administrative costs of processing and remitting thousands of small returns from nonresidents.

While nothing is perfect, and the Federation of Tax Administrators may still have some concerns, this bill is truly the product of years of working with the States on an approach that balances their concerns with administrative ease and efficiency for employers and employees. This is truly a bipartisan effort that seeks to simplify State tax compliance, not reduce State taxes.

I yield back the balance of my time.

Mr. COBLE. Madam Speaker, I urge my colleagues to cast a ''yes'' vote on this matter, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, the American workforce is increasingly mobile. Fifty years ago, most people worked in the communities in which they lived. Today, many more Americans travel to other states for work.

The complexity and variation among state income tax laws is a burden on interstate commerce. In some states, for example, a non-resident employee must pay income tax if they work there for only one day. But in other states, income tax liability is not triggered until the 60th day.

Under this current patchwork system, employees who travel out of state for work must file tax returns in other jurisdictions even if their ultimate tax liability to a state is a few dollars.

In addition to burdening our interstate employees, different state income tax laws require employers to comply with a wide variety of tax withholding laws. Many of those employers are small businesses who can least afford these administrative costs.

This bipartisan bill, the Mobile Workforce State Income Tax Simplification Act, is sponsored by the Chairman of the Judiciary Committee's Subcommittee on Courts, Commercial and Administrative Law, HOWARD COBLE. I also appreciate Congressman HANK JOHNSON's cosponsorship of this legislation.

This bill simplifies state income tax policies without infringing on the rights of states to set their own tax rates. The bill provides that a state may not impose its income tax on nonresident employees unless they earn wages in the state for more than 30 days. The employee would still owe an income tax to their state of residence for wages earned during the first 30 days they work in a non-resident state.

This bill eases the burden that the current patchwork of state income tax laws places on traveling employees and small businesses. So rather than increasing the expense of navigating the maze of tax rules, businesses can use their resources to invest in creating jobs for American workers.

Finally, the bill we consider today reflects a few changes that were made at the request of state taxing authorities. I am pleased that the sponsors of the legislation were able to work cooperatively with all interested parties to bring a compromise version to the floor.

I encourage my colleagues to vote ''yes'' on the bill.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in strong support of H.R. 1864, The Mobile Workforce State Income Tax Simplification Act of 2011. This is a commonsense, bipartisan piece of legislation.

Every day millions of American workers travel outside their home state for business purposes. Each state into which they travel has its own set of unique requirements for filing a non-resident personal income tax return. As a result, in addition to filing a federal and any applicable home state income tax returns, these workers may be legally required to file an income tax return and pay non-resident state taxes in virtually every other state into which they have travelled.

H.R. 1864, the ''Mobile Workforce State Income Tax Simplification Act of 2011,'' would simplify the onerous burdens placed on employees who travel outside their resident states for temporary periods and on employers who have corresponding withholding requirements. The bill would establish fair, administrable and uniform rules to ensure that the appropriate amount of tax is paid to state and local jurisdictions without placing excessive burdens on employees and their employers.

This bill was reported out of the Judiciary Committee, by a bipartisan voice vote, which speaks volumes. I hope you will join me in supporting this important legislation impacting millions of American employees who travel for work to support their families.

Forty-one states currently impose a personal income tax on income earned within their borders regardless of whether an individual is a resident of the state—thereby requiring non-resident employees who must travel to other states for work purposes to pay tax after performing work there for even a limited amount of time. Employers are required to withhold that state's income tax on behalf of the employee and remit it to the state at the end of the year.

The committee notes that while some states require an employer to withhold income tax on the first day of the employee's travel, others use a hybrid system of time spent and dollars earned to trigger withholding, requiring individuals who travel for work to track and comply with the income tax laws of up to 41 different states. For instance, a nonresident's income tax liability is triggered in New York the moment he or she earns wages in the state, but the employer's withholding requirement is not triggered until the 14th day of wage-earning. In Idaho, meanwhile, a non-resident's income tax liability is not triggered until after he or she makes $1,000 in wages in the state.

I note that some committee Democrats oppose the bill because they fear it will lead to severe state revenue losses but believe that this is a solid bi-partisan piece of legislation.

This bill limits the authority of states to tax the income of nonresident employees who work for a limited amount of time in the state, allowing such individuals to be taxed only if they work in the state for 31 days or more.

Those limits would become effective on January 1 of the second year that begins after the bill's date of enactment, and it would not apply to any tax obligation that accrues before that time.

The bill prohibits states from taxing the wages or other earnings of non-residents unless they work in the state for 31 days or more during the calendar year. Similarly, states could not subject such income to state income tax withholding and reporting requirements, unless more than 30 days of work was performed.

Under the measure, an individual is considered to be present and performing employment duties within a state for a day if that individual performs more of his or her work within that state than in any other state during the day. If an individual works during one day both in his or her resident state and in just one non-resident state, the individual would be considered to have performed more of his or her employment duties in the non-resident state. Portions of the day during which an individual is in transit would not be considered in determining the location of where work was performed.

The bill provides that for purposes of determining state income tax withholding and reporting requirements, an employer could rely on an employee's determination of the time expected to be spent working for the employer in other non-resident states (absent the employer's actual knowledge of fraud by the employee in making the determination, or collusion between the employer and the employee to evade tax).

Employers could rely on an employee's determination even if the employer regularly maintains records of the location of employees, but if the employer maintains a time and attendance system that tracks where an employee works on a daily basis the data from the time and attendance system must be used instead of the employee's determination.

The bill stipulates that the term ''employee'' has the same meaning given to it by the state in which employment duties are performed—except the term would not include professional athletes, professional entertainers or certain public figures. States could, therefore, continue to tax those non-residents as they do now.

I urge my colleagues to join me in supporting this bill.

The SPEAKER pro tempore (Ms. FOXX). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 1864, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BORDER TUNNEL PREVENTION ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4119) to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4119

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 ''Border Tunnel Prevention Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Trafficking and smuggling organizations are intensifying their efforts to enter the United States through tunnels and other subterranean passages between Mexico and the United States.

(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

(3) From Fiscal Year 1990 to Fiscal Year 2011, law enforcement authorities discovered 149 cross-border tunnels along the border between Mexico and the United States, 139 of which have been discovered since Fiscal Year 2001. There has been a dramatic increase in the number of cross-border tunnels discovered in Arizona and California since Fiscal Year 2006, with 40 tunnels discovered in California and 74 tunnels discovered in Arizona.

(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person's land.

(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options.

SEC. 3. ATTEMPT OR CONSPIRACY TO USE, CONSTRUCT, OR FINANCE A BORDER TUNNEL.

Section 555 of title 18, United States Code, is amended by adding at the end the following:

''(d) Any person who attempts or conspires to commit any offense under subsection (a) or subsection (c) of this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.''.

SEC. 4. AUTHORIZATION FOR INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS.

Section 2516(1)(c) of title 18, United States Code, is amended by inserting '', section 555 (relating to construction or use of international border tunnels)'' before the semicolon at the end.

SEC. 5. FORFEITURE.

Section 982(a)(2)(B) of title 18, United States Code, is amended by inserting ''555,'' after ''545,''.

SEC. 6. MONEY LAUNDERING DESIGNATION.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 555 (relating to border tunnels),'' after ''section 554 (relating to smuggling goods from the United States),''.

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) success in combating the construction and use of cross-border tunnels requires cooperation between Federal, State, local, and tribal officials and assistance from private land owners and tenants across the border between Mexico and the United States;

(2) the Department of Homeland Security is currently engaging in outreach efforts in California to certain landowners and tenants along the border to educate them about cross-border tunnels and seek their assistance in combating their construction; and

(3) the Department should continue its outreach efforts to both private and governmental landowners and tenants in areas along the border between Mexico and the United States with a high rate of cross-border tunnels.

SEC. 8. REPORT.

(a) IN GENERAL.—The Secretary of Homeland Security shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross-border tunnels along the border between Mexico and the United States discovered during the preceding fiscal year; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction along the border between Mexico and the United States.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4119, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4119, the Border Tunnel Prevention Act of 2012, strengthens current law and prohibits the construction, use, and financing of unauthorized tunnels across the U.S. border.

I thank the sponsors of this legislation, Mr. REYES of Texas and Mr. QUAYLE of Arizona, for their work on this bipartisan, bicameral bill.

□ 1620

Similar legislation passed the Senate by unanimous consent in January.

This legislation establishes the penalty for conspiracy or attempt to use, construct, or finance a cross-border tunnel. It also identifies the construction, financing, or use of a cross-border tunnel as a predicate offense for a charge of money laundering and for an application for judicial authorization to intercept wire, oral, or electronic communications. H.R. 4119 also allows the criminal forfeiture of property that enters the United States through a cross-border tunnel.

Reports of drug-smuggling tunnels have increased, particularly in the past 10 years. Drug traffickers have ramped up their use of underground smuggling in light of increased border security, either real or perceived. Mexican drug-trafficking organizations have used tunnels as a smuggling method since at least 1990.

A majority of cross-border tunnels continue to be found in California and Arizona. These tunnels range in sophistication from a simple 16-inch pipe to well-engineered tunnels equipped with electricity, ventilation, and rails. Ownership of the tunnels is often attributed to the Mexican drug cartels.

To find cross-border tunnels, U.S. agents use devices that range from ground-penetrating radar to seismic sensors. Despite these efforts, drug smugglers continue to build the tunnels.

In November 2011, Federal law enforcement agents shut down two sophisticated tunnels that led from an area near Tijuana's airport to an industrial park in the U.S. About 49 tons of marijuana were seized.

Drug traffickers are also skilled at setting up front companies to rent space in busy warehouse districts in the United States. Mining engineers and architects are employed to construct the tunnel and bore directly into the foundation of the front company's rented warehouse.

The Drug Enforcement Administration describes marijuana as ''the top revenue generator for Mexican drug trafficking organizations—a cash crop that finances corruption and the carnage of violence year after year.'' The profits from marijuana trafficking finance the drug cartels' other drug enterprises, which include the construction and use of cross-border tunnels.

Border tunnels are an unfortunate testament to the ingenuity and determination of the Mexican drug cartels. It is time for Congress to enhance law enforcement's ability to fight transnational organized crime and the drug cartels' construction of cross-border tunnels. This bill reaffirms our determination to bring an end to cross-border tunnels.

When Congress enacted the border-tunnel statute in 2007, it omitted the changes contained in this bill. H.R. 4119 simply corrects this to ensure that investigators are equipped with the ability to locate and shut down these tunnels and hold these dangerous criminals accountable.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

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

I rise in support of H.R. 4119, the Border Tunnel Prevention Act of 2012. This bill would strengthen the laws that criminalize the use, construction, and financing of border tunnels.

Increasingly, cross-border tunnels are being used to smuggle people, drugs, and contraband into the United States. They can even be used to smuggle terrorists or weapons of mass destruction into the country. Cross-border tunnels present a serious problem for law enforcement, and I support this bill's efforts to stop the growing use of these tunnels.

This legislation is urgently needed because the number of tunnels has substantially increased in recent years. Whereas the first documented tunnel was discovered in 1990, the Department of Homeland Security reported last year that 154 attempted tunnels have been found since 1990, all but one of which were located along the Southwest border. In addition, the sophistication of some of these tunnels is also increasing in recent years. Cross-border tunnels range from small, hand-dug tunnels barely wide enough for a person to crawl through to professionally engineered tunnels built by Mexican drug cartels.

In November 2010, an Immigration and Customs Enforcement task force discovered a tunnel with two separate entrances in warehouses in Otay Mesa, California. One of the tunnel's walls were fortified with wood and cinder block supports, and the tunnel was equipped with rail, electrical, and ventilation systems. The tunnel was being used to import large amounts of marijuana into the U.S.

Current law already criminalizes the construction of a cross-border tunnel, allowing such a tunnel to be constructed on your property, or the use of such a tunnel. H.R. 4119 would strengthen existing law by making it a crime to attempt to engage in any of these activities, as well as to participate in any conspiracy involving any of these activities.

The bill also makes the construction or use of a tunnel a predicate offense for authorization of wiretaps, provides for criminal asset forfeiture of merchandise involved in tunneling, and includes a money-laundering provision. Border tunnels present a real and serious threat as a burgeoning tool for criminal activities.

I urge my colleagues to join me in supporting this measure which will help enhance the safety of our Nation's borders.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I reserve the balance of my time, and we are prepared to close.

Mr. PIERLUISI. Madam Speaker, I yield to the gentleman from Texas (Mr. REYES) as much time as he may consume to address the merits of this bill, which he co-sponsored.

Mr. REYES. Madam Speaker, I rise today to ask my colleagues for their support of H.R. 4119, the Border Tunnel Prevention Act of 2012.

I also would like to express my appreciation and thank my cosponsors, Congressman QUAYLE, who I understand is on his way here and we anticipate that he will be speaking on this, Congressman Chairman DREIER, and Congressman THOMPSON. I would, in particular, like to thank my good friend and colleague from Texas, Chairman SMITH, for his support in bringing this legislation to the floor. I also would like to thank Senator FEINSTEIN and Senator KYL for their work on a bipartisan, bicameral piece of legislation on the Senate side, which is S. 1236, the companion to the Border Tunnel Prevention Act of 2012.

The Border Tunnel Prevention Act of 2012 strengthens the 2006 Border Tunnel Prevention Act, which made it a crime to construct or finance an unauthorized tunnel or subterranean passage across an international border.

This bill seeks to provide law enforcement officials with enhanced investigative tools and additional options for prosecuting crimes related to the construction and financing of cross-border tunnels.

The Border Tunnel Prevention Act of 2012 would criminalize the attempt or conspiracy to use, construct, or finance a cross-border tunnel and also permits the forfeiture of bulk cash and merchandise smuggled into the United States through these illicit passageways.

Thanks to the collaborative efforts of the Obama administration, Congress, Federal, State, local, and tribal law enforcement organizations, as well as ordinary Americans, the Southwest border is more secure than at any point in our Nation's history. Over the past several years, the Federal Government has dedicated unprecedented levels of personnel, technology, and resources towards border security. As a result, apprehensions today are down, and seizures of drugs, guns, and cash are up. Border cities are among the safest in the country, including El Paso, which for the second year is the safest city in America with a population of over half a million people.

While the strengthening of security along the Southwest border has produced impressive results, it has also led those who want to harm our country to seek new ways to undermine our efforts. Enhancing the security of our borders on land, air, and sea has literally pushed drug cartels and transnational criminal organizations underground as they try to smuggle illicit drugs and people and other types of contraband, as my good friend and colleague from Puerto Rico mentioned, to include the potential for terrorists and weapons of mass destruction being smuggled into the United States.

Over the last decade, drug cartels and transnational criminal organizations have been increasing both the use and complexity of cross-border tunnels. As was said earlier, approximately 154 tunnels have been discovered between Mexico and the United States since the 1990s, and more than 90 percent of those tunnels have been detected in this past decade. These cross-border tunnels are becoming more and more complex.

□ 1630

I've got a picture to show, and I know that the chairman was mentioning the complexity of the construction. One such tunnel is the one that was discovered in November of 2011. It was over 600 yards long, and you can see, it's got a rail system built in. It's got sophisticated lighting, and even a system to introduce fresh air into the tunnel.

No longer are these crude, handmade tunnels. These are sophisticated, well-engineered, and well-financed projects. So that is why it is imperative that this legislation be passed. We must give law enforcement officials the tools that they need to combat this growing threat to our national security and stop the flow of illicit drugs and other contraband into the United States.

Accordingly, I am proud to be the author of this, along with Congressman QUAYLE, and I urge all my colleagues in Congress to pass this vital piece of bipartisan legislation so that we can move forward with helping to defeat the drug cartels and the transnational criminal organizations and, further, continue the path towards really securing our borders and protecting our communities.

So with that, let me end by thanking, again, Chairman SMITH and my good friend and colleague from Puerto Rico and urging my colleagues to support this critical and vital piece of legislation.

Mr. PIERLUISI. Madam Speaker, I am prepared to close. We have no further speakers, so I urge my colleagues to vote in favor of H.R. 4119, the Border Tunnel Protection Act of 2012.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I just wanted to say, we were hoping that the other author, the other cosponsor of this bill, the gentleman from Arizona (Mr. QUAYLE), would be here. Unfortunately, he was detained. His flight was delayed from Arizona to Washington, D.C.

But in his absence, I just want to thank him for his work on this bill and for all of his efforts to reduce the amount of cross-border drug smuggling and thereby protect the lives of individuals in Arizona and all Americans. He has done great work on this particular piece of legislation. We all appreciate those efforts.

I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I submit the following exchange of letters regarding H.R. 4119.

MAY 15, 2012.

HON. LAMAR SMITH,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH,

On March 21, 2012, the Committee on the Judiciary reported H.R. 4119, the Border Tunnel Prevention Act of 2012, as amended, favorably to the House. The Committee on Ways and Means received an additional referral on the bill as a result of section 5(b) dealing with civil asset forfeiture, which

falls within the jurisdiction of the Committee on Ways and Means. As a result of your Committee's agreement to remove section 5(b) of the bill, I agree to discharge the Committee on Ways and Means from further consideration of the bill so that a suspension version, incorporating the amendments to which we have agreed, may proceed expeditiously to the House Floor.

The Committee on Ways and Means takes this action with our mutual understanding that, by foregoing consideration of H.R. 4119 at this time, we do not waive any jurisdiction over the subject matter contained in section 5(b) in this or similar legislation, and that our Committee will be appropriately consulted and involved if that provision moves forward in any legislation so that we may address any issues that arise and fall within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this provision, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

DAVE CAMP,
Chairman.

CONGRESS OF THE
UNITED STATES
Washington, DC, May 15, 2012.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, 1102 Longworth House Office Building Washington, DC.

DEAR CHAIRMAN CAMP, thank you for your letter regarding H.R. 4119, the ''Border Tunnel Prevention Act of 2012,'' which the Judiciary Committee reported favorably, as amended, to the House on March 21, 2012.

As introduced, H.R. 4119 contained a provision (section 5(b)) that formed the basis of an additional referral of the bill to your committee. Today, on a motion to suspend the rules, the House will consider a version of H.R. 4119 that does not include section 5(b) of the introduced bill. I am most appreciative of your decision to discharge the Committee on Ways and Means from further consideration of H.R. 4119, as amended, so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Ways and Means is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill, including section 5(b) of the bill as reported by the Judiciary Committee, which fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include this letter and your letter of even date herewith in the Congressional Record during floor consideration of H.R. 4119.

Sincerely,

LAMAR SMITH,
Chairman

MARCH 14, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing in regards to the jurisdictional interest of the Committee on Homeland Security over provisions in H.R. 4119, the ''Border Tunnel Prevention Act of 2012'', which the Committee on the Judiciary ordered to be reported out, without amendment, on March 6, 2012.

I understand the importance of advancing this legislation to the House floor in an expeditious manner. Therefore, the Committee on Homeland Security will discharge H.R. 4119 from further consideration. This action is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on Homeland Security over the subject matter included in this or similar legislation. I request that you urge the Speaker to appoint members of this Committee to any conference committee for consideration of any provisions that fall within the jurisdiction of the Committee on Homeland Security in the House-Senate conference on this or similar legislation.

I also request that this response and your letter be included in the Committee on the Judiciary report to H.R. 4119 and in the Congressional Record during consideration of this measure on the House floor. Thank you for your consideration of this matter.

Sincerely,

PETER T. KING,
Chairman.

MARCH 15, 2012.

Hon. PETER T. KING,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN KING, thank you for your letter regarding H.R. 4119, the ''Border Tunnel Prevention Act of 2012,'' which is likely to be scheduled for consideration by the House in the near future.

I am most appreciative of your decision to forego consideration of H.R. 4119 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Homeland Security is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that Homeland Security be represented therein.

Finally, I shall be pleased to include this letter and your letter of March 14, 2012, in the Congressional Record during floor consideration of H.R. 4119.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. SCOTT of Virginia. Madam Speaker, the possibility of terrorists or weapons of mass destruction being transported through border tunnels is frightening. The possibility of narcotics or trafficking victims being transported through tunnels is disturbing. And I have real concerns about tunnels being used for run-of-the-mill illegal immigration and to smuggle goods or merchandise.

But these things are already illegal. And the penalty for doing any of these things through a tunnel is already double what it would be if the unlawful activity had not made use of a tunnel.

When this bill, H.R. 4119, was in the Judiciary Committee, I commented on what I saw as the redundancies in the bill. We already have laws against constructing or financing a tunnel between the United States and another country. The penalty for violating the law is a fine and up to 20 years in prison. And we have laws against knowing, or recklessly disregarding, that land you own or lease is being used by someone else who is building a tunnel, The penalty for that is a fine and up to 10 years in prison.

H.R. adds attempts to the crimes already available to address border tunnels. Yet, I wonder how many cases there have been where a prosecutor was unable to prosecute someone for attempting to construct a tunnel under the current border tunnel law but would be able to under H.R. 4119? For U.S. prosecutorial jurisdiction, the tunnel would have to be started on the U.S. side and not yet have crossed the border into Mexico to be an attempted border tunnel, because if it has already crossed the border, it IS a border tunnel, so you don't need an attempt law. But even before such an attempt is started, and certainly after it is started, it is already a conspiracy to build a border tunnel, which is already covered by current law.

We have had no hearings in the House on these issues, so it is not clear what information we are operating on in developing this bill. The Department of Homeland Security reports that 154 border tunnels or attempted border tunnels have been found since 1990. Laura Duffy, U.S. Attorney for the Southern District of California, stated in testimony before the Senate Caucus on International Narcotics Control on June 15, 2011, that all of the tunnels discovered thus far were started in Mexico. So if it takes crossing the border to be a border tunnel, and all of them are started in Mexico, the ''attempt'' provision of H.R. 4119 does not seem like a very useful tool in addressing border tunnels. Conspiracy laws, which already exist, would seem to be of better use. And if existing conspiracy charges are not enough of a prosecutorial incentive, it would seem you would want to wait until the tunnel is actually being used so you can really rack up the penalties for drugs, goods or people smuggling which allows a doubling of penalties.

Duffy also stated in her testimony that in prosecuting tunnel-related crimes, the Department of Justice uses the range of drug charges under Title 21 because the drug charges carry ''stiff mandatory minimum sentences and sometimes enable prosecutors to use 'career offender' sentencing enhancements.'' When you start doubling such drug penalties under the provisions of the current border tunnel law, you can easily get into sentences of many decades.

In addition to adding attempt and increasing the penalty for conspiracy, H.R. 4119 adds provisions for wire tap, forfeiture, and money laundering, which should always be done carefully, in my view. These are extraordinary government powers that were created and authorized to be used in extraordinary cases and circumstances, not to address ordinary crime. We have come to routinely add these authorities to deal with the crime du jour, further cluttering up an already bloated federal code with multiple, superfluous ways to charge every crime. There are no U.S. restrictions on the use of wiretaps outside the U.S. Since the tunnels are seemingly always started in Mexico, it is not clear what wiretap authorizations add to the investigative process.

We should not be decorating the criminal code with more and more pages. We ought to be simplifying the code. While I do think border tunnels are a serious problem, I believe we already have adequate laws with very harsh penalties to deal with the problem.

Mr. DREIER. Madam Speaker, illegal border tunnels pose a risk to our national security and undermine our efforts to protect the border. The threat lies not only in the illegal trafficking of drugs and humans, but also in the potential exploitation by terrorists. That is why

I rise in support of H.R. 4119, the Border Tunnel Prevention Act of 2012. In 2006, I authored the House version of the original Border Tunnel Prevention Act, which criminalized the construction of illegal border tunnels into the United States with fines and imprisonment of up to 20 years. The law also carries a prison sentence of up to 10 years for those who recklessly allow others to build these tunnels on their land. In addition, the law doubled the sentence for using a tunnel to smuggle aliens, weapons, drugs, terrorists or illegal goods.

While the Border Tunnel Prevention Act of 2006 gave law enforcement agencies powerful tools to combat the construction of illegal border tunnels, they are still being used by criminals to smuggle drugs and other materials into our country. For example, last fall, in my home state of California, I was troubled to learn that an elaborate tunnel was discovered in San Diego that linked to a warehouse in Tijuana. The tunnel contained wooden flooring, a rail system and an elevator. Its discovery led to the seizure of more than 32 tons of marijuana. Unfortunately, this is just one example of the more than 40 tunnels that have been discovered in California in the last five years. H.R. 4119 will give law enforcement additional ability to investigate and prosecute criminals using these tunnels. The bill also prohibits attempts to use, construct or finance a cross–border tunnel. Finally, it provides for the forfeiture of cash and merchandise that is illegally brought into our country through a tunnel.

Madam Speaker, H.R. 4119 is a common sense solution that helps combat those who attempt to illegally bring goods into our country. I urge all my colleagues to support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4119, as amended.

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. SMITH of Texas. Madam Speaker, on that 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.

NATIONAL BLUE ALERT ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 365

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 ''National Blue Alert Act of 2012''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COORDINATOR.—The term ''Coordinator'' means the Blue Alert Coordinator of the Department of Justice designated under section 4(a).

(2) BLUE ALERT.—The term ''Blue Alert'' means information relating to the serious injury or death of a law enforcement officer in the line of duty sent through the network.

(3) BLUE ALERT PLAN.—The term ''Blue Alert plan'' means the plan of a State, unit of local government, or Federal agency participating in the network for the dissemination of information received as a Blue Alert.

(4) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' shall have the same meaning as in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(6)).

(5) NETWORK.—The term ''network'' means the Blue Alert communications network established by the Attorney General under section 3.

(6) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 3. BLUE ALERT COMMUNICATIONS NETWORK.

The Attorney General shall establish a national Blue Alert communications network within the Department of Justice to issue Blue Alerts through the initiation, facilitation, and promotion of Blue Alert plans, in coordination with States, units of local government, law enforcement agencies, and other appropriate entities.

SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.

(a) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

(b) DUTIES OF THE COORDINATOR.—The Coordinator shall—

(1) provide assistance to States and units of local government that are using Blue Alert plans;

(2) establish voluntary guidelines for States and units of local government to use in developing Blue Alert plans that will promote compatible and integrated Blue Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Blue Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Blue Alert;

(C) guidelines to protect the privacy, dignity, independence, and autonomy of any law enforcement officer who may be the subject of a Blue Alert and the family of the law enforcement officer;

(D) guidelines that a Blue Alert should only be issued with respect to a law enforcement officer if—

(i) the law enforcement agency involved—

(I) confirms—

(aa) the death or serious injury of the law enforcement officer; or

(bb) the attack on the law enforcement officer and that there is an indication of the death or serious injury of the officer; or

(II) concludes that the law enforcement officer is missing in the line of duty;

(ii) there is an indication of serious injury to or death of the law enforcement officer;

(iii) the suspect involved has not been apprehended; and

(iv) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(E) guidelines—

(i) that information relating to a law enforcement officer who is seriously injured or killed in the line of duty should be provided to the National Crime Information Center database operated by the Federal Bureau of Investigation under section 534 of title 28, United States Code, and any relevant crime information repository of the State involved;

(ii) that a Blue Alert should, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local governments), be limited to the geographic areas most likely to facilitate the apprehension of the suspect involved or which the suspect could reasonably reach, which should not be limited to State lines;

(iii) for law enforcement agencies of States or units of local government to develop plans to communicate information to neighboring States to provide for seamless communication of a Blue Alert; and

(iv) providing that a Blue Alert should be suspended when the suspect involved is apprehended or when the law enforcement agency involved determines that the Blue Alert is no longer effective; and

(F) guidelines for—

(i) the issuance of Blue Alerts through the network; and

(ii) the extent of the dissemination of alerts issued through the network;

(3) develop protocols for efforts to apprehend suspects that address activities during the period beginning at the time of the initial notification of a law enforcement agency that a suspect has not been apprehended and ending at the time of apprehension of a suspect or when the law enforcement agency involved determines that the Blue Alert is no longer effective, including protocols regulating—

(A) the use of public safety communications;

(B) command center operations; and

(C) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the network with initiating, facilitating, and promoting Blue Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of a law enforcement organization representing rank-and-file officers;

(ii) representatives of other law enforcement agencies and public safety communications;

(iii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iv) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the network;

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of Blue Alerts through the network; and

(7) determine—

(A) what procedures and practices are in use for notifying law enforcement and the public when a law enforcement officer is killed or seriously injured in the line of duty; and

(B) which of the procedures and practices are effective and that do not require the expenditure of additional resources to implement.

(c) LIMITATIONS.—

(1) VOLUNTARY PARTICIPATION.—The guidelines established under subsection (b)(2), protocols developed under subsection (b)(3), and other programs established under subsection (b), shall not be mandatory.

(2) DISSEMINATION OF INFORMATION.—The guidelines established under subsection (b)(2) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(3) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The guidelines established under subsection (b) shall—

(A) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty and the families of the officers.

(d) COOPERATION WITH OTHER AGENCIES.—The Coordinator shall cooperate with the Secretary of Homeland Security, the Secretary of Transportation, the Chairman of the Federal Communications Commission, and appropriate offices of the Department of Justice in carrying out activities under this Act.

(e) RESTRICTIONS ON COORDINATOR.—The Coordinator may not—

(1) perform any official travel for the sole purpose of carrying out the duties of the Coordinator;

(2) lobby any officer of a State regarding the funding or implementation of a Blue Alert plan; or

(3) host a conference focused solely on the Blue Alert program that requires the expenditure of Federal funds.

(f) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Blue Alert plans that are in effect or being developed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 365, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in 1962, at the request of Congress, President Kennedy proclaimed today as National Peace Officers Memorial Day. Every May 15 we honor our Nation's law enforcement officers who have been killed in the line of duty. Earlier today, on the west front of the Capitol, we honored those officers who were killed last year while protecting us and enforcing the law.

H.R. 365, the National Blue Alert Act of 2012, establishes a nationwide system for distribution of time-sensitive information to help identify a violent suspect when a law enforcement officer is injured or killed in the line of duty.

Each year, hundreds of law enforcement officers are killed or seriously injured in the line of duty. America's law enforcement officers courageously put their lives on the line every day. They often work long and irregular hours in demanding and dangerous conditions. These officers run a high risk of being injured or killed by the same criminals that prey on Americans.

Just last month, in my home State of Texas, an Austin police officer was shot and killed while responding to a call about a drunk man shoplifting at the local Walmart. What seemed to be a routine call turned out to be a dangerous and deadly situation. We cannot bring Officer Padron back, but we can honor his sacrifice by helping to apprehend and bring to justice criminals who harm our men and women in blue.

In 1789, President George Washington appointed America's first law enforcement officers, 13 United States Marshals. Since then, over 21,000 local, State, and Federal law enforcement officers have been killed in the line of duty.

Despite the fact that national crime rates continue to drop, in 2011, 163 law enforcement officers were killed in the line of duty, a 14 percent increase over the previous year. Unfortunately, criminals are becoming even more violent, and their contempt for law enforcement and the rule of law is more evident than ever.

This bill encourages expansion of an integrated Blue Alert communications network throughout the United States, much like the well-known AMBER Alert system used to locate missing and abducted children. A Blue Alert broadcasts information and speeds apprehension of violent criminals when a law enforcement officer is seriously injured or killed in the line of duty. Blue Alerts use the same principle as AMBER Alerts for missing children and Silver Alerts for missing seniors.

The Blue Alert system is a cooperative effort among local, State, and Federal authorities, law enforcement agencies, and the general public. A Blue Alert provides a description of an offender who is still at large and may include a description of the offender's vehicle and license plate information. Like AMBER Alerts, Blue Alerts will help hinder the offender's ability to escape and will facilitate their capture.

The bill directs the Department of Justice to designate an existing officer as the Blue Alert national coordinator, who will encourage those States that have not already done so to develop Blue Alert plans and establish voluntary guidelines. As of today, 14 States have Blue Alert networks in place, and Ohio will implement its network in June.

An integrated nationwide Blue Alert system ensures that when tragedy strikes, the public is on notice and suspects can be more quickly apprehended and brought to justice. A nationwide Blue Alert network will be particularly effective when a suspect flees across State lines.

I want to thank the gentleman from New York (Mr. GRIMM) and Mr. REICHERT of Washington for their work on this issue. This is a bipartisan, bicameral bill. Similar legislation was approved by the Senate Judiciary Committee last September.

Supporters of this legislation include the National Fraternal Order of Police, the National Sheriffs' Association, the Federal Law Enforcement Officers Association, and the Sergeants Benevolent Association.

Too often, criminals in our society have no respect for authority and the rule of law. The goal of the Blue Alert is to immediately notify the entire community to assist in the location and apprehension of violent criminals who injure or kill police officers. This bill reaffirms our determination to ensure the future safety of our law enforcement men and women and the communities they serve to protect every day.

I urge my colleagues to support this bipartisan legislation, and I reserve the balance of my time.

□ 1640

Mr. PIERLUISI. Madam Speaker, I rise in strong support of H.R. 365, and I yield myself such time as I may consume to explain the bill and to respectfully urge my colleagues to vote for it.

The National Blue Alert Act of 2012 has strong bipartisan backing and was approved unanimously by the Judiciary Committee on April 25. I am proud to join my colleague, Mr. GRIMM, as the lead Democratic sponsor of this legislation, and I want to thank the gentleman from New York, a former FBI agent, for his leadership on this and on other law enforcement issues.

This bill constitutes an effort to protect and defend the men and women of law enforcement, who protect and defend us, our families, and our communities. The bill has been endorsed, as has been stated by the gentleman from Texas, by the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the National Association of Police Organizations, the National Sheriffs' Association, and the Sergeants Benevolent Association. In our sister Chamber, an identical companion bill to H.R. 365 has been approved by the Senate Judiciary Committee and currently awaits floor consideration.

The legislation before us directs the Attorney General to establish a national Blue Alert communications network within the Department of Justice to disseminate information when a law enforcement officer is killed or seriously injured in the line of duty and when the suspect has not yet been apprehended. A Blue Alert would provide

a physical description of the suspect and may include a description of the suspect's vehicle and license plate information.

The Blue Alert system is a cooperative effort among Federal, State, and local authorities, law enforcement agencies, and the general public. The Blue Alert system would use the same infrastructure as AMBER Alerts, which are disseminated for missing children, and Silver Alerts, which are disseminated for missing seniors.

Pursuant to the bill, the Attorney General will assign an existing DOJ officer to serve as the national coordinator for the Blue Alert communications network. The national coordinator's duties will include: encouraging State, territory, and local governments to develop Blue Alert plans; establishing voluntary guidelines for these government entities to use in developing such plans; developing protocols for efforts to apprehend suspects; and establishing an advisory group to assist State and local governments and law enforcement agencies to create, facilitate, and promote Blue Alert plans.

In the last 220 years, nearly 21,000 law enforcement officers have been killed in the line of duty in the United States, and many more have been seriously injured. In Puerto Rico, which is the jurisdiction I represent, over 325 law enforcement officers have been killed in the line of duty since 1900, with over 40 island officers killed between the year 2000 and the year 2010.

This year, two veteran Puerto Rico police officers were fatally shot in the line of duty—Abimael Castro Berrocal and Francis Crespo Mandry. Although at least one suspect has been apprehended, other suspects in both of these killings remain at large. This morning, these two officers, along with over 160 of their brothers and sisters in law enforcement who lost their lives in the line of duty in the past year, were honored in front of the Capitol as part of the National Peace Officers' Memorial Service.

The overriding purpose of this legislation is to help deter violent acts against police officers and, in the event such a violent act occurs, to ensure that the perpetrator is quickly apprehended and brought to justice. Police officers, unlike young children and seniors, are not a vulnerable population group in the traditional sense. They are strong, capable, and brave, but every day, they put themselves in harm's way to protect us. They have our backs, and it's important that we have theirs.

I encourage all of my colleagues to vote in favor of this bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. GRIMM), who is the sponsor of this legislation.

Mr. GRIMM. Thank you for giving me this opportunity.

This is truly a very special opportunity for me to speak on this bill, H.R. 365, the National Blue Alert Act of 2012. As a former FBI special agent, it makes it a very special honor to have the House consider this important legislation, especially during National Police Week. Think about it. Thousands of law enforcement officers from around the world and this country are going to converge on our Nation's Capitol to honor those who have paid the ultimate sacrifice: to protect the citizens back at home.

On a personal note, I would like to extend my sincerest gratitude to New York City's police commissioner, Ray Kelly, and to the very brave men and women of the NYPD for their service to our great city. I encourage all of my colleagues to treat every week as if it were National Police Week, because it is truly those sacrifices made by these individuals that have inspired me to introduce this important legislation.

During my career in the FBI, I witnessed firsthand the danger posed by criminals who attack law enforcement officers and the particular threat that they pose to our communities. Time and time again, we have seen, if criminals are willing to attack police officers to avoid apprehension, then there is no limit to the lengths they will go or to the victims they will target simply to avoid being brought to justice.

According to the National Law Enforcement Officers Memorial Fund, 173 officers were killed in the line of duty in 2011. As Members of Congress representing New York City and Puerto Rico, it is a sad fact for me and for my friend and colleague, Congressman PIERLUISI, who is the lead cosponsor of this bill, that the New York City Police Department and the Puerto Rico Police Department both lost four officers—the most of any other agency—in 2011. Now, it is impossible to completely transform the hazardous nature of the work our law enforcement officers carry out every single day, but there are steps that we can take to enhance their safety and to quickly apprehend those who put them at risk.

The National Blue Alert Act does this by creating a national Blue Alert communications network within the United States Department of Justice to disseminate information on suspects who are being sought in connection with the death or injury of a law enforcement officer. Similar to the nationwide AMBER Alert system for missing children, the Blue Alert would rapidly notify law enforcement agencies, as well as the media and the public, in order for them to help aid in the apprehension of these extremely violent criminals. Additionally, this legislation would further encourage the expansion of the Blue Alert program beyond the handful of States where it currently exists by helping develop the Blue Alert plans, the regional coordination, and the development and implementation of new technologies to improve Blue Alert communications.

This legislation, as we have heard, is supported across the board by many law enforcement organizations, and I am certain that the National Blue Alert Act will enhance the safety of our communities as well as the law enforcement officers who protect them. I encourage its swift passage in the full House of Representatives, and I would like to thank my lead cosponsor and friend, Mr. PIERLUISI.

Mr. PIERLUISI. Madam Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Madam Speaker, I would certainly be remiss if I did not extend my commendation to the gentleman from New York and to my good friend and colleague from Puerto Rico for their leadership and their service in bringing this legislation to the floor, also and more especially to Chairman SMITH and our ranking member, Mr. CONYERS, for their support in bringing this bill to the floor for consideration.

Madam Speaker, I fully support the fundamental purpose of this bill, which is to create and integrate Blue Alert plans throughout the 50 States and the U.S. territories in order to disseminate information when a law enforcement officer is seriously injured in the line of duty. This program is similar to the Silver Alert public notification system, which broadcasts information about missing persons, especially seniors with Alzheimer's disease; or the America's Missing: Broadcasting Emergency Response, known mainly as the AMBER Alert, a public notification system about a missing child.

□ 1650

Similarly, the intent of this legislation is to expeditiously apprehend the offenders that kill or hurt law enforcement officers.

Law enforcement officers put their lives on the line every day to protect and to serve the public. Each year, hundreds of law enforcement officers are killed or seriously injured in the line of duty. On average, one law enforcement officer is killed in the line of duty every 53 hours. Last year, 173 officers had been killed, up to 13 percent from 153 killed in the line of duty 2 years ago.

The Blue Alert system is a cooperative effort among local, State, Federal authorities, law enforcement agencies, and the general public. It provides a description of an offender who is still at large and may include the description of the offender's vehicle and license plate information.

Madam Speaker, I am concerned to learn just this morning that the initial provision for a grant program to be made available to States and territories in support of the Blue Alert system is nowhere to be found in the language of the bill. Instead, the current bill language will only provide that the Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator

of the Blue Alert communications network.

Madam Speaker, while knowing that the Blue Alert system is not mandatory, resources should be made available to the 50 States and territories in order for the Blue Alert system network to work effectively and efficiently, otherwise the initial purpose of this bill will not be met under the current bill text before us today. However, I fully support the needs of the Blue Alert system. I urge that a grant program be made available to ensure that the law enforcement officers in the 50 States and territories are provided equal and fair treatment.

Again, I want to thank Chairman SMITH and Ranking Member CONYERS for their support of this bill, and I urge my colleagues to support this legislation.

Mr. SMITH of Texas. Madam Speaker, I am prepared to close. I reserve the balance of my time.

Mr. PIERLUISI. Madam Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Speaker, I just wanted to add my support for this legislation and thank my colleagues from New York and Puerto Rico for introducing this very important piece of legislation.

As a former Border Patrol agent and chief in the United States Border Patrol, I had the experience of working both as an agent with all the other law enforcement agencies and then as a chief. I can tell you that there isn't a worse feeling than that phone call in the middle of the night that one of your agents or one of your officers has been injured or killed. That's why this legislation is so important not just to officers and agents across the country, but to their families.

I strongly urge that our colleagues support this very important piece of legislation and agree with my colleague from American Samoa that more than just the legislation, we ought to do everything we can to provide the funding to actually bring this critical program to fruition.

Again, I want to thank my colleagues and also Chairman SMITH for bringing this legislation to the floor, and I ask all our colleagues to strongly support it.

Mr. PIERLUISI. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield back the balance of my time as well.

Mr. BACA. Madam Speaker. I rise today in strong support of H.R. 365, the National Blue Alert Act.

This important bill directs the Attorney General to establish a national Blue Alert communications network within the Department of Justice to broadcast information when a law enforcement officer is seriously injured or killed in the line of duty.

It would also assign a Department of Justice officer to act as the national coordinator of the Blue Alert Communications Network.

The Blue Alert System would operate in a similar fashion as the ''Amber Alert'' system and would be implemented by law enforcement agencies and officers at all levels—local, State, and Federal.

Law enforcement officers and officials are among the bravest individuals in today's society.

Each day, they knowingly risk their personal safety and their lives to ensure that our communities are safer and more secure.

As such, we need to be sure to do all that we can to ensure their safety when possible.

Building and expanding on the existing blue alert networks in various states will ensure that important information is sent out in an efficient and timely manner.

I am proud to stand here today and offer my support for this important legislation.

I want to thank the gentleman from New York, Mr. GRIMM, for his hard work in bringing this important legislation before us today.

And I also want to thank all the brave men and women who work in law enforcement and sacrifice day in and day out for our safety.

I urge my colleagues to support this bill.

Ms. RICHARDSON. Madam Speaker, today I rise up in support of H.R. 365, the National Blue Alert Act of 2011. This bill would create a Federal information network that would make it easier to track down and prosecute those who seriously injure or kill State and Federal law enforcement officers.

In 2011 a total of 72 law enforcement officers were killed by perpetrators, 10 of which were in my home state of California. For the first time in 14 years there were more officers killed by gunfire than officers killed in traffic accidents.

Gun violence against law enforcement had declined in recent decades; however there was a 70 percent increase from 2008 to 2011. The cause for this increase is unknown, but with technology growing better each day, and methods becoming more sophisticated, these statistics should be going in the opposite direction.

Some officers attribute the rise in deaths to budget cuts and officers not having the necessary resources to ensure their own safety. Others believe that the new trend of sending officers to the most violent areas of the city as a preventative measure has led to the spike. Regardless, this is a problem that needs an immediate solution.

Due to this dramatic increase in only a few short years, the FBI conducted a study which showed many of the officers were killed while attempting to arrest or subdue a suspect who already had a history of violent crimes. With this information they implemented a new Federal program so that now when an officer pulls over a car and runs the license plate they will be informed if the suspect has a violent criminal record so they can be properly prepared.

While this new program is a step in the right direction, law enforcement officers will always be put in high risk situations. It is simply the nature of the job. They put their lives on the line everyday to protect the citizens of this country, and they deserve to know their government is doing everything it can to provide them with as much safety as possible.

The National Blue Alert Act of 2011 would ease the minds of officers, reassuring them of a quick and efficient response should anything happen to them while on duty. The bill would also increase the likelihood of catching a perpetrator who injures or kills an officer.

Madam Speaker, every stop an officer makes can be potentially fatal. Yet these men and women go to work every day because they know their service will save the lives of countless others. With this level of self sacrifice the very least we can do as elected officials is provide them with the reassurances within the National Blue Alert Act.

Today, I ask my colleagues to rise up in support of the National Blue Alert Act of 2011. A quick response may be all it takes to save the life of an officer who gives so much, and asks for so little in return.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 365, as amended.

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. GRIMM. Madam Speaker, on that 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.

SECURITY IN BONDING ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3534) to amend title 31, United States Code, to revise requirements related to assets pledged by a surety, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3534

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 ''Security in Bonding Act of 2012''.

SEC. 2. SURETY BOND REQUIREMENTS.

Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

''§ 9310. Individual sureties

''If another applicable law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

''(1) consist of eligible obligations described under section 9303(a); and

''(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the assets with a depository described under section 9303(b).''; and

(2) in the table of contents for such chapter, by adding at the end the following:

''9310. Individual sureties.''.

SEC. 3. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the following:

(1) All instances during the 10-year period prior to the date of the enactment of this Act in which a surety bond proposed or issued by a surety in connection with a Federal project was—

(A) rejected by a Federal contracting officer; or

(B) accepted by a Federal contracting officer, but was later found to have been backed by insufficient collateral or to be otherwise deficient

or with respect to which the surety did not perform.

(2) The consequences to the Federal Government, subcontractors, and suppliers of the instances described under paragraph (1).

(3) The percentages of all Federal contracts that were awarded to small disadvantaged businesses (as defined under section 124.1002(b) of title 13, Code of Federal Regulations) and disadvantaged business enterprises (as defined under section 26.5 of title 49, Code of Federal Regulations) as prime contractors in the 2-year period prior to and the 2-year period following the date of enactment of this Act, and an assessment of the impact of this Act and the amendments made by this Act upon such percentages.

(b) REPORT.—Not later than the end of the 3-year period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Government Affairs of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3534, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Madam Speaker, I yield 5 minutes to the gentleman from New York (Mr. HANNA), who is the sponsor of this legislation.

Mr. HANNA. Madam Speaker, I introduced H.R. 3534 with my colleague, Mr. MULVANEY from South Carolina, to address an issue in the construction industry I know all too well: surety bonding.

Bonding is not something most people think about, but it was a daily reality in my business. The concept is simple. Contractors on a Federal construction project are required to post assets prior to entering a contract to prove that they are capable of paying their subcontractors and downstream paying their suppliers for work. It indicates that a contractor is capable of successfully completing a project and is supposed to protect taxpayers and small businesses downstream in the event of failure or nonpayment.

The business of bonding is predicted on a zero failure rate. The assets pledged to back a project must be real, easily convertible to cash, and held by the contracting officer for the duration of the project—and most are. Unfortunately, a loophole in these laws has been exploited. It has resulted in a number of cases where assets pledged to back a bond issued by an individual surety have been insufficient or illusory. This has left small businesses and taxpayers without sufficient payment remedies, and in the case of one Colorado woman, nearly put her out of business.

A single stock or private residence, which is subject to huge changes in value or may have an existing first mortgage, are quite simply not acceptable assets to back multimillion-dollar projects. Madam Speaker, the Security in Bonding Act will remedy this problem by requiring individual sureties to pledge solely those assets described in contracting laws as ''eligible obligations.'' Further, it would require them to be placed in custody of the Federal Government just as they would using a corporate surety or posting an asset in lieu of corporate surety. This loophole is putting small businesses and workers and the taxpayer at risk. It is time to close this loophole and restore the integrity of the bonding process.

H.R. 3534 would ensure that if an individual surety bond is furnished for a Federal construction project, that small businesses and subcontractors providing goods and services on that contract will not need to worry about the integrity of their payment revenue. This bill provides the surety that small businesses need and subcontractors and citizens deserve from the Federal Government. Without it, good jobs and our limited taxpayer dollars will continue to be at risk.

In closing, I would like to extend a personal thanks to Chairman LAMAR SMITH for his leadership in advancing this legislation and for allowing me to join him during the committee's proceedings.

Madam Speaker, I urge my colleagues to support this legislation.

□ 1700

Mr. PIERLUISI. Madam Speaker, I rise in support of H.R. 3534, the Security in Bonding Act, and I yield myself such time as I may consume.

H.R. 3534 will strengthen the protection that surety bonds are intended to provide by requiring individual sureties to use low-risk cash assets, such as United States bonds, as collateral. At the same time, H.R. 3534 will require the Government Accountability Office to assess the impact of these enhanced collateral requirements on the availability of surety bonds for emerging businesses, and particularly for disadvantaged business enterprises, seeking to be prime contractors on Federal projects.

When the Federal Government enters into a contract, the American taxpayer, as well as those who subcontract with the contractor, should be protected. That is why, under current law, any Federal construction contract valued at $150,000 or more requires a surety bond as a condition of the contract being awarded. The bond will pay the government and downstream contractors in the event that the contractor fails to perform the contract.

Bonds issued by so-called ''corporate'' sureties, which have been vetted and preapproved by the Treasury Department, provide financial assurance to taxpayers and contractors in the event that a contractor fails to perform. On the other hand, bonds issued by individual sureties have not been so vetted and are not subject to strong collateral requirements.

Accordingly, I support H.R. 3534 for several reasons.

To begin with, any entity that provides a surety bond should be held to strong underwriting standards. For instance, we know very well what happens when industries, particularly those involving financing, are not closely regulated. Consider mortgage lenders, for example. In a vacuum of regulation, unscrupulous and predatory lenders engaged in practices that hurt not just their borrowers, but ultimately jeopardized the Nation's economy and the financial well-being of all Americans. Measures such as H.R. 3534 are intended to mandate more reliable collateral standards, which is a commendable goal. Such strengthened requirements should help to ensure that American taxpayers are not made to pay for the consequences of undercollateralized bonds.

In addition, this bill will protect so-called ''downstream'' subcontractors and suppliers who very much depend on the economic vitality and performance of the general contractor and its surety. Many such downstream subcontractors and suppliers are small businesses owned by members of historically disadvantaged groups, including racial minorities, women, and the disabled. Ensuring that unnecessarily heightened risk is avoided for minority-owned businesses is key to their economic survival as well as to our Nation's fiscal health. According to the Commerce Department, these businesses are an ''integral part of local, national, and global business communities.'' Measures such as H.R. 3534 that strengthen collateral requirements lessen the incidence of poor underwriting practices and undersecured surety bonds.

Finally, H.R. 3534, as amended in committee, will help to ensure that it does not result in too much of a good thing. Particularly during these difficult economic times, our role in Congress should not be to construct unnecessary or overly burdensome hurdles to those who want to enter into a particular business or industry.

To the extent that heightened collateral requirements might dissuade individual sureties from providing bonds on Federal projects, there is a risk that new businesses may have a more difficult time bidding on Federal projects. We need to ensure that these businesses continue to be vital contributors to our Nation's economy, not only as subcontractors, but also as prime contractors. This is why there was bipartisan agreement in committee to add language requiring the GAO to, among other things, assess the impact that the enactment of H.R. 3534 may

have on disadvantaged business enterprises' ability to successfully bid on Federal contracts. This analysis will help us monitor whether H.R. 3534 has any unintended consequences in this regard.

I thank Chairman SMITH for his willingness to work with us to reach a mutually agreeable result. I also commend the bill's sponsor, Representative RICHARD HANNA, as well as Representative JARED POLIS, the lead Democratic cosponsor, for their leadership on this important matter.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. MULVANEY) who is an original cosponsor of this legislation.

Mr. MULVANEY. I thank the gentleman from Texas.

This is not, Mr. Speaker, the most glamorous thing we're going to do in this 112th Congress. If you stop to think about it, there are not that many people who are aware of, let alone care about, what kind of security is offered on surety bonds.

I can assure you, it is important to some people. It really is. If you are the person who is entering into that contract, who is counting on somebody doing that work, the quality of that security in that surety bond is of the utmost importance to you. And as you heard the gentleman from New York (Mr. HANNA) mention, in certain cases, it could be a matter of life or death for your business. So I am proud to be the sponsor of this bill.

But that is not why I rise today, Mr. Speaker. I rise today to bring to light the fact that we are actually doing something on a bipartisan basis to help the country. We get a lot of criticism back home—I know we both do, the Republicans and the Democrats—for not being able to come together to fix things. And, yes, we do struggle, perhaps, to fix the big things, and maybe rightly so. We are unlikely to solve the issue of taxes versus spending here today, but it's nice to know that we're still able to get together from time to time on the small things.

Face it. It used to be, before this bill, that you could take marketable coal as collateral on a surety bond. That's outrageous. With this bill, we'll fix those types of things and actually make it safer to do business on a government contract. Again, is it the big things that stand between our country and its current lack of prosperity? Absolutely not. But it does make business better in the United States of America.

That's why I congratulate the gentleman from Texas (Mr. SMITH) and the ranking member, Mr. CONYERS. I also thank the gentleman from Missouri (Mr. GRAVES) and gentlelady from New York (Ms. VELÁZQUEZ) from the Small Business Committee who also took a look at this bill and also passed it on a bipartisan basis.

So with that, Mr. Speaker, I thank the gentleman. I thank my colleagues from across the aisle for actually coming together today to try to do something to help the Nation advance. And with that, I encourage everyone to support this bill.

Mr. PIERLUISI. Mr. Speaker, I have no further requests for time, so I will yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time as well.

Mr. SMITH of Texas. Mr. Speaker, today the House continues its effort to restore the financial security of our country with consideration of H.R. 3534, the Security in Bonding Act of 2011. I thank Mr. HANNA for his sponsorship of this bill and Mr. GOWDY and Mr. POLIS, both members of the Judiciary Committee, for their support as well.

This bill protects the federal government from financial loss as it improves the effectiveness of surety bonds contractors must post when they perform construction projects for the United States.

Also, this bill protects small business subcontractors and enhances the financial security of the United States.

The bill amends federal acquisition law to requre individual sureties to post only low-risk collateral to back up their bonds. If the prime contractor defaults, the government and subcontractors will have recourse to real, stable, valuable assets to make them whole.

The Miller Act, enacted in 1935, requires a contractor to obtain surety bonds in favor of the government when the contractor undertakes a construction job worth more than $150,000. These surety bonds protect not only the United States but also subcontractors whom the prime contractor hires.

Unlike in the private sector, subcontractors on federal projects have no mechanic's lien rights; surety bonds are their sole protection.

A bid bond assures the federal contracting officer that the contractor bids in good faith and will complete the job if it is the winning bidder.

Similarly, a performance bond guarantees the United States that the contractor will not walk away from the job even if, for instance, the contractor found a more lucrative opportunity elsewhere.

The Federal Acquisition Regulation (FAR) currently allows a contractor to obtain a surety bond through a corporate surety or an individual surety. Alternatively, a contractor may deposit low-risk collateral, like T-bills or other cash equivalents, with the government to cover the project cost.

Corporate surety companies are regulated by the Treasury Department, which requires the sureties to be sufficiently funded in an amount over the risk of default on the bonds they underwrite. But individual sureties are not approved by the Treasury, and they may pledge collateral whose value may fluctuate. For example, the FAR allows an individual surety to pledge stocks and bonds or real property.

The lax collateral requirements for individual sureties have seriously harmed subcontractors and the federal government.

At a hearing on this bill in the Courts, Commerical and Administrative Law Subcommittee, the President of a minority-owned construction company in Colorado, testified that they lost $100,000 because the prime contractor's individual surety bond was backed by valueless assets.

The federal government cannot afford to be left in the lurch because an individual surety bond proved to be worthless. American taxpayers deserve a government that acts carefully and with fiscal responsibility when it spends their money on construction projects.

I urge my colleagues to support this bill.

Mr. COBLE. Mr. Speaker, I rise in support of H.R. 3534.

Surety bonds are financial instruments used to provide financial security for large construction contracts. For example, prime contractors typically post payment bonds to assure subcontractors that they will be paid for their work. Prime contractors must also obtain bid and performance bonds to guarantee the owner that the work will be performed according to contract.

The federal government regularly contracts with privately-owned businesses to complete construction projects. In doing so, the government requires contractors to obtain surety bonds. But the security provided to the government by a surety bond is only as good as the capital or assets that stand behind the bond.

There are currently three ways a contractor can satisfy the federal government's requirement for adequate assurance of performance and payment. The contractor can obtain a bond from a corporate surety approved by the Treasury Department, give the United States a possessory security interest in low-risk, liquid assets, such as T-bills, cash, or cash equivalents, or the contractor can secure a bond from an individual surety.

In recent years, there have been a number of instances in which individual surety bonds have not provided the security they purport to offer. In some cases, this was because the value of the pledged assets had decreased significantly, like when the stock market suddenly dropped or real estate values plummeted.

H.R. 3534 addresses this problem by requiring individual sureties to pledge low-risk assets. This will benefit government and subcontractors, who typically get the short end of the stick.

I am happy to report that H.R. 3534 is supported by the American Subcontractors Association and the National Association of Minority Contractors.

I urge all members to vote ''yea'' on final passage for H.R. 3534.

The SPEAKER pro tempore (Mr. CHAFFETZ). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3534, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1710

CHIMNEY ROCK NATIONAL MONUMENT ESTABLISHMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2621) to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2621

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 ''Chimney Rock National Monument Establishment Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) NATIONAL MONUMENT.—The term ''national monument'' means the Chimney Rock National Monument established by section 3(a).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of Colorado.

SEC. 3. ESTABLISHMENT OF CHIMNEY ROCK NATIONAL MONUMENT.

(a) ESTABLISHMENT.—There is established in the State the Chimney Rock National Monument—

(1) to preserve, protect, and restore the archeological, cultural, historic, geologic, hydrologic, natural, educational, and scenic resources of Chimney Rock and adjacent land; and

(2) to provide for public interpretation and recreation consistent with the protection of the resources described in paragraph (1).

(b) BOUNDARIES.—

(1) IN GENERAL.—The national monument shall consist of approximately 4,726 acres of land and interests in land, as generally depicted on the map entitled ''Boundary Map, Chimney Rock National Monument'' and dated January 5, 2010.

(2) MINOR ADJUSTMENTS.—The Secretary may make minor adjustments to the boundary of the national monument to reflect the inclusion of significant archeological resources discovered after the date of the enactment of this Act on adjacent National Forest System land.

(3) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall—

(1) administer the national monument—

(A) in furtherance of the purposes for which the national monument was established; and

(B) in accordance with—

(i) this Act; and

(ii) any laws generally applicable to the National Forest System; and

(2) allow only such uses of the national monument that the Secretary determines would further the purposes described in section 3(a).

(b) TRIBAL USES.—

(1) IN GENERAL.—The Secretary shall administer the national monument in accordance with—

(A) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(B) the policy described in Public Law 95–341 (commonly known as the ''American Indian Religious Freedom Act'') (42 U.S.C. 1996).

(2) TRADITIONAL USES.—Subject to any terms and conditions the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the national monument by members of Indian tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(c) VEGETATION MANAGEMENT.—The Secretary may carry out vegetation management treatments within the national monument, except that the harvesting of timber shall only be used if the Secretary determines that the harvesting is necessary for—

(1) ecosystem restoration in furtherance of section 3(a); or

(2) the control of fire, insects, or diseases.

(d) MOTOR VEHICLES AND MOUNTAIN BIKES.—The use of motor vehicles and mountain bikes in the national monument shall be limited to the roads and trails identified by the Secretary as appropriate for the use of motor vehicles and mountain bikes.

(e) GRAZING.—The Secretary shall permit grazing within the national monument, where established before the date of the enactment of this Act—

(1) subject to all applicable laws (including regulations); and

(2) consistent with the purposes described in section 3(a).

(f) UTILITY RIGHT-OF-WAY UPGRADES.—Nothing in this Act precludes the Secretary from renewing or authorizing the upgrading of a utility right-of-way in existence as of the date of the enactment of this Act through the national monument—

(1) in accordance with—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other applicable law; and

(2) subject to such terms and conditions as the Secretary determines to be appropriate.

(g) VOLUNTEERS.—The Secretary shall allow for the continued access and work of volunteers at the national monument.

(h) RESEARCH.—Scientific research, including archeological research, educational, and interpretive uses shall be permitted within the Monument.

(i) OTHER ADMINISTRATIVE COSTS.—Any signs, fixtures, alterations, or additions needed in connection with the designation or advertisement of the Monument shall be paid for only with non-Federal funds or amounts made available for such purposes in prior Acts of appropriation.

(j) DESIGNATION OF MANAGER.—As soon as practicable after the management plan is developed under section 5(a), the Secretary shall designate an employee of the Department of Agriculture whose duties shall include acting as the point of contact for the management of the national monument.

(k) OTHER RECREATIONAL USES.—The Secretary shall allow continued use of the national monument for hunting, fishing, and other recreational uses authorized on the date of the enactment of this Act, except that the Secretary may implement temporary emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, or other purposes authorized by law.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary, in consultation with Indian tribes with a cultural or historic tie to Chimney Rock, shall develop a management plan for the national monument.

(b) PUBLIC COMMENT.—In developing the management plan, the Secretary shall provide an opportunity for public comment by—

(1) State and local governments;

(2) tribal governments; and

(3) any other interested organizations and individuals.

SEC. 6. LAND ACQUISITION.

The Secretary may acquire land and any interest in land within or adjacent to the boundary of the national monument by—

(1) purchase from willing sellers with donated or appropriated funds;

(2) donation; or

(3) exchange.

SEC. 7. WITHDRAWAL.

(a) IN GENERAL.—Subject to valid existing rights, all Federal land within the national monument (including any land or interest in land acquired after the date of the enactment of this Act) is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) subject to subsection (b), operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) LIMITATION.—Notwithstanding subsection (a)(3), the Federal land is not withdrawn for the purposes of issuance of gas pipeline rights-of-way within easements in existence as of the date of the enactment of this Act.

SEC. 8. EFFECT.

(a) WATER RIGHTS.—

(1) IN GENERAL.—Nothing in this Act affects any valid water rights, including water rights held by the United States.

(2) RESERVED WATER RIGHT.—The designation of the national monument does not create a Federal reserved water right.

(b) TRIBAL RIGHTS.—Nothing in this Act affects—

(1) the rights of any Indian tribe on Indian land;

(2) any individually held trust land or Indian allotment; or

(3) any treaty rights providing for nonexclusive access to or within the national monument by members of Indian tribes for traditional and cultural purposes.

(c) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State with respect to the management of fish and wildlife on public land in the State.

(d) ADJACENT USES.—Nothing in this Act—

(1) creates a protective perimeter or buffer zone around the national monument; or

(2) affects private property outside of the boundary of the national monument.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and 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 Utah?

There was no objection.

Mr. BISHOP of Utah. With that, Mr. Speaker, I would like to yield such time as he may consume to the sponsor of this bill, the gentleman from Colorado (Mr. TIPTON), who has done such great work to move this potential issue forward.

Mr. TIPTON. I thank the gentleman for yielding.

Mr. Speaker, this past weekend I had the opportunity to be in a truly remarkable part of the United States in southwestern Colorado, an area called Chimney Rock, which is an area renowned for its cultural heritage and its important archeological traits.

Chimney Rock is considered by the historic preservation community and the archeological community to be one of the most significant archeological sites in the western United States. Centuries ago, hundreds of early Native Americans called the area home. Archeologists have uncovered ancient farming areas, homes, and other structures, indicating that this was a major cultural center for these early Americans. The ancestors of modern Pueblo

Indians made a journey to this northernmost outpost of the Chacoan civilization to witness a rare lunar occurrence that they held to be sacred. Chimney Rock is only one of three sites like this in the entire world.

Despite the scarcity of this gem, the Chimney Rock site of the San Juan National Forest has yet to receive a designation worthy of its historical and cultural significance. The area is currently under the management of the U.S. Forest Service and is covered under the USFS Organic Act, which has no provision to be able to address preservation and the management of such a historic and culturally significant area as Chimney Rock.

H.R. 2621, the Chimney Rock National Monument Establishment Act, requires no additional Federal funds, and therefore no increase in spending. It ensures continued access to the area so that local ranchers will be able to utilize the lands that they depend on for grazing, for outdoorsmen to be able to continue to take advantage of the game opportunities in the area, and for members of the Indian tribes to be able to continue the use of Chimney Rock for traditional ceremonies. The bill also allows for continued archeological research and exploration in the area.

In addition to preserving and protecting the site's historical and cultural treasures, the national monument designation will give Chimney Rock the prestige and protection it deserves and elevate it to a status that will increase its exposure to the region and enable it to generate tourism, creating a potential economic boost for the surrounding communities and generating jobs. Without any new spending, making Chimney Rock a national monument will create a win-win situation for this remarkable place, for the local communities, the State of Colorado, Native Indian tribes, and future generations of American.

Mr. Speaker, it's my pleasure to able to sponsor H.R. 2621.

Mr. HEINRICH. I yield myself such time as I may consume.

(Mr. HEINRICH asked and was given permission to revise and extend his remarks.)

Mr. HEINRICH. I want to applaud the majority for bringing this strong conservation legislation to the House floor today to designate a national monument in Congressman TIPTON's district. There are a number of bills like Congressman TIPTON's waiting for action that would either designate a new national monument or provide designation of a new wilderness area. This includes a bill that I have sponsored to include new areas in the existing Manzano Mountains Wilderness.

Congratulations to Congressman TIPTON for his success in advancing local conservation efforts. I hope that this is the beginning of consideration of similar bills pending before the committee so that we can advance our conservation goals across the Nation.

I yield back the balance of my time.

Mr. BISHOP of Utah. In closing, may I just say that I want to commend the gentleman from Colorado (Mr. TIPTON) for taking the time and the effort to put forth a well thought-out and locally supported piece of legislation that designates an area of special significance in the district that he happens to represent. This legislation is an example of the way this type of designation should be done, as opposed to by administrative fiat under things like the Antiquities Act.

I urge the adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2621, as amended.

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. HEINRICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

AMENDMENT TO THE MESQUITE LANDS ACT OF 1986

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2745) to amend the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2745

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

SECTION 1. AMENDMENT TO THE MESQUITE LANDS ACT OF 1986.

Section 3 of Public Law 99–548 (commonly known as the ''Mesquite Lands Act of 1986'') is amended—

(1) in subsection (d)(3)(B), by inserting ''and implementation'' after ''development'';

(2) in subsection (e)—

(A) in paragraph (1)(A), by striking ''For a period of 12 years after the date of the enactment of this Act,'' and inserting ''Until November 29, 2020,'';

(B) in paragraph (3), by striking ''Not later than 10 years after the date of the enactment of this subsection,'' and inserting ''Not later than November 29, 2019,'';

(C) in paragraph (5), by striking ''the date that is 12 years after the date of the enactment of this subsection,'' and inserting ''the date specified in paragraph (1)(A),''; and

(D) in paragraph (6), by striking ''of each parcel'' and all that follows through the period and inserting ''of each parcel under this subsection shall be deposited into the General Treasury.''; and

(3) in subsection (f)—

(A) in paragraph (1), by striking ''Not later than 1 year after the date of the enactment of this subsection, the'' and inserting ''The'';

(B) in paragraph (2), by inserting after subparagraph (C) the following:

''(D) The approximately 218 acres of land depicted as 'Hiatus' on the map titled 'Mesquite Airport Conveyance' and dated January 13, 2012.'';

(C) in paragraph (3), by striking ''until the date that is 12 years after the date of the enactment of this subsection,'' and inserting ''until November 29, 2020,'';

(D) by amending paragraph (4) to read as follows:

''(4) REVERTER.—If the land conveyed pursuant to paragraph (1) is not used by the city as an airport or for another public purpose, it shall revert to the United States, at the option of the Secretary, except that the city shall have an exclusive right to purchase such land.''; and

(E) by redesignating paragraph (5) as paragraph (7) and by inserting after paragraph (4) the following:

''(5) RIGHT TO PURCHASE LAND.—Until November 29, 2020, the City of Mesquite, Nevada, subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et. seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.), shall have the exclusive right to purchase the parcels of public land described in paragraph (2) that the Secretary did not convey to the city pursuant to paragraph (1).

''(6) PROCEEDS OF SALE.—The proceeds of the sale of each parcel under this subsection shall be deposited into the General Treasury.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and 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 Utah?

There was no objection.

Mr. BISHOP of Utah. With that, Mr. Speaker, since this is a significant bill that makes a change that has been long overdue, I yield such time as he may consume to the sponsor of this bill, the gentleman from Nevada (Mr. HECK).

Mr. HECK. I rise in support of H.R. 2745, legislation amending the Mesquite Lands Act of 1986. The original Mesquite Lands Act provided the city of Mesquite, Nevada, the exclusive right to purchase, at fair market value, certain Federal land under the control of the Bureau of Land Management. As the city is landlocked by public lands and was the fastest growing city in the country for much of the 1990s, this legislation was amended in 1996 to allow the city to purchase additional Federal lands to ensure the city of Mesquite could continue to grow and prosper. In 1999, Congress passed the latest Mesquite Lands Act amendment with the specific purpose of providing land to construct a commercial airport and to provide more room for commercial and

industrial development to, again, meet future demands for a rapidly growing tourism industry.

In 2002, the U.S. Fish and Wildlife Service issued a Mesquite Lands Act Biological Opinion, which promulgated certain terms and conditions associated with the land sale. A key term contained in the opinion is a mandate that the city participate in the development and implementation of a Habitat Conservation and Recovery Plan and a Hydrologic Monitoring and Mitigation Plan along the Virgin River.

In response to this opinion, Congress made a technical amendment to the act within the Clark County Conservation of Public Land and Natural Resources Act of 2002 that set aside a portion of the proceeds from the sale of each parcel for the ''development'' of the Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. It is apparent that during the process language allowing for the ''implementation'' of these plans was inadvertently omitted from this amendment. Other land acts, such as the Lincoln and White Pine County Lands Act, clearly state that funds shall be expended on development and implementation of multispecies habitat conservation plans. I believe the same process should be applied to the Mesquite Lands Act.

H.R. 2745 is a legislative clarification regarding the special funds allowing for both the development and implementation of the Habitat Conservation and Recovery Plan and the Hydrologic Monitoring and Mitigation Plan. This is consistent with other plans in Nevada, and the same process should be applied to the city of Mesquite.

In addition to the clarification for the Habitat Conservation and Recovery Plan, there's an issue regarding the timing of the land sales identified in the 1999 amendment that is also addressed in H.R. 2745. The legislation originally gave the city of Mesquite 12 years to purchase the land from the date of enactment. However, due to severe economic conditions that continue to plague southern Nevada, along with a delay of the environmental impact statement for the airport site, the city is not in a position to purchase the final sections of property at this time, and therefore was not able to make this deadline. H.R. 2745 provides for an extension of an additional 8 years to allow economic conditions to improve.

In closing, I would again like to thank Chairman BISHOP and Ranking Member GRIJALVA, as well as the Natural Resources Committee Staff, for working with me on moving this legislation forward. H.R. 2745 will allow the city of Mesquite to continue to control the path of its future expansion and economic development, as well as correct an oversight in prior legislation.

□ 1720

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

(Mr. HEINRICH asked and was given permission to revise and extend his remarks.)

Mr. Speaker, this legislation allows the city of Mesquite, Nevada, to continue acquiring certain lands from the Federal Government for its commercial airport.

Under the original 1986 legislation, some receipts from the sale of Federal lands would be retained to fund habitat improvements along the Virgin River within Clark County. As amended, H.R. 2745 directs the proceeds from the land sales to the Treasury, thus leaving the habitat work unfunded.

While the conservation work is important and deserves funding, we do not object to this legislation.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

Authored by Congressman HECK, H.R. 2745 was amended by the Natural Resources Committee and is further amended today to ensure that there is no cost to the taxpayer. This will treat all proceeds from land sales uniformly and, again, at no cost to the taxpayer.

So I urge adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 2745, as amended.

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. HEINRICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

BLACK HILLS CEMETERY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3874

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 ''Black Hills Cemetery Act''.

SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LOCATED IN BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) CEMETERY CONVEYANCES REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the local communities in South Dakota that are currently managing and maintaining certain community cemeteries (as specified in subsection (b)) all right, title, and interest of the United States in and to—

(1) the parcels of National Forest System land containing such cemeteries; and

(2) up to an additional two acres adjoining each cemetery in order to ensure the conveyances include unmarked gravesites and allow for expansion of the cemeteries.

(b) PROPERTY AND RECIPIENTS.—The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:

(1) The Silver City Cemetery to the Silver City Volunteer Fire Department.

(2) The Hayward Cemetery to the Hayward Volunteer Fire Department.

(3) The encumbered land adjacent to the Englewood Cemetery (encompassing the cemetery entrance portal, access road, fences, 2,500 gallon reservoir and building housing such reservoir, and piping to provide sprinkling system to the cemetery) to the City of Lead.

(4) The land adjacent to the Mountain Meadow Cemetery to the Mountain Meadow Cemetery Association.

(5) The Roubaix Cemetery to the Roubaix Cemetery Association.

(6) The Nemo Cemetery to the Nemo Cemetery Association.

(7) The Galena Cemetery to the Galena Historical Society.

(8) The Rockerville Cemetery to the Rockerville Community Club.

(9) The Cold Springs Cemetery (including adjacent school yard and log building) to the Cold Springs Historical Society.

(c) CONDITION OF CONVEYANCE.—Each conveyance under subsection (a) shall be subject to the condition that the recipient accept the conveyed real property in its condition at the time of the conveyance.

(d) USE OF LAND CONVEYED.—The lands conveyed under subsection (a) shall continue to be used in the same manner and for the same purposes as they were immediately prior to their conveyance under this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey for a particular parcel shall be borne by the recipient of such parcel.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and 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 Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as she may consume to Mrs. NOEM of South Dakota, the sponsor of this bill, who has worked so hard and has done such a great job on it, to explain this commonsense bill.

Mrs. NOEM. Mr. Speaker, I thank the gentleman for yielding.

Today I rise in support of my legislation, H.R. 3874, the Black Hills Cemetery Act. This bill is of great importance to many communities in the Black Hills of South Dakota.

The Black Hills in South Dakota is home to a number of historic communities and cemeteries. Many of these originated in old mining towns in the 1800s. They have unique significance to the surrounding communities. These include the Englewood Cemetery, the Galena Cemetery, Hayward Cemetery, Mountain Meadows Cemetery, Roubaix Cemetery, Nemo Cemetery, Rockerville Cemetery, Silver City Cemetery, and the Cold Springs Cemetery.

These cemeteries are currently being managed by local cemetery associations or community groups in the surrounding areas, but have been technically owned by the U.S. Forest Service since the 1900s. This causes unnecessary liability for the U.S. Forest Service because of responsibility for upkeep and dealing with possible vandalism or damage to the property.

The Black Hills Cemetery Act would simply transfer ownership of these cemeteries and up to 2 acres of adjacent land to the caretaking communities that have managed them for generations under special-use permits issued by the Forest Service at almost no cost to taxpayers. It also makes clear that these cemeteries will continue to be used for the same purpose as they have always been used in the past.

I sponsored this bill at the request of these communities and the current caretakers of the cemeteries and in consultation with the U.S. Forest Service. An article by the Rapid City Journal talked about Dennis McMillin, who is chief of the local volunteer fire department that takes care of the Hayward Cemetery. He mentioned that passing this bill would make it less complicated for both the caretakers and for the United States Forest Service. He also mentioned that this bill is important because it allows for some expansion for those families who are still interested in burial plots.

A lot of local residents have relatives buried in these cemeteries, so this coming Memorial Day, many will pay their respects to family members. Many of these communities will hold special services on the cemetery grounds in the coming weeks. After the House passes this bill, these families and communities are one step closer to having these cemeteries officially in their care and will continue to do an excellent job managing them.

I would like to thank the communities and the local residents for their help in working with my office and for advocating for this bill. I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for helping me push this bill forward.

It is important for those reasons that we pass this bill and that the Senate does the same. These communities have been asking for a solution to this situation for a number of years, and as their Representative, I'm glad we have the opportunity to pass this bill today off the House floor.

I urge my colleagues to support and pass this bill for the communities in South Dakota.

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

(Mr. HEINRICH asked and was given permission to revise and extend his remarks.)

Mr. HEINRICH. Mr. Speaker, H.R. 3874 conveys cemeteries currently on Forest Service lands to communities in South Dakota. These local communities already manage and maintain these cemeteries, and the legislation requires that these lands continue to be used for cemetery purposes.

We have no objections to this legislation, and with that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

This commonsense piece of legislation moves nine parcels of land to the respective communities that currently manage and maintain these cemeteries. It frees the Forest Service from administering these cemeteries so they can focus on other jobs, like maybe tackling the growing mountain pine beetle epidemic in the Black Hills. It's a great bill, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3874, as amended.

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. BISHOP of Utah. Mr. Speaker, on that 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.

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2011

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 205) to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases,'' approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 205

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 ''Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2011'' or the ''HEARTH Act of 2011''.

SEC. 2. APPROVAL OF, AND REGULATIONS RELATED TO, TRIBAL LEASES.

The first section of the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955 (25 U.S.C. 415), is amended as follows:

(1) In subsection (d)—

(A) in paragraph (4), by striking ''the Navajo Nation'' and inserting ''an applicable Indian tribe'';

(B) in paragraph (6), by striking ''the Navajo Nation'' and inserting ''an Indian tribe'';

(C) in paragraph (7), by striking ''and'' after the semicolon at the end;

(D) in paragraph (8)—

(i) by striking ''the Navajo Nation'';

(ii) by striking ''with Navajo Nation law'' and inserting ''with applicable tribal law''; and

(iii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(9) the term 'Indian tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a); and

''(10) the term 'individually owned allotted land' means a parcel of land that—

''(A)(i) is located within the jurisdiction of an Indian tribe; or

''(ii) is held in trust or restricted status by the United States for the benefit of an Indian tribe or a member of an Indian tribe; and

''(B) is allotted to a member of an Indian tribe.''.

(2) By adding at the end the following:

''(h) TRIBAL APPROVAL OF LEASES.—

''(1) IN GENERAL.—At the discretion of any Indian tribe, any lease by the Indian tribe for the purposes authorized under subsection (a) (including any amendments to subsection (a)), except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary, if the lease is executed under the tribal regulations approved by the Secretary under this subsection and the term of the lease does not exceed—

''(A) in the case of a business or agricultural lease, 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years; and

''(B) in the case of a lease for public, religious, educational, recreational, or residential purposes, 75 years, if such a term is provided for by the regulations issued by the Indian tribe.

''(2) ALLOTTED LAND.—Paragraph (1) shall not apply to any lease of individually owned Indian allotted land.

''(3) AUTHORITY OF SECRETARY OVER TRIBAL REGULATIONS.—

''(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any tribal regulations issued in accordance with paragraph (1).

''(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any tribal regulation issued in accordance with paragraph (1), if the tribal regulations—

''(i) are consistent with any regulations issued by the Secretary under subsection (a) (including any amendments to the subsection or regulations); and

''(ii) provide for an environmental review process that includes—

''(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

''(II) a process for ensuring that—

''(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Indian tribe; and

''(bb) the Indian tribe provides responses to relevant and substantive public comments on

any such impacts before the Indian tribe approves the lease.

''(C) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, upon request of the Indian tribe, for development of a regulatory environmental review process under subparagraph (B)(ii).

''(D) INDIAN SELF-DETERMINATION ACT.—The technical assistance to be provided by the Secretary pursuant to subparagraph (C) may be made available through contracts, grants, or agreements entered into in accordance with, and made available to entities eligible for, such contracts, grants, or agreements under the Indian Self-Determination Act (25 U.S.C. 450 et seq).

''(4) REVIEW PROCESS.—

''(A) IN GENERAL.—Not later than 120 days after the date on which the tribal regulations described in paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

''(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the tribal regulations described in paragraph (1), the Secretary shall include written documentation with the disapproval notification that describes the basis for the disapproval.

''(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Indian tribe.

''(5) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (3) and (4), if an Indian tribe carries out a project or activity funded by a Federal agency, the Indian tribe shall have the authority to rely on the environmental review process of the applicable Federal agency rather than any tribal environmental review process under this subsection.

''(6) DOCUMENTATION.—If an Indian tribe executes a lease pursuant to tribal regulations under paragraph (1), the Indian tribe shall provide the Secretary with—

''(A) a copy of the lease, including any amendments or renewals to the lease; and

''(B) in the case of tribal regulations or a lease that allows for lease payments to be made directly to the Indian tribe, documentation of the lease payments that are sufficient to enable the Secretary to discharge the trust responsibility of the United States under paragraph (7).

''(7) TRUST RESPONSIBILITY.—

''(A) IN GENERAL.—The United States shall not be liable for losses sustained by any party to a lease executed pursuant to tribal regulations under paragraph (1).

''(B) AUTHORITY OF SECRETARY.—Pursuant to the authority of the Secretary to fulfill the trust obligation of the United States to the applicable Indian tribe under Federal law (including regulations), the Secretary may, upon reasonable notice from the applicable Indian tribe and at the discretion of the Secretary, enforce the provisions of, or cancel, any lease executed by the Indian tribe under paragraph (1).

''(8) COMPLIANCE.—

''(A) IN GENERAL.—An interested party, after exhausting of any applicable tribal remedies, may submit a petition to the Secretary, at such time and in such form as the Secretary determines to be appropriate, to review the compliance of the applicable Indian tribe with any tribal regulations approved by the Secretary under this subsection.

''(B) VIOLATIONS.—If, after carrying out a review under subparagraph (A), the Secretary determines that the tribal regulations were violated, the Secretary may take any action the Secretary determines to be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases of tribal trust lands.

''(C) DOCUMENTATION.—If the Secretary determines that a violation of the tribal regulations has occurred and a remedy is necessary, the Secretary shall—

''(i) make a written determination with respect to the regulations that have been violated;

''(ii) provide the applicable Indian tribe with a written notice of the alleged violation together with such written determination; and

''(iii) prior to the exercise of any remedy, the rescission of the approval of the regulation involved, or the reassumption of lease approval responsibilities, provide the applicable Indian tribe with—

''(I) a hearing that is on the record; and

''(II) a reasonable opportunity to cure the alleged violation.

''(9) SAVINGS CLAUSE.—Nothing in this subsection shall affect subsection (e) or any tribal regulations issued under that subsection.''.

SEC. 3. LAND TITLE REPORTS.

(a) IN GENERAL.—The Bureau of Indian Affairs shall prepare and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate a report regarding the history and experience of Indian tribes that have chosen to assume responsibility for operating the Indian Land Title and Records Office (referred to in this section as the ''LTRO'') functions from the Bureau of Indian Affairs.

(b) CONSULTATION.—In conducting the review under subsection (a), the Bureau of Indian Affairs shall consult with the Department of Housing and Urban Development Office of Native American Programs and the Indian tribes that are managing LTRO functions (referred to in this section as the ''managing Indian tribes'').

(c) CONTENTS.—The review under subsection (a) shall include an analysis of the following factors:

(1) Whether and how tribal management of the LTRO functions has expedited the processing and issuance of Indian land title certifications as compared to the period during which the Bureau of Indian Affairs managed the programs.

(2) Whether and how tribal management of the LTRO functions has increased home ownership among the population of the managing Indian tribe.

(3) What internal preparations and processes were required of the managing Indian tribes prior to assuming management of the LTRO functions.

(4) Whether tribal management of the LTRO functions resulted in a transfer of financial resources and manpower from the Bureau of Indian Affairs to the managing Indian tribes and, if so, what transfers were undertaken.

(5) Whether, in appropriate circumstances and with the approval of geographically proximate Indian tribes, the LTRO functions may be performed by a single Indian tribe or a tribal consortium in a cost effective manner.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and 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 Utah?

There was no objection.

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

Under current law, each and every nonmineral lease that a tribe executes with a third party is subject to approval of the Department of the Interior before it can take effect. It doesn't matter whether the tribe and a third party have negotiated the terms of a lease to their mutual satisfaction; Washington, D.C., ultimately decides because, after all, Washington, D.C., always knows better.

Unfortunately, the result of this paternalism is predictable—the leases do not get approved on a timely basis, if at all. The government has erected all kinds of regulatory hurdles for tribes leasing their lands. In the private sector, time is money; and when the government delay costs money, investors take their business elsewhere.

In 2000, Congress agreed with a request by the Navajo Nation to let the tribe lease its land without Federal approval so long as the leasing occurs under tribal regulations and they have been approved by the Secretary. The amendments absolve taxpayers from liability for leasing decisions the Navajo Nation makes.

For years, many tribes have pleaded with Congress to let them manage their lands with less Federal supervision. H.R. 205 simply allows any tribe the same option that the Navajo Nation already enjoys. While this bill does not completely remove the government from tribal lands, which would be our goal, it takes a step in the right direction.

□ 1730

A previous version of this bill was introduced and ordered reported in the very last Congress, but it languished and saw no further action. So I am very pleased today that this bill, sponsored by a Democrat Member, that decreases Federal regulation of Indian lands is poised to pass with very strong bipartisan support.

I urge adoption of this measure, and I reserve the balance of my time.

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

(Mr. HEINRICH asked and was given permission to revise and extend his remarks.)

Mr. HEINRICH. Mr. Speaker, shortly after being elected to Congress, I met with some New Mexico tribal leaders who brought to my attention the onerous process for securing a long-term lease on trust land—an unnecessary procedural burden that affects every single home mortgage on Indian land.

We all know how important homeownership is to healthy communities, and the last thing the Federal Government should do is stand in the way of families ready and willing to buy a home. That's why I introduced this bill, the Helping Expedite and Advance Responsible Tribal Home Ownership Act, which we call the HEARTH Act.

Native families buying a house go through the same process as everyone else—they find a house they like, work with their bank to gain approval for a mortgage, and make an offer to the seller. But before these families can close on the sale, they must also get approval from the Bureau of Indian Affairs to lease the land that the house is

built on. That approval can take between 6 months and 2 years—an intolerable delay for most buyers.

We all know that a seller is rarely able to wait 2 years to sell their house, and banks are often unable to hold a mortgage approval for anywhere near that long. I know that there are many Native families who would prefer to stay and raise their children in the communities where their families have lived for generations, but instead have had to move from Indian Country to nearby cities because they want to own a home. Families shouldn't be forced to make such an important decision based on how many months, or years, it will take a Federal bureaucracy to approve a mortgage on tribal land.

Similarly, many tribal communities lose out on commercial investment because the process for securing a lease through the BIA takes so long. In these tough economic times, we should not be making it harder for business to develop on tribal land.

The HEARTH Act would allow tribes to develop their own leasing regulations and make leasing decisions on the tribal level rather than waiting for BIA approval. Under the bill, tribes would submit their regulations to the Secretary of the Interior for approval. Once the regulations are approved, tribes would be authorized to make their own decisions about how to lease their land in accordance with approved leases. This process would be completely voluntary for tribes. A tribe that chooses not to submit leasing regulations for approval would continue under the current system of BIA approval.

Many tribes already have a lease approval process through their tribal government that approves land leases before they're even sent to the BIA. For those tribes that want the authority and responsibility for making final leasing decisions at the tribal level, the HEARTH Act would give them the option of doing so.

Our Nation is home to a vast diversity of tribes, and Federal policy should reflect that diversity. The HEARTH Act will allow tribes to exercise greater control over their own land, support self-determination, and eliminate bureaucratic delays that stand in the way of homeownership and economic development in tribal communities.

Mr. Speaker, before I close, I want to make sure to thank Representatives MARKEY, HASTINGS, BOREN, YOUNG, KILDEE, COLE, and LUJÁN for their meaningful work on this important legislation. Again, I ask my colleagues to vote ''yes'' on this important bipartisan bill to support Native families and communities.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Oklahoma (Mr. COLE), who has proven an expert as well as totally versed on the issues of Native Americans in the United States.

Mr. COLE. I thank the gentleman for yielding, and I thank him for those exceptionally generous comments.

Mr. Speaker, I rise today in support of H.R. 205, the HEARTH Act, by the gentleman from New Mexico (Mr. HEINRICH). I want to commend him for bringing forward and working so hard to secure the passage of this genuinely important piece of legislation.

Increased opportunity for economic development in Indian Country is the best way to raise the standards of living for tribal members. This legislation will help break down the barriers to economic development by making needed reforms to tribal leasing regulations.

H.R. 205 will streamline the existing bureaucratic process for leasing tribal trust lands by providing Indian tribes with the option to develop and manage their own surface leasing regimes.

Existing law requires that each lease of tribal surface lands be approved by the Secretary of the Interior. The secretarial approval process is costly, time consuming, often results in lost business and economic opportunities for tribal communities, and is far too cumbersome to be helpful to those it's designed to protect. These lease reforms come from a pilot program which implemented this same regime on the Navajo reservation over a decade ago. Based on the success of that pilot, it's only natural that these reforms be available to all tribes.

Under H.R. 205, once a tribe's own surface leasing regime is approved by the Department of the Interior, the tribe can proceed to negotiate, approve, and administer leases of tribal trust lands under its control. Passage of H.R. 205 will enable tribal governments to assume responsibility for the management of their lands, reduce Federal costs and government liability, and encourage more housing and economic development on Indian lands, resulting ultimately in job creation.

This bill has strong bipartisan support, is a priority for Indian Country, and is strongly supported by the administration. It empowers tribes, encourages tribal self-government, decreases the dependency of tribes on the Federal Government, and speeds up economic development in Indian Country.

I urge my colleagues to vote in favor of H.R. 205, the HEARTH Act. Again, I want to commend the gentleman from New Mexico for his hard work on this important legislation.

Mr. HEINRICH. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I could not help but listen with tremendous interest, and also to commend my good friend from Oklahoma, who also is the cochairman of our Native American Congressional Caucus. I fully associate myself with the eloquent remarks that he has made in addressing the needs of this legislation that needs to be passed.

I also want to commend my good friend from Utah and the gentleman from New Mexico for their management of this piece of legislation that is so important to our Native American community.

Mr. HEINRICH. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. I urge adoption of this bill, and I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I rise in support of the legislation introduced by the gentleman from New Mexico (Mr. HEINRICH). The HEARTH Act will further tribal self-governance and self-determination by authorizing willing Indian tribes to take control of surface leasing on their own lands. Once tribal regulations are approved by the Secretary of the Interior, tribes will be able to lease their lands without federal oversight. H.R. 205 is groundbreaking legislation that enhances tribal control over tribal resources and I ask my colleagues to vote for its passage.

Importantly, H.R. 205 authorizes leasing activity for residential, business, and other purposes. A tribe could therefore use its authority under the HEARTH Act to engage in renewable energy projects on their lands. Indian country has the potential to develop millions of megawatts of wind and solar energy. This bill will help Tribes pursue the economic, environmental and national security benefits that clean energy provides to all Americans.

During the Natural Resources Committee markup, a Democratic amendment added language to authorize tribes to seek the Secretary's technical assistance in developing a regulatory environmental review process for all types of leasing activity. If a tribe chooses to use its new authority to engage in leasing activity for renewable energy projects, for example, it can call upon the expertise of the Department of the Interior to inform development of an appropriate environmental review process. I'm confident that this will enhance tribes' ability to be the best managers of their own lands.

H.R. 205 also requires that approved tribal regulations must be ''consistent with'' existing federal regulations. The United States recognizes tribal primacy for a number of programs under three critical environmental laws—the Clean Water Act, the Safe Drinking Water Act and the Clean Air Act. Tribes have successfully demonstrated their ability to implement these laws. I fully expect that tribes will do the same with the HEARTH Act requirement that their leasing regulations, at a minimum, meet existing federal standards and may even choose to regulate more stringently where appropriate.

I applaud Mr. HEINRICH's leadership on this bill and again encourage my colleagues from both sides of the aisle to vote in favor of H.R. 205.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 205—The HEARTH ACT, and recognize the vital importance of homeownership and tribal self governance.

I am proud to serve as a cosponsor of this legislation and wish to thank Congressman HEINRICH for sponsoring this bill.

Homeownership is an essential part of the American dream.

Native American families desire to own their own homes just like other citizens of our nation.

Currently Native families can face up to a two year wait to purchase a home on tribal lands because of the bureaucratic red tape at the Bureau of Indian Affairs.

This long wait can be harmful to Native people because sellers often cannot wait for the time it takes for Bureau of Indian Affairs approval. This could result in lands within reservation borders being sold away from tribal members.

The HEARTH ACT allows tribal governments to approve trust land leases directly, significantly reducing the wait for approval and easing the home buying process for tribal families.

In the current housing market, the last thing the federal government should be doing is standing in the way of families looking to buy a home.

I urge my colleagues to join me in supporting homeownership for out Nation's first people, and ask that they vote yes on H.R. 205.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 205, the Helping Expedite and Advance Responsible Tribal Home Ownership (HEARTH) Act of 2011. As a member of the Native American Caucus and a proud co-sponsor of this legislation, I believe the HEARTH Act is an important step forward in supporting tribal self-determination and self-governance.

Native American families buying homes have to go through a unique and burdensome process that involves securing approval from the Federal Bureau of Indian Affairs to lease tribal land. This application process can take as long as two years to complete, often making the dream of owning a home on their tribal land unattainable. Sellers and mortgage lenders are usually unable or unwilling to wait this long, and buyers often resort to moving off tribal land.

The Bureau of Indian Affairs (BIA) plays an important role in the education, healthcare, infrastructure maintenance and law enforcement, among other services, for Native Alaskans and American Indians. The BIA oversees more than 55 million acres of some of the most economically depressed and isolated areas of the United States and is critical in improving the quality life of its members.

The HEARTH Act is a plan for reform that will improve the efficiency of the Bureau of Indian Affairs and will shift important responsibilities to tribes. Under this Act, tribes. Under this Act, tribes will develop their own regulations to be approved by the Secretary of the Interior, and local leaders can assume control over their own leasing processes. Families will avoid the lengthy wait and can seize the opportunity to invest in land that has been in their family and tribe for generations.

Mr. Speaker, I encourage my colleagues to join me in voting for this critical legislation. This is a bill we can all support as it will improve the efficiency of one of our federal bureaus while simultaneously improving housing opportunities for Native American populations. Home ownership is an important part of the American dream, and the HEARTH Act will help hard-working American families achieve that goal.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 205, as amended.

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. BISHOP of Utah. Mr. Speaker, on that 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.

AMBASSADOR JAMES R. LILLEY AND CONGRESSMAN STEPHEN J. SOLARZ NORTH KOREA HUMAN RIGHTS REAUTHORIZATION ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4240) to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4240

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 ''Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7801 et seq.) and the North Korean Human Rights Reauthorization Act of 2008 (Public Law 110–346) were the product of broad, bipartisan consensus regarding the promotion of human rights, transparency in the delivery of humanitarian assistance, and the importance of refugee protection.

(2) In addition to the longstanding commitment of the United States to refugee and human rights advocacy, the United States is home to the largest Korean population outside of northeast Asia, and many in the two-million strong Korean-American community have family ties to North Korea.

(3) Although the transition to the leadership of Kim Jong-Un after the death of Kim Jong-Il has introduced new uncertainties and possibilities, the fundamental human rights and humanitarian conditions inside North Korea remain deplorable, North Korean refugees remain acutely vulnerable, and the findings in the 2004 Act and 2008 Reauthorization remain substantially accurate today.

(4) Media and nongovernmental organizations have reported a crackdown on unauthorized border crossing during the North Korean leadership transition, including authorization for on-the-spot execution of attempted defectors, as well as an increase in punishments during the 100-day official mourning period after the death of Kim Jong-Il.

(5) Notwithstanding high-level advocacy by the United States, the Republic of Korea, and the United Nations High Commissioner for Refugees, China has continued to forcibly repatriate North Koreans, including dozens of presumed refugees who were the subject of international humanitarian appeals during February and March of 2012.

(6) The United States, which has the largest international refugee resettlement program in the world, has resettled 128 North Koreans since passage of the 2004 Act, including 23 North Koreans in fiscal year 2011.

(7) In a career of Asia-focused public service that spanned more than half a century, including service as a senior United States diplomat in times and places where there were significant challenges to human rights, Ambassador James R. Lilley also served as a director of the Committee for Human Rights in North Korea until his death in 2009.

(8) Following his 18 years of service in the House of Representatives, including as Chairman of the Foreign Affairs Subcommittee on East Asian and Pacific Affairs, Stephen J. Solarz committed himself to, in his words, highlighting ''the plight of ordinary North Koreans who are denied even the most basic human rights, and the dramatic and heart-rending stories of those who risk their lives in the struggle to escape what is certainly the world's worst nightmare'', and served as co-chairman of the Committee for Human Rights in North Korea until his death in 2010.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should continue to seek cooperation from foreign governments to allow the United States to process North Korean refugees overseas for resettlement in the United States, through persistent diplomacy by senior officials of the United States, including United States ambassadors to Asia-Pacific countries, and close cooperation with its ally, the Republic of Korea; and

(2) because there are genuine refugees among North Koreans fleeing into China who face severe punishments upon their forcible return, the United States should urge the People's Republic of China to—

(A) immediately halt its forcible repatriation of North Koreans;

(B) fulfill its obligations pursuant to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the 1995 Agreement on the Upgrading of the UNHCR Mission in the People's Republic of China to UNHCR Branch Office in the People's Republic of China; and

(C) allow the United Nations High Commissioner for Refugees (UNHCR) unimpeded access to North Koreans inside China to determine whether such North Koreans are refugees requiring protection.

SEC. 4. SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.

Section 102(b)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking ''2012'' and inserting ''2017''.

SEC. 5. RADIO BROADCASTING TO NORTH KOREA.

Not later than 120 days after the date of the enactment of this Act, the Broadcasting Board of Governors (BBG) shall submit to the appropriate congressional committees, as defined in section 5(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7803(1)), a report that describes the status and content of current United States broadcasting to North Korea and the extent to which the BBG has achieved the goal of 12-hour-per-day broadcasting to North Korea pursuant to section 103 of such Act (22 U.S.C. 7813).

SEC. 6. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.

Subsections (b)(1) and (c) of section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended by striking ''2012'' and inserting ''2017'' each place it appears.

SEC. 7. SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.

Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) by striking ''2012'' and inserting ''2017''.

SEC. 8. REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.

Section 201(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in the matter preceding paragraph (1), by striking ''2012'' and inserting ''2017''.

SEC. 9. ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.

Section 203(c)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833(c)(1)) is amended—

(1) by striking ''$20,000,000'' and inserting ''$5,000,000''; and

(2) by striking ''2005 through 2012'' and inserting ''2013 through 2017''.

SEC. 10. ANNUAL REPORTS.

Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking ''2012'' and inserting ''2017''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend and to submit extraneous materials for the RECORD.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4240, the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012. I would like to thank my coauthor and ranking member, my good friend, Mr. BERMAN, and the dozens of bipartisan cosponsors who have joined us to continue the important human rights work that Congress began 9 years ago.

The North Korean regime remains one of the world's worst human rights abusers as the legacy of tyranny has been passed on to a new generation.

South Korea's National Human Rights Commission detailed, in a 380-page report released earlier this month, that Kim Jong-Un maintains the same hellish gulag as his father and grandfather before him.

Hundreds of thousands of men, women, and children are forced into slave labor, starved, and tortured to death in isolated camps. Even outside the camps, the North Korean people enjoy no freedoms of speech, religion, press, or assembly.

□ 1740

Officials crush any dissent and have reportedly authorized the on-the-spot execution of those attempting to flee the country.

A regime that maims its own people with impunity, cannot be trusted to keep its agreements with foreigners. Thus, solving the North Korean human rights issue is also an integral part of addressing the North Korean security threat.

North Korean women and girls are brutalized and trafficked in China, where they are sold into forced marriage and sexual slavery. And China, which sits on the Executive Board of the U.N.'s Refugee Protection Body, continues to forcibly repatriate North Koreans into danger.

H.R. 4240, Mr. Speaker, will continue the important bipartisan work of the North Korean Human Rights Act by extending, until the year 2017, its authorities to promote human rights, refugee protection, and freedom of information for the people of North Korea.

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

Mr. BERMAN. Mr. Speaker, I rise in strong support of H.R. 4240.

Mr. Speaker, I rise in strong support of H.R. 4240, The Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korean Human Rights Reauthorization Act of 2012, and I yield myself as much time as I may consume.

I'd like to begin by thanking the gentlelady from Florida and Chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for her leadership on this issue.

H.R. 4240 reauthorizes the North Korean Human Rights Act of 2004, along with some provisions that were included in the 2008 reauthorization. This bill, like its predecessors, is the product of a broad, bipartisan consensus regarding the atrocious human rights situation in North Korea.

This legislation continues to provide resources to assist North Korean refugees, support democracy and human rights programs, and promote freedom of information in the North. It also extends the Special Envoy for North Korean Human Rights Issues—a vital position that plays a central role in advocating for improved human rights in the North.

As innocent men, women and children flee the repressive North Korean regime at great personal risk, we have a moral obligation to assist these refugees and prevent their forcible repatriation. We must continue working with our close ally South Korea, other friends in the region, and the human rights community to expose the horrendous abuses being committed in the North.

Despite North Korea's efforts to appear ''strong and prosperous'' this year to celebrate the 100th birthday of the country's founder, vast numbers of its citizens continue to face starvation. Sadly, the North Korean regime's misguided priorities—pouring hundreds of millions of dollars into its so-called space program, its nuclear programs and its massive military—only underscore its cold-hearted callousness and blatant disregard for its own people.

For the vast majority of North Koreans, life remains as bleak as ever, with the average citizen enjoying no real political, religious, or personal freedoms. Hundreds of thousands of North Korean political prisoners remain imprisoned in gulags.

Some North Koreans endeavor to escape their country by any means possible—even if it means crossing into China, where many refugees are forced into prostitution and servitude. Others are sent back across the border to face torture or even death.

This bill calls on China to halt its forcible repatriation of North Koreans and allow the United Nations High Commissioner for Refugees unimpeded access to North Koreans inside China to determine whether fleeing North Koreans require protection.

Mr. Speaker, H.R. 4240 is an important demonstration of our bipartisan commitment to assist the North Korean people, and I urge my colleagues to support it.

I yield such time as he may consume to my friend and colleague from American Samoa (Mr. FALEOMAVAEGA), the ranking member of the Asia and Pacific Subcommittee.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend my good friend, the chairwoman of our Foreign Affairs Committee, as well as our ranking member, Mr. BERMAN, for bringing this legislation. And I am in full support, and I do associate myself with the comments and the statements made earlier by our great chairman as well as our ranking member, Mr. BERMAN.

I urge my colleagues to support this piece of legislation.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 4240, to reauthorize the North Korean Human Rights Act of 2004, and for other purposes. First, I want to thank House Foreign Affairs Chairwoman ILEANA ROS-LEHTINEN of Florida and Ranking Member HOWARD BERMAN of California for their leadership on this very critical issue. I also want to thank all the cosponsors and supporters of this legislation. This is an important piece of legislation because of the humanitarian assistance the U.S. provides North Korean refugees and for the promotion of democracy and freedom in North Korea.

H.R. 4240, or the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korea Human Rights Reauthorization Act of 2012, will allow the U.S. to continue to work with foreign countries in the assistance and migration of North Korean refugees to the U.S. It will also urge foreign countries, especially China, to stop the punishment and return of North Korean refugees. Importantly, H.R. 4240 will assist those who are providing humanitarian aid to North Koreans who are outside of North Korea.

Given that the U.S. has one of the largest Korean populations outside of the Korean Peninsula with millions who have ties to North Korea, the U.S. must continue its firm commitment to the aid of refugees and advocacy of human rights for the victims in North Korea. Even after the death Kim Jong-Il, North Korea continues to deprive its people of the most basic human rights. Both the international media and nongovernmental organizations continue to report of the severe military crackdown and brutal punishment for those who attempt to defect from North Korea.

Although it is estimated that there are less than 200 North Korean refugees who have resettled in the U.S. since 2004, I strongly believe that we must empower the North Korean people by continuing to promote democratic values and support of human rights programs.

On a personal note, I think it is only appropriate that this legislation is named in honor of the late Ambassador Lilley and the late Congressman Solarz who were the champions of human rights issues for the people of North

Koreans. I even had the privilege to work closely with the late Congressman Solarz, who was Chairman of the East Asian and Pacific Affairs, the same subcommittee of which I am the Ranking Member today. I am grateful for his leadership and understanding of the Asia Pacific region.

Just as Ambassador Lilley and Congressman Solarz worked hard to protect the human rights of the North Korean people, we must remain vigilant in helping the people of North Korea who struggle daily to escape the oppression and tyranny of the North Korean regime.

Again, I thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for their leadership and I urge my colleagues to pass H.R. 4240.

Mr. BERMAN. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H.R. 4240, the Ambassador James R. Lilley and Congressman Stephen J. Solarz North Korean Human Rights Reauthorization Act of 2012. I commend Chairman ROS-LEHTINEN and Ranking Member BERMAN and the members of the House Foreign Affairs Committee for bringing this important measure to the floor.

Ambassador Lilley, as director of the Committee for Human Rights in North Korea and Congressman Solarz, as chairman of the House subcommittee on East Asia and later as co-chairman of the Committee on Human Rights in North Korea, refused to stand by silently as the North Korean government oppressed, abused and murdered its own people. Their leadership and advocacy helped to raise awareness about the deplorable conditions endured by the North Korean people, including the government's practice of executing on-the-spot attempted defectors.

This resolution encourages the United States government to continue working with foreign governments and with the Peoples Republic of China in particular, to help resettle refugees who escape North Korea. Additionally, the bill recognizes the efforts undertaken in North Korea by the Broadcasting Board of Governors and encourages the board to meet its goal of broadcasting 12 hours of daily radio transmissions into that country.

The United States has the largest international refugee resettlement program in the world. Since this Act was originally passed, 128 North Koreans have been successfully resettled, including 23 in the last year. The success of this program is a fitting tribute to the memory and work of Ambassador Lilley and Congressman Solarz.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4240, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF HOUSE REGARDING IMPORTANCE OF PREVENTING IRAN FROM ACQUIRING A NUCLEAR WEAPONS CAPABILITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 568) expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 568

Whereas since at least the late 1980s, Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear capability;

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding the full and sustained suspension of all uranium enrichment-related and reprocessing activities by the Iranian Government and its full cooperation with the International Atomic Energy Agency (IAEA) on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas Iran remains in violation of all of the aforementioned United Nations Security Council resolutions;

Whereas, on November 8, 2011, the IAEA issued an extensive report that—

(1) documents ''serious concerns regarding possible military dimensions to Iran's nuclear programme'';

(2) states that ''Iran has carried out activities relevant to the development of a nuclear device''; and

(3) states that the efforts described in paragraphs (1) and (2) may be ongoing;

Whereas as of November 2008, Iran had produced, according to the IAEA—

(1) approximately 630 kilograms of uranium-235 enriched to 3.5 percent; and

(2) no uranium-235 enriched to 20 percent;

Whereas as of November 2011, Iran had produced, according to the IAEA—

(1) nearly 5,000 kilograms of uranium-235 enriched to 3.5 percent; and

(2) 79.7 kilograms of uranium-235 enriched to 20 percent;

Whereas, on January 9, 2011, IAEA inspectors confirmed that the Iranian Government had begun enrichment activities at the Fordow site, including possibly enrichment of uranium-235 to 20 percent;

Whereas Iran has repeatedly refused requests by IAEA inspectors to visit its Parchin military facility, a suspected site of Iranian activities related to testing of a nuclear weapon;

Whereas if Iran were successful in acquiring a nuclear weapon capability, it would likely spur other countries in the region to consider developing their own nuclear weapons capabilities;

Whereas, on December 6, 2011, Prince Turki al-Faisal of Saudi Arabia stated that if international efforts to prevent Iran from obtaining nuclear weapons fail, ''we must, as a duty to our country and people, look into all options we are given, including obtaining these weapons ourselves'';

Whereas top Iranian leaders have repeatedly threatened the existence of the State of Israel, pledging to ''wipe Israel off the map'';

Whereas the Department of State—

(1) has designated Iran as a ''state sponsor of terrorism'' since 1984; and

(2) has characterized Iran as the ''most active state sponsor of terrorism'';

Whereas Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hezbollah, and Shiite militias in Iraq that are responsible for the murders of hundreds of American forces and innocent civilians;

Whereas, on July 28, 2011, the Department of the Treasury charged that the Government of Iran had forged a ''secret deal'' with al Qaeda to facilitate the movement of al Qaeda fighters and funding through Iranian territory;

Whereas in October 2011, senior leaders of Iran's Islamic Revolutionary Guard Corps (IRGC) Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on United States soil;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran, including torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and ''the systematic and serious restrictions on freedom of peaceful assembly'', as well as severe restrictions on the rights to ''freedom of thought, conscience, religion or belief'';

Whereas the Governments of the P5+1 nations (the United States, the United Kingdom, France, Russia, China, and Germany) have made repeated efforts to engage the Iranian Government in dialogue about Iran's nuclear program and its international commitments under the Treaty on the Non-Proliferation Nuclear Weapons;

Whereas talks between the P5+1 and Iran regarding Iran's nuclear program resumed on April 14, 2012, in Istanbul, Turkey, and the parties agreed to meet again on May 23, 2012, in Baghdad, Iraq;

Whereas in the 2006 State of the Union Address, President Bush stated that ''The Iranian Government is defying the world with its nuclear ambitions, and the nations of the world must not permit the Iranian regime to gain nuclear weapons.'';

Whereas, on March 31, 2010, President Obama stated that the ''consequences of a nuclear-armed Iran are unacceptable'';

Whereas in his State of the Union Address on January 24, 2012, President Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Secretary of Defense Panetta stated, in December 2011, that it was unacceptable for Iran to acquire nuclear weapons, reaffirmed that all options were on the table to thwart Iran's nuclear weapons efforts, and vowed that if the United States gets ''intelligence that they are proceeding with developing a nuclear weapon then we will take whatever steps necessary to stop it'';

Whereas, on December 1, 2011, Deputy Secretary of State William J. Burns and Israeli Deputy Foreign Minister Daniel Ayalon issued a joint statement in Washington, DC, which emphasized that ''Iran is the greatest challenge we face today in the Middle East'' and that ''[c]ontinued efforts by the international community are critical to bringing about change in Iranian behavior and preventing Iran from developing a nuclear weapons capability.'';

Whereas the Department of Defense's January 2012 Strategic Guidance stated that United States defense efforts in the Middle East would be aimed ''to prevent Iran's development of a nuclear weapons capability and counter its destabilizing policies'';

Whereas, on March 4, 2012, President Obama stated that ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.''; and

Whereas, on April 9, 2012, President Obama stated ''[T]his continuing pursuit of nuclear weapons capability continues to be a major challenge.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) warns that time is limited to prevent the Government of Iran from acquiring a nuclear weapons capability;

(2) urges continued and increasing economic and diplomatic pressure on Iran to secure an agreement with the Government of Iran that includes—

(A) the full and sustained suspension of all uranium enrichment-related and reprocessing activities;

(B) complete cooperation with the IAEA on all outstanding questions related to Iran's nuclear activities, including—

(i) the implementation of the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons; and

(ii) the verified end of Iran's ballistic missile programs; and

(C) a permanent agreement that verifiably assures that Iran's nuclear program is entirely peaceful;

(3) expresses support for the universal rights and democratic aspirations of the Iranian people;

(4) affirms that it is a vital national interest of the United States to prevent the Government of Iran from acquiring a nuclear weapons capability;

(5) strongly supports United States policy to prevent the Government of Iran from acquiring a nuclear weapons capability;

(6) rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran; and

(7) urges the President to reaffirm the unacceptability of an Iran with nuclear-weapons capability and opposition to any policy that would rely on containment as an option in response to the Iranian nuclear threat.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend and to submit extraneous materials for the RECORD.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 568, which I introduced, together with the distinguished ranking member of the committee, the gentleman from California (Mr. BERMAN), my friend.

The Iranian regime continues to pose an immediate and growing threat to the United States, to our allies, and to the Iranian people. In fact, just over the weekend, it was reported that the IAEA discovered a drawing that shows an explosive containment chamber of the type needed for nuclear arms-related tests. This was based on information from inside an Iranian military base.

Iran remains the world's leading state sponsor of terrorism, aiding multiple groups, including Hezbollah and Hamas, which continue to destabilize the Middle East and which are responsible for the deaths of Americans. It was only a few months ago that U.S. officials foiled a planned attack on U.S. soil that was commissioned by the Iranian regime, and the Iranian regime is believed to have been behind the attacks against Israeli Embassies that took place earlier this year.

I have much more to say, Mr. Speaker, but at this time I will reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H. Res. 568, expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability, and yield myself 3 minutes.

Mr. Speaker, this resolution is extremely timely, as next week the five permanent members of the U.N. Security Council and Germany will once again sit down with Iran to negotiate secession of Iran's nuclear weapons program. What better time for this body to send an unambiguous message that Iran must never be allowed to achieve a nuclear weapons capability and that its nuclear weapons program must end once and for all? That's exactly what this resolution does.

The United States must continue to take the lead in preventing Iran from obtaining the capability to build a nuclear weapon. If Iran were to achieve that capability, neighbors like Saudi Arabia and Egypt would want that capability as well. Others in the region would begin to defer to Iran as if it already were a nuclear power. And worst of all, once Iran acquires the capability, it would be able to build an actual nuclear weapon so quickly that we may not be able to stop it.

Stopping Iran from acquiring a nuclear weapons capability is not simply an American priority, but a global responsibility.

I want to be straightforward about my view. A regime that brutalizes its own people, trains, arms, and dispatches terrorist proxies, props up the repugnant Assad dictatorship, denies the Holocaust, and incites violence against and kills Americans should never be allowed to reach the nuclear threshold.

The urgent nature of the Iranian nuclear threat demands that the United States work with our allies to do everything possible diplomatically, politically, and economically to prevent Iran from acquiring a nuclear weapons capability. No option, as the President has said, can be taken off the table.

Mr. Speaker, the policy of preventing Iran from obtaining a nuclear weapons capability is not unfamiliar to the House of Representatives. Since 2009, we have passed five bills expressing congressional support for this policy. These bills have been supported by nearly every Member of the House.

The resolution before us today reminds us, as well as the world, how Iran has flaunted its flagrant disregard for U.N. Security Council resolutions, is an active state sponsor of terrorism, has engaged in serious human rights abuses against its own citizens, and plotted a heinous terrorist attack on American soil.

This resolution also reminds us of the urgency, as well as the seriousness, of the nuclear issue. And so, as the window is closing, we send a clear message that the House is aligned with the administration in thoroughly rejecting containment, a policy that would have us sit back and watch Iran get the bomb, then try to contain it as we contained the Soviet Union.

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

Mr. BERMAN. I yield myself an additional 30 seconds.

In fact, we have no choice but to stop Iran's nuclear weapons program before it ever reaches that point.

Mr. Speaker, I urge all of my colleagues to support this important resolution. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we know, Iran continues to sponsor violent extremist groups in Iraq and Afghanistan that have killed our men and women in uniform. With a nuclear weapons capability, the regime would dramatically increase its ability to threaten the United States and our allies.

We are running out of time to stop the nightmare of a nuclear weapons-capable Iran from becoming a reality. Estimates from the U.S. and Israeli officials indicate that Iran could develop nuclear weapons in less than 1 year. And even before the regime actually develops nuclear weapons, Iran may enter into what the Israeli Defense Minister calls a ''zone of immunity,'' and after that point we would have very few options left to actually stop Iran from going nuclear.

Right now, the regime is doing all it can to run down the clock and enter that zone of immunity. The most recent set of negotiations are just another way for Iran to hold off Western sanctions and buy more time to further their capabilities.

□ 1750

We need to stop the regime before it possesses the capability to develop nuclear weapons, not before it makes a decision to develop nuclear weapons, because we may not know that they have actually made that decision until it is too late. Once that regime enters into the zone of immunity, it can decide at any time to develop nuclear weapons, and we would probably not be able to stop them.

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

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the minority whip, my friend from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, the gentleman from California has been a leader on this issue as has the chair of the committee, ILEANA ROS-LEHTINEN. Representative BERMAN has been a leader in Congress when it comes to reminding us of how important it is to prevent the rise in nuclear war and a nuclear-armed Iran. We are fortunate as a country to have a partnership between the chair and the ranking member focused like a laser on this issue. So I thank my friend, Mr. BERMAN, and my friend, ILEANA ROS-LEHTINEN. Mr. BERMAN has also been instrumental in securing funding for the deployment of the Iron Dome anti-missile system to counter the threat from Iranian-supplied short-range rockets in the hands of terror groups like Hamas and Hezbollah.

I rise in strong support of the chair and ranking member's resolution, and I am proud to be a cosponsor with them of the resolution.

The most significant threat to peace, regional security, and American interests in the Middle East is Iran's nuclear program. This resolution makes clear that it is in America's security interest not to contain a nuclear Iran, but to prevent one. A nuclear Iran would destabilize an already volatile region where so many American troops are stationed—and a region so vital to the world's energy supplies.

Iran continues to be a sponsor of groups committed to the destruction of our ally Israel and of groups that threaten Americans throughout the world. Iran is believed to be pursuing not only a nuclear capability but also delivery technologies that could threaten our allies in Europe and the Middle East as well as American assets in the region.

Thankfully, the Obama administration has taken a strong lead in confronting Iran. President Obama has built a wide coalition of support that has imposed the strongest sanctions Iran has ever faced. In particular, we are hitting the Iranian Government where it hurts most—its oil exports and its banking sector. From the very start, his policy has been not containment but prevention.

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

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

Mr. HOYER. This resolution reaffirms the administration's prevention policy, and I urge my colleagues to pass it as a strong sign that Iran must not be allowed to obtain a nuclear weapon.

Again, in closing, I want to congratulate the chair, ILEANA ROS-LEHTINEN, and the ranking member, HOWARD BERMAN, on their strong and unwavering leadership on this critically important issue to the national security of the United States of America and to international and global security as well.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

For the Iranian regime, the possession of the capability to produce a nuclear weapon would be almost as useful as actually having one. Tehran would be able to intimidate its neighbors and engage in even more threatening actions by reminding us that they could develop nuclear weapons anytime the regime wanted. Tehran might even decide not to reveal whether or not it had developed nuclear weapons, thereby keeping the world guessing and off balance indefinitely, all while claiming innocence. Tehran would be in the driver's seat, and the security of the United States, Israel, and our many other allies would be in their hands.

We need to make clear that containing a nuclear Iran is not an option, that nothing short of stopping Iran from developing a nuclear-weapons capability is good enough. So that is why Ranking Member BERMAN and I have introduced the resolution before us, House Resolution 568, which strongly supports preventing the Iranian regime from acquiring a nuclear-weapons capability. It rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran. It supports the right and democratic aspirations of the Iranian people. Lastly, it urges the President to reaffirm the unacceptability of an Iran with a nuclear-weapons capability and to oppose any policy that would rely on containment as an option.

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

Mr. BERMAN. I am very pleased to yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend from California, but, unfortunately, I must disagree with him.

This resolution contains broad and dangerous language that would undermine any diplomatic solution regarding Iran's nuclear program. Without explicit language stating there is no authorization for military action, this could be interpreted as a blank check for war. Former Secretary of State Colin Powell's chief of staff, Colonel Lawrence Wilkerson, stated:

> This resolution reads like the same piece of music that got us into the Iraq war.

Did not Congress learn anything from being hustled into a war based on misrepresentations?

At a time when the U.S. is engaging in its first successful direct talks with Iran in years, it is more critical than ever for Congress to support these negotiations. Even if language were added to H. Res. 568 to make it absolutely clear that this bill does not constitute an authorization for war and that only Congress can make such an authorization, it still puts Members of Congress on record as opposing a diplomatic solution, paving the way toward war with Iran. In the past, Congress has rejected its power to declare war, and now we want to tell the President that he can't declare diplomacy. Congress must reject resolutions that could lead the U.S. into yet another disastrous and costly war and tie the President's hands as he endeavors for a peaceful solution.

Have we not lost enough of our brave men and women to causes that are not in the interests of the U.S.?

H. Res. 568 lowers the bar for war by changing longstanding U.S. policy that Iran must not acquire nuclear weapons by, instead, drawing the red line for military action at Iran's achieving a nuclear-weapons capability. The term ''capability'' is undefined in the underlying resolution, and it could be applied to any country with a civilian nuclear program, including Japan and Brazil. This resolution, therefore, sets a precedent which could cause us to stumble from one war into another.

And, what, we haven't had enough wars?

Not all enrichment is devoted to building bombs. This resolution marks a significant shift in U.S. policy that could threaten critical upcoming negotiations with Iran on May 23. It is likely that a negotiated deal to prevent a nuclear-armed Iran would provide for Iranian enrichment for peaceful purposes, under the framework of the nonproliferation nuclear weapons treaty, with strict safeguards and inspections.

I want to point out, in conclusion, that Yuval Diskin, the former Shin Bet chief, has stated that attacking Iran will encourage them to develop a bomb.

Meir Dagan, the former Mossad chief, echoed his sentiment by saying:

> Attacking Iran is the stupidest thing I've ever heard of. It will be followed by a war with Iran. It's the kind of thing where we know how it starts but not know how it will end.

I think our diplomacy is having an effect, said General Martin Dempsey, Chairman of the Joint Chiefs of Staff.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

This resolution reaffirms the position of the House with respect to U.S. policy on Iran's nuclear program. Efforts to misrepresent this resolution really distract from the real problem, which is the increasing threat posed by Iran's nuclear program and the need to prevent Iran from obtaining a nuclear weapons capability.

Tehran has repeatedly lied to the world about its secret nuclear activities; Tehran has violated international nonproliferation obligations; and it has repeatedly threatened to destroy our ally Israel.

Just earlier this year, Ayatollah Khamenei said:

> The truly cancerous Israel must be destroyed in the region, and this will without doubt come to fruition.

□ 1800

It is abundantly clear that Iran cannot be trusted with uranium enrichment or any component of the nuclear program. Even the U.N. Security Council resolutions have demanded that Iran stop all uranium enrichment and reprocessing.

Unless compelled to change course, Iran will soon have all of the basic components or capabilities to produce a nuclear weapon. The only thing that would be left for them to do will be to put the pieces together.

According to the International Atomic Energy Agency, Iran is expanding its stockpiles of uranium, advancing its missile capabilities, and burying and hiding its nuclear infrastructure. As if that were not enough, the smoking gun in the IAEA's November 2011 report was that Iran carried out, ''work on the development of an indigenous design of a nuclear weapon, including the testing of components.'' In addition, the IAEA uncovered evidence that Iran was attempting to miniaturize a warhead to fit on top of a ballistic missile.

As we fast-forward to this weekend, drawings were revealed showing a secret chamber at an Iranian military facility of the type needed for nuclear weapons testing. Again, the regime is building up its capacities on all fronts. When it has mastered all of these, Tehran would be able to intimidate its neighbors and engage in even more threatening actions, always with the threat that it could flip the switch and produce nuclear weapons at any time. At that point, the U.S. and other responsible nations would have no other option but to sit in fear of this nuclear-armed state sponsor of terrorism.

We must reaffirm our commitment to adoption of this resolution and stronger sanctions legislation to prevent this doomsday scenario from becoming a reality.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the Delegate from American Samoa, the ranking member of the Asia and the Pacific Subcommittee of the House Foreign Affairs Committee, Mr. FALEOMAVAEGA.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, it is imperative that the United States and the international community understand that a nuclear-capable Iran is a global threat and a danger to the United States and, just as important, to the State of Israel, where Iranian leaders have continued to threaten Israel's existence by pledging that Israel must be wiped off the map. This is a direct threat to our closest ally in the Middle East.

Iran's reckless attitude continues to be a stimulus for the instability in the Middle East. My greatest fear is that a nuclear-capable Iran will cause other countries in the region to also build their own nuclear program.

With that, Mr. Speaker, I want to associate myself with the eloquent statements made earlier by our good chairman, Chairman ROS-LEHTINEN, and my good friend, Ranking Member BERMAN.

Mr. Speaker, I rise today in support of H. Res. 568, expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. I want to thank House Foreign Affairs Chairwoman ILEANA ROS-LEHTINEN of Florida and Ranking Member HOWARD BERMAN of California for their leadership on this very important matter. I also want to thank all the cosponsors and supporters of this critical resolution.

H. Res. 568 reiterates the United States policy against the Government of Iran from ever acquiring nuclear arms capability and expresses the U.S.'s strong support for ensuring that the universal rights and aspirations for democracy of the Iranian people are protected.

It is imperative that the U.S. and the international community understand that a nuclear-capable Iran is a global threat and a danger to the U.S. and just as important to the State of Israel where Iranian leaders have continued to threaten Israel's existence by pledging that Israel must be ''wiped off the map.'' This is a direct threat to our closest ally in the Middle East. Iran's reckless attitude continues to be a stimulus for instability in the Middle East. My greatest fear is that a nuclear-capable Iran will cause other countries in the region to build their own nuclear weapons.

The United Nations Security Council has passed many resolutions demanding the suspension of Iran's nuclear program but it has fallen on deaf ears. In 2011, the International Atomic Energy Agency (IAEA) has reported that Iran's nuclear program was suspected of having ''possible military dimensions'' in their program and that Iran has continued to enrich uranium to levels that are capable of building a nuclear weapon.

The U.S. and our international community must continue to enforce economic and political sanctions on Iran. I certainly commend President Obama and his Administration for maintaining his position in not ''taking any options off the table'' in preventing Iran from ever having a nuclear weapon. The Administration must continue to pressure Iran to agree in having full and complete cooperation with the IAEA in addressing concerns relating to their nuclear activities.

I thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN again for their leadership and I urge my colleagues to pass H. Res. 568.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 1 minute to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Thank you, Ranking Member BERMAN, for yielding the time. I would like to engage the gentleman in a colloquy.

After reading the resolution and studying it, I just have a couple of questions that I would ask that you clarify your understanding about the resolution, and that is the resolved clauses, especially clauses 4 through 7, which are of some concern to me, but I'm interested in hearing from you.

In your view, does this resolution in any way constitute an authorization for the use of military force?

Mr. BERMAN. Will the gentlelady yield?

Ms. EDWARDS. I yield to the gentleman from California.

Mr. BERMAN. Absolutely not. This resolution is no way intended and in no way can it be interpreted as an authorization for the use of military force. It is a nonbinding resolution that endorses a diplomatic resolution to the Iranian nuclear program. It includes no operative authorizations regarding the use of force.

The SPEAKER pro tempore. The time of the gentlewoman from Maryland has expired.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Some may put forth the argument that this resolution undermines and threatens the ongoing P5+1 negotiations. The truth is, Mr. Speaker, that the Iranian regime is using these negotiations as a way to buy time and continue enrichment without any additional sanctions.

Time and again, the United States has come to the table with Iran, made concession after concession, and left with nothing in return. In one example, last month, the Los Angeles Times reported that U.S. officials are now willing to let Iran continue enriching uranium, even though multiple U.N. Security Council resolutions demand that Iran immediately halt uranium enrichment. And today's New York Times included a report, entitled, ''Iran Sees Success in Stalling on Nuclear Issue,'' and the report states:

> Iran's negotiation team may be less interested in reaching a comprehensive settlement than in buying time and establishing the legitimacy of its enrichment program.

I couldn't say it better. It's time to stop glorifying negotiations for the sake of negotiations. This resolution strengthens the U.S. position and our leverage.

With that, I reserve the balance of our time.

Mr. BERMAN. I am pleased to yield 1 minute to a member of the Foreign Affairs Committee, my friend from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank the gentleman from California, and I rise today in strong support of House Resolution 568, a resolution making clear that the United States' policy towards Iran is not one of containment but is one of prevention.

I'm pleased to have co-introduced this resolution with a bipartisan group of colleagues, including the chair, Ms. ROS-LEHTINEN.

Indeed, this Congress, this administration, and this President understand that failing to prevent a nuclear-armed Iran would ignite a destabilizing arms race in the Middle East, would threaten the very existence of our ally Israel,

and would endanger the security of the American people.

As Iran faces growing international isolation, now is not the time to roll back crippling economic sanctions, nor should we fall victim to this regime's penchant of hiding behind the pretense of negotiations simply to buy more time. With this resolution, we will send a message to Iran's regime and to the world that the U.S. will accept nothing less than a strict policy of prevention when it comes to this regime's illicit quest for nuclear weapons.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time to close on the resolution.

Mr. BERMAN. Mr. Speaker, I do have a few more speakers.

I am now pleased to yield 1 minute to the ranking member of the Europe and Eurasia Subcommittee of the House Foreign Affairs Committee, the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I rise today in support of H. Res. 568. This resolution supports President Obama's policy towards Iran.

As the President stated during the AIPAC annual convention in March:

> Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.

President's Obama's commitment to Israel's security is ironclad. America has stood with Israel under this administration which has facilitated unprecedented levels of security assistance for Israel, increasing every single year, even in a tough domestic budget environment. Above all, President Obama has directed his administration to prevent—not merely contain—Iran achieving nuclear weapons capability.

I urge my colleagues to vote in favor of this resolution, supporting the President's position and affirming that the U.S.-Israel relationship is too important to be distorted by politics.

I thank Chairman ROS-LEHTINEN and Ranking Member HOWARD BERMAN for bringing us together in a united way and passing this resolution.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey, an individual who knows a lot about this subject, Mr. HOLT.

□ 1810

Mr. HOLT. Mr. Speaker, I thank the ranking member.

The threat of nuclear proliferation is the greatest threat to world peace. A nuclear Iran would destabilize the region and threaten the United States and our allies.

This resolution is not an authorization for military force. It is not a call for war. I would not support this resolution if it were.

Our shared goal must be to persuade Iran to end its nuclear weapons program. That's President Obama's purpose in agreeing to negotiations. That's our purpose here. The world does not have many tools available, but we should use, and the world is united in using, economic and diplomatic pressure. This does not preclude diplomatic resolution. In fact, it makes diplomatic resolution more possible.

Of course, ultimately, Iran should decide that it's not in her people's interest for Iran to pursue nuclear weapons. And we and all nuclear powers should stop behaving as if we think nuclear weapons are beneficial for a country. This resolution will help move us in that direction.

Mr. BERMAN. Mr. Speaker, could we get an indication of the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California controls 6 minutes, and the gentlewoman from Florida controls 10 minutes.

Mr. BERMAN. I thank the Speaker.

I yield 1½ minutes to the other expert from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I would like to thank Chairwoman ROS-LEHTINEN and Ranking Member BERMAN for bringing this resolution forward. I regret but do not doubt its necessity.

The issue raised in this resolution is not whether we are authorizing war—because we clearly are not. The issue is not whether the President would have to come to this Chamber—any President—should he conclude that war is necessary—because he clearly would. The issue in this resolution is not whether we should conduct negotiations but how we should conduct negotiations. And this resolution gives us an emphatic opportunity to say that when we are negotiating with a country that has conceived its nuclear weapons program in secret, that has brandished its nuclear weapons program with the rhetoric of hostility, and for whom the attainment of a nuclear weapon would be fraught with peril for free people everywhere, then in the context of that negotiation, our position must be that we will not support or stand for an Iran with nuclear weapons.

This is the issue. I would urge a ''yes'' vote. And, again, I thank the chair and the ranking member for their patriotic and unified leadership on this question.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to my friend from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this.

This is no dispute in this Chamber that a nuclear armed Iran is completely unacceptable. That's why it was so encouraging to hear the Democratic whip say with assurance—and I think we all agree—that we are hitting Iran where it hurts the most.

The news this weekend was filled with accounts of ''dark'' ships of oil tankers of Iran that are unable to deliver oil. They are having their oil trade significantly constricted. Their economy is being battered, their currency in free-fall.

The President has assembled the broadest coalition we have seen uniting behind this diplomatic effort. We have had a range of people in the past who have been, I think, too sympathetic to Iran or at least have not stood up to them. But they are falling in place with us.

Now we are on the verge of what hopefully will be encouraging diplomatic efforts scheduled to start next week. The resolution claims to support an endorsed diplomacy but, in fact, the timing and the wording undercuts that.

Now is the time that we ought to be united and we ought to be focused. We ought to make sure that we have a positive environment to seize on the pain that is being inflicted on the regime, to be able to capitalize on the coalition and be able to make progress. Instead, we have a resolution—and these concepts have been bandied about now for several months—but we have a resolution that's rushed to the House floor, unsettlingly timed before the negotiations.

It never had a hearing. It never had a markup. There was no opportunity to find out what, actually, the implications are of changing a standard from preventing Iran from ''acquiring'' nuclear weapons to preventing Iran from ''obtaining'' a nuclear weapons capability. These are not small matters, and they bear on the ultimate success of our coalition, the diplomacy, because every expert has concluded that an armed intervention, a military attack against Iran would be disastrous for all involved. And my colleague from Ohio quoted people from the Israeli Government who are convinced that military action would be folly.

But the point is, we shouldn't be at this point. We shouldn't be casting a cloud over the negotiations. It's unnecessary. It's nonproductive. I would urge a ''no'' vote.

Mr. BERMAN. Mr. Speaker, I yield myself the remainder of my time.

Ms. EDWARDS. Will the gentleman yield?

Mr. BERMAN. I yield to the gentlelady from Maryland.

Ms. EDWARDS. Mr. Speaker, if I could just ask the ranking member whether, under this resolution, the President would be required to come to the Congress for a specific authorization for the use of military force.

Mr. BERMAN. I thank the gentlewoman for the inquiry.

The President is the Commander in Chief. There is no authorization for the use of force.

Contrary to what was said earlier by my friend from Ohio, whatever one thought about the decision to go to war in Iraq, 5 months before that, Congress very explicitly provided an authorization for the use of force. There is nothing in this resolution, and there is no intention in this resolution, to provide that authorization.

Nuclear weapons capability—there are three elements, as defined by the Director of National Intelligence: fissile material production, one. Design, weaponization, and testing of a warhead, two. A delivery vehicle. To be nuclear-capable, you really have to have to master all three elements.

While Iran has the delivery system, they have not yet mastered—but they are making progress—on steps one and two. And if one day, when they've mastered all the other elements and they kick out the inspectors and they shut off the cameras, I will consider them nuclear-capable.

This is about achieving a goal through economic sanctions rigorously applied to achieve a diplomatic resolution. It is the perfect time to bring up this resolution.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Just 2 months ago, President Obama extended the national emergency, as we heard, with respect to Iran, declaring that the regime's activities pose ''an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.''

Well, this resolution is an important statement, clarifying congressional commitment to countering the Iranian threat. However, our focus must be on rapidly and dramatically ratcheting up sanctions, without the glaring exceptions that we now have, in order to put our boot on the throat of this dangerous regime.

□ 1820

We must compel the Iranian regime to permanently and verifiably dismantle its nuclear program, abandon its unconventional and missile development programs, and end its support for violent extremism. We do not want to look back, Mr. Speaker, and wish that we had heeded the warning signs.

We anxiously await the other body's strengthening and passage of companion legislation to the measures that the House passed months ago. We must meet our responsibility to the American people and protect the security of our Nation, our allies, and the world from this threat of a nuclear capable Iran.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. BACA. Mr. Speaker, I rise today to voice my strong support for H. Res. 568.

This hi-partisan resolution signifies the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.

I want to thank my friend from Florida, Congresswoman ILEANA ROS-LEHTINEN, for introducing this resolution.

For over 20 years Iran has engaged in a sustained and well-documented pattern of deceptive activities to acquire a nuclear capability outside of what can be considered for peaceful use.

The UN Security Council has adopted a number of resolutions since 2006 demanding the suspension of uranium enrichment-related and reprocessing activities by Iran and its cooperation with the IAEA on all nuclear activities, including the possible militarization of its nuclear program.

The IAEA's extensive report documents ''serious concerns'' regarding military dimensions to Iran's nuclear activity in hopes of developing a nuclear device.

If Iran is successful in acquiring a nuclear weapon capability, it will force other countries in the region to consider developing their own nuclear capabilities; notably, Saudi Arabia.

Iranian leaders have previously threatened the existence of Israel, pledging to ''wipe Israel off the map'' and since 1984 Iran has been recognized by the State Department as an active sponsor of terrorism.

I feel just as President Obama has previously stated, ''that the consequences of a nuclear-armed Iran are unacceptable'' and we are determined to prevent Iran from getting a nuclear weapon.

Our Congress must stand in one voice and prevent Iran from acquiring a nuclear weapons capability.

I ask my colleagues to join me in condemning Iran's nuclear ambitions and vote in favor of H. Res. 568.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of H. Res. 568, a bipartisan resolution affirming that it is our nation's policy to prevent Iran from acquiring nuclear weapons capability and emphasize that containment is not a viable option.

Iran is developing the capability to quickly produce a nuclear weapon at a time of its choosing. Iran's acquisition of such a capability would create a significant new regional danger and be an immediate threat to America's interest and allies in the Middle East.

A nuclear Iran would most likely trigger an arms race in the region that could de-stabilize an already fragile peace and threaten the global economy.

It is imperative that our nation continue to strengthen existing diplomatic and economic pressure on Iran and force it to change course before it is too late.

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H. Res. 568, ''Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.'' As a member of the Homeland Security Committee and a proud cosponsor of this resolution, I believe it is of critical importance to American security to continue dialogue with Iran. However, we must also take a clear stance that the United States will take the necessary steps to prevent Iran from obtaining nuclear weapons.

H. Res. 568 rejects the possibility of containing a nuclear Iran. If Iran is able to develop nuclear weapons, Tehran will be able to leverage its new capabilities to secure its own agenda at the expense of broader American interests. Such a program would also likely spur other Middle Eastern countries to develop their own nuclear capabilities, leading to an arms race and massive instability. The development of these weapons is not just bad for the region. It is dangerous to the global community.

The United States has always maintained a strong relationship with the State of Israel and is committed to its security and prosperity. I was particularly alarmed to hear of top Iranian officials threatening to ''wipe Israel off the map,'' and I urge my colleagues not to take this threat lightly. The United States has a demonstrated history of supporting democracy, human rights, and peace throughout the Middle East. A nuclear arms race would be an affront to this ideal.

Mr. Speaker, I also stand with the people of Iran and strongly advocate for their rights and security. The United Nations' General Assembly has condemned Iran for failing to meet international human rights standards and expressed concern over a high frequency of executions and violations of minority groups' rights. As the United States exercises sanctions against Tehran, I would like to highlight the message that we are not seeking to punish the Iranian people and that we wish for them a responsive and stable government.

Mr. Speaker, we cannot afford to watch this situation continue to escalate while we sit idly by. President Obama, Secretary of Defense Panetta, and other American leaders have united and pledged to prevent Iran's nuclear weapons capability at any cost. I am proud to be a cosponsor of H. Res 568 and hope that Congress can also unite to become another powerful voice against Iranian aggression.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to support H. Res. 568, ''Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability.'' This measure affirms that it is vital to our national interest to prevent Iran from acquiring weapons of mass destruction. It also makes clear that our time is limited and we must act to prevent Iran from acquiring full nuclear weapons capability. As a Ranking Member of the Homeland Security Subcommittee on Transportation Security, I am well versed in the dangers posed by allowing countries who are against our interests to gain nuclear weapons. I have always been and will continue to be concerned for the average citizen of Iran. This measure is not a reflection of the will of the average Iranian but a reflection of the government which currently represents them. H. Res. 568 represents our commitment to national security.

The United States of America should increase economic and diplomatic pressure on Iran to secure an agreement that includes: (1) the suspension of all uranium enrichment-related and reprocessing activities, (2) ensures Iran's complete cooperation with the International Atomic Energy Agency, IAEA, regarding their nuclear activities, and (3) a permanent agreement that verifiably assures that Iran's nuclear program is entirely peaceful.

I support the Iranian people's universal human rights and access to inclusive, democratic representation. H. Res. 568 urges the President to reaffirm the unacceptability of an Iran that has nuclear weapons capability. This piece of legislation calls for enforcing tougher sanctions against Iran. Iran has been involved in the proliferation of weapons of mass destruction, whether they are nuclear or chemical or biological.

This timely piece of legislation addresses the need for the U.S. to take a strong stance against the aggressive and hostile behavior of these three countries. These governments are not our friends. We must not underestimate their ability to manufacture nuclear weapons. The government of Iran, under its president and leader, Mahmoud Ahmadinejad, has pursued policies undermining democracy and

threatening regional security as well as our own national security.

Iran's actions regarding its nuclear program have been highly troublesome. Investigations conducted by the U.N.'s International Atomic Energy Agency, IAEA, have revealed that Iran has been in violation of the Nuclear Non-proliferation Treaty time and time again. In 2003, Iran confirmed that there are sites in the cities of Natanz and Arak that are under construction. But Iran insisted that these sites, like Bushehr, are designed to provide fuel for future power plants and nothing else.

Subsequent actions, however, have led us to believe otherwise. Stemming from the most recent IAEA report, experts believe that, with further enrichment of its existing stockpile of uranium, Iran already has enough raw material to make two or three nuclear weapons. Even though having the raw material is different from having an actual weapon, Ahmedinejad's belligerent and hostile actions create an atmosphere dangerous to U.S. national security.

Iran also has a horrific human rights abuse record. On December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in Iran.

The resolution included torture, cruel and degrading treatment in detention, the targeting of human rights defenders, violence against women, and "the systematic and serious restrictions on freedom of peaceful assembly" as well as severe restrictions on the rights to "freedom of thought, conscience, religion or belief."

The Iranian regime's treatment of women is particularly heinous. Prominent human rights activist Shirin Ebadi, the 2003 Nobel Peace Prize Laureate, has faced intensified persecution from the Iranian government for her courageous activism and efforts to promote women's rights in Iran.

On 21 December 2008, dozens of government agents carried out a raid on the Defenders of Human Rights Center, run by Ms. Ebadi. The Center provides legal assistance to victims of human rights violations.

The raid on the Center occurred hours before they were planning on holding an event there to commemorate the 60th anniversary of the Universal Declaration of Human Rights. Center staff members and guests were harassed and intimidated and the center was forcibly closed. Later, officials identifying themselves as tax inspectors came to the Center to remove documents and computers, despite Ms. Ebadi's protests that they contained protected lawyer-client information. Ms. Ebadi has repeatedly been subjected to threats and intimidation for the work she does. Occurrences like this must stop.

The United States' relations with Iran have been volatile and tumultuous for almost 60 years. We are engaging with a hostile regime that has not demonstrated a desire to compromise or an ability to admit to its wrongdoings. Our focus now is to address the security concerns in the region.

The provisions put forth in this bill are vital to ensuring our nation's security interests. Those who govern Iran must be held accountable for its actions.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 568, as amended.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2072. An act to reauthorize the Export-Import Bank of the United States, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WEST) at 6 o'clock and 30 minutes p.m.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill, H.R. 4310.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 365, by the yeas and nays;

H.R. 3874, by the yeas and nays;

H.R. 205, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL BLUE ALERT ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 365) to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, as amended, 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 offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 36, as follows:

[Roll No. 250]

YEAS—394

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luján

Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—1

Amash

NOT VOTING—36

Ackerman
Boustany
Braley (IA)
Brown (FL)
Campbell
Cardoza
Cassidy
Cohen
Conyers
Crawford
Dold
Filner
Fincher
Flake
Flores
Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry
Langevin
Luetkemeyer
McIntyre
Paul
Pelosi
Poe (TX)
Richmond
Rohrabacher
Scott (SC)
Shuler
Slaughter
Speier
Stutzman
Yarmuth

□ 1855

Messrs. THOMPSON of Pennsylvania and ENGEL changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LANGEVIN. Mr. Speaker, on rollcall vote No. 250, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Mr. FILNER. Mr. Speaker, on rollcall 250, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

BLACK HILLS CEMETERY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3874) to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, as amended, 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 offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 1, not voting 30, as follows:

[Roll No. 251]

YEAS—400

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—1

Amash

NOT VOTING—30

Ackerman
Boustany
Brown (FL)
Cardoza
Cassidy
Cohen
Crawford
Dold
Filner
Fincher
Flake
Flores
Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry
Luetkemeyer
Manzullo
McIntyre
Paul
Poe (TX)
Richmond
Rohrabacher
Shuler
Slaughter
Speier
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 251, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 205) to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, as amended, 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 offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 31, as follows:

[Roll No. 252]

YEAS—400

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—31

Ackerman
Boustany
Brown (FL)
Cardoza
Cassidy
Cohen
Crawford
Dold
Filner
Fincher
Flake
Flores
Frank (MA)
Franks (AZ)
Fudge
Hinchey
Johnson (IL)
Labrador
Landry
Luetkemeyer
Manzullo
McIntyre
Paul
Poe (TX)
Richmond
Rohrabacher
Ruppersberger
Shuler
Slaughter
Speier
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1909

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Act titled 'An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 252, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Tuesday, May 15, 2012 I had obligations that necessitated my attention in Champaign, Illinois, in my district and missed suspension votes H.R. 365—National Blue Alert, H.R. 3874—Black Hills Cemetery Act, H.R. 205—HEARTH Act of 2011.

Had I been present, I would have voted ''yea'' on the above stated bills.

DEPARTMENT OF DEFENSE PROGRAM GUIDANCE MODIFICATION RELATING TO POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS

Mr. KLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4045) to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4045

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

SECTION 1. TREATMENT OF PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS AND FORMER MEMBERS OF THE RESERVE COMPONENTS UNDER DOD INSTRUCTION 1327.06.

(a) DISCRETION OF THE SECRETARY OF DEFENSE.—The Secretary of Defense may determine that the changes made by the Secretary to the Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence program administrative absence days or other benefits described in subsection (b) to members and former members of the reserve components under DOD Instruction 1327.06 effective as of October 1, 2011, shall not apply to a member of a reserve component, or former member of a reserve component, whose qualified mobilization (as described in such program guidance) commenced before October 1, 2011, and continued on or after that date until the date the mobilization is terminated.

(b) AUTHORIZED BENEFITS.—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may provide a member or former member of the Armed Forces described in subsection (a) with one of the following benefits:

(1) In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, payment of an amount not to exceed $200 for each day the individual would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the individual, as authorized by such subsection.

(2) In the case of a member of the Armed Forces on active duty at the time of the provision of benefits under this section, either one day of administrative absence or payment of an amount not to exceed $200, as selected by the member, for each day the member would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the member, as authorized by such subsection.

(3) In the case of a member of the Armed Forces serving in the Selected Reserve, Inactive National Guard, or Individual Ready Reserve at the time of the provision of benefits under this section, either one day of administrative absence to be retained for future use or payment of an amount not to exceed $200, as selected by the member, for each day the member would have qualified for a day of administrative absence had the changes made to the Program Guidance described in subsection (a) not applied to the member, as authorized by such subsection.

(c) EXCLUSION OF CERTAIN FORMER MEMBERS.—An individual who is a former member of the Armed Forces is not eligible under this section for the benefits specified in subsection (b)(1) if the individual was discharged or released from the Armed Forces under other than honorable conditions.

(d) FORM OF PAYMENT.—The payments authorized by subsection (b) may be paid in a lump sum or installments, at the election of the Secretary concerned.

(e) RELATION TO OTHER PAY AND LEAVE.—The benefits provided to a member or former member of the Armed Forces under this section are in addition to any other pay, absence, or leave provided by law.

(f) DEFINITIONS.—In this section:

(1) The term ''Post-Deployment/Mobilization Respite Absence program'' means the program of the Secretary concerned to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in reintegrating into civilian life after deployment or mobilization.

(2) The term ''Secretary concerned'' has the meaning given that term in section 101(5) of title 37, United States Code.

(g) COMMENCEMENT AND DURATION OF AUTHORITY.—

(1) COMMENCEMENT.—The authority to provide days of administrative absence under paragraphs (2) and (3) of subsection (b) begins on the date of the enactment of this Act and the authority to make cash payments under such subsection begins, subject to subsection (h), on October 1, 2012.

(2) EXPIRATION.—The authority to provide benefits under this section expires on October 1, 2014.

(3) EFFECT OF EXPIRATION.—The expiration date specified in paragraph (2) shall not affect the use, after that date, of any day of administrative absence provided to a member of the Armed Forces under subsection (b) before that date or the payment, after that date, of any payment selected by a member or former member of the Armed Forces under such subsection before that date.

(h) CASH PAYMENTS SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—No cash payment may be made under subsection (b) unless the funds to be used to make the payments are available pursuant to an appropriations Act enacted after the date of enactment of this Act.

(i) FUNDING OFFSET.—The Secretary of Defense shall transfer $4,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

The SPEAKER pro tempore (Mrs. ROBY). Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and 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 Minnesota?

There was no objection.

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

I rise today in support of the bill, H.R. 4045, legislation that would ensure members of the National Guard and Reserve—including members of Minnesota's famed Red Bulls—receive the benefits they have earned.

Simply put, this legislation ensures that promises made are promises kept. The bill will grandfather the Minnesota National Guard and more than 49,000 other servicemembers around the country who mobilized and deployed under the Pentagon's original Post-Deployment/Mobilization Respite Absence program policy, providing them the benefits they were promised prior to deployment.

Since September 11, 2011, members of the Reserve component have been uniquely affected by long deployments, leaving their families and careers to answer their Nation's call. In January of 2007, the Department of Defense instituted the PDMRA program to allow servicemembers the opportunity to spend more time with their families and readjust after multiple deployments in excess of 12 to 24 months. I would ask my colleagues to reflect on that number, 12 to 24 months. That is 1 to 2 years away from their families and their homes, putting their own lives on hold to protect and defend our families and our Nation.

Madam Speaker, last year, after more than 2,000 Minnesota soldiers were deployed, the Pentagon changed the PDMRA program, significantly reducing the leave available to the Red Bulls and many others across the Nation. With little notice, many soldiers and their families were forced to cope with unexpected financial challenges, less time at home with loved ones, and an increased urgency to find employment.

H.R. 4045, as amended, provides the Pentagon the authority to grandfather members of the National Guard and Reserve whose mobilization and deployment commenced before the Pentagon's PDMRA reduction policy took effect in October of last year. The legislation does three things:

First, for servicemembers still on active duty, the bill provides DOD the authority to immediately restore their PDMRA leave days lost and gives them the option of selling their leave in lieu of taking the PDMRA day if they determine that that is in their best interest;

Second, for servicemembers still in the service but off active duty, the bill provides DOD the authority to award a leave payment in lieu of the days they would have received for their service during the change; and

Finally, the former servicemembers who have left the military altogether but were affected during the PDMRA policy change, the bill provides DOD the authority to reward a leave payment in lieu of the PDMRA days they would have received for there service during the change.

In short, we're making these soldiers whole again and keeping our promises. The legislation is critical to ensuring our sons and daughters in uniform receive the benefits they were promised and have rightfully earned.

Sergeant Matthew Hite recently returned home to Minnesota after his third deployment with the Minnesota National Guard. While he's been in Kuwait the past 11 months, his 7-year-old son, Charles, has learned to play T-ball. Sergeant Hite wasn't there to see Charles get his first hit or make his first catch. ''It's frustrating'' Sergeant Hite told the Star Tribune, ''frustrating that the time we thought we had to spend with family is being taken away.''

Every day, members of the reserve component are stepping off planes, beginning the process of reintegration, and returning to their civilian lives.

Every day, units are receiving their final orders specifying an end date to their mobilization. I am hopeful that this commonsense effort to do right by our men and women in uniform will become law.

I urge my colleagues to support H.R. 4045, and I reserve the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of this bill, and I thank the gentleman from Minnesota (Mr. KLINE) for bringing this measure to the floor. I also appreciate his continued leadership on pre- and post-deployment issues for the National Guard. The bill will correct an injustice for our National Guardsmen and reservists who have been putting their lives on the line to defend our Nation.

The fiscal year 2013 Defense authorization bill includes a provision that also addresses this problem; but, regardless, this sends a clear message to the Department of Defense that we want to fix this problem, and quickly. The bill gives DOD the clear authority they need to make the necessary changes and to do so before the Defense authorization bill is likely to be completed.

The bill is widely supported by outside groups, including the Military Officers Association of America, the National Guard Association of the United States, and the Enlisted Association of the National Guard of the United States, to name just a few.

However, while I support the bill, I must raise the concern that this bill bypassed the normal committee process, and the minority was not included in the decision to bring this measure to the floor, which violates our tradition of bipartisanship. Still, in the interest of protecting our men and women in uniform, I stand in support of the bill, and I urge all of my colleagues to support it as well.

I reserve the balance of my time.

□ 1920

Mr. KLINE. Madam Speaker, I am very happy to yield 3 minutes to my friend and colleague, a naval officer, another helicopter pilot, and a member of the Minnesota delegation, Mr. CRAVAACK.

Mr. CRAVAACK. I thank Chairman KLINE for the recognition.

Madam Speaker, I rise today in support of a critically important bill which I am a cosponsor of, offered by a fellow member of the Minnesota delegation, Chairman JOHN KLINE.

The Post-Deployment/Mobilization Respite Absence program is an important program that allows servicemembers the opportunity to readjust after deployments and spend more time with their families. This earned leave further provides returning servicemembers with more time and a less stressful environment in which to seek employment in a time where a job search is becoming increasingly more difficult. These earned benefits will help combat the high stress experienced by those who have returned home from prolonged deployments.

The Minnesota National Guard and tens of thousands of other guardsmen and reservists who have been deployed to the Middle East and were impacted by the PDMRA change were charged with the promise to defend our country. They have more than lived up to their end of the bargain to keep their promise. Now it is time for the Department of Defense to live up to its end of the deal and provide these individuals with the full benefits they were promised at the time of their mobilization deployment.

As Chairman KLINE addresses in his support for this bill, some of the servicemembers affected by this policy change have performed multiple deployments in excess of 12 to 24 months since the beginning of the Iraq war. That is 1 to 2 full years that these servicemembers have been away from their families, halfway across the world in a combat environment. Some of the same servicemembers—specifically, the 2005–2007 Iraq deploying servicemembers—could stand to lose up to 24 days under the changes in the PDMRA policy.

I do not think it is too much to ask that those who were promised 24 days of leave for up to 2 years of deployed service to receive that leave. Therefore, it is imperative that we respect and honor the promises made to these individual families who have sacrificed so much in defense of our Nation.

Recently, I have had the great privilege of welcoming the Minnesota National Guard Red Bulls home from their deployment in Iraq and Kuwait. When I attended their deployment ceremony last year in Pince City, Minnesota, one of the commanding officers in the brigade, Lieutenant Colonel Eddie Frizell said to the families, ''I'll bring them all home.'' True to his word, the first thing Lieutenant Colonel Frizell said in a hand salute to Major General Rick Nash, the adjutant general of the Minnesota National Guard, when his feet touched the ground in Minnesota was, ''I brought them all home, sir.''

Madam Speaker, it is now time to bring them all the way home. I urge my colleagues to support the troops and support H.R. 4045, which will protect the promises made to our National Guard and Reserve, including members of the Minnesota's Red Bulls, by ensuring these servicemembers receive the benefits they were promised and highly deserve.

Ms. BORDALLO. Madam Speaker, I yield such time as she may consume to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Madam Speaker, I rise today in strong support of H.R. 4045. This bill will ensure that all the servicemembers returning from overseas, including the Minnesota National Guard's Red Bulls, will receive the full benefits they were promised.

Last year, after more than 2,000 of Minnesota's brave soldiers had already been mobilized for war, the Department of Defense reduced the amount of leave that the servicemembers would receive.

For the Pentagon to apply this change to soldiers already deployed is simply unacceptable. Our men and women in uniform must be able to count on the benefits their Nation promised them when they left home.

H.R. 4045 will correct this serious error by exempting servicemembers, like the Red Bulls, who had already deployed before the Pentagon's policy shift.

Passage of this bill is a victory for the entire Minnesota delegation, which worked so hard on it. I especially want to thank Mr. KLINE for his perseverance on this issue and for getting it to the floor today. Thank you very much, Mr. KLINE.

But, as I said, I applaud all my colleagues for coming together on behalf of the Minnesota Red Bulls and all of the servicemembers and their families. America's men and women in uniform dedicate their lives to defending our Nation and its values, and we are grateful for their outstanding service.

As a daughter of a World War II disabled veteran of the Army Air Corps and as a member of the Appropriations Subcommittee on Military Affairs, it is a special honor to work on behalf of those who have served our country and to make sure that they receive every benefit that they've earned.

As the Red Bulls return to Minnesota from another deployment, they know they can count on their entire Minnesota congressional delegation to have their back.

I urge my colleagues to support this critical legislation.

Mr. KLINE. Madam Speaker, I am pleased to yield 3 minutes to another member of the Minnesota delegation, Mr. PAULSEN.

Mr. PAULSEN. I thank the gentleman for yielding.

I also rise in strong support of H.R. 4045.

Madam Speaker, the promises that we make to our young men and women and those who serve and have volunteered to put our Nation's uniform on should always, always be kept. And this important legislation does exactly that by assuring that nearly 50,000—tens of thousands servicemembers will receive the benefits that they, in fact, were promised.

In October of last year, the Department of Defense significantly changed the amount of earned time and leave time for our troops and began providing less time off for servicemembers after a long deployment. But in that process, they failed to take into account those reservists who were already deployed, including the 2,000 members of the Minnesota National Guard.

Madam Speaker, if we don't pass this legislation, members of the National Guard and the Reserve, including members of Minnesota's famed Red Bulls, will stand to lose approximately 27 days of leave that they were promised. They've already earned that leave.

Let's do the right thing. This is simple. This is straightforward. We need to keep the promises out there for our service men and women.

I want to applaud Chairman KLINE. I want to applaud all the members of the Minnesota delegation for working together on something so critical and important and for sending a bipartisan message that we will stand behind our promises to our troops and our men and women in uniform.

Ms. BORDALLO. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the gentlelady from Guam who, as always, is an absolute stalwart supporter of our military forces and has a long tradition, coming from Guam, in defense of this Nation.

Also, a special thank you to Colonel KLINE, my colleague from Minnesota, for his unwavering support of our veterans and for bringing this forward and trying to correct this injustice.

You've heard it today, Madam Speaker, about a change in policy. And while a stroke of the pen at the Pentagon may not seem like that much, it impacts our veterans and their families. These are folks that have deployed, in many cases, three times. For example, the Red Bulls from Minnesota: once for 9 months, once for 22 months, and once for a year.

We came up, as a Nation, to make the determination that these folks should have a little bit of time of leave when they come back, readjust with their families, see children they maybe have never celebrated a birthday with, and then try to go back and get into the job market.

As a Nation, these are our best and brightest. These are our future leaders. We want them getting readjusted. We want them back into the job market. And by the Pentagon changing this midstream, it's not so much the financial or the monetary insult; it's the insult to what these folks went through. When they went, they were promised a benefit. When they came back, we had cut it in half.

We hear a lot about a 99 and a 1 percent. There is a 99 and a 1 percent in this country—1 percent who are serving in uniform and have served overseas, 99 percent of us who have benefited from that sacrifice.

So I commend the delegation. I commend this House. If there is an issue that binds this Nation together, it's the absolute unwavering support of those who are willing to lay down their lives and sacrifice time with their families to serve each and every one of us. The least we can do is make sure that the benefits that were promised, that were guaranteed, are delivered upon. It's the right thing to do. It's the right thing for the country. It binds us together.

And I want to thank all of the folks here who made this possible. I urge my colleagues to support this piece of legislation.

□ 1930

Ms. BORDALLO. I thank the gentleman from Minnesota (Mr. WALZ), especially for his assistance with the Reserve Component Caucus.

I have no further requests for time, and I yield back the balance of my time.

Mr. KLINE. I have no further requests for time, and I'm going to close by thanking Members on both sides of the aisle. You've heard from members of the Minnesota delegation here tonight, my good friends, the Democrats Mr. WALZ and Ms. MCCOLLUM, Mr. CRAVAACK, and Mr. PAULSEN. This legislation affects members of the Guard and Reserve all over the country.

I'm especially pleased that my friend and fellow committee member and fellow traveler, Ms. BORDALLO, was managing the debate on the other side of the aisle. She and I have traveled to some fairly remote corners of Iraq and Afghanistan and places like that over the years, and I must say I've never been anywhere where our Nation was at conflict and where we had men and women serving in uniform that we didn't come across somebody from the Guam National Guard. So I really want to thank her for her support on this legislation and the support of men and women in uniform everywhere. I know from the reaction I see from those soldiers that when they see Ms. BORDALLO, there is great affection and respect there—both ways.

Again, I want to thank all who weighed in on this. It was clearly an injustice. It needed to be fixed, and this is one of those times when we've come together as Democrats and Republicans working together. We have Senators, Republicans and Democrats, in the Senate working the other body to move this through. Speed counts here. Every day that this is delayed, another soldier loses the opportunity to take advantage of this paid leave.

With that, Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and pass the bill, H.R. 4045, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 note), as amended, and the order of the House of January 5, 2011, of the following member on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2014:

Mr. Elliot Abrams, Virginia

MILITARY MENTAL HEALTH AWARENESS DAY

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, today I rise to recognize Military Mental Health Awareness Day, which is tomorrow, May 16, 2012. Our servicemembers have made tremendous sacrifices for our country, and many face serious conditions, including the potential for anxiety, depression, anger; and a growing number of those experience post-traumatic stress injury. For one reason or another, too many, tragically, result in suicide. According to the Army, during 2011, there were a total of 164 confirmed active duty suicides. For 2012, there have been 61 potential active duty suicides—35 confirmed and 26 still under investigation.

Madam Speaker, these statistics are daunting. One servicemember taking his or her own life is too many. In Congress, we have worked to increase access and availability and also to remove the stigma associated with these conditions in hopes that more soldiers, sailors, airmen, and marines will be more easily diagnosed and seek the available resources and treatments.

I want to thank everyone involved in Military Mental Health Awareness Day as we continue the important work of delivering care to these brave men and women who have served this country with honor and distinction.

BULLYING PREVENTION LAW

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

Ms. JACKSON LEE of Texas. Mr. Speaker, there's nothing more precious than the Nation's children. Of course, we love and respect our seniors, respect our families, and respect our men and women in the United States military. In fact, America has a great future. But all of us realize that that future is grounded not only on our democratic principles, but on what we do for our children.

Bullying in the Nation's schools is at epidemic proportions. Two weeks ago, in my community, one young person

took a sock with a lock in it and caused another young person to leave that school in an ambulance to go to the hospital for some 15 to 20 stitches. We've seen the results of bullying that resulted in the suicide of one college student and the suicide of a 13-year-old. And we've certainly seen the movie ''Bully.''

I want to thank Lee Hurst for joining me last week in listening to the stories of those who tell real stories. Today, I introduced H.R. 5770, which is a bullying prevention law, including the reauthorization of the Juvenile Block Grant. It is imperative that this Congress make a national statement that bullying is unacceptable, but more importantly, that we give the tools to school districts around the Nation and communities to intervene and prevent bullying.

Our children are precious. I ask my colleagues to join in a bipartisan manner on this legislation.

FISCAL YEAR 2013 NATIONAL DEFENSE AUTHORIZATION ACT

The SPEAKER pro tempore (Mr. RIGELL). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ROBY. Thank you, Mr. Speaker.

It is truly an honor tonight to stand with other freshman colleagues to discuss the ever-important number one constitutional responsibility of this Congress, in my opinion, very clearly spelled out: to provide for the common defense. Of course, this week the House will debate H.R. 4310, the Fiscal Year 2013 National Defense Authorization Act.

As you know, Mr. Speaker, we marked this up in committee last week into the wee hours of the morning and it passed the House Armed Services Committee on May 10 with a bipartisan vote of 56–5. This legislation specifically provides for pay, funding, and authorities for America's men and women in uniform; and it's the key mechanism by which we fulfill our constitutional duty to provide for the common defense.

This bill does many things. But I thought what I would do in the beginning of this hour, as I see some of my freshman colleagues joining us tonight, is that I would start by just telling you what happened to me just this morning, as it often does. I, of course, have two very large military installations in Alabama's Second District. So I oftentimes have military men and women in uniform on my planes as I fly back and forth to and from Washington.

This morning, my husband had come in with me because I had some extra bags and he was helping me. And I could tell that there was a family sitting there, and I suspected that the young man was about to be deployed. The father came over to me and spoke. Now, I'm away from my children, as are all Members of Congress, but they're usually for very short periods of time, and whereas that sacrifice is difficult in a lot of ways, it pales in comparison to the sacrifice of our men and women in uniform who put themselves in harm's way, not to mention their family members, who are also sacrificing their children and their spouses and their loved ones.

This morning, on this plane ride, not unlike many others, it was a stark reminder to me and to my family as my husband stood by and watched this family as they greeted us, as clearly the mom had a little tear in her eye, and it was just such a huge reminder to us of what individuals who have chosen to enter into our military service do for us to fight for the very freedoms that allow for me, Mr. Speaker, to stand in front of you tonight to discuss this ever-important act.

□ 1940

And so to the young man that I met this morning in Montgomery, Alabama's regional airport, to all of our young men and women serving all over this great Nation and this world, thank you from the bottom of my heart for the privilege to serve them as a member of the House Armed Services Committee and as a Member of this Congress. It is a tremendous honor and a privilege, and one that I certainly do not take lightly.

Overall, this bill that we passed out of committee that we will take up this week restores fiscal sanity to our defense budget and keeps faith with America's men and women, as I have already mentioned. It aligns our military posture in this very, very dangerous world and rebuilds the force after a decade of war.

Now, do not be mistaken. You know, Mr. Speaker, that we are currently working, under the law, $487 billion in cuts to the Department of Defense. We have sat as members of the House Armed Services Committee in committee hearing after committee hearing where our joint chiefs and our commanders have sat in front of us and told us that, yes, in fact, we will have a smaller force as a result of these current cuts. I think we can all agree in these fiscal times that there is not an area that is funded by hardworking taxpayer dollars of this Federal Government that doesn't deserve harsh scrutiny when it comes to fiscal cuts. And our military is certainly going to sustain those with these $485 billion in cuts.

But under the Budget Control Act and the joint committee's failure to provide the necessary cuts under that law, the automatic trigger that we here in Congress call sequestration is set to take place at the beginning of January next year. What we have heard in our committee hearings over and over and over again from Secretary Panetta, from General Dempsey, and others, is that our military cannot sustain another half-trillion or more in cuts. Not only would we have a smaller force, but there is a danger of a less capable force, particularly in this time in our Nation's history as we continue to fight the war on terror both here at home and abroad.

I bring all of this up to say that, again, the light in our military is our military families and the men and women who serve this country so honorably. And we, as members of the House Armed Services Committee and as Members of this United States Congress, have a duty to ensure that we are not only acting fiscally responsibly, but we are doing it in a way that ensures that those men and women have everything that they need to accomplish the task and the mission that we send them into.

There are several suggestions that have been made as it results to the $487 billion in cuts as we downsize our force. One of them that came out and has been scrutinized particularly is the C–130 decision. I just want to spend a little time, since I, as a member of the committee, had an amendment before the Armed Services Committee last week to deal with the way that our military looked at these potential cuts, and actually provide us with the information that we need to then in turn provide oversight as members of this committee as to whether or not these are decisions that are going to provide us with the fiscal restraint that we need.

The committee passed this amendment during markup. Representative CONAWAY from Texas and Representative PALAZZO from Mississippi also were on this amendment regarding the Air Force's C–130. I look forward, with the other Members of the Alabama delegation, to have a conversation specifically with Secretary Donley and General Schwartz as it relates to decisions regarding the C–130. Mind you, and I want to be very clear when I say this, this could be the C–130, this could be the Abrams tank, this could be MEADS, this could be any other aspect of our military where we need to be asking these same questions. Certainly this is important to us, the Representatives that signed on to this amendment, because the C–130 is located in our districts, but I want to be clear, because this is not about just protecting the mission at home. This is about making sure that across the board we are asking the right questions to protect the missions, as I've already stated, as well as making decisions that are going to find the savings that we need.

So our amendment very clearly just says, how did you determine which C–130 aircraft will be retired and relocated, and the methodologies underlying such determinations, including what assumptions were made to define and shape these specifics determinations. And the rationale for selecting various C–130 aircraft from regular and reserve components, and the details of the costs incurred, avoided or saved, with respect to these C–130s.

And here's the most important part—and again, this is why I believe this amendment could be applied throughout our military: the GAO has to audit the Secretary's report to make sure that the true cost and benefit of the planned retirement and relocations are realized. This amendment, like so many others in this National Defense Authorization Act, is straightforward. This is a straightforward provision to make sure that the Congress received the necessary information to make our authorizing decisions in an objective manner that will benefit our men and women in uniform and the American taxpayer.

I have my friend here from New York and hopefully others that will be joining us. I know we have many difficult decisions, but I just urge all of my colleagues this week, as we move through the National Defense Authorization Act and all of the amendments that will be debated and voted upon, that we will do so with this young man whom I spoke to this morning who is now deployed to Kuwait for a year, that we will do so with him and so many thousands of others in mind as we move through, making sure that we always do our best because we are supposed to keep faith with our military families and provide all that our men and women need to accomplish the mission.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. REED) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. REED. Mr. Speaker, I rise tonight to join with my colleague from Alabama (Mrs. ROBY) and applaud her leadership in establishing and taking the lead this evening to discuss a critical issue that we are dealing with here in Washington as we go forward with the debate on the National Defense Authorization Act.

Mr. Speaker, as you know, this is the authorization bill that takes care of our men and women in our military ranks. Mr. Speaker, I tender my comments this evening based on the fact that I am the son of a career military officer who spent 20 years in the Army, saw active duty in World War II and Korea, received the Silver Star, multiple Purple Hearts, multiple Bronze Stars, for his efforts and his sacrifices that he made in those forums defending America and standing up for all of the freedoms and the beliefs that we all hold dear in America coast to coast. So I am honored to be a son of such a distinguished individual in our Armed Services, and though I never did wear the uniform, I carry with me the commitment that he passed on to my 11 older brothers and sisters that you always stand with our military, you always stand with our veterans, Madam Speaker, and that's why I join you tonight to come to the floor and discuss this important issue, because as we face the national debt crisis that we all know on both sides of the aisle is real, $15.7 trillion of national debt, it is clearly unsustainable.

We have to have a conversation, an open and honest conversation with all of the hardworking taxpayers of America and say here in Washington, D.C., we are going to try to get our act together, and to make the commonsense decisions when it comes to our fiscal house. And in that conversation, and as we go forward as we did last week with the issue of sequestration and the replacement, the reconciliation that Mr. RYAN from Wisconsin led, as we go forward with the debate on the National Defense Authorization Act this week, we need to go forward recognizing the cuts that have already occurred on the defense side of the ledger.

It is my understanding, looking at some of the numbers, that essentially 50 percent of the deficit reduction efforts to date has come at the expense of defense expenditures. That is approximately 20 percent of our Federal budget dedicated to defense spending.

□ 1950

So that 20 percent of defense spending is already absorbing 50 percent of the deficit reduction efforts that we have led here in Washington, D.C., primarily with the leadership of people like the lady from Alabama and other leaders in the freshman class.

So we have to make sure that when we go forward in this debate, we recognize the sacrifice and the hard decision—and rightfully so—that defense has been part of this conversation of getting our fiscal house in order, and every dollar has to be scrutinized, and that does include the defense budget.

But I think we're at the point, Madam Speaker, where we have to be very sensitive to any additional cuts—or those cuts that are going to be necessary because of the fiscal condition we find ourselves in America—that we do not cross that line in the sand that we must never break. That line in the sand is making sure that our men and women in harm's way are given the resources, the equipment, the tools to not only protect them when they're afield fighting for us and defending freedom of America, but when they come home as veterans and enjoy the benefits that they've earned by engaging in that sacrifice, by being in harm's way for all of us. We must make sure that we never cross that line with our cuts to our military that put those men and women in harm's way or those families that sacrifice so much with them, to have to endure the situation where those benefits that they earned are taken away. So we will stand, I think, united in a strong voice to make sure that doesn't happen. I know I am committed to it, Madam Speaker. And I will always stand—as my father taught me and taught my older brothers and sisters and my mother—you stand with the vets, you stand with the military. And though they have to be part of this conversation because of the harsh reality that we find ourselves in with $15.7 trillion worth of national debt, we cannot go that far that we jeopardize their very well-being and their sacrifices that they have recognized on our behalf.

So I was pleased to see in the proposal out of the FY13 National Defense Authorization Act the fact that we were able to beat back the administration's proposal to make significant fee increases in the TRICARE program—TRICARE being the health benefits that our veterans earned and enjoy—and which serve over 9.3 million beneficiaries, including 5.5 million military retirees. I am glad to see that the NDAA, the National Defense Authorization Act, stopped that approach to dealing with the cuts on TRICARE or in fee increases on the TRICARE side. I will always want to stand for those commonsense principles that say: Cuts, yes, we have to do them, but we cannot do them across that line.

There is one area that I would like to also address before I yield to some of my colleagues that have joined us here on the floor, and that's the detainee provisions of the National Defense Authorization Act, which is the language in the bill that deals with making sure that the rights that we enjoy as American citizens are protected when it comes to the detainment of individuals in America.

I am pleased to see that language that I cosponsored with gentlemen such as Mr. RIGELL, who has joined us this evening from Virginia, and Mr. LANDRY from Louisiana. When this issue came up in previous debates in last year's National Defense Authorization Act, there was a spirited debate, if you recall, Madam Speaker, in which the issue came up: Do American citizens still retain the rights as guaranteed under the Constitution when it comes to the writ of habeas corpus? There was a spirited debate, and I clearly came down on the side that we need to make sure that we protect those rights for American citizens, and that any issues of detainment are done in respect to the Constitution and all the rights that we enjoy as free citizens in America. I believe the bill did address that last year, but there was a legitimate question raised about it. So I'm pleased to see in this bill language, it is my understanding, that will make sure and be very clear that any American citizen detained in America has the rights as guaranteed under the Constitution. I hope my colleague from Virginia will touch on those issues, and I'm proud to stand with him to make sure that we send a clear message that American citizens continue to enjoy and will always continue to enjoy the rights and freedoms and protections as afforded to us under the Constitution, and that the writ of habeas corpus is secure and will continue to be secure as we move forward.

We can go on and on, but I know I have some colleagues. I notice I've got

a non-freshman Member to join us tonight, Madam Speaker, to address this critical issue, and we are pleased to have our senior Members down with us.

With that, I yield to the gentleman from Kentucky.

Mr. DAVIS of Kentucky. I thank the gentleman for the opportunity to share with you tonight, as I remember those days being both a freshman doing Special Orders, and also serving on the Armed Services Committee before moving over to the Ways and Means Committee. I appreciate the chance to share.

One thing that I would emphasize: you know, over the last 18 months we've heard a lot of interesting arguments in the media about the 99 percent and the 1 percent and on and on, and it fueled lots of politics. I think the whole argument got best clarified by a group of Army men and women who put together a little video called ''The Real 1 Percent.'' It was focused on servicemembers and servicemembers' families.

Most recently, a little company called Ranger Up T-shirts—admittedly with a tie to my alumni in the Rangers—more accurately stated it was the 0.45 percent. It just talked about the descending level of public involvement in the military to almost a minimal level. People don't understand right now, at this time, that we are in the midst of two wars, we have threats of a wide spectrum that we've never had before. When I enlisted in the military 36 years ago next month, our Army was twice as big as it is today. We're carrying an operations tempo that's significant.

I'm very concerned about the cuts and have made that clear. I'm grateful for the leadership on the Armed Services Committee of Chairman MCKEON to try to keep moving these numbers in the right direction because it's my West Point classmates—who are commanding divisions today—who are out there facing these challenges of increased operations tempo. And what an operations tempo is is this, Madam Speaker: that's how often the units have to rotate or deploy into some type of a theater of operations, whether it's peaceful or hostile.

With the drawdowns in personnel, if operations in Afghanistan continue through 2014 and beyond, potentially, that means the deployment rate of our marines and our soldiers could actually be greater than it was in recent years and actually exceed the time during the surge in Iraq in 2007. That's unconscionable to me.

The key to successful doctrine and to successful defense policy ultimately begins with investing in people. The second thing we do is address the threat. Then, after we address the threat, we look at doctrines to deal with that, and finally systems.

Are there opportunities to make cuts in defense to save money? Absolutely. But one of the challenges that often gets missed in debates in Washington, whether it's add money or cut money, is dealing with the root causes that demand that spending. For example, if we look at acquisition spending rather than cutting people, there's tremendous opportunities for cutting of spending. The Federal acquisition regulations, the defense acquisition regulations prescribe a level of overhead that would be considered unacceptable in the private sector.

The gentleman from Virginia, who's about to speak, who is a successful executive in the automotive industry, watched great changes take place over time in terms of what it took to bring a car to marketplace. I'm going to mention this in perspective of a defense example that I personally have been touched by.

Toyota, which is headquartered in my district, redesigns every part on every vehicle and retrains every employee—the entire customer service network and distribution and supply chains are redone every 3 years. The average time to bring an end item, a vehicle, online in the United States military right now is about 15 years.

Now, I keep in my office a little memento. As a former Army aviator who flew here and in the Middle East and had two delightful tours in lower Alabama, which the current Speaker pro tem represents, at Fort Rucker, Alabama, I was very excited about the V–22 Osprey coming online. I got to go to the factory in Fort Worth and was out on the floor, and I managed to pick up a piece of scrap that was cut off from flight test article number 1, the wing spar for flight test article number 1 for the V–22 Osprey. That was 22 June, 1987. Now, here we are almost 25 years later and that aircraft has just come into service. There were starts, there were stops, there were huge additional costs that were put in by requirements that in many cases are entirely unnecessary to get a safe and flight-worthy vehicle.

What this comes down to is, if we can collapse these acquisition timeframes from 15 years to 5, we're going to save all of that cost. We can afford to make the investments that are necessary in our active duty soldiers and in our veterans. It allows us to minimize the institutional impact of these deployment tempos and these wars. I think, furthermore, it's going to allow a more agile defense industrial base that will have predictability and can adapt our technology and our tools to new threats as they emerge, because a lot of the weapon systems that come online now in fact were designed for another era and another timeframe.

□ 2000

To overcome that, we've got to change the process, and that's going to come by a long period of interagency reform and other efforts. But I want to tell you, in this Defense authorization, the keys to beginning that process are addressed.

I think, in a very difficult political environment between the administration calls for spending cuts without bringing about the regulatory acquisition reform that's necessary to really sustain that, the political impasse with the Senate, it's been tremendously helpful to see the leadership of Chairman MCKEON, members of the Armed Services Committee to make sure that everything that's possible to be done will keep the money flowing before these rules and regulations can be changed.

The other thing that I would say as well is I voted against the Budget Control Act last year precisely because of defense sequestration. There was an unfair toll that was taken because the root causes were not addressed in that and, hopefully, this lays the foundation for that, along with other reforms that are going to be included in the bill.

At the end of the day, we have the ability to debate tonight freely. American citizens who are watching this can share whatever views they want to. They can go to bed and not be in fear because of men and women who volunteer to stand in harm's way to answer that call when it comes in the middle of the night, and I'm grateful for that, and they're the last people that we need to let down. And that's why I'm a strong supporter of this Defense authorization.

I thank you for the time to share tonight.

Mr. REED. I thank the gentleman from Kentucky for his comments and for coming this evening and spending some time with us. And your comments, before I yield to the gentleman from Virginia, have spurred some thoughts that I would like to add to the conversation.

One of the things you touched upon is the fact that, as we make cuts and we downsize government, defense has to be part of that conversation, and the gentleman from Kentucky recognized that in his comments, and I recognize that.

But I recall a conversation, as a freshman Member I came here and we've met some individuals over the time, and one conversation that really sticks out in my mind when it comes to this issue is a conversation that we had, a handful of us, with Secretary of Defense, then-Secretary of Defense Bob Gates. And what Mr. Gates expressed to us is he says, Lookit, we can go through this process, and we need to go through this process and downsizing our military and downsizing and tightening our belt where we can because of the national debt crisis that we now found ourselves in.

As former Joint Chief of Staff Admiral Mullen advised the President, the biggest threat to America was not a military threat; it was the national debt. And that type of sentiment is shocking to me, and it should scare all of us in that we have to get this fiscal threat under control.

But the conversation with Bob Gates was we're going to do this. But as we were engaging in that conversation, Madam Speaker, he pleaded with us

and said, as we do this, as we make these cuts, please do not take these cuts or these dollars and apply them to other government spending or expand government in other areas because, what he was essentially saying was, if you take the money from defense and you put it in another area and further expand government, every year we are going to have this problem. We are going to compound the problem so that you take money from defense, grow government on other sides of the ledger, or other areas, and you're going to continuously take meat and bone eventually out of the military spending, and you're going to downsize the military to a point where it will not be able to do fundamentally what we need it to do, and that's to protect American citizens.

And the other thing I wanted to comment on, as the gentleman from Kentucky has rightfully pointed out, is that the threat that we face as we downsize and pull back from Iraq and Afghanistan, and I'm glad we're coming to an end in those engagements, and I see the finish line, obviously, in Afghanistan and the Iraqi situation where we have downsized ourselves and pulled ourselves back, and that's good.

But what we cannot do is we cannot get into a situation where we downsize our military, where we put them into a position where they no longer can be effective to annihilate the threats that are out there, because the threats are still there. The threats are still real, and we need the platform across the world to make sure that we have the ability to use the brightest and strongest people we have in America, the men and women of our armed services, so that they have the platforms to go, strike, annihilate that threat, and then come back home.

And that is what we need to make sure we do not cross and we go too far in these cuts, that the men and women, when we ask of them to go and defend America and annihilate those threats so that we can fight them over there, rather than here on American soil, because we never want to have that experience of 9/11 again.

We have to make sure they have the resources and we stand with them so that they have those platforms in which to deploy and protect us, as they have been doing for generations.

With that, I would like to yield to my colleague from Virginia, and I'm so happy he has joined us this evening.

GENERAL LEAVE

Mr. RIGELL. Madam 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 subject of this Special Order.

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

There was no objection.

Mr. RIGELL. I thank the gentleman for yielding. And I rise tonight, Madam Speaker, in strong support of the NDAA that we'll vote on this week. And I also rise to really sound the alarm, Madam Speaker, about a budgetary cut to our Defense Department that is looming. It's right around the corner. And early January of next year, if not averted, it would have a most serious and detrimental impact on our ability to defend our great country. And I want to talk about that and share this with the American people. It's a matter of serious and grave importance, and it really should be understood by every American.

Now, Madam Speaker, I have the great privilege of serving and representing the Second District of Virginia, southeast corner, all the Eastern Shore, all of Virginia Beach, a good part of Norfolk and a bit of Hampton. Includes the Norfolk Naval Air Station, Norfolk Naval Station, Norfolk Naval Air Station Oceania, with the Dam Neck Annex, the Joint Expeditionary Base, Little Creek, Fort Story, Joint Base Langley, Eustis, Wallace Island Surface Combat Systems.

The 1 percent, they live in our district, they serve in our district. You see them in the lines at a Starbucks or the restaurants and businesses around town. They're hardworking men and women. They love their country, and they serve with great distinction.

Indeed, it's the district, of all 435, it has the highest concentration of men and women in uniform of all 435 districts. And it really is a high honor and really a high responsibility and duty to serve and represent the Second District.

I completely identify with my friend, the gentleman from New York, when the gentleman was referring to how he was inspired by his father's service. Indeed, that's why I sought this office is to honor my father's service, who was in World War II as a marine at Iwo Jima, and really the generation he represents, and also to meet the deep obligation that we have to our grandchildren and our children, and that is to pass on the blessings of liberty and freedom. And the principal way we do that is by meeting our constitutional duty to defend this great country.

Where we're headed, in January of next year, is in direct conflict with us meeting that deep obligation, the cuts that potentially will come if we don't avert it, and I'm doing everything I can with my colleagues here tonight to avert that. The formal term is ''sequestration.'' And as a businessman, I refer to it as a violent reduction. It's between 8 and 12 percent reduction. And it happens immediately.

Even for those who believe that our budget for defense ought to be less, there's no person that I know of that would agree that this is the responsible way to do it.

Now, as I look for leadership, the House has passed a mechanism by which sequestration would be completely averted and, indeed, I have already introduced an amendment to the NDAA which will come to the floor and I hope will pass, which will incorporate that mechanism into the NDAA, so a vote for the NDAA is also a vote to avert sequestration.

To put this in perspective, in addition to the $487 billion that was reduced by the President's budget, this is another $492 billion. It's almost a $1 trillion reduction over 10 years. It would have disastrous consequences for soldiers, veterans, national security and the economy.

□ 2010

I'll share with you a few examples of, really, the practical implications of this and how detrimental they are: the smallest ground force since 1940; a fleet of fewer than 230 ships when we know that our maritime needs are not decreasing—they're increasing—principally, in the Pacific. Now, that would be the smallest level since 1915; the smallest tactical fighter force in the history of the Air Force.

I know that there are other Representatives here tonight, my colleagues, who want to speak on this issue, so I want to close with this thought: I mentioned earlier that leadership is really about setting a clear and compelling vision for our country and then laying out that it's incumbent upon that person to also have a practical plan—the steps that the country needs to take to make that vision a reality.

I am very proud of the House in that we passed a comprehensive plan to do just that. As I look at where the administration is, there truly isn't a plan, and our Commander in Chief has not risen to address sequestration. In fact, he has made it clear that he would veto efforts to avert sequestration. I look to the Senate, and there is absolutely no action coming out of there. It hasn't passed a budget in over 1,000 days.

I am respectfully asking the American people to look at the record. I believe we are an imperfect party in that we haven't done everything just right, yet the record is clear: We have a plan; it's there; it has been passed. In the Senate, there is no plan. The administration really has no plan particularly when it comes to averting sequestration.

So, when my amendment comes to the floor tomorrow—or whenever it does hit the floor—I trust that my colleagues will see the wisdom of incorporating that into the NDAA. It would avert sequestration. This needs to happen in order to meet the deep obligation that we have to every American in order to honor the veterans who have served, to honor those veterans who are serving now and our gold star families—those who have lost loved ones in service to our country. I trust and believe we will do the right thing.

Mr. REED. I so appreciate the gentleman from Virginia for being down here and expressing the sentiments that he did.

Before I yield to the gentleman from Colorado, I had a thought as you were

expressing your words for the RECORD and were addressing the Speaker.

Madam Speaker, I think it needs to be clearly laid out because I have seen some reports in our national media that have kind of set the stage a little bit, in my opinion, that what is going on here in Washington, D.C., with the sentiment and the debate is to try to avoid sequestration. Yes, that is true. We're trying to have an open and honest dialogue with all Americans as to how we can make sure that our men and women are not put in harm's way in our armed services, but what we cannot do is in any way deflect from what is causing this debate to occur, Madam Speaker. The reason this debate is occurring is that the national debt is forcing this debate to occur. What we are having is the conversation of how to address the national debt and to make sure that defense and the cuts are part of this conversation, but we cannot go too far and cross that line in the sand that I referred to earlier.

What I am deathly afraid of is that this is going to turn into some folks trying to paint us on this side of the aisle as just trying to avoid making cuts to the military. Yes, we are trying to do what is responsible and make sure that our military is protected, that our men and women are protected, and that we stand with our veterans and stand with the benefits that they have earned and that they so deserve. But we cannot let the debate end there. The debate has to reflect what is causing this.

This is why I truly do believe that Admiral Mullen echoed those words to the President—that the biggest threat to America is our national debt—because with the national debt, what Admiral Mullen was pointing out to Madam Speaker and to everyone across America is that the national debt is going to cause us to have the debate in Washington, D.C., as to whether or not we are cutting too much out of defense and putting our men and women in harm's way. That is where we are in Washington today, and we cannot have the simple conversation that we are trying to avoid cuts for the purposes of avoiding cuts. No. Madam Speaker, we are dealing with a national debt crisis that is forcing us to have this debate.

What we are trying to do on this side of the aisle is to make sure that we do the responsible thing and to make sure that our military is strong—that she is ready to defend us on a moment's notice from any threats, foreign and domestic—and that we do not put men and women in harm's way when we ask them to go and fight for our freedom.

With that, I yield to the gentleman from Colorado, who has joined us this evening on this important topic.

Mr. GARDNER. I thank the gentleman from New York for his words and for his comments on sequestration, on defense spending, on the challenges that we face in this country. I also want to thank the Speaker, who is our colleague from Alabama, for her work in making sure that we are providing the leadership necessary for our Armed Forces.

The gentleman from Virginia mentioned a key word. He mentioned the word ''leadership.'' The leadership is obvious that this House has shown in making sure that we are strengthening and keeping our defense strong in this Nation while also addressing the very serious crisis that we face with our national debt and deficit: passing a reconciliation plan, working with Members of this House to make sure that we come up with ways to find spending cuts, to reduce spending but to do so in a way that is responsible, to do so in a way that provides the leadership that our Armed Forces deserve and that the people of this country deserve.

Last week, a week ago yesterday, I had the incredible opportunity to go to the Iwo Jima Memorial where I was able to join over 100 veterans from my district in northern Colorado who had served in World War II and the Korean war. These veterans came from Greeley, Fort Collins, and from across the State's eastern plains. They were there to spend one day in Washington to visit the World War II Memorial and to visit the various monuments that are here in their honor for their service and their sacrifice.

I met three brothers who served on the same ship in the Korean war. I met a gentleman who was 92 years old who had never been on an airplane since his time in World War II. As I was leaving, as they were departing for their bus, a gentleman who was 85 years old came up to me and put his hand on my shoulder. He stopped me and I turned around.

He said, You know, I don't have much time left here—I really didn't know where he was going and what he was talking about—but he said, We're counting on you.

And I've thought about that. I thought long and hard about those words: ''we're counting on you'' to do the right thing, to do what is right for our country, to do what is right for our military, to do what is right for our men and women across this country who go to work each and every day to try to make ends meet but who are protected by people they've never met around the globe.

There is no doubt that we have a very serious fiscal challenge in front of us. There is no doubt that we are $15 trillion in debt. There is no doubt that $1.5 trillion deficits must make tough decisions around this place happen. The one thing that we cannot do is jeopardize the safety and security of this country and put our men and women in uniform at risk.

I am somebody who has come to the House floor time and time again, who has gone back to the district, and who has stood with many of my colleagues—with the gentleman from New York—to say, You know what? I believe we can reduce spending at the Department of Defense. I believe there are ways that we can reduce spending. We can find waste, abuse. We can reduce duplicative programs, including those programs that may be within the Department of Defense. But we can never, never jeopardize the security of this country, the security of our men and women in uniform—those people who are serving on the front lines of freedom around the world—by cutting too far and too deep.

The question that, I think, every American and every person in this Chamber ought to be asking is: Where is the leadership from the White House? Where is the plan to avoid these cuts that jeopardize not only our men and women but the very security of this country? Where is that plan to avoid very costly cuts that jeopardize the future of this Nation?

We passed a plan out of this Chamber to reduce spending by $1.2 trillion but to do so in a way that provides the leadership that this Nation desperately needs.

Our men and women are standing up around this country—those men and women I met at the Iwo Jima Memorial a week ago, who stood in the trenches in Korea and World War II, who are counting on us to do what is right. Their legacy of freedom didn't end when the wars ended. It continues to this very day as they stand with their brothers and sisters in arms to make sure that this country has the ability to protect and defend itself.

□ 2020

Ultimately, the leadership provided by this House will make sure that we continue to fund our defense, that we continue to fund our men and women in uniform appropriately, and that our national security will remain protected against any and all threats. I believe the Secretary of Defense has even recognized the grave challenges that the sequestration poses for our men and women in uniform. But I think it's time the question be asked to the President of the United States:

Mr. President, where is your plan to protect our men and women in uniform? Where is your plan to continue the great protection of this country?

While my colleague from New York and my colleague from Virginia come and speak about the great risks and challenges that we face, everybody recognizes that we have to address our debt-and-deficit situation. It reminds me of a time when Zell Miller, a Senator from Georgia, asked the question: What are we going to do? Are we going to provide the ammunition for our men and women in uniform with spitballs, or are we going to do what is right, by providing them the ability to defend themselves?

With that, I thank again our colleague from Alabama (Mrs. ROBY) for her leadership on this very important issue.

Mr. REED. I so appreciate the gentleman from Colorado coming and offering his comments on this important issue.

Just briefly before I yield, I am reminded from the gentleman's comments when he referenced leadership and the story that the gentleman tells of the 85-year-old veteran who put his hand on his shoulder and said, We're counting on you, because that is the sentiment that forced or caused me to run for Congress in the beginning and to become a part of this freshman class of 2010.

I look at the national debt, I look at the economic turmoil that we find ourselves in, the fact that we cannot create jobs in America to the level so that people can put food on their table and put a roof over their head and go to bed comfortable and confident that they're going to get up tomorrow with a job to go to. I see the turmoil we face in America right now at the same magnitude as that generational crisis that that 85-year-old war veteran stood up for in World War II to stand as a united country to save Lady America and the freedom that she represents.

What I'm hearing in Washington, D.C.—and I'm sad to say out of the gentlemen in the administration, I see leadership that is trying to divide this country when we face a crisis the magnitude of such that is generational. Ladies and gentlemen of America and Mr. Speaker, the time is now to unite, not divide, and conquer this issue of the national debt because it is forcing us to have the conversation of cuts to our military that is going to put men and women in harm's way. That is not acceptable on our watch.

Mr. Speaker, at this point in time I know the gentleman from Virginia would like to speak, but I'm going to yield the balance of the time to the leader of the freshman class, the gentlelady from Alabama (Mrs. ROBY) who scheduled this Special Order.

Mrs. ROBY. Thank you to my friend from New York. I appreciate you being here tonight and controlling the time for a little while.

As we have a few more minutes, I would like to yield to the gentleman from Virginia.

Mr. RIGELL. I thank the gentlelady, my friend. It's a pleasure and a privilege to serve with the gentlelady on the House Armed Services Committee. I appreciate her leadership on the House Armed Services Committee and in holding this time tonight to talk about just the critical subject of defending this great country.

Just last night, I was with Congressman FORBES and Congressman WITTMAN in Chesapeake, Virginia, listening for over an hour to local contractors speaking about how this looming issue of sequestration is already affecting not only our larger economy in our region, but also just our ability to defend our great country. Companies are making decisions right now and critical and talented people are being laid off right now in advance of the sequestration that very well could occur in January of next year.

If I go back to my previous comments, I was talking about the failure of leadership, as I see it, the administration and also the Senate, because it's so important to understand kind of how we got here. In the role of Commander in Chief, it is really incumbent upon the President, in my view, to articulate and put forth a plan that would avert what his Secretary of Defense has made so clear is completely unacceptable. The level of cuts, the severity of the cuts, the suddenness of the cuts is really what we're referring to here. It's not the almost half a trillion that was already proposed in the administration's budget. That's bad enough. We're here tonight, I think in part, to sound the alarm to the American people that this is an additional almost half a trillion dollars of cuts. Mr. Speaker, you cannot build 90 percent of a submarine; you cannot build 90 percent of a carrier. It will be a legal nightmare. Contracts will have to be broken and then renegotiated. It will be a quagmire from just a legal standpoint.

So I thank the gentlelady for yielding and for the opportunity to again address this critical issue. And I call upon the administration and I call upon the Senate to meet the House where we are, which is to put forth specific plans. This is leadership.

I thank the gentlelady for yielding.

Mrs. ROBY. Thank you to my friend from Virginia.

I just point back to H.R. 5652, which is the Sequester Replacement Reconciliation Act that we passed in this House. Here we spend so much time while we're here in Washington, when we're back home in our districts, for me when I'm at the grocery store or pumping gas or taking my kids to school, talking about jobs and the economy. We're talking about the things that we here in this Congress have done to create so much uncertainty for you, the small business owner, and the reflection of the lack of jobs because of decisions that are made here.

All you have to do is look at the Sequester Replacement Reconciliation Act to see that what we need to be focusing on is priority. It's about priority. What is our job as Members of Congress as laid out by the Constitution of the United States? As I've already pointed out, it's to provide for a strong national defense. When we talk about jobs and the economy and then the stripping away of the tools that our men and women in uniform need in order to defend this country—I just want to give you a little snapshot to end on what that picture looks like.

Specifically, 200,000 soldiers and marines would have to separate from service, bringing our force well below pre-9/11 levels. We would have a fleet of fewer than 230 ships. That would be the smallest since 1915. We would have the smallest tactical fighter force in the history of the Air Force and a reduction of 20 percent in defense civilian personnel to go to your point.

These industries—aerospace, defense, and industrial base—directly employ more than 1 million people and support more than 2 million middle class jobs across the United States, all in an effort to protect our men and women who are fighting for and defending the freedom and liberty that everyone in this room so enjoys.

□ 2030

I could go on and on. You know that we could talk well past the hour, although we don't have that time.

Very quickly, I will thank my friend from Virginia once again. And is there anything else my friend from Colorado would like to add?

Mr. GARDNER. I know our friend from Virginia talked about the concerns of the Secretary of Defense, yet we still have no plan from this White House on how to deal with the very serious problem that faces our troops and jeopardizes our country's security.

I thank the gentlelady from Alabama for her leadership tonight.

Mrs. ROBY. I thank you both.

Again, to all of our veterans and military servicemembers and personnel, we just say thank you.

And I urge my colleagues to support the National Defense Authorization Act this week, as we move through the open process that we have, so that we can continue to give those men and women and their families all that they need to ensure that they are able to accomplish the mission.

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

Mr. SCHILLING. Mr. Speaker, I want to thank Congresswoman ROBY for holding this important leadership hour. I rise today to speak on some important issues facing our military as well as some provisions within the National Defense Authorization Act.

Here is the bottom line: Our national debt, which is approaching $16 trillion—or $50,000 for every person in this country—is a national security threat and we must find ways to bring our spending under control.

This House has acted to change the debate from how much can Washington spend to how much spending can we cut? We've led by example and cut our own office budgets by almost 12 percent. With the belief that more common sense in Washington can lead to uncommon savings for the taxpayer we have taken a government wide approach to cutting spending

The House has also stressed efficiencies when it passed a bill by my colleague ALLEN WEST that would cut the Department of Defense's printing budget by 10 percent.

However, placing our warfighters at risk is not the solution to our debt problem. There are proposals out there to make deep cuts to the Department of Defense that would only create dangerous consequences for the stability of our fighting forces. One proposal would reduce Department of Defense civilian employee levels beyond what our organic industrial base can handle. As a member who represents a vital part of our organic base, the Rock Island Arsenal, these proposals strongly concern me.

The largest concentration of civilians in the Army is within the Army Materiel Command and the largest concentration of civilians within Army Materiel Command is found in our

arsenals and depots—or our organic base. This organic base is what ensures that our military is warm and ready to go at a moment's notice.

That is why I am also concerned about proposals that would reduce organic base specialization in areas like manufacturing.

Without the ability to specialize in these areas, our warfighters could be left flatfooted when emergencies happen. For example, the Rock Island Arsenal was able to produce up-armor kits for the doors of Humvees for our troops in Iraq and Afghanistan when their vehicles were being attacked with IEDs. The Arsenal's ability to do this work quickly gave industry the time it needed to create long-term fixes for them and provided our troops with the tools they needed to most safely and effectively accomplish their missions.

During this time of fiscal constraint we must be careful not to penalize our organic base—which provides quality to the warfighter and value to the taxpayer. We must preserve and strengthen our organic base, not weaken it. The workers at the Rock Island Arsenal are a great example of how manufacturing skill can yield success for our warfighters.

In addition to serving on the House Armed Services Committee, I also serve on the Small Business Committee where our focus is solely on job creation through helping small businesses.

Small businesses have proven that they can perform a service or produce goods for the government at a lower cost and often at a faster pace than their larger counterparts, but many challenges remain for businesspeople seeking to break through the bureaucracy.

My colleague on the Small Business Committee, Representative JUDY CHU, and I introduced H.R. 3985, the Building Better Business Partnerships Act in February, which passed through the Small Business Committee last month, to reform mentor-protégé programs that exist to help small businesses win government contracts.

The Building Better Business Partnerships Act allows the Small Business Administration to oversee civilian mentor-protégé programs to streamline the process for each agency and ensure the programs are benefitting all small businesses.

This bipartisan language was successfully included in the FY 2013 NDAA in Committee to help small businesses compete for and win more government contracts so they can create jobs and get folks back to work.

This week, the House will debate the Defense Authorization bill. Our Constitution requires that we "provide for the common defense" and for fifty years in a row, Congress has acted to authorize defense programs. I look forward to working on a bipartisan basis to deliver a strong, common sense defense bill for the United States of America.

Again, I want to thank Congresswoman ROBY for holding this leadership hour. This July, the Rock Island Arsenal will celebrate 150 years of protecting our brave men and women. As a member of the House I will continue to pursue policies that allow our arsenals to thrive and grow their workload so that the Rock Island Arsenal can celebrate another 150 years and beyond.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4970, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Ms. FOXX (during the Special Order of Mr. REED), from the Committee on Rules, submitted a privileged report (Rept. No. 112–481) on the resolution (H. Res. 656) providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REAUTHORIZING THE VIOLENCE AGAINST WOMEN ACT

The SPEAKER pro tempore (Mr. ROKITA). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I thank you for the opportunity to take this 1 hour.

We want to spend this hour discussing a piece of legislation that is extraordinarily important to every woman and every man who lives within the United States. It's the Violence Against Women Act, which is up for renewal, and we'll be discussing that. But before I go into that, we've just heard an hour of discussion on an extremely important matter, which is the issue of national defense.

I do sit on the House Armed Services Committee, and I spent about 16 hours last week working to move that bill out of committee. Every single person on that committee and every single person in this House and in the Senate cares deeply about this Nation's security and providing the necessary support for the men and women who are currently in the military and those who have served in the past. There's no doubt about that.

There is, however, a very important debate underway about how we provide those services, given the ability of this Nation to find the money to pay for it. You heard a most remarkable debate this last hour—or a discussion this last hour, not a debate—but a discussion that basically, on the one hand, said, we've got this terrible deficit problem, and we have to deal with it; and on the other hand, we have to spend more and more money on the military.

Now recognizing that the war in Afghanistan is drawing down and hopefully will very soon be over, we are moving away from carrying on two major wars to a period in which we will not be having men and women overseas in these wars. That allows this Nation to draw down the military in an appropriate and very careful manner. Unfortunately, the bill that moved out of the House Armed Services Committee didn't do that. In fact, it moved away from the current law, which is one that was voted on by all of our Republican colleagues, which was the Budget Control Act that actually said the military had to be brought down. And the discussion you heard here about the President not having a plan, it simply isn't true. The President has put forth a balanced solution to the deficit within the confines of the Budget Control Act, a balance that has been rejected by the Republicans, a balance that calls for revenues, ending unnecessary tax breaks—for example, for the oil industry. Why should they receive $5 billion a year of our tax money on top of the tens of billions of dollars in profits that they are making in the sale of overpriced gasoline and diesel to the American public?

So the President says, take away those unnecessary subsidies and bring those back into dealing with the necessary things that we must do in this Nation. He also said that men and women who earn over $1 million a year in adjusted gross income ought to be paying their fair share.

There was discussion a moment ago about the budget reconciliation bill that passed this House. Understand that the budget reconciliation bill, as proposed by the Republicans, would increase the national deficit by $4 trillion. How does it do it? By giving an extraordinary new tax break to those at the very top. Those who earn more than $1 million a year would see their taxes reduced. So at $1 million a year in earnings, they would receive an additional tax reduction of $394,000. That's neither fair, that's neither balanced, and that clearly leads to an additional $4 trillion.

Back to the defense. We need a wise Defense appropriations bill out of this House. Unfortunately, though, what did pass was not wise, and it actually increased the number of men and women in Afghanistan. These are our Armed Forces. Under that bill, there would be an increase of 20,000 new soldiers into Afghanistan. That's not where we want to go.

Having said enough about that, I just thought we ought to put a little balance on the previous hour of discussion. So let us get on to what we really wanted to talk about tonight, which is, how do we protect women in America?

In 1994, a previous Congress passed the Violence Against Women Act, and that act provided a level of protection to every woman in America to be protected from domestic violence. I have with me tonight one of the key architects of that piece of legislation. She is now a Member of Congress. She is from the great State of Maryland. Her name is DONNA EDWARDS. Back in the nineties, she was the founding director and

the executive director of the National Network to End Domestic Violence.

The National Network to End Domestic Violence was an organization that Representative EDWARDS put together composed of State organizations that were dealing with domestic violence, many different kinds of organizations throughout the United States. Representative EDWARDS put that together. And she's here tonight to lead the discussion on how we can renew the Violence Against Women Act in a way that expands the protection to all women in the United States, all women. And central to this discussion will be that issue of all women within the United States.

But before I turn it over to her, as the Republicans always want us to do, I would like to read a couple of clauses of the United States Constitution. The 14th Amendment, in the end of section 1, says:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. And section two of the 14th amendment of the United States Constitution, says, ''The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

''Any person,'' a key subject for tonight's debate.

Representative EDWARDS, you've been at this for many years. Please share with us the background, the history, and why this is such an important part of what we must do here.

Ms. EDWARDS. I thank the gentleman from California for yielding and for your leadership.

I was thinking here, as I was sitting, that 18 years ago almost this month, I testified before the House Judiciary Committee before the passage of the Violence Against Women Act on behalf of the domestic violence advocates and survivors all across this country. And 18 years ago, we were discussing with a bipartisan group of Members, Republicans and Democrats, men and women who believed that it was finally time for the Federal Government to provide resources for shelters and services and programs and support for law enforcement and for protections for women who were experiencing domestic violence.

□ 2040

And I am actually saddened today that here we are in the Congress with Republicans taking one track and Democrats on another track on an issue that for the time that I have had professional experience on working on this issue in State legislatures and in the Congress has always been worked across both sides of the aisle with great agreement about the need to protect women against violence, and that in fact we stand here today with a partisan divide that I think for so many millions of women across this country who are experiencing violence is not something that we understand.

Today, we had an opportunity on the grounds of the Capitol to honor peace officers from across the country. Some of those peace officers lost their lives because they were responding to situations of domestic violence.

When the Violence Against Women Act was passed in 1994, it was passed because of several years of prior work. I remember working on the Violence Against Women Act and its various iterations as early as 1990 with ORRIN HATCH, a Republican from Utah, and Senator JOSEPH BIDEN, now Vice President, a Democrat from Delaware, working on the House side with Republicans and Democrats as we sought the right kind of compromise so that we can end the scourge of domestic violence in homes all across this country.

Since the passage of the Violence Against Women Act as a bipartisan piece of legislation, it really revolutionized the way that violent crimes against women are prosecuted and prevented and the way that communities respond to survivors. I can recall as long ago as when I was in second grade living on a military installation in very close quarters where you could hear through the thin walls the family that was experiencing domestic violence. And our experience then is that the military police would respond. They would drive the servicemember around the block and he would be back in the home. That was happening not just on military installations, but in communities all across the country.

With the passage of the Violence Against Women Act, it was a real message to law enforcement: we're going to provide you the tools and training and capacity to respond appropriately to victims of domestic violence.

That's what we did in 1994. It's what we reauthorized with bipartisan support in 2000, and then again in 2005.

I can remember as a resident adviser in college the horrible situation of having to call an emergency service for a young woman who had attempted suicide because she was in a violent relationship. In 2005 and 2000 we put resources in the Violence Against Women Act that enabled colleges and universities and communities to provide the kind of support and services that that young woman would have needed.

I can recall being a coworker of a young woman who showed up at work every day, working in a high-technology field, fully educated, but she was experiencing violence. She calls me on the telephone in the middle of the night from a phone booth, naked, having been battered by her abuser, not having anyplace to go and a shelter very far away. Today, because of what we've done in the Federal level on violence against women, that particular survivor, that victim has recourse and has the ability to seek shelter and services available to her.

When I testified 18 years ago before our House Judiciary Committee, I told the story of my own family, a family of four girls—and they say one in four women experiences violence at any time in their lifetime. Well, that was my family. My one sister was held at gunpoint and at knifepoint in my household.

And I think that what we did in 1994, what we've done in constituent legislation reauthorizing the Violence Against Women Act in 2000 and 2005, has gone a long way to ensure that women like my sister, women like my coworker, like the students in college, like battered immigrant women who, under threat of deportation from their abuser, under the threat of their own physical safety, afraid—because they might be deported—from going to seek shelter and services.

Well, in 2005, when we reauthorized the Violence Against Women Act, we said to those battered immigrant women: you don't have to be under threat of deportation if you're experiencing domestic violence. And yet here we are today in a Congress where the other side of the aisle, the Republicans in the Congress, are actually proposing rollbacks in the protections that we have offered to those who have experienced domestic violence, whether they are citizen survivors or they're immigrant women or they require cultural and linguistic services or they're lesbians and gays and transgender people in relationships that also require services.

This is not the kind of country we are. I think certainly in 1994 and in the subsequent reauthorizations of the Violence Against Women Act in 2000 and 2005 that passed with overwhelming bipartisan support, that we did not envision that in 2012 we would actually be rolling back the protections that we had offered those who experience violence.

I will have more to say about this because I think when I think back to my history of working on this issue—and so many of us have in this Congress—across the aisles to provide the kinds of supports and services and shelters and programs and training and law enforcement and prosecution that hold people accountable, that it is really sad that we're here on this floor of the House today rolling back the protections for those who experience violence.

With that, if you would not mind, Mr. GARAMENDI, I know that we've been joined by others.

Mr. GARAMENDI. Why don't we work together here. But before we pass the baton to our colleagues here, I think we all need to recognize the extraordinary work that you have done over these many, many years on this issue, and understand now how it affected your family. And I dare say it affects every family in America. If it's one in four women are at some time in their life abused and threatened with violence, we're talking some 40 million women. It's an extraordinarily serious problem. And the legislation that you helped write back in 1994 needs to be

reauthorized and strengthened, not weakened.

I would like now to turn to SHEILA JACKSON LEE, our colleague from Texas, who is deeply interested in this and has spoken on this before. And then, with your permission, Representative EDWARDS, I'll let you conduct the rest of this meeting.

Ms. EDWARDS. Thank you, Mr. GARAMENDI.

Ms. JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank the gentleman from California and applaud the gentlewoman from Maryland for her early, early involvement and leadership on this issue. It was certainly advocates like herself that allowed members of the Judiciary Committee, of which I was a very young member, to be able to draw upon that advocacy and write the VAWA legislation at that time. And I did it with bipartisan support. Chairman Hyde was the chairman of the Judiciary Committee at the time, and I remember distinctly. In fact, I was with Senate Members today who remember us from the House coming down to the swamp on the Senate side in a bipartisan manner to stand and support VAWA and its writing. And it couldn't have been done without the many stories and the many advocates like yourself. And so I'm delighted to serve on the Judiciary Committee on each and every reauthorization that has come about. I have been involved with it and been involved legislatively in a bipartisan manner.

The sadness today to all of us is that we're not able to do this in a bipartisan manner. And I will just briefly recount, if I can, what it means to a woman—and the enormous range of ages—and then conclude my remarks by indicating that the legislation that will be on the floor of the House tomorrow, H.R. 4970, is sad because it has not given the opportunity to do the right thing for women in a bipartisan manner.

□ 2050

Just let me cite these stories: Jonathan Barnes, 23, strangled his girlfriend, Jessica, to death. Barnes was charged with Jessica's murder.

Carlos Rodriguez, 38, strangled his wife, Rumalda, who was found deceased in her bed. She was 27.

Lucy Garcia, 63. Florentino Suchil, 54, beat and then ran over his girlfriend, Lucy, with a vehicle. She died from severe trauma.

Yolanda Punch, 47. Lonnie Punch, 47, shot his wife, Yolanda, to death at her friend's apartment complex.

Lucinda Bernard, 34. Donald Bernard, 44, stabbed his wife, Lucinda, to death in their home.

Rosa Limon, 25. Victor Azua, 28, shot his girlfriend, Rosa, to death before he shot and killed himself.

Shannon Strickhausen, 38, was shot by Jimmy Yarbrough. He shot Shannon to death before he turned the gun on himself. Her 14-year-old daughter who was at home called the police.

Vanessa Favela, 23, was shot and killed.

Donna Baeza, 48, was stabbed to death by Harold.

Marquita Brown, 25, was shot to death.

Another unidentified victim was shot by someone they believed to have been her husband, and the children discovered both deceased.

Someone by the name of Fortunata was killed by Juan Perez, shot to death.

It goes on and on in terms of the violence. It is not a respecter of age.

And what we have in this legislation, H.R. 4970, that is so striking for those of us who have dealt with women, I sat on the Houston Area Women's Center that provided refuge for women. I have dealt with women who have had their faces shot off and have had to run for their life.

Here's what we have in this legislation, very briefly. As we commemorated law enforcement officers who lost their lives today, we know when they come upon a domestic violence circumstance, they are in jeopardy. But what they want most of all is for that victim to be able to talk to them.

In a series of amendments to this legislation that is not in the Senate bill, we have taken to do immigration reform or immigration enforcement or immigration oppression, and we have used it in the wrong way. We have decided to take victims who happen to be immigrant women who happen to be here legitimately through the visa of their spouse, and we've indicated these three points. It would unduly restrict what we call the U visas. Currently to obtain a U visa for victims of serious crime, Federal, State or local law enforcement certifies that the applicant has or is likely to be helpful in the investigation, but this bill would restrict the law enforcement agency certification only to victims for 60 days. Some of these women are running for their lives. Some of these women cannot be found.

Another provision on this would encourage vulnerable victims of particularly serious crimes, this would deny them the opportunity for a green card. That has always been law, that you have the access. And then, of course, it would suggest that these victims are using their abuse to fraudulently get a status or to get an immigration process. So it would enhance the penalties for those women if they found some flaw in their testimony.

Clearly, a whole segment of the population would be ruled, in essence, ineligible for relief or help. But, more importantly, you would cast a whole litany of women who have been involved in this violence who happen to be immigrants, whose children happen to be immigrants, it would, in essence deny them the rights that they had before. It would take away current law.

Let me close by saying the Senator from Minnesota offered an amendment that I have offered and hope even though it may be a closed rule to be able to provide 70 percent funding to end the backlog of rape kits. There is a massive backlog of rape kits, which means that a woman is denied justice because those rape kits are not being processed. These rape kits are in hospitals. They are in evidence rooms. They are in back-door pantries. They are in places where they cannot be found, but they are there. We need to be able to put an emphasis on ensuring that these rape kits, sometimes years old, sometimes women haven't gotten justice. Sometimes the perpetrator, having raped again, has not been brought to justice because we have not been able to process those kits.

So there are many things that we could have done in a bipartisan manner. Tomorrow we will be debating this bill. Many people will be left out. I only say to the women and men who are on the floor tonight and those who may be listening to us, let's put this back. Let's go forward in a bipartisan manner. Let's make this bill the kind of bill that answers all of the concerns that have been expressed, and let's do better than H.R. 4970 because the women of this Nation deserve it.

Mr. GARAMENDI. I thank the gentlewoman from Texas for her very thoughtful and thorough discussion of this piece of legislation. It is about all women. We should never exclude any women from the protection of this law.

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

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Maryland (Ms. EDWARDS) is recognized for 35 minutes as the designee of the minority leader.

Ms. EDWARDS. Mr. Speaker, I thank the gentleman for yielding his time, and I thank the gentlelady from Texas and for your leadership on the Judiciary Committee, and just a reminder to the Chair that at the latest count, the bill that the gentlelady from Texas refers to, H.R. 4970, that would reauthorize the Violence Against Women Act, is currently opposed by 325 advocacy organizations from around the country who remain concerned that the legislation proposed by the Republicans actually rolls back many protections for immigrant women, for Indian women, and for the LGBT community.

With that, I would like to yield to the gentlelady from California (Ms. LEE).

Ms. LEE of California. First, let me thank you, Congresswoman DONNA EDWARDS, for your long-time and steady support and work on behalf of so many issues relating to women, especially those as they relate to violence against women. You have consistently over the years done this work, oftentimes when no one else was doing it, and thank you for staying the course. It is so important that we come together again in a bipartisan way to get the right bill, the correct bill, passed; and so thank you very much.

I want to thank Congressman GARAMENDI for your leadership in helping to put together this Special Order but also for your leadership on behalf of women all around the world. I know your wife very well and your children, and you have always really stood on the side of what was right for equity and for justice as it relates to women, so thank you very much.

I believe we all can agree there really is an acute need to put an end to domestic violence, dating violence, stalking, and sexual harassment. It's critical that we continue to speak out against intimate-partner violence at every opportunity and call attention and awareness to it whenever we can. And so that's why we really have to get this bill back in the shape that it needs to be in so we can protect women, because I can remember when I was in the California legislature. For example, I wrote California's Violence Against Women Act for the State of California; and I worked on many domestic violence bills that were signed into law, mind you, by then-Governor Pete Wilson, a Republican Governor. And, of course, I continue to cosponsor and work on numerous bills here in Congress to support victims of domestic violence and to prevent domestic violence.

Now, as someone who understands domestic violence on a deeply personal level, I know how traumatic this experience is. I know the strong and consistent support system needed to emerge as a survivor. There was no Violence Against Women Act in the late sixties and early seventies when I had to deal with many, many issues that we're talking about tonight. There was no place to turn. I also know from personal experience that domestic violence is not only physical. It is emotional. It is brutal. It is dehumanizing to the batterer and the battered. And without strong and enforceable criminal laws and services in place, one's life really can be shattered and destroyed.

Unfortunately, instead of being serious about the Federal reauthorization of VAWA, Republicans are attempting to roll back current law and weaken protections for women. This bill, H.R. 4970, would further marginalize LGBT victims, tribal victims, and immigrant victims by removing the limited, but important, protections that the Senate version extends to LGBT domestic violence victims, including key nondiscrimination provisions. Those are essential.

It removes the commonsense and constitutionally sound provisions in the Senate version that would allow the prosecution of nontribal violators who commit domestic violence against tribal women. This is horrible. It's wrong. It's immoral.

□ 2100

Under this bill, the protection of immigrant victims would be subject to unsubstantiated, abuser-provided evidence, among other bureaucratic barriers to protection, including delays in the prosecution of abusers.

Now, without changes and rollbacks like these—and these are only a few of them—I question, really, if the Republican proposal should even be called a Violence Against Women Act. I understand that Congresswoman ADAMS' amendment would make some small changes to this bill; however, it would still roll back key protections for immigrant victims, allowing the abuser to have the power during investigations and to maintain control of the victim's immigration status.

Under the guise of fraud concerns, Republicans are attempting to roll back important protections even as the Department of Homeland Security officials say that VAWA petitions are among the hardest immigration programs to defraud because of the already high evidence requirements.

Now, our colleagues in the Senate recognized the need to modernize and expand protections for victims of domestic violence, sexual assault, stalking, and dating violence. On April 26, the Senate version of the Violence Against Women Reauthorization Act passed with a rare show of bipartisan support, and that is what we are here to say we should do tomorrow in this House.

In this bill, though, that the House is considering, this would really pose a serious threat to the lives of victims. This is happening while all around the world nearly one in three women has been beaten, coerced into sex, or otherwise abused in her lifetime—one in three, here in the United States. As many as one in three American women report being physically or sexually abused by a husband or a boyfriend at least once in their lives. That's shocking.

In my home State of California, the statistics are even more staggering, where approximately 40 percent of California women experience physical intimate partner violence in their lifetimes. Of these women, three out of four had children under the age of 18 at home.

Children who see or experience domestic violence have a much greater chance to become either victims or perpetrators as adults. They are also more likely to attempt suicide, abuse drugs, run away from home, engage in teenage prostitution, and commit other crimes.

So there is unquestionable evidence of the need for a serious proposal to reauthorize the Violence Against Women Act. So I urge my colleagues to pass the Senate Violence Against Women Reauthorization Act.

We cannot afford to play political games with women's lives. We must not go back to the days, which many of us remember, where there were no protections, no safe places, where the courts would not allow battered women syndrome as admissible evidence in court, and women were incarcerated for defending themselves against their abusers.

So I have to thank Congresswoman EDWARDS, again, for your tremendous leadership in bringing us all together and continuing to try to work in a way that's in a bipartisan fashion—because that's the only way we can do this—on behalf of all women. This really is, in many ways, about life and death.

Ms. EDWARDS. I thank the gentlelady. And thank you so much for pointing out, especially with these diverse communities, the real importance of developing programs and services that respond directly to those communities, whether they're immigrant populations, LGBT populations, native populations, and others, that require the services and support that have been offered traditionally in the Violence Against Women Act and its subsequent reauthorizations up until now.

I'm actually reminded that, years ago, one of the most horrible calls that I responded to on a hotline was a woman in a lesbian relationship that was abusive and the difficulty of getting her into a program and services that were uniquely tailored to make sure that she could live safely. It is so sad for me to think, as the gentlewoman has pointed out, that we are going to roll back provisions in the Violence Against Women Act that would deny that woman the protections that would be offered to any other person who was experiencing domestic violence because we made some political and partisan decision about who should get services and who should be denied. So I thank the gentlelady.

With that, I'd like to yield to my good friend, the gentleman from California (Mr. FARR).

Mr. FARR. Thank you very much, Congresswoman EDWARDS, for your leadership before you even became a Member of Congress, but especially tonight to lead this discussion.

I can't believe what we're about to do tomorrow in a vote to reauthorize. I was here in 1994 when we were so proud of creating this historical legislation to protect women against violence. It wasn't some women; it was all women. And now we're on the verge, 18 years later, of saying, well, let's change that.

What's so appalling about it is we're going to take that in a debate tomorrow in this room, where every time we're in session we start that session by getting up and taking a pledge to that flag behind you saying ''justice for all.'' That's our role. We're elected here to bring about justice for all.

We just had a census in the United States. In that census, we didn't just count some people because they were citizens, some people because they were rich, some people because they were this or that or had an education. We counted every living being in the United States. Why? Because the laws of this country are supposed to be protecting and enhancing and providing a quality of life for every living being. Now we're on the verge, in an election year—when the majority of voters in this country are women—to say to the

women of this country, Oh, by the way, we're going to start taking back some of the provisions that have protected you.

You know, I rise, as Mr. GARAMENDI did before me, we rise as brothers, as husbands, as fathers, as a grandfather. In every one of those situations, the brother is because I have a sister, the husband is because I have a wife, the father is because I have a daughter, and the grandfather is because I have a granddaughter. My world in politics is about their lives and the future and growing up in the great country of the United States of America.

So here we are with this law that we passed back in 1994. We reauthorized it. We didn't have takeaways when we reauthorized that law in 2000. We didn't take away things when we reauthorized it in 2005. And now we're in 2012 and the vote before the Congress is: Let's take away some stuff. Why? It doesn't make any sense at all.

Why do you say, well, you can exclude Native Americans? Why? Aren't they? They're Americans. They're Native Americans. They're probably more American than anybody. Take away rights that those women have been given and now are being taken away.

Noncitizen women? Noncitizen women. Those are a lot of immigrants. It doesn't matter whether you have a green card or no card, taking away your rights to complain about violence.

To those in the lesbian, gay, bisexual, and transgender communities, they're individuals. You take away their rights? Shame.

It's an election year. Women are voting. I hope they will wake up and understand that the Congress, led by the Republican leadership in this House, is about to destroy the ability for people to access justice in a Congress and in a Nation where we pledge allegiance and pledge justice for all. Not tonight.

Thank you for having this special session.

Ms. EDWARDS. I thank the gentleman. And I thank him for his leadership because it took real courage for a bipartisan consensus to develop in this Congress, in this House of Representatives, in the Senate, with virtually no opposition because Members of Congress came together from every single State, from every community, from every congressional district and said that this kind of violence that happens in intimate relationships is not right, and that the Federal Government has a special role to play in making sure that those who experience violence have the ability to receive the kinds of programs and services and shelter and law enforcement protections, no matter what their status, because violence is wrong.

I thank the gentleman from California and other Members of the Congress who, in 1994—and then again in 2000, and then again in 2005—reauthorized the Violence Against Women Act across party lines because we share an oath and an obligation to provide those kinds of protections and services to all who experience violence. It is such a sad day that here we are here in the House of Representatives, and tomorrow we will have before us legislation that strips away that bipartisan effort that we engaged in just 18 years ago.

□ 2110

With that, I'd like to yield to my good friend, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I want to thank Congresswoman EDWARDS for her phenomenal leadership throughout her adult life on this issue, before she came to Congress and, obviously, now, a tremendous leader here on an issue of vital concern, and I underline the word vital, to America's families, to America's women, to those in tribal communities, to lesbian, gay, bisexual, transgender communities, to our immigrant families, to our immigrant spouses.

Let me just say that I don't recall ever the Violence Against Women Act being controversial. We have always, on a unanimous basis practically, passed it year after year after year. But this year, House Republicans have decided that they want to make an issue where they shouldn't be an issue. How sad. Sort of devolutionist, trying to move America backwards rather than forwards.

Every American should be free from fear. They should be free from abuse, and they should have equal protection under the law. The Violence Against Women Act does exactly that.

And I have two cases I just wanted to briefly mention, one from my district, where a horrible crime occurred. A woman was literally dismembered by her spouse, and each body part was put in a different trash can in the western part of one of the counties that I represent. And I thought about the agony that that woman suffered, year after year after year, fear for her own life, and eventually it was lost, and not reporting this, not going anywhere, being completely consumed by the fear that eventually resulted in her death. No American should face that.

And then I recall being called in our office by a gentleman saying, Marcy, you know, up the street from me, a woman has moved in with a man, and she's an immigrant from Russia. And my wife and I believe she's being beaten, but she's not a citizen. What can we do? How can we help her? This was years ago. This was a few years ago.

And I think of these cases that have come across during my period of service, and I know how important the Violence Against Women Act is to reduce domestic violence in our country and give women and give individuals a place to go. Even today, since 1994, we know that domestic violence has dropped more than 50 percent. However, the other 50 percent is still there. And I see this, sadly, in the regions that I represent. And I'm not alone. But there's still a lot of people that don't know where to go.

I recall one time traveling with then-Congresswoman, now Secretary of Labor Hilda Solis. We were down at the border in Texas, and we went to one women's shelter with this gigantic electric fence around it to try to protect the women in those border communities for the violence that they were enduring.

And so I want to thank Congresswoman EDWARDS for taking this lead tonight, to help to reauthorize this important program, to assure that we have adequate refuge for those who are living in fear in order to save their lives.

My goodness. This is the greatest country in the world, and we know that statistics show 1 in 4 women, this is a shocking number, have been the victims of severe physical domestic violence, and 1 in 5 women have been raped in their lifetimes, many in the U.S. military.

And I want to compliment Congresswoman JACKIE SPEIER for her phenomenal leadership on that issue to try to get justice inside the military, as well as in civilian society.

So I just want to say that I'm sorry that there are those who don't want to protect the lives of all citizens that live inside our borders, and immigrants that have come here who face tremendous obstacles of various kinds that many people can't imagine, but they're actually happening, and to make sure that all those within our borders are given equal protection under the law and justice and the opportunity to live in freedom without fear.

So I want to thank Congresswoman EDWARDS for bringing us together this evening and for making such a tremendous contribution to doing what's right and what's necessary for our country. Thank you for leading us forward.

Ms. EDWARDS. I thank the gentlelady, and thank her also for her leadership and commitment to all those who experience violence. And I think the message here tonight is that clearly we need to reauthorize the Violence Against Women Act. I think we agree about that.

But the question is, what do we do that actually expands the protections of a really vital piece of legislation for women all across this country, however they're situated? Unfortunately, H.R. 4970 simply doesn't do that. It eliminates protections for crime victims that are offered by the U visa, as our colleagues have pointed out. It deters immigrant victims from reporting crimes by denying nearly all U visa recipients the protections offered by lawful permanent resident status.

If anyone has ever held the hand of an immigrant woman whose status is in question and whose abuser has known that and uses that as part of the instrument of violence against her, you could not be possibly for legislation that would, in fact, roll back the protections that she deserves. I've held that woman's hand.

There's no reason, in this great country, that we should not have protections for those who've come here, for those whose legal status is actually under threat only because they're a victim of violence.

Now, there are some who suggest that somehow there's great fraud going on, and that principally, women are saying that they are experiencing violence so that they can receive protections.

I have to tell you, in my more than 20 some years of working on issues of domestic violence, on responding to telephone calls, and taking intakes in shelters, and sitting with victims and survivors in court, I can't recall anyone saying that they had experienced violence when they hadn't. And so I don't know what fraud the other side is trying to get at.

What I do know is that H.R. 4970 would roll back protections from the very women, from the very victims who are the most vulnerable, who need those protections. It would endanger victims by making it difficult for them to obtain visa protection.

H.R. 4970 needlessly requires that an investigation or prosecution is actively pursued. Can you imagine that a batterer would love the idea that you'd have to pursue an active investigation and prosecution, otherwise that person is free to continue battering, free to continue the abuse because they know that they, in effect, have the protection of the law. This is, unbelievable.

H.R. 4970 would require that a victim help to identify the perpetrator. All of us who have worked, particularly, with victims of sexual assault and other victims, would know what a dangerous position it puts a victim in of having to identify a perpetrator. Very often a sexual assault victim will not even know who the perpetrator is.

So I would urge my colleagues, as we consider reauthorizing the Violence Against Women Act, which we know we need to do for those who experience violence all across this country, that we consider those who are the most vulnerable, and that we stop down this path of politicizing and turning the Violence Against Women Act into a partisan issue, when we know that since 1994, to 2000, to 2005, Republicans and Democrats in this Congress have come together to reauthorize the Violence Against Women Act because we stand together against domestic violence.

I've been joined by my colleague from Vermont, PETER WELCH, and I'm sure that he has a few words to share with us about supporting a robust, bipartisan Violence Against Women Act.

□ 2120

Mr. WELCH. Thank you.

You've been a leader on this; but the challenge that we face in Congress is whether we're going to take seriously the epidemic of violence that's inflicted on women throughout this country. This legislation has to address what is a very serious problem in this country, which is that women are being subjected to violent attacks and that do we have it in our heart—do we have it in our will?—to provide legal protections to women who are the victims of assaultive and violent conduct in this country? It's really that simple.

That should apply to all women. Any person who is attacked on the basis of gender should be protected. What their views are about anything—what their views are on politics, what their views are on sexual orientation—are really irrelevant to the basic, independent, individual right that all of us have—men and women, incidentally—which is to live our lives in peace and with protection and with the confidence that our physical integrity will not be violated. It's really as simple as that.

So this is a question of whether this country has it in its heart to understand that there is violence out there that is affecting half of our population. Do we as a society have the desire and have the will to provide legal protection to people who are on the receiving end of violent conduct?

In my view, we have that in our heart, we have it in our soul, we have it in our will, and we can do it.

Ms. EDWARDS. I think the gentleman from Vermont raises an interesting point. We do have it in our heart. The question is whether we have the will to do the right thing.

This is not a selfish question, because, in fact, while we can sympathize and empathize with the experiences of victims and can provide support and services to them, we also recognize that it is really costly to us as a society when people are experiencing violence in their homes. It impacts our workplaces; it impacts our communities; it impacts our streets. When young people witness violence—when children witness violence in their homes—it is more likely that they will either experience violence themselves or they will become perpetrators. Our prisons and jails are filled with young people, men and women, who, when you get down to the core and ask them the question about their life experiences, will repeat to you their experiences of violence.

So this isn't an abstract question about whether we feel good in doing it. The impact for all of our communities and for society is really tremendous. Domestic violence spills out onto our streets and into our workplaces. It is estimated that the cost to our Nation is on the order of $8 billion in lost productivity because of domestic violence. It's attributed to productivity and to health care costs—the violence that causes 2 million injuries each year, three deaths each day, untold amounts of suffering to women and others who experience violence.

I know that we talk about women because the overwhelming majority of those who experience intimate partner violence are women, but we want to acknowledge that there are some men who experience violence. Some of those men are in same-sex relationships, and for some of those men, the women are perpetrators of violence; but the overwhelming majority of violence is violence that takes place between men and women, with men being the principal perpetrators.

It is why we've supported at the Federal level through the Violence Against Women Act a system of shelters and services and support for those who experience violence. It's why we've provided training for police officers, for all in law enforcement—for our prosecutors so that they become better prosecutors, for our judges so that they actually understand in our family courts and in our criminal courts what's going on with violence and so that it makes them better at meting out justice. It's the reason that we provide training in workplaces and with medical practitioners—so that they are able to identify when violence is happening in the emergency rooms and other health care facilities. It is the reason that here in this Congress we have this debate.

The fact is, under H.R. 4970, which we are considering, if you are an immigrant woman, you can say, You know what? The abuser, because he knows about my immigration status, can abuse me all he wants because I will not be afforded any protection. There is no place that I can go. If you are from the LGBT community, you can experience untold violence, and there will not be protections and services for you.

So H.R. 4970 actually turns on its head what we began to do in 1994 with the first passage of the Violence Against Women Act and with its subsequent reauthorizations, which is that we began to expand the protections. Then we began to ask: What are the levels of services that we can provide to communities, however they're situated, so that we can make sure we have culturally sensitive programs and services, linguistically sensitive programs and services, and programs targeted at specific communities so that they can take advantage of them?

Mr. WELCH. What about the kids? Whether they're lesbian or immigrants who take care of the children, isn't it the mothers who have the burden of that at the end of the day? Aren't we doing something that's going to protect those kids as well?

Ms. EDWARDS. The gentleman makes an amazing point.

When children witness violence, and especially as they grow older, children will often want to protect their mothers, and that actually puts them in greater danger. That is especially true for young boys, for male children, who will want to protect their mothers and think that they can intervene. There are children who grow up thinking that they were the reason that their mothers were experiencing violence, and then that has an untold downstream impact on them as they grow older.

The fact of the matter is we need to reauthorize the Violence Against

Women Act, and we need to do that in a bipartisan fashion. We need to make sure that whether you're an immigrant woman, whether you're a Native American woman, or whether you are in the LGBT community that you have the full protections of the law against experiencing violence in your intimate relationships. This is the least that we can do. It is just unfortunate that the Republicans aren't even going to allow an amendment that would actually allow us to expand these protections so that we could come to a bipartisan solution.

I can't tell you—I will just say to the chair—how sad it makes me as somebody who was in the trenches in 1990 to 1994, with advocates from across this country who were seeking to expand protections and services and programs for those who were experiencing violence, to know that we were able to do that with Republican ORRIN HATCH from Utah; with JOE BIDEN from Delaware, a Democrat; with Connie Morella, a Republican from Maryland; with JOHN CONYERS, a Democrat from Michigan. We were able to do that across the aisle; but today, instead, what we are doing is a Republican bill that would roll back the protections that many of us had sought to have.

Mr. WELCH. You make a good point.

Is it the case in this country that it's Republican women or Democratic women or Republican children or Democratic children who are on the bad end of violence? We know that's not the case. There is a lot of human emotion that goes into this, and it's uncontrolled emotion. We know that whether you are a Republican or a Democrat child or woman that you're entitled to the physical integrity of your own safety.

So it's not an issue that should be decided on partisan grounds. It should be decided on the basic right of human beings to physical security, and it should be about the goal all of us, I believe, have—that we want to have respectful and loving relationships, particularly in our intimate relationships.

Ms. EDWARDS. I thank the gentleman for pointing out the baseline, which is, when you're experiencing violence, you don't identify yourself as a Republican or as a Democrat.

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You're not a Christian or a Jew or a Muslim. Children witness violence, women—and some men—experience violence. Native American women experience violence, and so do immigrants experience violence. Our law should afford the full protection of the law against those who would perpetrate and provide services and programs for those against whom violence is committed.

I strongly urge the passage of the Violence Against Women Act that is a bipartisan bill. Unfortunately, H.R. 4970 simply misses the mark and would tip the scales in favor of abusers, that would tip the scales against immigrant women, that would tip the scales against the LGBT community, and would tip the scales across the board.

With that, I urge that we would defeat H.R. 4970 and come back to the table with sensible bipartisan legislation in the tradition of the Violence Against Women Act.

With that, I yield back the balance of my time.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 8, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 3247. To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''.

H.R. 3246. To designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 3004. To designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building''.

H.R. 2244. To designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

H.R. 2660. To designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''.

H.R. 3248. To designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

H.R. 2767. To designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building''.

H.R. 298. To designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''.

H.R. 1423. To designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Michael E. Phillips Post Office''.

H.R. 2079. To designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''.

H.R. 2213. To designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

ADJOURNMENT

Ms. EDWARDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 16, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5990. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2011 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2011, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

5991. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 14 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

5992. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John C. Koziol, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5993. A letter from the Acting Chairman, Federal Deposit Insurance Corporation, transmitting the Office of Minority and Women Inclusion's annual report for 2011; to the Committee on Financial Services.

5994. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2011, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

5995. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

5996. A letter from the Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5997. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Federal Employee Antidiscrimination Retaliation Act of 2002 (No FEAR Act) Report for FY 2011; to the Committee on Oversight and Government Reform.

5998. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting the 2011 management reports and statements on the system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

5999. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2011 Annual Report pursuant to Section 203, Title II of the Notification and Federal Anti-discrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

6000. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2011 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6001. A letter from the Chief, Office of Special Counsel, transmitting the Office's annual report for FY 2011 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

6002. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the semiannual report of receipts and expenditures of appropriations and other funds for the period October 1, 2011 through March 31, 2012; (H. Doc. No. 112—108); to the Committee on House Administration and ordered to be printed.

6003. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Acting Director, Office of Sustainable Fisheries, NMFS, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB113) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6004. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB142) received April 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6005. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Altus AFB, OK [Docket No.: FAA-2011-0630; Airspace Docket No. 11-ASW-8] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6006. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; [Docket No.: FAA-2011-1146; Airspace Docket No. 11-ASO-36] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6007. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Compulsory Points; Alaska [Docket No.: FAA-2010-1398; Airspace Docket No. 11-AAL-21] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6008. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Inverness, FL [Docket No.: FAA-2011-0540; Airspace Docket No. 11-ASO-20] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6009. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Rugby, ND [Docket No.: FAA-2011-0433; Airspace Docket No. 11-AGL-12] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6010. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-3704A and R-3704B; Fort Knox, KY [Docket No.: FAA-2011-1274; Airspace Docket No. 11-ASO-34] (RIN: 2120-AA66) received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6011. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kwigillingok, AK [Docket No.: FAA-2011-0881; Airspace Docket No. 11-AAL-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6012. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jackson, MI [Docket No.: FAA-2011-1143; Airspace Docket No. 11-AGL-23] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6013. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Saginaw, MI [Docket No.: FAA-2011-1144; Airspace Docket No. 11-AGL-24] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6014. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Galbraith Lake, AK [Docket No.: FAA-2011-0865; Airspace Docket No. 11-AAL-14] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6015. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Springfield, MO; Lincoln, NE; Grand Rapids, MI [Docket No.: FAA-2011-1406; Airspace Docket No. 11-AWA-5] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6016. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Greenfield, IA [Docket No.: FAA-2011-0846; Airspace Docket No. 11-ACE-18] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6017. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Portsmouth, OH [Docket No.: FAA-2011-0850; Airspace Docket No. 11-AGL-17] received April 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6018. A letter from the Director, Government Relations, Tennessee Valley Authority, transmitting the Statistical Summary for Fiscal Year 2011; to the Committee on Transportation and Infrastructure.

6019. A letter from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at Greater Rochester International Airport, Rochester, NY, Tupelo Regional Airport, Tupelo, MS, and Key West International Airport, Key West, FL will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers and that the screening company is owned and controlled by citizens of the United States, pursuant to 49 U.S.C. 44920 Public Law 107-71, section 108; to the Committee on Homeland Security.

6020. A letter from the Chiarman and Vice Chairman, U.S.-China Economic and Security Review Commission, transmitting ntoification of a public hearing held on ''Developments in China's Cyber and Nuclear Capabilities''; jointly to the Committees on Ways and Means, Armed Services, and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. MCKEON: Committee on Armed Services. Supplemental report on H.R. 4310. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112–479, Pt. 2).

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4970. A bill to reauthorize the Violence Against Women Act of 1994; with an amendment (Rept. 112–480, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 656. Resolution providing for consideration of the bill (H.R. 4970) to reauthorize the Violence Against Women Act of 1994, and providing for consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes (Rept. 112–481). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce, Education and the Workforce, and Financial Services discharged from further consideration. H.R. 4970 referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BIGGERT:

H.R. 5740. A bill to extend the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. HECK (for himself, Mr. QUIGLEY, and Mr. CHABOT):

H.R. 5741. A bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself and Mr. VISCLOSKY):

H.R. 5742. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2016; to the Committee on the Judiciary.

By Mr. ROGERS of Michigan:

H.R. 5743. A bill to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. GOSAR (for himself, Mr. MATHESON, Mr. ROSS of Arkansas, Mr. WALDEN, Mr. AMODEI, Mr. TIPTON, Mr. BISHOP of Utah, Mr. PEARCE, Mrs. MCMORRIS RODGERS, Mrs. LUMMIS, Mr. DUFFY, Mr. BERG, Mr. THOMPSON of Pennsylvania, Mr. DENHAM, Mr. SCHWEIKERT, Mr. SESSIONS, Mr. LONG, Mr. JOHNSON of Ohio, Mr. POMPEO, Mr. COLE, Mr. NUNES, Mr. CARTER, Mr. KING of

Iowa, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GARDNER, Mr. FLAKE, and Mr. QUAYLE):

H.R. 5744. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System lands and public lands managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON:

H.R. 5745. A bill to eliminate certain subsidies for fossil-fuel production; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, Science, Space, and Technology, Energy and Commerce, Agriculture, Appropriations, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. SAM JOHNSON of Texas, Mr. RANGEL, Mr. NUNES, Mr. STARK, Mr. REICHERT, Mr. LEWIS of Georgia, Mr. ROSKAM, Mr. BLUMENAUER, Mr. GERLACH, Mr. KIND, Mr. SCHOCK, Mr. CROWLEY, Ms. JENKINS, and Mr. PAULSEN):

H.R. 5746. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to real estate investment trusts, and for other purposes; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself, Mr. FILNER, Mr. SMITH of Washington, Mr. TIERNEY, Ms. BROWN of Florida, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Mr. BRALEY of Iowa, Mr. DONNELLY of Indiana, and Mr. YARMUTH):

H.R. 5747. A bill to amend the Servicemembers Civil Relief Act to improve the protections for servicemembers against mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DELAURO (for herself, Mr. CARNAHAN, Ms. LEE of California, and Ms. MCCOLLUM):

H.R. 5748. A bill to provide assistance to sub-Saharan Africa to combat obstetric fistula; to the Committee on Foreign Affairs.

By Mr. GRIJALVA (for himself, Mr. CONYERS, Mr. DEFAZIO, Mr. FARR, Mr. FILNER, Ms. HAHN, Mr. HOLT, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE of California, Mr. POLIS, Mr. STARK, and Ms. WATERS):

H.R. 5749. A bill to prohibit the transfer of defense articles and defense services to the governments of foreign countries that are engaging in gross violations of internationally-recognized human rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut (for himself and Mr. MURPHY of Connecticut):

H.R. 5750. A bill to amend the Harmonized Tariff Schedule to modify the tariffs on certain wrist watches, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. CONYERS, and Mr. SCOTT of Virginia):

H.R. 5751. A bill to amend title 18, United States Code, to provide for limitations on detentions of certain individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of South Carolina:

H.R. 5752. A bill to suspend temporarily the duty on Di-tert-amyl-2'-hydroxyphenyl) benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5753. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperdine ethanol; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5754. A bill to suspend temporarily the duty on 4-Nitrobenzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5755. A bill to suspend temporarily the duty on 4-Hydroxy-2,2,6,6-Tetramethylpiperidine-N-oxyl; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5756. A bill to suspend temporarily the duty on [2 -hydroxy - 3,5 - di (1,1dimethylbenzyl)phenyl]-2H-benzotriazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5757. A bill to suspend temporarily the duty on Pentaerythritol tetrakis(3,5-di-tert-butyl-4-hydroxyhydrocinnamate); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5758. A bill to suspend temporarily the duty on 1,1'-Methylenebis[3(hydroxymethyl)-2,5-dioxo-4-imidazolidinyl]urea]; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5759. A bill to suspend temporarily the duty on Allantoin; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5760. A bill to suspend temporarily the duty on Imidurea; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5761. A bill to suspend temporarily the duty on Fluorescent Brightener CBS-X; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5762. A bill to suspend temporarily the duty on Octadecyl-3-(3,5-di-tert-4-hydroxphenyl)-propionate; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5763. A bill to extend the suspension of duty on mixtures of N-phenyl-N-((trichloromethyl)thio)- benzenesulfonamide, calcium carbonate, and mineral oil; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5764. A bill to extend the reduction of duty on N-phenyl-pphenylenediamine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5765. A bill to suspend temporarily the duty on 1,3-bis(3-methyl-2,5-dioxo-1H-pyrrolinylmethyl)benzene; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5766. A bill to suspend temporarily the duty on 2,2'-Dithiobisbenzothiazole; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5767. A bill to reduce temporarily the duty on Benzoyl chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5768. A bill to extend the temporary suspension of duty on Cyanuric chloride; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5769. A bill to extend the temporary suspension of duty on Allyl pentaerythritol; to the Committee on Ways and Means.

By Ms. JACKSON LEE of Texas (for herself, Mr. LEWIS of Georgia, Ms. NORTON, and Mr. RANGEL):

H.R. 5770. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program; to the Committee on the Judiciary.

By Mr. SCOTT of South Carolina:

H.R. 5771. A bill to suspend temporarily the duty on modified phenolic resin in alkaline solution; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5772. A bill to suspend temporarily the duty on 1,2-Bis(3-aminopropyl)ethylenediamine, polymer with N-butyl-2,2,6,6-tetramethyl-4-piperidinamine and 2,4,6-trichloro-1,3,5-triazine; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5773. A bill to suspend temporarily the duty on Uvasorb S130; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5774. A bill to suspend temporarily the duty on Phenol 2,4 -bis(1,1-dimethyl ethyl),-phosphite (3:1); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5775. A bill to suspend temporarily the duty on Antioxidant 3114; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5776. A bill to extend the temporary suspension of duty on 2,2 -(2,5-Thiophenediyl)bis(5-(1,1-dimethylethyl); to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5777. A bill to extend the temporary suspension of duty on Decanedioic acid, bis(2,2,6,6-tetramethyl-4-piperidinyl) ester; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5778. A bill to suspend temporarily the duty on p-Nitrobenzoic Acid; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5779. A bill to suspend temporarily the duty on 2,4-Dihydroxy-benzophenone; to the Committee on Ways and Means.

By Mr. SCOTT of South Carolina:

H.R. 5780. A bill to reduce temporarily the duty on ferroboron; to the Committee on Ways and Means.

By Mr. HULTGREN (for himself, Mr. PRICE of Georgia, Mr. PALAZZO, Mr. BROOKS, Mr. YODER, Mr. LATOURETTE, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. WOLF, Mr. WEST, Mr. CULBERSON, Mrs. ADAMS, Mr. SMITH of Texas, Mr. POSEY, Mr. POE of Texas, and Mr. OLSON):

H. Con. Res. 124. Concurrent resolution expressing the sense of the Congress that President Obama's delays in implementing a clear mission for the American space program represent a clear threat to American exceptionalism; to the Committee on Science, Space, and Technology.

By Mr. CLARKE of Michigan (for himself, Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. DAVIS of Illinois):

H. Res. 657. A resolution expressing the sense of the House of Representatives supporting Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:

H. Res. 658. A resolution supporting the goals and ideals of International Water Safety Day; to the Committee on Energy and Commerce.

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 Mrs. BIGGERT:

H.R. 5740.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. HECK:

H.R. 5741.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. LoBIONDO:

H.R. 5742.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ROGERS of Michigan:

H.R. 5743.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that ''Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States''; ''. . . to raise and support armies . . .''; ''To provide and maintain a Navy''; ''To make Rules for the Government and Regulation of the land and naval Forces''; and ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GOSAR:

H.R. 5744.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:

Article IV, Section 3, Clause 2.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Currently, the federal government possesses approximately 1.8 billion acres of land. The land at issue in this bill is but a small part of those holdings. The U.S. Constitution specifically addresses the relationship of the federal government to lands. Article IV, §3, Clause 2—the Property Clause—gives Congress plenary power and full authority over federal property. The U.S. Supreme Court has described Congress's power to legislate under this Clause as ''without limitation.'' Because of this express Constitutional authority, Congress has the right, if not the duty, to properly manage its public lands, including establishing forestation policies, and tree harvesting and tree salvaging. This bill falls squarely within the express Constitutional power set forth in the Property Clause.

By Mr. ELLISON:

H.R. 5745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 3

Article I, Section 8, Clause 18

By Mr. TIBERI:

H.R. 5746.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to Article 1, Section 8 which provides that, ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;'' and Article 1, Section 7 which provides that ,''All bills for raising Revenue shall originate in the House of Representatives.''

By Mr. CUMMINGS:

H.R. 5747.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 of the United States Constitution, the reported bill is authorized by Congress' power ''To provide for the common Defense and general Welfare of the United States.''

Article I, Section 8, Clause 18 of the United States Constitution, the reported bill is authorized by Congress' power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

Article I, Section 8, Clause 12 of the United States Constitution, the reported bill is authorized by Congress' power ''To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.''

By Ms. DELAURO:

H.R. 5748.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8, Clause 1 of the United States Constitution

By Mr. GRIJALVA:

H.R. 5749.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. LARSON of Connecticut:

H.R. 5750.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. NADLER:

H.R. 5751.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 18.

By Mr. SCOTT of South Carolina:

H.R. 5752.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5753.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5754.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5755.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5756.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5757.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5758.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5759.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5760.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5761.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5762.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:

H.R. 5763.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. SCOTT of South Carolina:
H.R. 5764.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5765.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5766.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5767.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5768.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5769.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Ms. JACKSON LEE of Texas:
H.R. 5770.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5771.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5772.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5773.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5774.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5775.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5776.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5777.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5778.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5779.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.
By Mr. SCOTT of South Carolina:
H.R. 5780.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 1 of Section 8 of Article I of the United States Constitution.

ADDITIONAL SPONSORS

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

H.R. 104: Mr. CROWLEY.
H.R. 139: Ms. KAPTUR.
H.R. 184: Mr. WITTMAN.
H.R. 273: Mr. TIPTON and Ms. HIRONO.
H.R. 615: Mr. ROKITA.
H.R. 640: Mr. JACKSON of Illinois and Mr. LEVIN.
H.R. 750: Mr. SCALISE and Mr. CULBERSON.
H.R. 757: Mr. RIGELL.
H.R. 891: Mr. WELCH.
H.R. 1004: Mr. WALSH of Illinois.
H.R. 1044: Mr. KIND and Mr. WILSON of South Carolina.
H.R. 1091: Mr. GRIFFITH of Virginia.
H.R. 1145: Mr. MCKEON.
H.R. 1167: Mr. CULBERSON.
H.R. 1182: Mr. SCALISE, Mr. CULBERSON, and Mr. BENISHEK.
H.R. 1193: Mr. JACKSON of Illinois.
H.R. 1370: Mr. PRICE of Georgia, Mr. HARPER, and Mr. WESTMORELAND.
H.R. 1386: Mr. LUETKEMEYER, Mr. NUNES, Mr. COSTELLO, Mr. MCNERNEY, Mr. CONAWAY, Mr. FATTAH, Mr. WALZ of Minnesota, Mr. FITZPATRICK, Ms. ROS-LEHTINEN, Mr. RIGELL, Mr. COBLE, and Mr. VAN HOLLEN.
H.R. 1409: Mr. BENISHEK.
H.R. 1410: Mr. MORAN.
H.R. 1478: Mr. SESSIONS.
H.R. 1639: Mrs. BACHMANN.
H.R. 1704: Mrs. MCMORRIS RODGERS.
H.R. 1726: Mr. MATHESON.
H.R. 1744: Mr. QUAYLE.
H.R. 1925: Mr. LYNCH.
H.R. 1956: Mr. BRADY of Texas.
H.R. 1971: Mr. GINGREY of Georgia.
H.R. 2069: Mr. HOLDEN.
H.R. 2077: Mr. ROSS of Florida.
H.R. 2088: Mr. DINGELL.
H.R. 2092: Mr. WEST.
H.R. 2198: Mr. MANZULLO.
H.R. 2248: Mr. YARMUTH.
H.R. 2315: Ms. WOOLSEY, Mrs. LOWEY, Ms. BALDWIN, and Ms. ROYBAL-ALLARD.
H.R. 2353: Ms. PINGREE of Maine.
H.R. 2382: Mr. SHERMAN and Mr. ROTHMAN of New Jersey.
H.R. 2499: Ms. ROYBAL-ALLARD.
H.R. 2505: Mr. SCHIFF.
H.R. 2514: Mr. CULBERSON.
H.R. 2524: Mr. SMITH of Washington.
H.R. 2529: Mr. LUETKEMEYER.
H.R. 2569: Mr. KINGSTON, Mr. NEUGEBAUER, Mr. CARTER, Mr. HANNA, and Mr. JONES.
H.R. 2626: Mr. NEAL.
H.R. 2627: Mr. NEAL.
H.R. 2751: Mr. CARNAHAN.
H.R. 2774: Mr. MCCLINTOCK.
H.R. 2866: Mr. SESSIONS.
H.R. 2962: Ms. MOORE, Mr. PETERS, Ms. VELÁZQUEZ, Mr. LUETKEMEYER, Mr. CHABOT, Mr. SESSIONS, Ms. HAHN, and Mr. SCHRADER.
H.R. 2969: Mr. POSEY, Ms. LINDA T. SÁNCHEZ of California, Mrs. BONO MACK, Mr. TONKO, Ms. MCCOLLUM, and Mr. SCHIFF.
H.R. 3032: Mr. BILIRAKIS and Mr. STIVERS.
H.R. 3040: Mr. KILDEE.
H.R. 3053: Ms. MCCOLLUM.
H.R. 3067: Mr. WAXMAN, Mr. SMITH of Washington, Mr. MARINO, Mr. YOUNG of Alaska, Mr. LUETKEMEYER, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. CONNOLLY of Virginia, Mr. HONDA, Mr. ROYCE, Ms. FUDGE, and Mr. SCHILLING.
H.R. 3098: Mr. FLORES.
H.R. 3102: Mr. COURTNEY.
H.R. 3173: Mr. HARPER, Ms. HANABUSA, and Mr. CARNAHAN.
H.R. 3216: Mrs. MCCARTHY of New York.
H.R. 3264: Mr. SCALISE.
H.R. 3269: Mr. HURT, Mr. CAPUANO, Mr. HALL, and Mr. QUAYLE.
H.R. 3288: Mr. WAXMAN.
H.R. 3307: Mr. LIPINSKI and Mr. TONKO.
H.R. 3308: Mr. CULBERSON.
H.R. 3324: Mr. SCOTT of Virginia.
H.R. 3352: Mr. TONKO.
H.R. 3357: Mr. SCHIFF.
H.R. 3362: Mr. YODER.
H.R. 3364: Ms. CHU, Ms. PINGREE of Maine, Mr. HOLDEN, and Mr. YARMUTH.
H.R. 3418: Ms. MCCOLLUM.
H.R. 3443: Ms. BUERKLE.
H.R. 3590: Ms. CLARKE of New York.
H.R. 3612: Mr. HIGGINS and Mr. SCOTT of Virginia.
H.R. 3627: Mr. MURPHY of Pennsylvania.
H.R. 3635: Mr. RICHMOND.
H.R. 3643: Mr. THOMPSON of Pennsylvania and Mr. STUTZMAN.
H.R. 3665: Ms. MCCOLLUM.
H.R. 3687: Mr. OLVER, Ms. DELAURO, Mr. RANGEL, and Mr. GRIJALVA.
H.R. 3720: Mr. BROUN of Georgia.
H.R. 3761: Mr. RANGEL.
H.R. 3790: Mr. MCINTYRE.
H.R. 3798: Mr. THOMPSON of California and Mr. KILDEE.
H.R. 3863: Mr. HIGGINS.
H.R. 3889: Mr. JONES.
H.R. 3891: Ms. LEE of California.
H.R. 3993: Mr. HOLDEN.
H.R. 4057: Mr. CARTER.
H.R. 4070: Mr. ROGERS of Alabama.
H.R. 4077: Mr. SCHIFF.
H.R. 4104: Mr. RIBBLE, Mr. MCKEON, Mr. ROGERS of Alabama, Mrs. MCMORRIS RODGERS, Mr. MILLER of Florida, Mr. MICA, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. WEST, Mr. ROHRABACHER, Mr. ROKITA, Mr. PAULSEN, Mr. ROSKAM, Mr. SCALISE, Mr. ROGERS of Michigan, Mr. MCHENRY, Mrs.

ELLMERS, Mr. YOUNG of Indiana, Mr. DENHAM, Mr. ISSA, Mr. DANIEL E. LUNGREN of California, Mr. FORBES, Mr. NUGENT, Mr. MCCOTTER, Mr. SOUTHERLAND, Mr. LUCAS, Mr. LOEBSACK, Mr. SHIMKUS, Mr. NUNNELEE, Mr. WITTMAN, Mr. GRIFFITH of Virginia, Mr. CAMPBELL, Mr. PEARCE, Mr. YOUNG of Florida, Mr. HUNTER, and Mr. ROE of Tennessee.

H.R. 4124: Ms. PINGREE of Maine:

H.R. 4164: Mr. OWENS, Mr. WILSON of South Carolina, Mr. STARK, and Mr. JOHNSON of Ohio.

H.R. 4170: Mr. SABLAN and Ms. ZOE LOFGREN of California.

H.R. 4183: Mr. DINGELL.

H.R. 4192: Ms. TSONGAS.

H.R. 4229: Mr. ROE of Tennessee, Mr. CRAVAACK, and Mr. CULBERSON.

H.R. 4232: Mr. HARPER.

H.R. 4240: Mr. ISRAEL.

H.R. 4259: Mr. SCHOCK, Ms. BASS of California, and Mr. COLE.

H.R. 4269: Mr. DUNCAN of Tennessee, Ms. HOCHUL, Mr. RAHALL, Mr. HARPER, Mr. WESTMORELAND, and Mr. KISSELL.

H.R. 4271: Mr. GUTIERREZ, Mr. NADLER, Mr. PETERS, and Mr. GARAMENDI.

H.R. 4290: Mr. SCHIFF, Ms. WOOLSEY, and Ms. HIRONO.

H.R. 4323: Mr. KING of New York, Mr. HURT, Mr. STIVERS, Mr. LUETKEMEYER, and Mr. RENACCI.

H.R. 4327: Mr. WALZ of Minnesota.

H.R. 4339: Mr. KUCINICH.

H.R. 4351: Mr. JACKSON of Illinois and Ms. WILSON of Florida.

H.R. 4367: Mr. PETERS, Mr. JOHNSON of Georgia, Mr. CRENSHAW, Mrs. BLACKBURN, and Mr. LEWIS of Georgia.

H.R. 4373: Mrs. EMERSON and Mr. ROTHMAN of New Jersey.

H.R. 4377: Mr. LONG and Mr. QUAYLE.

H.R. 4390: Mr. SMITH of Washington.

H.R. 4402: Mr. CONAWAY, Mr. JOHNSON of Ohio, Mr. BENISHEK, and Mrs. MCMORRIS RODGERS.

H.R. 4454: Mr. DUNCAN of Tennessee.

H.R. 4480: Mr. STEARNS.

H.R. 4625: Mr. DUNCAN of Tennessee.

H.R. 4848: Mr. KUCINICH.

H.R. 4965: Mr. HURT, Mr. COSTA, Mr. BROUN of Georgia, Mr. NUGENT, Mrs. ELLMERS, Mr. CARDOZA, Mr. KINGSTON, Mr. WESTMORELAND, and Mrs. EMERSON.

H.R. 4970: Mr. PENCE.

H.R. 4972: Ms. MCCOLLUM, Ms. ZOE LOFGREN of California, and Ms. SLAUGHTER.

H.R. 5050: Mr. NADLER.

H.R. 5187: Mrs. CAPPS.

H.R. 5284: Mr. BUCHANAN.

H.R. 5303: Mr. NADLER.

H.R. 5646: Mr. ROSS of Florida, Mr. BACHUS, and Mr. FRANKS of Arizona.

H.R. 5647: Mr. RYAN of Ohio and Ms. BERKLEY.

H.R. 5691: Mr. GEORGE MILLER of California and Mr. MARKEY.

H.R. 5720: Mr. WELCH.

H.R. 5738: Mr. HUIZENGA of Michigan.

H. Con. Res. 63: Mr. LIPINSKI.

H. Con. Res. 120: Ms. WATERS and Mr. HIGGINS.

H. Res. 111: Mr. CASSIDY and Mr. CRITZ.

H. Res. 177: Ms. JACKSON LEE of Texas.

H. Res. 282: Mr. GRIJALVA.

H. Res. 351: Ms. MOORE, Mr. COOPER, Ms. WATERS, and Mr. MORAN.

H. Res. 460: Ms. HAYWORTH.

H. Res. 526: Mr. MURPHY of Connecticut and Mr. JOHNSON of Ohio.

H. Res. 568: Mr. WALSH of Illinois, Mrs. NAPOLITANO, Mr. CARNAHAN, Mr. KEATING, Mr. FRANK of Massachusetts, Mr. CUMMINGS, Mr. DONNELLY of Indiana, Mr. LARSEN of Washington, Mr. DINGELL, Ms. HOCHUL, Mr. TURNER of Ohio, Mr. SHUSTER, Mrs. NOEM, Ms. KAPTUR, and Mr. RUSH.

H. Res. 583: Mr. LANGEVIN.

H. Res. 645: Mr. PERLMUTTER and Mr. PRICE of North Carolina.

H. Res. 646: Mr. BARROW and Mr. KISSELL.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4310

OFFERED BY: MR. WALSH OF ILLINOIS

AMENDMENT NO. 1: At the end of subtitle E of title V, add the following new section:

SEC. 544. EXPANSION OF DEPARTMENT OF DEFENSE PILOT PROGRAM ON RECEIPT OF CIVILIAN CREDENTIALING FOR MILITARY OCCUPATIONAL SPECIALTY SKILLS.

(a) EXPANSION OF PROGRAM.—Subsection (b)(1) of section 558 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2015 note) is amended by striking ''or more than five''.

(b) USE OF INDUSTRY-RECOGNIZED CERTIFICATIONS.—Subsection (b) of such section is further amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) consider utilizing industry-recognized certifications or licensing opportunities for civilian occupational skills comparable to the specialties or codes so designated; and''.