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:

I hereby appoint the Honorable Rob Bishop to act as Speaker pro tempore on this day.

J OHN 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 J OHN 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.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
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 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 contributes to our growing national debt. The legislation provides the support our brave service-members, 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 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 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, pollying 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.

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?
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:


Hon. J. John A. Boehner, Speaker, House of Representatives, Washington, D.C.

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 before the House the following communication from the Clerk of the House of Representatives:


Hon. J. John A. Boehner, Speaker, U.S. Capitol, House of Representatives, Washington, D.C.

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 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.

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 Rule XX, the Chair will postpone further proceedings today on motions to suspend the rules until such time as 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.’’

SECTION 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 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 its 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.—For purposes of this Act:

(A) For purposes of this Act:

(B) EMPLOYEE.—For purposes of this Act:

(C) EMPLOYEE.—For purposes of this Act:

(D) EMPLOYEE.—For purposes of this Act:

(E) EMPLOYEE.—For purposes of this Act:

(F) EMPLOYEE.—For purposes of this Act:

(G) EMPLOYEE.—For purposes of this Act:

(H) EMPLOYEE.—For purposes of this Act:

(I) EMPLOYEE.—For purposes of this Act:

(J) EMPLOYEE.—For purposes of this Act:

(K) EMPLOYEE.—For purposes of this Act:

(L) EMPLOYEE.—For purposes of this Act:

(M) EMPLOYEE.—For purposes of this Act:

(N) EMPLOYEE.—For purposes of this Act:

(O) EMPLOYEE.—For purposes of this Act:

(P) EMPLOYEE.—For purposes of this Act:

(Q) EMPLOYEE.—For purposes of this Act:

(R) EMPLOYEE.—For purposes of this Act:

(S) EMPLOYEE.—For purposes of this Act:

(T) EMPLOYEE.—For purposes of this Act:

(U) EMPLOYEE.—For purposes of this Act:

(V) EMPLOYEE.—For purposes of this Act:

(W) EMPLOYEE.—For purposes of this Act:

(X) EMPLOYEE.—For purposes of this Act:

(Y) EMPLOYEE.—For purposes of this Act:

(Z) EMPLOYEE.—For purposes of this Act:
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 financial burden on workers 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.

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 from nonresidents until they work in 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 States. Employers 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 uniform 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.

Mr. JOHNSON. 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 employers and employees. 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 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 employers who perform employment duties in a nonresident State if they work in that 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.
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 in resident state and state income 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. This legislation would require businesses to comply with a wide variety of tax withholding requirements from each state where a business has employees, different state income tax laws related to their employees, different state income tax laws related to their employers. This bill will end up saving 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 employers 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 back and forth with 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 nonresident’s income tax liability is not triggered until after he or she makes $1,000 in wages in the state.

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 spends more time in that state than in any other state during the day. If an individual works 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.

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill, H.R. 1864, as amended.

The question was taken; and (two-thirds being in the affirmative) the bill (H.R. 1864) was passed, and ordered to be reported back to the House with amendments.

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.

BORDER TUNNEL PREVENTION ACT OF 2012

SEC. 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 drugs 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 2012, 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.


(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage between Mexico and the United States; and

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

(5) Any person convicted of violating a section relating to this section is subject to enhanced sentences 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 of title 18, United States Code, is amended by inserting “section 555 (relating to construction or use of international border tunnels)” after “section 554 (relating to smuggling goods from the United States).”

SEC. 5. FORFEITURE.

Section 922(a)(2)(B) of title 18, United States Code, is amended by adding “section 555” after “554,”

SEC. 6. MONEY LAUNDERING DESIGNATION.

Section 1861(c)(7)(D) of title 18, United States Code, is amended by inserting “section 555 (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 conducting outreach efforts in California to certain landowners and tenants along the border to educate them about cross-border tunnels and seek their assistance in discouraging the construction of such tunnels; 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. Is there objection to the request of 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.

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.

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 a new 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. Some 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. 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 unnecessary 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. Where documented cross-border tunnels 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 was 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 all drug, wire, and racketeering offenses. This will provide law enforcement officials with investigatory tools and additional options for criminal asset forfeiture of merchandise involved in tunneling, and included 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 criminal asset forfeiture of merchandise involved in tunneling, and in- crease the penalties for criminal organizations and, further, for criminal asset forfeiture of 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.

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 it’s got 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, thereby protect the lives of individuals in Arizona and all Americans.

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.

HONORABLE 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 of 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 disagree 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, if conference 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 that a provision like it already exists within our Rule X jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of representatives to an H.R. 4119 conference committee 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 of the bill. Sincerely, 

DAVE CAMP, Chairman. 

CONGRESS OF THE UNITED STATES 

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 smuggling 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. prosecutors, the jurisdiction of the tunnel would have to be started on the U.S. side and not yet have crossed the border into Mexico to be an attempt under the border tunnel law to be 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, and 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 1980. 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 and, if it takes crosses 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. And by 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 border 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 ability 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
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 20 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.

When the National 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 400 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 question was taken.

SECON D. 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) UNITED STATES.—The term "United States" means 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.

(4) LAW ENFORCEMENT OFFICER.—The term "law enforcement officer" shall have the same meaning as in section 103 of title 28, United States Code.

(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 NET-WORK.

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—

(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; or

(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 334 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—

(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 initiation of the investigation with law enforcement 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; and

(B) command center operations; and

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

(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 place 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.—

SEC. 5. REPORT.

The Attorney General shall submit an annual report to the Congress on the operation of the Blue Alert communications network under this Act.
(1) VOLUNTARY PARTICIPATION.—The guidelines established under subsection (b)(2), protocols developed under subsection (b)(3), and other programs established under subsection (b), shall be voluntary.

(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 disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(3) PRIVACY AND CIVIL LIBERTIES PROTECTION.—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. PIERLUSI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

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 who 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 17 states, the local Walmart is located within which to arrest the offender who is still at large and may in fact be on the move. The 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 end this kind of future violence against 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.

Mr. PIERLUSI. 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 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 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 this 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 the United States Department of Justice estimating the number of 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 last 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 they are also willing to kill 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 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 nation-wide 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 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. Madam Speaker, I yield the floor 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 individuals, 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.

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 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 version of the bill states 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 to establish a 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 wish 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. SMITH of Texas. Madam Speaker, I yield as much time as he may consume to the gentleman from New York, Mr. Grimm.

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 of police 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 the legislation itself, 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. PIERLUSI. 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 must 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 history, and has an outstanding warrant.

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 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. 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.”

SECTION 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.

(A) In general. Any other 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—

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

(ii) 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."

SECTION 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 incidence described in 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 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. SMITH from Texas, to address an issue in the construction industry I know all too well: surety bonding.

Surety 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 suppliers of the general contractor and its surety have been insufficient or illusory. This has left small businesses and subcontractors, and suppliers of the small businesses and work-forces to our Nation's economy, not only to 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 sureties. Many such 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 the economic vitality and performance of 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, as a participant 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 is tiny. 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 from Congressman 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 for the government to do business.

The bill amends federal acquisition law to require individuals sureties to post 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 write. 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, Commercial 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. 262) 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:

May 15, 2012
CONGRESSIONAL RECORD — HOUSE H2679

H.R. 2621

For public inspection in the appropriate offices

for the proper use of the national monument by members of Indian tribes for traditional and cultural purposes.

(c) FISH AND WILDLIFE.—Nothing in this Act establishes any Tribal Right.

(b) TRIBAL RIGHTS.—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.

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...
Congressional Record — House May 15, 2012

H2680

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 U.S. Forest Service 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. It also continues the promise that the area will 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 national protection, 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 Americans.

Mr. HEINRICH. I yield myself such pleasure 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 Mr. Tipton's district. There are a number of bills like Congressmen 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 this 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 House to pass 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 amendment is agreed to.

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.

Point of order that a quorum is not present 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 Pub. L. 100–548 (commonly known as the “Mesquite Lands Act of 1986”) is amended—

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

(B) in paragraph (2), 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),”;

(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;”;

(E) in subsection (f)(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:

“(6) 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, at the end of the period that the city shall have an exclusive right to purchase such land;”;

and

(E) by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following:

“(5) RIGHT TO PURCHASE LAND.—Until November 29, 2020, the City of Mesquite, Nevada, 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.

Mr. BISHOP of Utah. Congratulations to Congressman 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
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 1996 legislation, some restrictions on 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.

Authorized 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 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 was taken.

Mr. HEINRICH. Mr. Speaker, I object to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Nevada (Mr. NOEM), that the House suspend the rules and pass the bill, H.R. 2745, as amended.

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 CEMETARY 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:

This Act may be cited as the "Black Hills Cemetery Act"

SEC. 1. SHORT TITLE.

This Act may be cited as the "Black Hills Cemetery Act"

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

(a) CEMETORIES CONVEYANCES REQUIRED.—The Secretary of Agriculture shall convey, without charge, to the city of Mesquite, Nevada, to continue acquiring certain lands from the Federal Government for its commercial airport.

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

(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 graves and allow for expansion of the cemeteries.

(c) CONVEYANCES.—The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:

H.R. 2745 provides for an amendment allowing for the "implementation" of these plans in an inadvertent manner. 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 meet this deadline. H.R. 2745 provides for an extension of additional 8 years to allow economic conditions to improve.

In closing, I would again like to thank Chairman Bishop and Ranking Member Bishop for their service, 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.
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 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, Mount Rushmore National 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 technically been 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, with possible vandalism or damage to the property.

The Black Hills Cemetery Act would simplify transfer ownership of these cemeteries and up to 2 acres of adjacent property 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 complex 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 passed this bill, in those 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 was taken.

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 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 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 (25 U.S.C. 435), 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; and

(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;

(2) by adding at the end the following:

“(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall have the discretion to approve Indian tribally owned allotment leases, the conditions of which the Secretary finds in the public interest, if—

(i) the tribe provides responses to the Secretary in a timely manner; and

(ii) the lease is executed under a tribal regulation approved by the Secretary and the term of the lease does not exceed—

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

(ii) 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.

(10) IN GENERAL.—The term ‘tribal allotted land’ shall not apply to any lease of individually owned Indian allotted land.

(11) 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—

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

(bb) a process for ensuring that—

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

11 Technical Assistance.—The Secretary may provide technical assistance, upon request of the applicable Tribe or Tribes and development of a regulatory environmental review process under sub-
paragraph (B)(ii).

12 Indian Self-Determination Act.—The technical assistance to be provided by the Secre-
tary pursuant to subparagraph (C) may be made available through contracts, grants, or agree-
ments entered into in accordance with, and made available to the Tribe eligible for, such con-

13 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 ap-
prove or disapprove the regulations.

(B) Written Documentation.—If the Secre-
tary disapproves the tribal regulations described in paragraph (1), the Secretary shall in-
clude written documentation with the dis-
approval notification that describes the basis for the dis-
approval.

(C) Amendments.—The deadline described in subparagraph (A) may be extended by the Secre-
tary, after consultation with the Indian tribe.

14 Federal Environmental Review.—Not-
withstanding paragraphs (3) and (4), if an In-
dian tribe carries out a project or activity fund-
ded by a Federal agency, the Indian tribe shall have the au-
thority to rely on the environmental review process applicable Federal agency rather than any tribal environmental review process under this subsection.

15 Documentation.—If an Indian tribe exe-
cutes a lease under paragraph (1), the Secretary shall pro-
vide the Secretary with—

(A) a copy of the lease, including any amend-
ments or renewals to the lease; and

(B) a copy of all 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 disapprove the lease regu-
lations.

16 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), the Indian tribe shall pro-
vide the Secretary with—

(A) a copy of the lease, including any amend-
ments or renewals to the lease; and

(B) a copy of all 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 disapprove the lease regu-
lations.

(B) Authority of Secretary.—Pursuant to the au-
thority of the Secretary to fulfill the trust obligation of the United States to the applicable Indian tribe, the Secretary may take such action as the Secretary de-
termines is necessary and proper to fulfill such an obligation.

18 Compliance.—(A) In General.—An interested party, after exhausting exhaustion of any applicable tribal remedies, may submit a petition to the Secretary, at such time and in such form as the Secretary deter-
mines appropriate, to review the compli-
cance 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 de-
termines that the tribal regulations were vio-
lated, the Secretary may take any action the Secretary determines is necessary and proper to fulfill the trust obligation of the United States, including rescinding the approval of the tribal regulations and reassigning respons-
bility for the approval of leases of trust lands.

19 Documentation.—If the Secretary deter-
mines that a violation of the tribal regulations has occurred and a remedy is necessary, the Secretary shall—

(i) make a written determination with re-
spect 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) if a hearing is not on the record; and

(iv) a reasonable opportunity to cure the alleged violation.

19 Saving Clause.—Nothing in this sub-
section shall affect subsection (e) or any tribal regulations issued under that subsection.

2. LAND TITLE REPORTS.

(a) In General.—The Bureau of Indian Af-
fairs shall provide to the Committee on Natural Resources of the House of Represent-
atives 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 ‘‘LTO’’) functions from the Bureau of Indian Affairs.

(b) Consultation.—In conducting the review under subsection (a), the Bureau of Indian Af-
fairs shall consult with the Department of Hous-
ing and Urban Affairs and the Office of Native American Programs and the Indian tribes that are managing LTO functions (referred to in this section as the ‘‘managing Indian tribes’’).

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

1. Whether and how tribal management of the LTO functions has processed and issued Indian land title certifi-
cations as compared to the period during which the Bureau of Indian Affairs managed the pro-
gams.

2. Whether and how tribal management of the LTO functions has increased home ownership among the population of the managing In-
dian tribe.

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

4. Whether tribal management of the LTO functions resulted in a transfer of financial re-
sources and manpower from the Bureau of In-
dian Affairs to the managing Indian tribes and, if so, what transfers were undertaken.

5. Whether, in appropriate circumstances and with the approval of the Secretary, the managing Indian tribes, the LTO functions may be per-
formed by a single Indian tribe or a tribal con-
sortium in a cost effective manner.

The SPEAKER pro tem. pursuant to the request of Mr. BISHOP of New Mexico (Mr. HEINRICH) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

Mr. HEINRICH. Mr. Speaker, the request of Mr. BISHOP of New Mexico (Mr. HEINRICH) and the gentleman from New Mexico (Mr. HEINRICH) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Mem-
bers may have 5 legislative days to re-
view and extend their remarks and in-
clude extraneous material on the bill under consideration.

The SPEAKER pro tem. is there objection to the request of the gentle-
man from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may con-
sume.

Under current law, each and every nonmineral lease that a tribe executes with a third party is subject to ap-
proval of the Department of the Inte-
rior 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., al-
ways knows better.

Unfortunately, the result of this pa-
ternalism 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 sec-
tor, time is money; and when the gov-
ernment delays money, investors take their business elsewhere.

In 2000, Congress agreed with a re-
quest by the Navajo Nation to let the tribe lease its land without Federal ap-
proval so long as the leasing occurs under tribal regulations and they have been approved by the Secretary. The amendments obviate taxpayers from li-
ability for leasing decisions the Navajo Nation makes.

For years, many tribes have pleaded with Congress to let them manage their lands with less Federal super-
vision. H.R. 205 simply allows any tribe that has chosen the option the Na-

A previous version of this bill was in-

roduced and ordered reported in the very last Congress, but it languished without further action. I am very pleased today that this bill, spon-
sored by a Democrat Member, that de-
creases 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 re-
marks.

Mr. HEINRICH. Mr. Speaker, shortly after being elected to Congress, I met with some New Mexico tribal leaders who brought to my attention the oner-
ous 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 home-
ownership is to healthy communities, and the last thing the Federal Govern-
ment 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 all call the HEART 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 sign the papers, and then the seller. But before these families can close on the sale, they must also get approval from the Bureau of Indian Af-
fairs to lease the land that the house is
Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support of H.R. 205, the HEARTH Act. Again, I urge my colleagues to vote “yes” on this important bipartisan legislation that enhances tribal control over their own land and support self-determination, and eliminates the cumbersome delays that stand in the way of homeownership and economic development in tribal communities.

Mr. Speaker, before I close, I want to make it clear that I am not the only one 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 legislation that would 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 choose to the gentleman from New Mexico (Mr. COLE), who has proved 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 gentlewoman from New Mexico (Ms. HEINRICH), for more 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 goal of H.R. 205. For the first time in the history 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 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 under the HEARTH Act to engage in renewable energy projects, for example, it can call upon less expertise to administer its tribal resources and I ask my colleagues to vote for its passage.

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 under the HEARTH Act to engage in renewable energy projects, for example, it can call upon less expertise to administer its tribal resources and I ask my colleagues to vote for its passage.

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.

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 our 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 of 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 that 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 amendment is agreed to.

Mr. BISHOP. Mr. Speaker, on a point of order, I demand the yeas and nays.

Provisions in this hearing are designed to encourage homeownership and increase access to home ownership opportunities for Native American families. Homeownership is a significant part of the American dream, and the HEARTH Act will help hard-working American families achieve that goal.

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.

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

H.R. 4240

It is the sense of Congress—


(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-Il 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 Act remain substantially accurate today.

(4) Many non-governmental organizations have reported a crackdown on unauthorized border crossing during the North Korean leadership transition, including authorities on in-person 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, the United States has forced to forcibly repatriate North Koreans, including dozens of presumed refugees who were the subject of international humanitarian appeals during February and March.

(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 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 served as 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 to escape 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. 2. FINDINGS.

Congress finds the following:


(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-Il 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 Act remain substantially accurate today.

(4) Many non-governmental organizations have reported a crackdown on unauthorized border crossing during the North Korean leadership transition, including authorities on in-person 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, the United States has forcibly repatriated North Koreans, including dozens of presumed refugees who were the subject of international humanitarian appeals during February and March.

(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 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 served as 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 to escape 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 free the United States citizens to process North Korean refugees overseas for resettlement in the United States, through persistent diplomacy by senior officials of the United States, including the United States ambassador 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;


(C) allow the United Nations High Commissioner for Refugees (UNHCR) unimpeded access to North Korea to determine whether such North Koreans are refugees seeking 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(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7803(a)), 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(b) 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) are 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)) is amended by striking “2012” and inserting “2017”.

Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amended by striking “2012” and inserting “2017”.
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 Korean refugees. 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, religious freedom, 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, including the same provisions 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 underscores 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 attempt to cross 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 North 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 200,000 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
May 15, 2012

CONGRESSIONAL RECORD — HOUSE

H2687

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 Chairwoman 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 the Pacific, are co-chairs of the Committee for 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, torturing, and counter its destabilizing policies.

This resolution encourages the United States government to continue working with foreign governments and with the peoples of the region to bring about a peaceful resolution. In addition, the bill recognizes the efforts undertaken in North Korea by the Broadcasting Board of Governors and the board to meet its goal of broadcasting 12 hours of daily radio transmissions into that country.

From the United States has the largest interdiction of the nuclear weapons 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 United States’ humanitarian approach to the issue of human rights.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman 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.
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 acquiring a nuclear weapon.”

Whereas, on April 9, 2012, President Obama stated “[T]his continuing pursuit of nuclear weapons capability continues to be a major challenge for the United States and the world.

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 a comprehensive 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 and other missile programs;

(C) a permanent agreement that verifiably assures that Iran’s nuclear program is entirely peaceful;

(D) preserves options for the universal rights and democratic aspirations of the Iranian people;

(E) confirms that it is a vital national interest of the United States to prevent the Government of Iran from acquiring a nuclear weapons capability;

(F) strongly supports United States policy to prevent the Government of Iran from acquiring a nuclear weapons capability;

(G) rejects any policy that would rely on efforts to contain a nuclear weapons-capable Iran; and

(H) urges the President to reaffirm the unacceptable capability 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 gentleman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

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.

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. The regime is also 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 negotiate to prevent the 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 weapons programs 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 it 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 off the table.

Mr. Speaker, is 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 in this resolution 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. Speaker, 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.

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. Or that they have entered 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. Royer).

Mr. Royer. 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 this threat. We need to make clear that 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 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 lead the U.S. into yet another disastrous and costly war and tie the President’s hands as he endeavors for a peaceful solution.

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-weapons 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 economy and its banking sector. From the very start, his policy has been not contain but prevention.

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

Mr. Berman. I yield the gentlelman an additional 30 seconds.

Mr. Royer. 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, 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 added to H. Res. 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, current Chairman of the Joint Chiefs of Staff, General Martin Dempsey, echoed his sentiment by saying:

"I know how it starts but not how it will end. It will be followed by a war.

"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 non-proliferation nuclear weapons treaty, with strict safeguards and inspections.

I want to point out, in conclusion, that Yossi Danisky, the former head of Israel’s Mossad, 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 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 the 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 Israeli must be destroyed in the region, and this will without doubt come to fruition.
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 will 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, Mr. 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 Chairman CHAFFEY, 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 writing 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 my 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 the time to roll back crippling economic sanctions, nor should we fail victim to this regime's penchant for nuclear weapons. The threat of negotiations is 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 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. 566. 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 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—Israel 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 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 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 branded its nuclear weapons program with the rhetoric of hostility, that averted, foreclosed 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 issue.

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.

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 its 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 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 branded its nuclear weapons program with the rhetoric of hostility, that averted, foreclosed 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 not a 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 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 a range of people in this 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. 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 gentleman 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 had provided the past 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 mastered 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 the inspector 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 economic interests 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 in strong support of H. Res. 568.

This bi-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 peace.

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 weapon.

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 national 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 be a significant new regional military threat 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 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 underscores 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 extends 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 unleash 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. 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’ policy 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 Iran’s nuclear program is entirely peaceful.

I support the Iranian people’s universal human rights and access to inclusive, democratic representation. The House must press 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 weapons.

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, Ahmadinejad's belligerent and hostile actions create an atmosphere dangerous to U.S. national security.

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 and active efforts to promote women's rights in Iran.

On 21 December 2008, dozens of government agents carried out a raid on the Defender's Rights Center, which provides legal assistance to victims of human rights violations. The raid on the Center occurred hours before they were planning on holding an event to honor the Center's co-founder, Professor and Nobel Peace Prize Laureate, Ela Badii. 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 to honor the Center's co-founder, Professor and Nobel Peace Prize Laureate, Ela Badii. 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 to honor the Center's co-founder, Professor and Nobel Peace Prize Laureate, Ela Badii. The Center provides legal assistance to victims of human rights violations.
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. MAGNUSON. 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. 3634) 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

Mr. FLENNER. Mr. Speaker, on rollcall vote No. 250, I was unavoidably detained. Had I been present, I would have voted “yea.”

Ms. 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. GOMEZ. 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.”

Mr. BLACK. Mr. Speaker, on rollcall vote No. 250, I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. LOUVIN. Mr. Speaker, on rollcall vote No. 250, I was unavoidably detained. Had I been present, I would have voted “yea.”

Ms. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.
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—yea 395, nays 29, not voting 31, as follows:

[Roll No. 252]

YEAS—400

YEAS without a recorded vote—400

BYjective, 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—yea 395, nays 29, not voting 31, as follows:

[Roll No. 252]

YEAS—400

YEAS without a recorded vote—400

BYjective, 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—yea 395, nays 29, not voting 31, as follows:

[Roll No. 252]

YEAS—400

YEAS without a recorded vote—400

BYjective, 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—yea 395, nays 29, not voting 31, as follows:

[Roll No. 252]
Forces in order to assist such members in re-
deployed or mobilized members of the Armed
forces.

 vide days of administrative absence not
program of the Secretary concerned to pro-

This subsection (a) not applied to the member, as
made to the Program Guidance described in
administrative absence had the changes
member would have qualified for a day of admin-

Forces on active duty at the time of the pro-

BERS.—An individual who is a former mem-
section (b)(1) if the individual was discharged
this section for the benefits specified in sub-

in the case of an individual who is a
former member of the Armed Forces at the
time specified in paragraph (2) shall not af-
hademic absence provided to a mem-
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

in the case of an individual who is a
former member of the Armed Forces under subsection (b) after the date of enactment of
this Act.

PAYMENT.—The authority to provide
cash payments made under subsection (b)

EFFECT OF EXPIRATION.—The expiration
date specified in paragraph (2) shall not af-

amount not to exceed $200, as se-
lected by the member, for each day the mem-

C OMMENCEMENT AND DURATION OF AU-
thority to make cash payments under
paragraphs (2) and (3) of subsection (b) begins

37, United States Code.

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.

The SPEAKER pro tempore (Mrs. ROBY).
Pursuant to the rule, the gentle-
man from Minnesota (Mr. KLINE) and
the gentlewoman from Guam (Ms.
BORDALLO) each will control 20 min-
utes.

Mr. KLINE. Madam Speaker, I ask
unanimous consent that all Members
of the House be permitted to submit

in the case of an individual who is a
former member of the Armed Forces described in subsection (a) with one of the following benefits:

(1) In the case of 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.

(3) In the case of a member of the Armed Forces
serving in the Selected Reserve, Inac-
tive National Guard, or Individual Ready Re-
serve whose mobilization and de-

ability of Appropriations.—No cash pay-

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 pay-

in lieu of the 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 inter-

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’m very
proud to be a part of that.

The legislation is critical to ensuring
our sons and daughters in uniform
receive the benefits they were promised
and have rightfully earned.

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 stand 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.

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, my friend Mr. 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 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 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 unit, 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 this important legislation. 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 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 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 unit, 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 this important legislation.

Mr. PAULSEN. I thank the gentleman for yielding.

Mr. PAULSEN. I thank Mr. KLINE for his perseverance on this issue and for getting it to the floor today. Thank you very much, Mr. Chairman.

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.

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. PAULSEN. I thank the gentleman for yielding.

Mr. PAULSEN. I thank Mr. KLINE for his perseverance on this issue and for getting it to the floor today. Thank you very much, Mr. Chairman.

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.

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. PAULSEN. I thank the gentleman for yielding.

Mr. PAULSEN. I thank Mr. KLINE for his perseverance on this issue and for getting it to the floor today. Thank you very much, Mr. Chairman.

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.

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. PAULSEN. I thank the gentleman for yielding.
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 CRAVAACK, 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 strange place that 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, and see children they maybe have missed in their birth or their birthday, 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 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 of the 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.

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

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.

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 this 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 the 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 and to revise and extend her remarks.

Mr. THOMPSON of Pennsylvania. Madam Speaker, today I rise to recognize 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.

Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.
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 re-authorization 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. ROY) announced that the House had voted to appoint to 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. Of course, have two very large military installations in Alabama’s Second District. So I often think as a young man was about to be deployed. The mother had a little tear in her eye, the husband stood by and watched this young man, as he waited to take his first flight. And it was just such a huge reminder to me and to my family as my 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. 4330, the Fiscal Year 2013 National Defense Authorization Act.

As you know, Mr. Speaker, we marked this up in committee last week 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 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—this morning, I talked to 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 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. 4330, the Fiscal Year 2013 National Defense Authorization Act.

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 was 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 said, 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.

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 command—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 $487 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 called sequestration is set to take place at the beginning of January next year. What we have heard 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.

And so I bring all of this up to try 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 relates to the $487 billion, in hats 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, 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 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 we 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 those missions, as we have, as well as making decisions that are going to find the savings that we need.

So our amendment very clearly just said, regarding the C-130 aircraft will be retired and relocated, and the methodologies underlying such determinations, including what assumptions were made to define and shape these specific 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 planning and retirement and in accordance to the law is 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 receives the necessary information to make our authorizations 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 our best because we are supposed to do our best through, making sure that we always have the needs of our service members and again, this is why I believe this amendment could be applied through, making sure that we always have the needs of our service members and those others in mind as we move forward.

I'm honored to be a son of such a distinguished individual in our Armed Forces, and though I never did wear a uniform. Mr. Speaker, I tender my committee's support of the Secretary's report to make sure that the Congress received the necessary information to make our authorizations in an objective manner that will benefit our men and women in uniform and the American taxpayer.

So 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 the board. 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 the board. So 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 Americans 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 they come home as veterans and enjoy the representation of those rights for American citizens, and that any issues of detainment are done in a manner that does the harm to our men and women in harm's way or those families that sacrifice so much with them, to have to endure the situation where they 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 the board. 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 the board.

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 we think are 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 and as taken by many—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 $1.5 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.
But one of the challenges that often threaten, we look at doctrines to deal with them. Then, after we address the root causes, we look at defense policy ultimately. The surge in Iraq in 2007. That's unconscionable to me. The 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 military today is higher than it was in recent years and actually exceed the time during the surge in Iraq in 2007. That's unconscionable to me.

One of the things you touched upon is the institutional impact of the deployment tempo 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.

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 Reed and 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. Some are going to go to bed that night because of men and women who volunteer to stand in harm's way to answer that call that we sometimes in the middle of the night, and I'm grateful for that, and they're the last people that we 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 understand 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, Look it, we can go through this process, and we need to go through this process and downsizing the Department of Defense and downsize our belt. But there was never a military threat; it was the national debt crisis that we now found ourselves in.

As former Joint Chief of Staff Admiral Mullens 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 money away from defense spending, 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, and you're just 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 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 and 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 debate the threats, they have the platform 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 read this. I'm sure the gentleman would agree that this is important to 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 the American people. 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 Oceana, with the Dam Neck Annex, the Joint Expeditionary Base, Little Creek, Fort Story, Joint Base Langley-Eustis, the 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 a really 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 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 passing 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 to work 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 a violent reduction. It's been almost $1 trillion reduction over 10 years. It would have a most serious impact on our ability to defend our great country. And I want to talk about that and share this with the American people.

I'll share with you a few examples of the practical implications of how detrimental it would be. 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 put us in a very specific part of the world, in 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, but 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 to 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 in an emergency 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 practical plan—the steps that it comes to avert 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 importance 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 there 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 that what we’re trying to do 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 of this debate. 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 the 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., 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 we are ready to defend us on a moment’s notice from 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 opinion, that what is going on, 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 in this country right now 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 monuments that are here in honor of 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 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 our 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 this House of shown all 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 the 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. 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 fair to ask the question 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. Rosby) for her leadership on this very important issue.

Mr. REED. I so appreciate the gentleman from Colorado and offering his comments on this important issue.
I 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. This is because of 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 a job the next day, and I’m going to see the turmoil that 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 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 generation that 85-year-old veteran stood up for. We are on the verge of losing this great country.

I yield the balance of the time to the gentleman 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 service members, active duty 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.

This House has asked us 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 upper-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-protege 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-protege 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 added 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/or the consideration of provisions for the authorization of military forces for fiscal year 2013.

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 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 Violent Against Women Act, which is up for renewal, and we will 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 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 on 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, remember, that 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 in 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 taxes when the millions and 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 passed by the House, 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 ordinary income taxes reduced. 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 get 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 one of my constituents, Congresswoman DONNA EDWARDS. Back in the nineteen-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 working on the enactment of violence against 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 National Network to End Violence Against Women. 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.

And I am actually saddened today that here we are in the Congress with Republicans taking one track and Democrats taking 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 bipartisan 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 trying to prevent violent 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 in various workgroups early as far back 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 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 Germany and I would have heard 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.

Garcia can recall 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 knife point in my hospital bed.

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 shelter programs and training and law enforcement and prosecution that lead 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 take a look at this. It's been extraordinarily important for us to recognize the extraordinary work that you have done over these many, many years on this issue, and understand 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, it's over 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 bipartisan support and representation, Ms. EDWARDS, I'll let you conduct the rest of this meeting.

Ms. EDWARDS. Thank you, Mr. GARAMENDI.

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.

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, 38, strangled his wife, Lucy, to death. They were in the master bedroom. She was 27.

Yolanda Suchil, 47. Ronnie Puch, 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 commended 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 safe.

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 it in the bill.

We have it in the bill. 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 to the investigation, but this bill would restrict the law enforcement agency certification, or give them 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 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 in relief or in work. But more importantly, you would cast a whole list of any 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 be an unwritten 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 used. 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 won’t be known to have been brought to 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 bill. 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. Mr. Speaker, 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 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.

Mr. Speaker, 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 to 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 his 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. I worked on multiple 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 losses and trauma that 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 in place, one is 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 LGBDT 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 abuse tribal women on any land needed to protect tribal women. This is horrible. It's wrong. It's immoral. ☑

2000

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 their immigration status reviewed and to maintain control of the victim's immigration status.

Under the guise of fraud concerns, Republicans are attempting to roll back important protections and, even in 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 Act was 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 lifetime. 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 were turned against women. I understand that this bill removes the common-sense and constitutionally sound provisions in the Senate version that would allow the prosecution of nontribal violators who abuse tribal women on the land needed to protect tribal women. This is horrible. It's wrong. It's immoral.

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 because, quite frankly, I think it's, 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 these 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 in abusive situation and the priority 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 gentlelady has pointed out, that we are rolling 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 be included 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 authorize. 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 the 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 all of the people 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 grandfathers. 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 protecting 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 those in the lesbian, gay, bisexual, and transgender communities, they're individuals. You take away their rights? Shame.

Let me just say that I don't recall ever the Violence Against Women Act being controversial. We have always, a bipartisan principle, 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 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 there. And I see this badly 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.
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, 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 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 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 law. This is, I believe, unacceptable.

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 the passage of 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.

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—to provide legal protections to women who are the victims of assaultive and violent conduct in this country?

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 irrelevent. Independently, 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 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 conscience.

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, and 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 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 our law enforcement, 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 I’m in an immigrant 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, 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 or all the other groups, aren’t it the mothers who have the burden of that at the end of the day? Arent’ 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 that has a tremendous impact on them as they grow older.

The fact of the matter is we need to reauthorize the Violence Against Women Act. H. H.R. 4970 would roll back protections from the very women, the very victims who are vulnerable, who need those protections. It would endanger victims by making it difficult for them to obtain visa protection.
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 protection and all along 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; with Pete V. Domenici from New Mexico; with John Conyers, a Democrat from Michigan; and with Orrin Hatch, to know that we were able to do that for those who were experiencing violence. Our law should allow us to expand these protections so that we could come to a bipartisan solution.

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.

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 them 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 Westminster, Massachusetts, as the “William T. Trant Post Office Building”.

H.R. 590. 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 Marin Post Office Building”.

H.R. 1423. To designate the facility of the United States Postal Service located at 135 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 East Rutherford, 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; accord-ingly (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.
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, to authorize the Forest Service to address fire suppression, forest health, and economic development, and for other purposes; to the Committee on Natural Resources.

By Mr. MURPHY of Connecticut (for himself, Mr. RAVENHAUS of Minnesota, Mr. STEFANICH, and Mr. JOHNSON of Georgia): H.R. 5750. 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.

By Mr. SCOTT of Georgia (for himself, Mr. JACOBSON of New York, Mr. POLIS, Mr. STARK, and Ms. WATERS):

H.R. 5752. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.

H.R. 5754. A bill to suspend temporarily the duty on Allyl pentaerythritol; to the Committee on Ways and Means.

H.R. 5755. A bill to extend the temporary suspension of duty on Allyl pentaerythritol, to the Committee on Ways and Means.

H.R. 5756. A bill to suspend temporarily the duty on 1,1'-Methylenebis[3(hydroxymethyl)propyl phosphite (3:1)]; to the Committee on Ways and Means.

H.R. 5757. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperideine ethylene oxide; to the Committee on Ways and Means.

H.R. 5758. A bill to suspend temporarily the duty on Calcium carbonate, and mineral oil; to the Committee on Ways and Means.

H.R. 5759. A bill to suspend temporarily the duty on 1,1'-Methylenebis[3(hydroxymethyl)propyl phosphite]; to the Committee on Ways and Means.

H.R. 5760. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester, to the Committee on Ways and Means.

H.R. 5761. A bill to extend the temporary suspension of duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperideine ethylene oxide; to the Committee on Ways and Means.

H.R. 5762. A bill to suspend temporarily the duty on Cyanuric chloride; to the Committee on Ways and Means.

H.R. 5763. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperideine ethylene oxide; to the Committee on Ways and Means.

H.R. 5764. A bill to extend the temporary suspension of duty on Allyl pentaerythritol; to the Committee on Ways and Means.

H.R. 5765. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperideine ethylene oxide; to the Committee on Ways and Means.

H.R. 5766. A bill to suspend temporarily the duty on Benzoyl chloride; to the Committee on Ways and Means.

H.R. 5767. A bill to extend the temporary suspension of duty on Benzoyl chloride; to the Committee on Ways and Means.

H.R. 5768. A bill to extend the temporary suspension of duty on Benzoyl chloride; to the Committee on Ways and Means.

H.R. 5769. A bill to extend the temporary suspension of duty on Benzoyl chloride; to the Committee on Ways and Means.

H.R. 5770. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperideine ethylene oxide; to the Committee on Ways and Means.

H.R. 5771. A bill to suspend temporarily the duty on Butanedioic acid, dimethylester polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperideine ethylene oxide; to the Committee on Ways and Means.

H.R. 5772. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.

H.R. 5773. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.

H.R. 5774. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.

H.R. 5775. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.

H.R. 5776. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.

H.R. 5777. A bill to suspend temporarily the duty on 2,2-(2,5-thiophenenediyl)bis(1,1-dimethyl ethyl)-3-(1-hydroxy-2-propeny1)ester; to the Committee on Ways and Means.
H2714
CONGRESSIONAL RECORD — HOUSE May 15, 2012

fall within the jurisdiction of the committee concerned.

By Mr. FATTAH:
H. Res. 688. 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 Representa-
tives, the following statements are sub-
mitted pursuant to the specific powers granted to Congress in the Constitu-
tion 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 I, Section 8 By Mr. LoBIONDO:
H.R. 5742.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 By Mrs. 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 just debts, 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. LARSON of Connecticut:
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 18 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 federal land to the government to lands. Article IV, § 3, Clause 2—the Property Clause—gives Congress plenary power and full au-

thority 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:
This bill makes changes to existing law relating to Article I, 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 I, 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 in this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. DELAURO:
H.R. 5748.
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 I, Section 8, Clause 3 of the United States Constitution.

By Mr. GRJALVA:
H.R. 5749.
Congress has the power to enact this legislation pursuant to the following:
U.S. Const. art. I, § 8, § 18.

By Mr. LARSON of Connecticut:
H.R. 5750.
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:
U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 12.

By Mr. SCOTT of South Carolina:
H.R. 5751.
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. 5752.
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:
U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 12.

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:
This bill addresses management of federal land. Accordingly, we turn to the following constitutional authority:
U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 12.

By Mr. SCOTT of South Carolina:
H.R. 5755.
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:
U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 12.

By Mr. SCOTT of South Carolina:
H.R. 5756.
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:
U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 12.
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 Mr. SCOTT of South Carolina: H.R. 5770. 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. 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.

### 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. KAPUR.
**H.R. 213:** Mr. MITTEN.
**H.R. 273:** Mr. LACON and Ms. HIRON.
**H.R. 615:** Mr. ROKITA.
**H.R. 780:** Mr. SCALISE and Mr. CULBERSON.
**H.R. 749:** Mr. SCALISE.
**H.R. 891:** Mr. WELCH.
**H.R. 1004:** Mr. WALSH of Illinois.
**H.R. 1044:** Mr. KING and Mr. WILSON of South Carolina.
**H.R. 1091:** Mr. GRIFFITH of Virginia.
**H.R. 1145:** Mr. MCECON.
**H.R. 1367:** Mr. MACKEY.
**H.R. 1182:** Mr. SCALISE and Mr. CULBERSON, and Mr. BENISHEK.
**H.R. 1193:** Mr. JACKSON of Illinois.
**H.R. 1370:** Mr. PRICE of Georgia, Mr. HARP, and Mr. WESTMORELAND.
**H.R. 1386:** Mr. LUEKEMEYER, 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. RODGERS.
**H.R. 1478:** Mr. SESSIONS.
**H.R. 1639:** Mrs. BACHMANN.
**H.R. 1704:** Mrs. MCCLURE.
**H.R. 1726:** Mr. MCCLURE.
**H.R. 1744:** Mr. QUAYLE.
**H.R. 1925:** Mr. LYNCH.

**H.R. 1596:** Mr. BRADY of Texas.
**H.R. 1791:** Mr. GINGREY of Georgia.
**H.R. 2069:** Mr. HOLDEN.
**H.R. 2077:** Mr. ROG of Florida.
**H.R. 2095:** Mr. DINKELL.
**H.R. 2092:** Mr. WEST.
**H.R. 2198:** Mr. MANZULLO.
**H.R. 2326:** Ms. KENNOLLY, Ms. LOWEY, Mrs. BALDWIN, and Ms. ROYBAL-ALLARD.
**H.R. 2533:** Ms. PINGREE of Maine.
**H.R. 2562:** Mr. SHERMAN and Mr. ROTHMAN of New Jersey.
**H.R. 2499:** Ms. ROYBAL-ALLARD.
**H.R. 2505:** Mr. SCHIFF.
**H.R. 2534:** Mr. CULBERSON.
**H.R. 2534:** Mr. SMITH of Washington.
**H.R. 2550:** Mr. LUETKEMEYER.
**H.R. 2589:** 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. HASTERT, and Mr. SCHMIDT.
**H.R. 2909:** Mr. POSEY, Ms. LINDA T. SÁNCHEZ of California, Mrs. BONI MACK, Mr. TONKO, Ms. MCCOLLUM, and Mr. SCHIFF.
**H.R. 3032:** Mr. BILLIAR and Mr. STIVERS.
**H.R. 3042:** 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. J. JACKSON LEE of Texas, Mr. CONNOLLY of Virginia, Mr. HONDA, Mr. ROYCE, Ms. FUDGE, and Mr. SCHILLING.
**H.R. 3038:** Mr. FLORES.
**H.R. 3102:** Mr. COURTNEY.
**H.R. 3172:** Mr. HARPER, Ms. HANABUSA, and Mr. CARNAN.
**H.R. 3216:** Mrs. MCCARTHY of New York.
**H.R. 3254:** Mr. SCALISE.
**H.R. 3295:** Mr. HURT, Mr. CAPUANO, Mr. HALL, and Mr. QUAYLE.
**H.R. 3288:** Mr. WAXMAN.
**H.R. 3307:** Mr. LIPINSKI and Mr. TONKO.
**H.R. 3388:** 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. 3432:** Ms. BUEKER.
**H.R. 3590:** Ms. CLARKE of New York.
**H.R. 3612:** Mr. HIGGINS and Mr. SCOTT of South Carolina.
**H.R. 3627:** Mr. Murphy of Pennsylvania.
**H.R. 3636:** Mr. RICHMOND.
**H.R. 3643:** Mr. THOMPSON of Pennsylvania and Mr. STUPAK.
**H.R. 3665:** Ms. MCCOLLUM.
**H.R. 3687:** Mr. OLVER, Ms. DELAURO, Mr. RANZ, and Mr. GRIJALVA.
**H.R. 3702:** Mr. BRUN of Georgia.
**H.R. 3761:** Mr. RANGEL.
**H.R. 3790:** Mr. MCINTYRE.
**H.R. 3798:** Mr. THOMPSON of California and Mr. KILDEE.
**H.R. 3832:** Mr. HIGGINS.
**H.R. 3896:** Mr. ROGERS of Alabama.
**H.R. 4077:** Mr. SCHIFF.
**H.R. 4104:** Mr. RIBBLE, Mr. MCECON, Mr. ROGERS of Alabama, Mrs. MCORRIS RODGERS, Mr. MILLER of Florida, Mr. MICA, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. WEST, Mr. ROHABUSH, Mr. ROKITA, Mr. PAULSEN, Mr. ROSKAM, Mr. SCALISE, Mr. ROGERS of Michigan, Mr. MCHENRY, Mrs.
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 RECIPIENT 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".

H. Res. 646: Mr. Barrow and Mr. Kissell.
The Senate met at 10 a.m. and was called to order by the Honorable Richard Blumenthal, a Senator from the State of Connecticut.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, strong to save, we know that You desire to save and not to destroy. Save our Senators from the blindness which is not even aware of mistakes. Save them from the pride that ignores the security of many advisers. Save them from the self-will which can see no flaw within itself. Save them also from the callousness that will not care for those in pain.

Lord, save us all when we put the blame on someone or on something else, and from hearts so hardened that we cannot repent. Today, give our lawmakers a sense of destiny and a deep dependence on Your guidance and Your grace.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE
The Honorable Richard Blumenthal led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The President pro tempore. The clerk will read a communication to the Senate from the President pro tempore (Mr. Inouye).

The legislative clerk read the following letter:


To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Richard Blumenthal, a Senator from the State of Connecticut, to perform the duties of the Chair.

Daniel K. Inouye, President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER
The Acting President pro tempore. The majority leader is recognized.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012—MOTION TO PROCEED
Mr. Reid. Mr. President, I move that the Senate proceed to Calendar No. 396, H.R. 2072.

The Acting President pro tempore. The clerk will report the motion. The legislative clerk read as follows:

Motion to proceed to calendar No. 396, H.R. 2072, a bill to reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. Reid. Mr. President, we are now on the motion to proceed to the Export-Import Bank reauthorization bill. I ask unanimous consent that the hour following my remarks and those of the Republican leader be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the final half.

The Acting President pro tempore. Without objection, it is so ordered.

Mr. Reid. Mr. President, at 11:15 today the motion to proceed to the Export-Import Bank will be adopted, and there will be up to 2 hours of debate on the bill, and there will be up to five amendments. At 12:30 the Senate will recess until 2:15 for our weekly caucus meetings. As early as 2:15 there will be up to six rollcall votes in order to complete action on the Export-Import Bank. There could possibly be five votes as part of the order—I have been told they may not all be offered—and then we will have final passage on the bill.

MEASURE PLACED ON CALENDAR
Mr. Reid. Mr. President, H.R. 5652 is at the desk and due for a second reading.

The Acting President pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5652) to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2013.

Mr. Reid. Mr. President, I would object to any further proceedings on this issue at this time.

The Acting President pro tempore. Objection having been heard, the item shall be placed on the calendar.

Mr. Reid. Mr. President, I am happy to announce that Democrats and Republicans have reached an agreement to move forward with reauthorization of the Ex-Im Bank legislation.

This bank helps American companies sell their products overseas and hire workers here at home. It helped private companies add almost 300,000 jobs last year in more than 2,000 American communities. That is why the labor groups, manufacturers, U.S. Chamber of Commerce, and many other organizations have urged the Senate to move quickly to reauthorize this bank, whose lending limit is just about to expire.

The second ranking officer at the chamber of commerce wrote to all Senators yesterday.

Failure to enact this legislation would put at risk American jobs at 3,600 companies yesterday. . . Because other countries are providing their own exporters with an estimated $1 trillion in export finance—often on terms more generous than Ex-Im can provide—failure to reauthorize Ex-Im would amount to unilateral disarmament and cost...
tens of thousands of American jobs. China, for instance, has three export credit agencies that last year provided $300 billion in export finance to its exporters—ten times more than Ex-Im provided. This bill would put an end to the financial playing field in export markets and ensure transparency in Ex-Im’s operations.

This is directly from the chamber of commerce. This legislation helps American businesses export their products instead of exporting jobs. Reauthorizing this important legislation is the kind of consensus proposal that should not result in an end of a partisan fight. I spoke to Senator McConnell yesterday and we made the decision that this is the best way to move forward. I am hopeful that the Senate will pass it overwhelmingly, signaling to American businesses that Congress will do what it takes to help them compete in the global market. But while Republicans say publicly that they support this important measure, they have instead insisted on votes on a number of amendments that would gut or even kill the bill.

The commerce will consider votes on this measure—and any amendments that would weaken the bank—to be keys to determining whether Senators are business-friendly. The extreme amendments offered by my Republican colleagues would certainly weaken the bank. One amendment just eliminates the bank. These kinds of amendments are unacceptable to the business community.

The National Association of Manufacturers issued a similar warning yesterday—which I read here on the floor. We agree, we can’t afford to give an inch to our global competitors. Canada, France, and India already provide seven times the assistance to their exporters that America does. China and Brazil gives the support.

So Senate Republicans are faced with a choice: They can continue to support these extreme amendments that would effectively kill the Export-Import Bank and risk the wrath of the American business community or they can work with the Democrats to reauthorize this bank without adding amendments that would undermine its ability to help businesses grow. We have been told that the House is going to accept no amendments. It was very hard for them to get done what they did. I admire and appreciate what they did do. I am optimistic that my Republican colleagues will make the right choice and help us defeat these vexatious amendments.

RECOGNITION OF THE REPUBLICAN LEADER

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

Mr. McCONNELL. Mr. President, there is a lot of talk on the left these days about the Senate being a dysfunctional institution. And they are right. For the past few years, we haven’t functioned as it should. The question is, Why? In my view, the answer is quite clear: a majority party that believes it should be able to dictate from above the shape of every single piece of legislation we take up. The common complaint from the other side, as I understand it, is that because Republicans insist on playing a role in every bill, it stalls legislation. But here, we are somehow violating some unspoken rule that says Democrats should always get their way, that we are somehow disturbing the legislative harmony by suggesting we do the kinds of things our constituents want. We have been dealing with this strange view of the Senate in some form or fashion for 5 years but particularly over the past 3.

Here is how it works. Following the lead of our very liberal President, Democratic leaders in the Senate propose some piece of legislation without any Republican input at all. Then Republican amendments are blocked from even being considered. The point in most cases is to have Republicans oppose and ensure that the legislation fails. Democrats then cry obstruction as a way of distracting people from the fact that they basically have given up on governing and done nothing to ensure that our country’s most pressing national problems actually get addressed. Rather than working with us on bipartisan solutions that reflect the concerns and input of our constituents and that therefore have a good chance of actually passing, Democrats blame the other side for obstruction—not only avoiding their own responsibilities as the majority party but handing the President a useful election-year theme on which to run.

What my colleagues and I have been saying for 3 years is that it doesn’t have to be this way. Give us an opportunity to play a role in the process and we will work together on bipartisan solutions. Just look at the record. When Democrats blocked all debate and amendments to the Export-Import Bank legislation, it went nowhere. When they agreed to our reasonable requests for input on the bill, that changed. They could have accepted this offer, actually, much earlier, but they didn’t because it didn’t fit the story line. The same thing on the postal bill—when Democrats blocked all amendments and debate, the bill stalled. When they agreed to a reasonable list of amendments, it passed. The same could be said about trade adjust-ment assistance, patent reform, FAA reauthorization, the highway bill, unemployment insurance, the doc fix, the payroll tax holiday, and others. It is the same story every time: Poison pills are removed, Republican input is allowed, and then things happen.

Republicans have been crystal clear that the Export-Import Bank reauthorization needed some work. Remember, Democrats tried to add it as an amendment to the Jobs Act. Before the House reached the agreement that enabled it to pass on a bipartisan basis over in the Senate. But, again, they wanted it to do without giving Senate Repub-

licans a chance to debate or amend on the floor, so it didn’t go anywhere. Now that we are being allowed to offer further improvements to the bill, there is a path forward. Republicans fought for the right to make this bill more responsible to the American people, who, understandably, want proof that we take our fiscal problems seriously. This is how the Senate is supposed to work, and it has been all too rare over the past several years.

The Social Security Act of 1935 was approved by all but six Members of the Senate. The Medicare and Medicaid acts of 1965 were approved by all but 21. All but eight Senators voted for the Americans With Disabilities Act of 1990. The idea in all these cases—and many others—was that on issues of broad national importance, on issues that affect all of us, one party shouldn’t be allowed to force its will on the other half of the Nation. Yet, over the past few years, Democrats have felt quite differently.

So I am pleased today to see a departure from the Democratic standard operating procedure on this particular piece of legislation before us. Because they have agreed to allow a reasonable amendment process on this bill—something they objected to last month and then objected again even as recently as last week—this bill will be considered today after debate and votes on amendments aimed at improving it.

There is a lesson here: When both sides have a chance to debate and amend, legislation tends to move. But when the majority refuses any ideas that they didn’t come up with, things slow down. Let’s hope this new process will stick.

NATIONAL POLICE WEEK

Mr. President, this week we commemorate National Police Week 2012 and pay tribute to the men and women in the law enforcement community for their service and their sacrifice.

In 1962 President Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which it falls as Police Week.

During National Police Week, the Nation’s Capital welcomes tens of thousands of law enforcement officers to honor those who have fallen in the line of duty. Among those visiting Washington are hundreds of police officers from my home State of Kentucky, and I want to personally welcome them and extend a special-thank you for their service and sacrifice that they make to keep Kentucky’s communities and families safe. Your hard work and dedication is unmatched and does not go unnoticed.
Today we honor the approximately 900,000 peace officers across the country as well as the more than 19,000 officers who have lost their lives dating back to the first known line-of-duty death in 1791, including 163 officers who died in 2011. In addition, this year we are paying tribute to 199 officers who died in previous years but whose acts of courage and sacrifice were not discovered until recently. It is with great sadness that one of those officers we lost last year was from the Commonwealth—Officer James Philip “Stumpy” Stricklen of the Alexandria, KY Police Department. Officer Stricklen was well respected amongst his peers and a leader within the community. He will be sorely missed.

This week the Nation honors Officer Stricklen, as well as all those police officers that have fallen. I would also like to take a moment to remember the officers who lost their lives earlier. It is only through supportive families that these men and women were able to dedicate their lives to protecting others. May God continue to look after them and may God continue to protect all those, whose job it is to protect us.

I hope paying tribute to those who serve and especially those who have paid the ultimate sacrifice reminds all of us of the heroes we have all around us, keeping us safe, each day. I encourage everyone to take a moment this week and going forward to extend a thank you to law enforcement officers who have sworn to protect us and keep our communities safe.

On behalf of myself and my Senate colleagues, thank you to all members of the law enforcement community for your service. You have our deepest admiration and respect.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, there will now be 1 hour of debate equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Illinois.

Mr. DURBIN. Mr. President, before I say a word about the Export-Import Bank, I wish to speak as in morning business. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE PROCEDURE

Mr. DURBIN. Mr. President, the comments made by the Republican Senate leader about the procedures in the Senate are comments I wish to speak to directly.

First, perhaps to his surprise, let me say I agree with him. The Senate is not what it should be. It is an important part of this government, it is an important part of this Nation, and it should be an important forum for the deliberation of critical issues that face us. Historically that is the role it has played. But what we have found over the last several years is that we have lapsed into a new Senate—and not a very good one, from my point of view. It is a Senate that is overrun with filibusters. Filibusters used to be so rare, one or two a year in the early days and then maybe a few last 50 years, but now virtually every single week. The filibuster is basically shutting down the Senate, saying that we will not go forward to vote on a measure. It has been abused, overused and, frankly, has denigrated the reputation of this important institution.

What are the points of view? The point of view of the minority was well stated by the Republican leader. The minority wants an opportunity to offer amendments. I know the feeling. I have been in the minority in the Senate. It is your only opportunity to have a voice on the floor of the Senate and to express a point of view that may not be reflected by or reflected by the Senate majority. That is an understandable impulse. The majority in the Senate is usually trying to move an agenda—many times, in this case, the President’s agenda—and, frankly, does not want to see an onslaught of amendments. There has to be a happy medium, and that is what we need to see.

The suggestion of the Senate Republican leader that the problem we have with filibuster is with the fact, as he said it, that the Republicans insist on playing a role in offering amendments is correct to a point. But I might remind the minority leader, what happened last week? We brought up the college student loan bill. The object was to make sure the interest rate on college student loans did not double July 1, from 3.4 percent to 6.8 percent—widely accepted, widely endorsed by President Obama and by Governor Romney. What about that? Both leading contenders for the Presidency said don’t let this interest rate double. You would think that would be an easy thing to accomplish. What we offered on the floor to the Republicans was an opportunity to bring up the measure and they could bring up their amendments to the measure. That, I think, is what the Senate Republican leader just asked for. He made it clear to his fellow Senators, voted with us to bring up the student loan measure, subject to amendment? None. Not one. So this suggestion that we are in filibuster because we do not offer an opportunity for amendments is flat wrong. Last week. The college student loan bill offered ample opportunity to the Republicans to offer an amendment, but they still refused to allow us to proceed to that measure.

Here is what I suggest—perhaps a cooling-off period; perhaps that both sides sit down and try to work out something that is reasonable.

Some can argue—and perhaps at times I have argued—that the Senate should be an open forum, open debate of many different issues. But in the interest of achieving things here in a reasonable period of time, I suggest what Senator Reid, the Democratic leader, did on postal reform was a good-faith effort to come to some kind of compromise with the minority. If you will remember, Senator Reid came to the floor and said we will accept relevant amendments to the postal reform. He had quite a few of them, if you remember. I think it was a healthy time. It was a rare occasion, unfortunately, on the Senate floor, but it was a good-faith offer by the Democratic leader. It gave the Republicans opportunity to debate amendments. We debated them, we voted on them, and we passed postal reform.

I think we need to find some commonality here, where we can offer to the minority, whichever party is in the majority, the opportunity to offer relevant amendments to a bill. That means, of course, it is an amendment that relates to the subject matter of the bill. Two recent examples show how far afield you can reach. Senator Blunt of Missouri offered an amendment to the transportation bill on the subject of birth control. Maybe there is some way you can link up transportation and birth control but I will not go there. I will just say that was a stretch to bring that issue to that bill, but he was given the chance. The junior Senator from Kentucky tried on bill after bill, totally unrelated to foreign policy, to offer an amendment on foreign aid to Egypt. That shows how far you can stretch the opportunity to offer a floor amendment.

As I said, there can be moments where we want to do that but as a matter of course around here I hope we will try to find some common ground. When the floor is to be reserved it be reserved for those Senate matters which are of major interest to the American people. That is what the Senator from Missouri was asking about that? Both leading contenders for the Presidency said don’t let this interest rate double. You would think that would be an easy thing to accomplish. What we offered on the floor to the Republicans was an opportunity to bring up the measure and they could bring up their amendments to the measure. That, I think, is what the Senate Republican leader just asked for. He made it clear to his fellow Senators, voted with us to bring up the student loan measure, subject to amendment? None. Not one. So this suggestion that we are in filibuster because we do not offer an opportunity for amendments is flat wrong. Last week. The college student loan bill offered ample opportunity to the Republicans to offer an amendment, but they still refused to allow us to proceed to that measure.

Today we are going to move to the Export-Import bill.

President Obama challenged us back in 2010 to create jobs by doubling exports of American products by 2015. It is a challenge to create and develop new technology, to tap into new markets and create new relationships, to more efficiently ship overseas our agricultural products and manufactured goods. In 2011, our export商forat reported more than 9.2 million American jobs. Every $1 billion in new exports sales supports 6,000 additional jobs. By doubling exports, we have the opportunity
to create millions of new jobs right here at home, jobs that could put the millions of Americans still unemployed or underemployed back to work.

Last year, Congress passed free trade agreements that will increase exports and provide support for small businesses in South Korea and Panama for US exporters. The South Korea Free Trade Agreement alone is estimated to support 70,000 additional jobs by opening up Korea's $560 billion market to U.S. companies.

Earlier this year, I introduced a bill with Senators BOOZMAN and COONS in the Senate and Congressmen CHRIS SMITH and BOBBY RUSH in the House that would boost U.S. jobs by increasing American exports to Africa by 20 percent in real dollars over the next ten years. This broadly bipartisan legislation takes common sense steps. The bill would coordinate the various U.S. Government export efforts aimed at Africa, make sure our Foreign Service Officers and our economic officers have appropriate training on helping U.S. companies understand new markets, and ensure that our Department of Commerce keeps a focus on Africa. And the bill makes a change at the Export Import Bank—a bank which actually makes hundreds of millions of dollars in profits for the American taxpayer.

Our bill empowers the Export Import Bank to be more aggressive in counteracting concessional—or below market—loans by China and other countries to help their businesses crack into African markets.

You see this is a global economy and the competition from other nations and industry is fierce. Our government should be helping our businesses—and our workers—crack through to new markets where American quality and standards are in high demand. This isn't corporate welfare, it is smart business. It doesn't cost the American taxpayer anything— in fact it generates money directly and indirectly, to resolve disputes efficiently. People need to know they can get disputes resolved, hopefully quickly, but heard and decided. One of the things that looms large is the trial of those who are convicted for all sorts of deeds, criminal acts. Let's get those who are convicted finally punished if it is called for. But let's make sure that part of our judiciary functioning is moving as rapidly as it can be. People need certainty about rights and responsibilities. Unfortunately, delays in confirming qualified judicial nominees who have passed the scrutiny of the Judiciary Committee are threatening to grind the wheels of justice to a halt when there are vacancies around. Nearly 1 in 11 judgeships across the country is awaiting the position to be filled. If these positions were physicians, firemen, cops, and 1 out of 11, almost one-tenth of these jobs were not filled, we would do something as rapidly as we could to get them resolved. At this point in President George Bush's Presidency, the Senate had confirmed 25 more judges than have been confirmed since President Obama took office. These are seriously needed nominees who have been forced to wait nearly four times as long as the Bush nominees to be confirmed after being favorably reported, as I mentioned, by the Judiciary Committee. As a result, the vacancy rate is nearly twice what it was at this point in President Bush's first term. These vacancies are not some remote problems that only lawyers and academics care about. Judicial vacancies affect the ability of everyday Americans and businesses to see justice served, and countless of them have had their cases delayed.

I am encouraged that we have been able to move on a number of the nominees lately, including two last evening. It is my hope that for the good of the country we will pick up the pace in confirming nominees—particularly as I see
it from our State’s point of view. In our State of New Jersey we have three distinguished nominees who have been approved by the Judiciary Committee and are awaiting votes by the full Senate so they can get to work fulfilling their duties as judges in the same timely manner at the federal level.

One of these people is magistrate judge Patty Shwartz, who has been nominated to serve on the Third Circuit Court of Appeals. She passed with flying colors with an examination of her background. She would be the only woman from New Jersey serving as an active Third Circuit judge and only the second woman ever to represent New Jersey on that court. Her presence would tell women something important about our understanding of where women are in our society. Since 2003 Patty Shwartz has served as a magistrate judge in the District of New Jersey, where she has handled 4,000 criminal and civil cases. She spent almost 14 years as an assistant U.S. attorney, including hundreds of criminal cases, including civil rights, violent crime, drug trafficking, and fraud cases.

I review her qualifications only to make the case that this is a person whom we need to sit on the bench. We need her presence there to move the volume of cases that are awaiting review, and she is bottled up here by reluctance on the other side. She passed the test. Let’s let her go to work.

John Lacey, past president of the Association of the New Jersey Federal Bar, said that Judge Shwartz is “thoughtful, intelligent, and has an extraordinarily high level of common sense.”

Thomas Curtin, chairman of the Lawyers Advisory Committee for the U.S. District Court of New Jersey, said:

Every lawyer in the world will tell you that she’s extraordinarily qualified, a decent person, and an excellent judge.

The Association clearly agrees. They gave her the highest rating of unanimously “well qualified.”

Judge Shwartz graduated from Rutgers University with the highest honors. She received her law degree from the University of Pennsylvania Law School, where she was editor of the Law Review and was named her class’s Outstanding Woman Law Graduate.

The two nominees for New Jersey’s district court are similarly well-qualified.

Kevin McNulty currently leads an appellate practice group in New Jersey. He spent more than a decade in the U.S. Attorney’s Office in New Jersey, rising to the Deputy Chief of the Criminal Division and Chief of the Appeals Division.

Mr. McNulty clerked for U.S. district judge Frederick B. Lacey after receiving his law degree from New York University, where he was a member of the Law Review, and his undergraduate degree came from Yale University. He was named Lawyer of the Year in 2008 by the New Jersey Law Journal, and the ABA rated him unanimously “well qualified.” I am confident that his work as a judge will earn him similar praise.

Judge Michael Shipp, yet another appointee, has equally impressive credentials. As a U.S. magistrate judge in the District of New Jersey since 2007, he has conducted proceedings in both civil and criminal cases, including ruling on motions, issuing recommendations to district court judges, and performing district court judge duties in cases with magistrate jurisdiction.

The American Bar Association clearedly rates him unanimously “well qualified.” I am confident that his work as a judge will earn him similar praise.

Judge Shipp is a graduate of Rutgers University and Seton Hall University Law School, where he continues to teach as an adjunct law professor—a position he has held for more than a decade.

I review the qualifications of these judges to remove any doubt about whether they could do a good job. They can do a great job. Their backgrounds say they are ready to go to work, and here we are, frankly, seeing them held up, in my view, unnecessarily. Let’s get this behind us. There are things on which we can cross the aisle without invading the province of the other Members, and I think we just ought to cooperate on judges. I think I can speak for the Democrats here that we will cooperate. We will consider the judges who are presented from their side, but we want to just get going with judges altogether.

I thank Chairman Leahy and Ranking Member Grassley for making these nominees through the Judiciary Committee, but now it is time to bring them to the floor and confirm them. Judge Shwartz, Mr. McNulty, and Judge Shipp have brought honor to New Jersey and to our country, and they deserve to be confirmed. More importantly, the American people deserve to see these vacancies filled so the promise of justice for all can truly be fulfilled.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I wish to continue to emphasize the remarks Senator Lautenberg made. I have not been here that long, but what I have seen happen in the last 2 or 3 years where judges appointed by the President of the United States are slow-walked or just ignored or blocked in this body is just outrageous.

In 2007, during my first month in office, I was party to a Republican judge, coming from a Republican President, approved by my predecessor, Senator DeWine, and my colleague, Senator Voinovich. I met with her, talked with her, and I sent my approval to the Judiciary Committee. She was confirmed in the second or third month I was here, because I believe the President of the United States should have the right to have the judges as long as they are qualified. They can ask that we move forward on these judicial nominations.

In June 2010 U.S. district judge James Carr took senior status, creating a vacancy in the Northern District of Ohio. The vacancy was filled by Judge Michael Kirk, a Democrat, approved in a bipartisan manner by the Judiciary Committee.

We need her presence there to move the volume of cases that are awaiting review, and she is bottled up here by reluctance on the other side. She passed the test. Let’s let her go to work.

In 2007 Senator Voinovich, a Republican, and I assembled a commission of distinguished Ohio lawyers to find the best candidate for the job. It wasn’t in 2007; it was later than that. In 2009 there was a President from a different party, so we updated the commission.

The commission, consisting of legal professionals from the Southern District of the State of Ohio to suggest nominations for the vacant judgeships for the Northern District of the State. We did not, however, with lawyers from the north choosing for the Southern District, to make sure there was not a conflict of interest. This commission was very bipartisan. One of them had a Republican majority, one of them had a Democratic majority.

Following Judge Carr’s retirement, the commission made a selection. I interviewed three nominees, sent those names to the President, and then the President nominated Jeffrey Helmck. Jeffrey Helmck is a Toledo native, a brilliant and distinguished lawyer who has earned the respect of his colleagues for doing his job well. Yet for nearly 2 years his nomination has languished. For nearly 2 years he has had to place his defense practice on indefinite hold, awaiting Senate confirmation. This is no way to treat a public servant.

According to the U.S. Constitution, it is our job to confirm qualified nominees to serve on our Nation’s highest court. But as of April 2012—Senator Laugenberg mentioned this, and Senator Nelson from Florida will in a moment—there are 81 judicial vacancies throughout the United States. In my State of Ohio, the court is saying there is a judicial emergency. The non-partisan Administrative Office of the Courts, the bipartisan agency charged with running our Federal courts, recently declared a judicial emergency for my State.

Mr. Helmck has the enthusiastic support of all of the Federal judges in Toledo, including those appointed by Republican Presidents, was recommended by a bipartisan process created by Senator Voinovich, and yet his nomination is still stuck even though there is a judicial emergency and even though he was approved in a bipartisan manner by the Judiciary
Committee. The result is that litigants in the Northern District are experiencing delays in having their cases resolved. In too many cases, justice conferred—as the saying goes—can be just denied.

Our Nation’s courts have been a beacon of hope—sometimes, not always—for the vulnerable and the powerless, but this confirmation delay clogs our courts, obstructs justice, and damages our democracy. Maybe some people are playing political games by slow-walking court judges. In the end, they might think it is cute, funny, and they might think they gain politically from it, but it does obstruct justice, it does clog our courts, and it does damage our democracy. So it is not cute, it is not funny, and it is not worthy of any political gains in this Chamber.

Jeffrey Helmick will make an outstanding judge on the U.S. District Court for the Northern District of Ohio. We need to confirm him, and we need to confirm him this month before Congress breaks.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the time on the Democratic side be equally controlled by myself and Senator LEVIN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. That would mean how many minutes?

The ACTING PRESIDENT pro tempore. There is 6½ minutes remaining for the majority.

Mr. NELSON of Florida. For the total?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. NELSON of Florida. Then I will speed up my remarks until I see Senator LEVIN come in.

Mr. President, I, too, wish to talk about the vacancies. There is no sense for all of this slow-walking. Fortunately in Florida we have a process that takes the politics out of the selection of judges. The two Senators appoint a judicial nominating commission of prominent people all over the State, and they do the interviews and they do the selections of at least three for each vacancy. Because they do this in a nonpartisan way—notice what I said. I didn’t say “bipartisan,” I said “nonpartisan way,” which is the way the selection of the judiciary ought to be done. Because they do that in a nonpartisan way, all three of the nominees who come to the two Senators—any one of them can be a Federal judge because they are all so qualified.

Fortunately, with the agreement we have with the White House, the President can name whomever he wants. He agrees to accept the nomination and make his position known, and then the two Senators listen to him if we approve three after the two Senators have, in fact, gone through and interviewed them. So we have a process. Why should there be a delay on judges like that? There absolutely shouldn’t.

For example, take one of our Federal judges. Judge Jordan was elevated by the President to the Eleventh Circuit Court of Appeals unanimously out of the Judiciary Committee. At the end of the day, he won on this Senate floor 94 to 5, but he was held up for 4 months. Why? There is too much gamesmanship and partisanship in the process, and particularly coming out of a State such as Florida, a so-called “nonpartisan” in the selection of judges.

We have two vacancies in the Southern District and two vacancies in the Middle District of Florida right now. One of the judges is up on the docket. Two others have just come through and had their hearing in committee. The fourth is being vetted by the White House. Let’s go on and get approved these judges where there is no controversy.

I see my colleague from Michigan is here. I will turn the remainder of my time to him.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, Members of the Senate, I ask unanimous consent to enter into a colloquy with my Republican colleagues:

Mr. Mr. LEVIN. Mr. President, Members of the Senate have a duty and obligation to carefully consider the votes we take on nominations to the Federal courts. Our Constitution has established a judicial branch with vitally important responsibilities and with considerable independence from the other branches of government. The Founders were right to do so. They were also right to give this body a say on nominations to that independent branch. It is the one chance that the people, through their elected representatives, have to influence the makeup of the Federal courts.

I do not begrudge any Senator the right to carefully question judicial nominees to carefully weigh their qualifications, and to exercise their best judgment as they exercise their responsibilities that the Founders assigned to the Senate.

The question we must all answer is this: When do careful consideration and the exercise of good judgment become damaging delay? For just as we can fail to serve our constituents by failing to properly scrutinize judicial nominees, we can fail to serve them by failing to act on these nominations after there has been sufficient time for the Judiciary Committee and the Senate to scrutinize them.

Today nearly 1 in 10 Federal judgeships is vacant. Roughly half of all Americans live in judicial districts or circuits in which the Federal courts have declared a judicial emergency, meaning according to the standards established by the Supreme Court, residents face the prospect of unacceptable delays in having cases heard because vacancies have led to a troubling backlog of cases.

It is a precept of Western judicial thought that justice delayed is justice denied; that even a correct verdict can be without justice if it comes too late to matter to the parties involved, especially if that delay is not justified by the circumstances or the complexity of the case.

Our courts are capable of dispensing justice because they cannot function effectively and third, this delay to clear the growing backlog of cases. The courts may rush to judgment and may fail to apply the rigor that Americans expect and deserve.

Mr. President, I ask unanimous consent that we be allowed to proceed for an additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEVIN. The Judiciary Committee has favorably reported 17 judicial nominations that are now awaiting votes on the floor of the Senate. There is no question that the wait for many of the judicial nominees of President Obama has been unacceptable. Under the current process, the average district court nominee waited 22 days from favorable report by the Judiciary Committee to Senate confirmation. The average circuit court nominee waited 28 days.

By contrast, the average district court nominee under President Obama has faced a wait of 97 days, and the average for circuit court nominees is 138 days. Yet the vast majority of these nominees are not controversial. They enjoy bipartisan support. We should move quickly to confirm these nominees. They have been receiving bipartisan backing, particularly, and to review, debate, and act as expeditiously as we can on the small number of uncontroversial nominations about which there is some debate.

There is a great deal of discussion about which party is to blame about the ever-slower pace of judicial nominations. I have my own strong beliefs on that question. Our constituents are best served not by arguing over blame, but by our exercise of the responsibility the Constitution bestows upon us. I simply ask all of my colleagues to consider on each of these nominations the damage done by delay and inaction, and to carefully consider the threat to justice from the growing crisis of delay in our courts. We can and should act promptly on the 17 nominees on the calendar.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues: Senators KYL, COBURN, ISAkson, and HELLER for up to 30 minutes.
Mr. JOHANNS. Mr. President, I rise today with my colleagues to talk about something I think is an issue that without a solution will affect every single aspect of life in our country. I am speaking about our debt crisis, the impending fiscal cliff, and the lack of a budget to address those issues. As I said, I am very pleased to be joined by my colleagues to talk about this issue.

Unfortunately, whatever we do, the Senate has lacked the will and the leadership to fulfill what I consider its most basic legislative function: writing and adopting a budget resolution. That has gone on for more than 3 years.

While we are rapidly approaching the time where Presidential politics will consume the entire agenda, the U.S. national debt is also rapidly approaching a significant milestone: $16 trillion worth of debt. We should look no further than Greece or Spain to see what this level of debt would do to an economy if it goes unchecked.

There are so many frightening statistics. America’s per capita national debt already significantly outpaces that of Greece or Spain. So as we watch them spiral further into crisis, we should be jolted into action by the very suggestion that our debt is equal to, as alarming to us. Yet we have a responsibility to pass a basic budget resolution to get our spending in check. That constitutes a lack of leadership.

As I said, I have many colleagues here today who can talk about a better approach. I am pleased to start today with Senator JOHNNY ISAKSON.

Senator ISAKSON has spent his career working on budget issues. I say to Senator ISAKSON, what is the impact of no budget resolution for 3 years? Is there a better way? Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?

Mr. ISAKSON. I thank the Senator from Nebraska for the question and for his service. As a former Governor of the State of Nebraska, he knows full well the responsibility we have in terms of budgets. But I will tell you what the impact of no budget for 3 years is. There is a better way. Is there a better way to approach the budgeting process than what we are dealing with now?
this afternoon, and I expect the same fate. Why? Well, three quick points.

First of all, it accelerates our path to national bankruptcy. It fails to address entitlement spending. It has a slew of job-killing tax hikes. And it does nothing to address the President’s own deficit reduction committee plan for reducing the deficit. Just a couple of numbers: It contains a whopping $1.8 trillion tax hike on individuals, small businesses, investment in family-owned farms. Think about the job-killing nature, the wet blanket that puts over our economy—a $1.8 trillion tax hike. This comes on top of the tax hikes that are already embedded in Obamacare, which will extract an additional $4 trillion from the private sector by 2025 according to the Joint Economic Committee. Even with this tax hike, the President’s budget would increase deficits by nearly $6.4 trillion over the next decade.

Now, you stop and think: Wait. Aren’t the tax hikes supposed to be there in order to balance the budget? Well, you would think so. But under the President’s budget, notwith- standing all of the new revenue from taxes, it increases the deficit by nearly $6.4 trillion. What would spend a staggering $45.4 trillion during the period of the budget, which is $1.2 trillion higher than the Congressional Budget Office baseline from last March. I know these statistics are mind boggling, and I hate to cite them. But you do need to back up what you are saying with the actual data. That is the point. The President’s budget is a job killer, it increases taxes, and it still never balances.

I would point out that under his budget, while spending would reach 23.5 percent of the economy this year, and never get below 22 percent of GDP over the next decade, the historical average is much lower: 20.8 percent of GDP. So the President’s budget would lock in the fourth straight year of deficits above $1 trillion, and even though the President—and here is what the President said—he promised to “cut the deficit in half by the end of my first term.”

Well, the President’s budget would never balance notwithstanding the huge tax increases. That is what is wrong with the President’s budget. It is why it is not going to pass today. It is why it will pass last year.

Mr. JOHANNS. Very clearly this body is saying, the Senate and the House of Representatives, when they vote on the President’s budget, they are saying very clearly: The President’s budget spends too much, it taxes too much, and it borrows too much. It does not solve any problems. I think actually that is the very clear unanimous message at this point from these bodies. This is not a serious budget opportunity.

Mr. KYL. If I could add one other item to what my colleague said, we all know the big problem is spending on entitlements, the so-called mandatory spending. Well, the only thing mandatory about it is that it has to be spent unless we say something different. But we do not have the courage around here to reform our entitlement programs to the point that they are going to be available for at least our kids by some time. In some cases they may not even be available for some of us.

The other thing I would want to say about the President’s budget is it continues this glidepath to insolvency for Medicare and Medicaid. The Medicare Trustees Report says has an unfunded liability of $26.4 trillion. So in addition to spending too much, taxing too much, and borrowing too much, it does not do anything about the biggest problem we have. Which is the broken entitlement programs that are not going to work for the people who are currently anticipating they will be there for them when they retire.

Mr. JOHANNS. Senator KYL makes an excellent point. If I could call on my colleague, Senator COBURN, who, as much as any Member of the Senate, has been the watchdog when it comes to spending and programs that duplicate each other, has been the person who has stood on the Senate floor alone and pointed out to everybody how much waste there is in the Federal Government.

Senator COBURN has been a great leader. He was on the fiscal commission, and I wish I could have five programs: one for upper math students. But we are spending all of our money on the bureaucracy when we ought to have more science, more technology, and math initiatives for our educational system. We spend $3 billion a year on that. GAO put out its second annual report—the first one was last year, the second annual report this year—in terms of duplicative programs. We have had amendments on this floor fail routinely that said we ought to know what we are doing before we pass another bill. We ought to know what is already out there. That has been rejected by my colleagues.

But I am going to show charts that show how ridiculous we are in terms of how we are well meaning but absolutely stupid in terms of how we address problems that we perceive is the Federal Government’s role. The GAO put out a list of duplications. I am just going to read a few of them. I have given speeches on the floor on others, but there are 209 different programs—209 different programs in the Federal Government for science, technology and math initiatives for our educational system. We spend $3 billion a year on that. The overlap is unbelievable. Here is the chart that shows all of the different programs with all of the different agencies involved, all of them overlapping, most of the money wasted in terms of how we spend it because there is no concentration, there is no coordination, and we have a ridiculous array—not that it is wrong to want to have more science, more technology, more engineering, and more math students. But we are spending all the money on the bureaucracy when we ought to have five programs: one for upper level, one for lower level, one for minorities, one for disadvantaged, and one for others. Here is the complex. It is mind boggling how many programs we have, and there is not a metric to measure whether any one of these is effective. That is $3 billion a year.

We could have one-tenth as many programs and spend one-half as much
money and have more students come out with science, technology, engineering, and math backgrounds. But we have decided to do it piecemeal and never do the oversight and never consolidate. If we wanted to get out of a $1 trillion deficit, we do it $1 billion at a time, not do it with $1 trillion at a time.

The other program, which is even more difficult to ascertain, is in the Department of Justice grants. Let me go through those just for a second. There are 253 duplicative programs in the Department of Justice. We spend a total of $3.9 billion a year, and here is what the GAO tells us. People who apply for one grant in DOJ—for one thing—turn around and apply for it somewhere else for exactly the same thing. The Department of Justice does not know they just gave them two grants for exactly the same thing because there are so many different grant programs and nobody is watching the store.

So the point is nobody would run their household this way. No business would operate this way. States that are successful do not operate this way. The reason we do this is because we do not have a budget and we do not have any oversight and we are not minding the store. The way to change what is coming for our country is to start doing everything that is necessary to address the problem.

And the problem is this: We are spending money we do not have on things we do not need, and nobody in Congress wants to do the hard work of ferreting out what works and what does not and making the hard choices because every one of these programs has a constituency.

So the parochialism and the constituency short-term thinking we are now bound up in keeps us from saving ourselves. Last quote, and I will finish with this: John Adams said, “There has yet to be a democracy that did not murder itself.” We are on that road. The government’s own actuaries tell us Medicare is going bankrupt in 10 years, Social Security one decade later. Both sides should be willing to come together to strengthen and preserve these programs for future generations instead of simply ignoring the problems because it is inconvenient in an election year.

Our national debt will reach $16 trillion before the end of the year. The Federal Government’s unfunded obligations will total some $100 trillion. Yet there will be no budget this year, just like there has been no budget for the past 3 years. We cannot look beyond the beltway and say this failure of leadership has not had tremendous impact on the people we represent.

National unemployment was registered above 8 percent for the last 38 months. Nevada has led the Nation in unemployment for more than 2 years. Almost everyone I speak to in Nevada—businesses, job creators, elected officials, and families—speaks of the uncertainty that characterized their lives in this economy.

We are not moving forward as a Nation, and it is no surprise to these no-nonsense folks. They know from everyday life in their businesses and households that you cannot move forward without a plan. When Americans look to Washington, they see no meaningful proposal, no viable plan, and no progress.

There are those who claim the Budget Control Act is a budget, and I strongly disagree. This bill does not establish priorities or a path forward for our Nation as a real budget should. It does not provide certainty. Does it address many of the pressing fiscal problems we have today? If the Budget Control Act were truly a budget, there would be no need for this discussion today. It is past time for Congress to hold itself accountable.

That is why I have advocated my No Budget, No Pay Act for nearly a year. My legislation calls on the House and Senate to pass a concurrent budget resolution and the regular appropriations bills before the beginning of each fiscal year. Failure to do so would result in the loss of pay until we take our jobs seriously and make these bills our legislative priority.

The Congressional Budget Act of 1974 already requires Congress to pass a budget by April 15. My bill creates an enforcement mechanism to further encourage Members of Congress to do their constitutional duty. I have spoken on the floor previously about No Budget, No Pay. But I believe now is the time to consider whether we are willing to make this promise to our constituents. I believe it is more important now than ever because the American people are increasingly losing confidence in Congress and its ability to deliver solutions.

No Budget, No Pay is not a silver-bullet solution to our Nation’s fiscal challenges, but it would indicate that we are hearing the concerns of the American people and are willing to participate in the dialog necessary to get our country moving again.
I am pleased that 10 of my Senate colleagues have cosponsored this important effort, and others have expressed support for No Budget, No Pay on the Senate floor. I am especially grateful to Senators LIEBERMAN and COLLINS for holding a hearing to discuss No Budget, No Pay as a meaningful proposal that would help hold Congress accountable to the American people. This bipartisan bicameral proposal is worthy of the Senate’s time if we are serious about regaining the trust of the American people, who we are supposed to be representing.

My colleagues, our Nation can literally no longer afford to survive on sound bites and press releases about the importance of budgeting. We need to engage in the serious business of budgeting for our Nation’s future. That work should start today. Sadly, I simply don’t believe we will make the tough choices necessary until Members of Congress have more skin in the game—unless we are calling for the adoption of the No Budget, No Pay Act.

The PRESIDING OFFICER. The Republican time has expired.

The PRESIDING OFFICER. Under the previous order, the Senate agrees to the motion to proceed to H.R. 2072, which the Clerk will report.

The assistant legislative clerk read as follows: A bill (H.R. 2072) to reauthorize the Export-Import Bank of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided between the two leaders or their designates.

The Senator from Utah is recognized.

AMENDMENT NO. 2100.

Mr. LEE. Mr. President, I ask unanimous consent that we move to amendment No. 2100 to H.R. 2072.

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

The Clerk reports:

The assistant legislative clerk read as follows: The Senator from Utah [Mr. LEE] proposes an amendment numbered 2100.

Mr. LEE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows: (Purposes: To phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs and other forms of export subsidies.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, the authority of the Export-Import Bank of the United States under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) terminates on May 31, 2013.

(b) TERMINATION OF AUTHORITY.—Notwithstanding any other provision of this Act or any other provision of law, on and after June 1, 2013:

(1) the Export-Import Bank of the United States may not enter into any new agreement for the provision of a loan, a loan guarantee, or insurance, the extension of credit, or any other financial assistance;

(2) the Bank shall continue to operate only to the extent necessary to fulfill the obligations of the Bank pursuant to agreements described in paragraph (1) entered into before June 1, 2013; and

(3) the President of the Bank shall take such measures as are necessary to wind up the affairs of the Bank, including by reducing the operations of the Bank and the number of employees of the Bank as the number of remaining agreements described in paragraphs (1) and (2) decreases.

(c) REPEAL OF EXPORT-IMPORT BANK ACT OF 1945.—Notwithstanding any other provision of this Act or any other provision of law, effective on the date on which the Export-Import Bank of the United States has fulfilled all outstanding obligations of the Bank pursuant to agreements in suant to agreements described in paragraph (1) entered into before June 1, 2013, the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is repealed.

SEC. 2. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—The President shall initiate and pursue negotiations with other major exporting countries, including members of the Organisation for Economic Co-operation and Development and countries that are not members of that Organisation, to phase out the support of subsidized export financing programs and other forms of export subsidies.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of the negotiations described in subsection (a) until the President certifies in writing to those committees that all countries that support subsidized export financing programs have agreed to end the support.

Mr. LEE. Mr. President, it is time that we wind down the Export-Import Bank. My amendment, No. 2100 would do precisely that. The American people cannot be the world’s financial backstop. The government should not be picking winners and losers. Businesses in Utah and across the country are not receiving government help and are shutting their doors after decades of serving their communities. We should not, through this government, be adding insult to injury by using the tax money they contributed to prop up companies that largely benefit from the Ex-Im Bank, and businesses can’t clearly do not need taxpayer-subsidized loans.

We need to end the corporate welfare that distorts the market and feeds crony capitalism. The corporations that largely benefit from the Ex-Im Bank should have no trouble marshaling their resources to compete on today’s terms. Their success is not a matter of struggling, then they are most likely not deserving of taxpayer help; and if they are turning billions in profit, then they clearly do not need taxpayer-subsidized loans.

Further, government subsidies breed undue favoritism from government bureaucrats who control where the money goes. Unless we want more Solyndras, we should end the practice immediately.

Some have suggested that the Ex-Im Bank is good for businesses. What is best for American businesses is getting the Federal Government out of their way. Letting them operate without burdensome government regulations and without a complex tax system.

Having the government pick winners and losers does not make industries stronger. It makes the government dependent on subsidies. When government is picking who wins, the loser is always the taxpayer.

We have an opportunity today to reverse the status quo and defend the American taxpayer. My amendment winds down the Ex-Im Bank. I urge my colleagues to support amendment No. 2100.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PANETTA. Mr. President, I rise today to urge my colleagues in the Senate to pass the Export-Import Bank legislation now before us. This debate this morning is about jobs, it is about manufacturing jobs, and it is about U.S. manufacturing jobs that are going to be threatened if the Senate does not act.

This authority expires on May 31. That is right, 16 days from now. And between now and then, the House is in session for only 5 days, so we can’t afford to take this to the brink one more time with amendments passed by the Senate that are gutting amendments. These five amendments that will be considered would basically lapse the bank’s authority and this would put into the debate more uncertainty about our economy.

We need to act now to renew the bank’s charter, and businesses can’t wait. They need the planning and certainty to hire more people. Failing to act will stifle U.S. economic opportunity. That is why nearly two dozen Governors, Democrats and Republicans alike, have urged the bank’s extension, and so has the Chamber of Commerce, the National Association of Manufacturers, and the Small Business Association.

Mr. President, I ask unanimous consent to have printed in the Record a...
Ms. CANTWELL. Mr. President, the default rate on the bank is consistently less than 2 percent lower than most commercial lending. I am sure we will hear a lot about that during the debate today. But since 2005, the Export-Import Bank has returned $3.7 billion to the U.S. Treasury, above and beyond the cost of operation. So, yes, my colleagues, this is actual money that is making money for the Federal Government. Not only is it helping U.S. manufacturers sell their products overseas—financing in a way I think is equivalent to what the Small Business Administration does; helping to provide a certain level of financing that makes deals come through—I think it is why we find banks are supportive. The money comes back into U.S. taxpayers’ pockets and it supports our winning in a global situation by getting our products sold. It has been incredibly helpful to our economy, with zero cost to the taxpayers, and, in fact, the nonpartisan Congressional Budget Office concluded a 4-year reauthorization of the bank would reduce the deficit by $5 billion over 5 years. So the bank works for businesses and it works for U.S. taxpayers.

There is a compromise that is before us. I know it may not be the compromise that I or the Senator from South Carolina—who I see is on the floor—would have written into the legislation, but nonetheless it is a compromise and it is time to act. The reason I say that is because so many States also are counting on the Export-Import Bank, just as Washington State is.

Pennsylvania, for example, has over $1.4 billion in exports and 9,800 jobs related to the Export-Import Bank; Massachusetts, with $566 million. This is the first annual report of the Export-Import Bank in 2011. So they had $566 million of economic revenue generated in Massachusetts and over 4,000 jobs. Why? Because we helped Massachusetts exporters get access to capital so they could sell their products overseas and win in the international marketplace. Texas, another example, with $4.9 billion in exports, and 35,742 jobs. These are jobs America needs. This is a global economy in which America needs to compete, and getting access to capital so that products can be sold is a critically important issue.

Florida, another great example of the support of the Export-Import Bank, had $1.1 billion in exports and over 7,643 jobs. So that State has been another big winner; the State of North Carolina, $456 million in exports and 3,309 jobs; and Ohio, another example of manufacturers and businesses, with $338 million in exports and 3,672 jobs.

While there are many people who would like to say this program should be discontinued—and I am sure some of my colleagues are not in favor of it because there are many programs they wish to get rid of—I would say this is a program that is good for the U.S. taxpayers. The Export-Import Bank has generated $3.7 billion for U.S. taxpayers since 2005.

Again, what is this debate about? The underlying amendments my colleagues are offering are trying to gut the Export-Import Bank. They simply don’t like it, and they want to get rid of it or say it is not a viable tool. I guess because one in four jobs in Washington State is based on trade, I know how critically important it is. Whether we are talking about agricultural products or selling airplanes or selling music stands, as one company we saw, or selling grain silos, companies need to be able to finance their deals in the marketplace and they need to be able to get sales for their products. This has been a very viable and important tool for them.
Mr. CORKER. I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment is as follows:

(Purpose: To increase capital ratios of the Export-Import Bank of the United States to provide financing only for transactions subsidized by private sector financing or for which private sector financing is unavailable or is prohibitively expensive.)

SEC. 26. CAPITAL RATIO REQUIREMENT FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES TO TRANSACTIONS SUBSIDIZED BY OTHER COUNTRIES OR FOR WHICH PRIVATE SECTOR FINANCING IS UNAVAILABLE OR PROHIBITIVELY EXPENSIVE.

(a) IN GENERAL.—Notwithstanding any provision of law, the Export-Import Bank of the United States may not provide any financing (including any guarantee, insurance, or extension of credit, or participation in any extension of credit) for the exportation of any article unless the Bank certifies to Congress in writing that—

(1) an export credit agency of a foreign country is providing financing for the exportation of a substantially similar article from that country;

(2) private sector financing for the exportation of the article is not available or is prohibitively expensive.

(b) ADDITIONAL INFORMATION REQUIRED.—If the Export-Import Bank of the United States certifies under subsection (a)(2) that private sector financing for the exportation of an article is not available or is prohibitively expensive, the Bank shall also include in the certification the following:

(1) An explanation of why private sector financing is not available or is prohibitively expensive.

(2) An explanation of how financing by the Bank for the exportation of the article does not put the United States at a substantial risk of loss.

(c) REPORT ON REGULATORY BARRIERS.—For any transaction relating to the exportation of an article financed by the Export-Import Bank of the United States after certifying under subsection (a)(2) that private sector financing is unavailable, the Secretary of the Treasury shall submit to Congress a report that—

(1) assesses the extent to which private sector financing is unavailable as a result of excessive regulation of domestic financial institutions by the Federal Government or the obligations of the United States under international agreements relating to risk management by financial institutions; and

(2) makes recommendations for eliminating the barriers to sector financing identified under paragraph (1).

Mr. CORKER. Mr. President, I will be very brief. Again, this amendment is very simple and it does two things I would think the Senator from Washington especially would support, after what we have gone through especially after her alluding to some of the most recent developments in the financial system. I hope this amendment will receive broad support in this body.

The Ex-Im Bank is set up to finance transactions that cannot be financed in the private sector. That is the purpose for its existence. So, No. 1, what this amendment will do is to cause the Ex-Im Bank to certify there is no private sector financing—or at least no private sector financing at a reasonable cost—before any loan goes through the Ex-Im Bank.

The second piece I think is very important. The way the Ex-Im Bank is set up right now, there are no capital requirements. The Senator from Washington was just talking about something that happened at JPMorgan. Fortunately, we have put in place since the financial crisis very strong capital requirements at our financial institutions. The reason that is done is to make them healthy enough to cause them to be able to withstand things that may happen as relates to default rates or other failures.

The Ex-Im Bank, believe it or not, is set up to finance things that no other bank will finance, and yet it has no capital requirements other than having to maintain $1 billion. So they are able to loan, per this new legislation, $140 billion but they only have to have $1 billion in capital reserves, which means you are creating with this mechanism 140-to-1 leverage ratios.

What we have gone through with our entire financial system is a process to make sure we have adequate capital. What our amendment does is to require that the Ex-Im Bank adhere to the normal sound financial practices we want our financial institutions across our country to adhere to by establishing a 10-percent capital base.

Again, I think this is a very good government amendment. We don't want to see the same happen with Ex-Im Bank that we have seen happen with Fannie, with Freddie, with so many of our institutions in this country that did not have proper capital reserves.

I urge strong support for this amendment which will make the Ex-Im Bank something that ensures—or hopefully helps ensure—that our U.S. taxpayers are not going in a situation where we have to come to the aid of this institution because it hasn't reserved properly, it doesn't have the proper capital standards in place, that I think people in
this body on both sides of the aisle have overwhelmingly supported for the private sector.

I would hate to see us be in a situation where we want to create something in government that risks taxpayer dollars. We have just gone through a process of understanding that it is very important for the financial institutions of our country to have appropriate capital standards. Here we are getting ready to pass legislation on this floor which, I am sorry, has almost no capital in place because you only have to have $1 billion—that is all—at the Ex-Im Bank, $1 billion against a $140 billion loan base. I think anybody here thinking about this understands those standards are not nearly appropriate, and I hope this amendment will receive overwhelming support.

It is my sense that if we pass this, the House would easily pass this. Contrary to what the Senator from Washington said, I think this would make the legislation better and, my sense is, receive overwhelming support in the House if added to it.

I yield the floor, and I thank the Senator from South Carolina for his tremendous assistance.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I rise in support of the compromise that was outlined by the Senator from Washington.

Basically, 6 years ago the Congress of the United States by voice vote reauthorized the Export-Import Bank. If you are in business, like Boeing and GE, and thousands of other companies out there that are making products in the United States and selling them overseas, the idea that the Congress would, by voice vote, reauthorize the bank had to make you believe that this model of doing business would be made available to you. Here we are, later down the road, because of concerns about the bank, and some people actually want to do away with it.

I understand free markets pretty well, and I would love to live in a world where no country interfered in the marketplace at all and the best products would win based on a level playing field. But why do we have the Export-Import Bank? It is about 70 years old. There is a long record here. Products made in America and sold overseas—sometimes because of the volatile nature of the region in question traditional banks won't lend money. What happened is about 70 years ago we created a bank to help us export products, and that bank, the Export-Import Bank, as Senator CANTWELL said, makes money, doesn't lose money, and it has been a sound way to get American-made products into the international marketplace.

Here is the reality: Canada, France, Germany, Italy, Japan, Britain, Brazil, China, and India all have export banks of their own. The G-7 countries we competed against between 2006 and 2010 doubled the amount of ex-im financing available in their countries. This is what American businesses are competing against.

Our good friend up North, Canada, is one-tenth our size. The Canadian Ex-Im Bank did $100 billion worth of financing in two years. In this country last year, compared to $32 billion in support of American manufacturers. The only area of our economy that has been strong lately is exports. So imagine this: America does away with the Export-Import Bank. All of the countries I just described have their banks available to their manufacturers. Boeing makes planes in Washington and in South Carolina. Eight out of ten planes being manufactured in Charleston, SC, by Boeing, the 787s, are sold based on export-import financing. They are competing against Airbus. France has three Export-Import Banks. China's Export-Import Bank is larger than those of those of Germany, Canada, and Britain combined.

It is one thing to do reform; it is another to unilaterally surrender. It is one thing to lead the world; it is another to put the people who make products and create jobs in this country if this bank were to go out of business. We are weeks away.

Senator CORKER has a good amendment, a decent amendment, but it doesn't quite get us to where we need to be at this late hour. One part of this amendment is that you can't make a loan through the Export-Import Bank until the company proves that the other countries in question are not offering loans in that area. That is pretty hard to do when countries such as China are not very transparent.

This amendment is billed as good government, and I know his motivations are sound. He is not ideologically against the bank. But at this late hour, it will bring the legislation down. And, quite frankly, the second prong of what he is proposing, I think it is a real burden to put on American businesses at a time when it is hard enough already to create jobs in America.

To those who want to end the bank without other countries doing so, I think you would be doing a great dis-service to people in this country who are selling products overseas. In my State alone, you would be destroying the ability of Boeing Company to grow in South Carolina. GE makes gas turbines in Greenville, SC. One-third of those turbines made in Greenville are sold through Ex-Im financing. If you can get the other parts of the world to do this, count me in. Until we do it together, I am going to allow this bank to stay in business because it makes money, it doesn't lose money. There is a difference between leading the world and putting your companies at risk in a world based on reality, and the reality is that export-import financing by our competitive nations is growing, it is not being reduced.

This bill that passed the House was 330 votes. We live in a time in Congress where you can hardly declare Sunday a holiday, but 395 Members of the House voted to extend this bank for 3 years with reforms. Count me in the reform camp.

Some people say this bank has kind of gotten out of its lane and is making loans that are not traditionally export-import loans. I agree with that. Some say the bank is not transparent enough. I agree with that. The bottom line is it has been reformed; not as much as some would wish, but it definitely has been reformed.

Sixty-two percent of the Republican Conference in the House voted to reauthorize this, so I want to acknowledge Representative CANTOR, Representative HOYER, TIM SCOTT, and my delegation, who really tried to bring about reform. At the end of the day, this nation is receiving a product that went through the House, a lot of giving and taking. They produced a compromise, as Senator CANTWELL said, that would be different than I would have written, but it truly is reform. It allows a 3-year extension of the bank at $140 billion with reforms that are, quite frankly, I think common sense, and 62 percent of the House Republicans supported this. The tea party was split.

At the end of the day we have a decision to make as a Senate: Are we going to allow this bank to fail, or are we going to allow the bank to stay in business under a new way of doing business? I think it would be a travesty and a detrimental event to the economy of this country if this bank were to go out of business and the banks of everybody we compete with are doubling in size. If you want to grow the footprint in America of selling products made in America overseas, this bank has a niche. Where you cannot find traditional financing, this bank allows American products to be sold, and I think it is a very sound business practice. The bank is making money.

The bank has been around for 70 years and there are no subprime mortgages here. This is about selling American products to a willing buyer overseas where you can't find traditional financing. Our friends in China—sometimes they are not our friends; they manipulate their currency, they steal intellectual property—their bank is going like gangbusters. The last thing I am going to do with my vote is take American companies that are struggling to compete on a global scale and give them a disadvantage against the Chinese or any other country that is doing business. We will wind
I also wish to say a few words about my colleague's amendment, Senator Corker. I will trust what my colleague from South Carolina says, that the amendment may be seen as a reform of the system, well intended, but I can tell you, it will have very adverse effects.

The Corker amendment basically is calling for a 10-percent capital ratio requirement. It is not based on any fact or reason. The bank has had a default rate of less than 2 percent—1.5 percent. That is a very low default rate. It would have a very adverse effect on the bank itself, and it would quadruple the reserves and basically cause problems with the bank and how it is leveraged.

If this is an issue about reform, there are many reforms in the underlying bill. To the provision that would say you would have to verify, if you are an individual business, that you can't get financing, I have read the Senator's amendment. I am not sure how you would prove that you can't get financing, so clear from the legislation: Does that mean you would have to survey every time the ex-im program was implemented for a business?

Let's say SCAFCO in Spokane, WA, which is a grain silo producer that is selling silos in many different parts of the world—every time they wanted to get financing for one of those silos, what would they do? Would they petition five banks in a region? Would they petition 100 banks in a region? I want people to understand what that competition is like.

Let's pretend that SCAFCO, as I said, which makes large grain elevators and is selling products all over the world and is one of the world leaders, and we have an Ex-Im Bank requirement that says they have to prove there is no financing available, and they are selling a lot of product in South America, in Africa, in Asia. Now somebody else says, You keep getting financing for the product out of Russia or I can get financing for the product out of China and I don't have that same requirement, so I am not going to buy from you, I am going to buy from them.

That is what you are doing. You are basically hamstringing American competitors in an international marketplace by not allowing them the financing tools. Of course the bank has to show they can't get financing, but this new provision puts an undue burden on these individuals—because of the language and how vague it is, how are they ever going to prove that there isn't someone there?

Instead of hamstringing American businesses, why not allow those American businesses to continue under this legislation that, as my colleague from South Carolina said, has been around for decades and been very effective? And we are including more transparency.

I urge my colleagues to defeat the Corker amendment because of its requirements on capital ratio that they do not need and, second, on an ability to prohibit the financing based on a clause that I don't even know how it can be met. My colleagues from States that are using this program will understand that it will be very hard for our businesses to continue to compete with such a requirement.

I know my colleague Senator Lee was here earlier. The Lee amendment basically would out-and-out defund the Export-Import financing program. I get that some of my colleagues on the other side of the aisle would not have this program. I think it has been a very important tool for U.S. companies to win in their sales of U.S. products overseas and, as I said, creates thousands of jobs. I do not think the amendment of Senator Lee, which would basically abolish the bank as of September 30, 2013, is a good way to go.

I yield the floor.

The PRESIDING OFFICER (Mr. Tester). The Senator from Louisiana.

Mr. VITTER. Mr. President, I now call up Vitter amendment No. 2103, which is at the desk.

The PRESIDING OFFICER. The bill clerk will report.

The bill clerk read as follows:

The Senator from Louisiana [Mr. Vitter] proposes an amendment numbered 2103.

Mr. VITTER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. Testet). Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries.)

Strike section 8 and insert the following:

SEC. 8. NONSUBORDINATION REQUIREMENT.

Section 2 of the Export-Import Bank Act of 1934 (15 U.S.C. 666b), as amended by section 7 of this Act, is further amended by adding at the end the following:

"(j) NONSUBORDINATION REQUIREMENT.—Notwithstanding any other provision of law, the Bank shall not make or guarantee a loan that is subordinate to any other loan.

SEC. 8A. PROHIBITION ON FINANCING OF FOSSIL FUEL PROJECTS IN FOREIGN COUNTRIES THAT ARE SUBSTANTIALLY SIMILAR TO CERTAIN FOSSIL FUEL PROJECTS IN THE UNITED STATES.

(a) IDENTIFICATION OF CERTAIN DOMESTIC FOSSIL FUEL PROJECTS.—Not later than 90 days after the date of the enactment of this Act, the Export-Import Bank of the United States shall identify projects involving the production, refining, or transportation of fossil fuels in the United States that could benefit from the provision of a loan, loan guarantee, or other form of financing by a Federal agency.

(b) PROHIBITION ON FINANCING OF CERTAIN FOSSIL FUEL PROJECTS IN FOREIGN COUNTRIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, and on and after the date that is 90 days after the date of the enactment of this Act, the Bank shall not make or guarantee any loan, loan guarantee, or other form of financing by a Federal agency.
I have to tell you, that was like rubbing salt in the wounds of tens of thousands of oilfield workers and others who were suffering because of the Obama administration policy here in this country really discouraging energy development. My very Pres. Obama proposed to be a strong supporter and partner and cheerleader of Brazilian offshore development was through an Export-Import Bank loan. There are many of these sorts of loans. Asking about Brazil, the case I mentioned—the Wall Street Journal reported in an editorial that “the U.S. is going to lend billions of dollars to Brazil’s State owned oil company, Petrobras, to finance exploration of the huge offshore discovery in Brazil’s Tupi oil field in the Santos Basin near Rio de Janeiro.” Again, the Export-Import Bank approved a $2 billion loan to aid Brazilian oil production. That is what President Obama was cheering and encouraging and making happen in other places as well. Again, the Ex-Im Bank specifically approved a $2.84 billion loan and loan guarantee to a subsidiary of Colombia’s national oil company. This money was intended to expand production in an underwater refinery Cartagena, Colombia. In 2011 the Ex-Im Bank again authorized $1 billion for Pemex, Mexico’s national oil and gas company. Here we have this Federal Government, through the Ex-Im Bank, financing energy production overseas at the same time as this Federal Government tries to shut down and make difficult a lot of that activity here at home. That is the frustration that produced this amendment, No. 2103. This amendment is simple. It simply says that Ex-Im Bank is not going to provide those loans or loan guarantees related to fossil fuel development in foreign countries if there are similar projects in the United States that are not getting comparable help. It is not suggesting that the Ex-Im Bank is going to participate directly in projects in this country. It simply says first things first—American jobs, American energy, American production. So we are not going to finance the world to produce energy when we create obstacles right here at home to do the same.

The last several years have proved the need for this sort of commonsense provision, in my opinion. President Obama traveling to Brazil, ballyhooing the development of their industry while his moratorium and other policies substantially shut down our own here in the United States, proves the need for this commonsense amendment.

I urge all my colleagues, Republicans and Democrats, to support this Vitter amendment No. 2103. Again, it is very simple, very logical, and very common sense. It is a provision that uses U.S. taxpayer money to fund, to finance the guarantee of oil and gas and other energy development overseas in foreign countries, we are going to look here at home to see if similar projects exist and are they getting any similar help or inducement from the Federal Government.

I urge support of this amendment as a way to move forward in a commonsense manner on this renewable energy debate. Look at what a tremendous market opportunity new energy solutions are for our economy, for the worldwide economy. It is somewhere from $4 trillion to $6 trillion. A lot of people like to talk about the Internet and the great things on the Internet. By comparison, it was somewhere between $2 and $4 trillion. This is an economic opportunity way beyond that.

When you look at what China is doing, they need to invest $3.7 trillion by 2030 in order to build 1,300 gigawatts of new electricity-generating capacity. The Chinese Government alone needs to spend $3.7 trillion on energy. My colleague from Louisiana wants to say: “Look, we are doing great with our string U.S. companies—those that might have a solution to some of China’s energy needs—from getting the appropriate financing so they can be successful in this program. To me, it is wrongheaded in the fact that we want to be selling to China, as I said, just because China needs, all they need to do is to already know what China is as a market. We sell them software, we sell them airplanes, we sell them coffee—we sell...
them lots of things. We understand they are a market. To curtail the solutions U.S. companies are working on, whether it is battery technology or smart grid technology or solutions for a whole range of products—you could even say nuclear power and other clean energy source solutions—all of these things would be curtailed under the Vitter amendment.

We do not want to go backward. Not only does the United States want to be a leader in energy solutions in the United States, United States should have the goal of being an energy winner in the international marketplace, growing jobs through selling solutions that we think can be quite successful in and around the developing world and in China.

I ask my colleagues to defeat this amendment and to make sure we get this bank. As I said regarding the Export-Import financing program, we have about 5 legislative days to give the president what he requests and certainly American businesses would like to see in making sure U.S. manufacturers win in a global marketplace.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. I rise today in support of H.R. 2072, the Export-Import Bank Reauthorization Act of 2012. After too much delay, it is time for the Senate to pass this bill.

The Export-Import Bank supports nearly 290,000 jobs a year, assists thousands of American businesses, and helps reduce the Federal budget deficit. It shouldn’t be surprising, then, to hear that the bank has the approval of labor unions, the chamber of commerce, the Business Roundtable, and the National Association of Manufacturers.

Indeed, the bank is supported by a wide majority in both Houses of Congress. The bill before us today passed with a strong vote of 330 to 39 in the House of Representatives last week as Republicans and Democrats came together in support of truly bipartisan legislation. When we passed a similar bill out of the Senate Banking Committee last year, it had unanimous bipartisan support.

Despite the urgent need for passage of the bill, there are several Republican amendments. I urge all of my colleagues to vote against those amendments and pass this bill without delay. We are at the finish line today with a bill that has already been approved in the House and has bipartisan support in the Senate. Unless we pass this bill, the Ex-Im Bank’s authorization will lapse on May 31 and nearly 300,000 American jobs will be at risk. Unless we pass this bill, American exporters will be put at a disadvantage with their foreign competitors, who, in many cases, receive far greater assistance from their own nations’ export credit agencies.

Let’s come together and pass this bipartisan bill and score a victory for the hundreds of thousands of American workers whose jobs are supported by the Ex-Im Bank.

I urge my colleagues to oppose the amendments and support reauthorization of the Export-Import Bank today so we can send this bill to the President and have it signed into law without delay.

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

The PRESIDING OFFICER. The clerk will call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

The amendment is as follows:

Purpose: To prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than $100,000,000,000 until the Secretary of the Treasury certifies that the Secretary has initiated international negotiations to eliminate subsidized export financing programs and to prohibit an increase in that lending authority to more than $120,000,000,000 until a multilateral agreement to eliminate subsidized export financing programs (including aircraft export credit financing) has been completed.

Strike section 3 and insert the following: SEC. 3. LIMITATIONS ON OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 5(a)(2) of the Export-Import Bank Act of 1934 (19 U.S.C. 1120a) is amended—

(I) in subparagraph (D), by striking ‘‘and’’; and

(II) by striking the comma at the end and inserting ‘‘; and’’.

(II) during fiscal year 2012 and each succeeding fiscal year, $100,000,000,000, except that—

(I) the applicable amount for each of fiscal years 2013 and 2014 shall be $120,000,000,000.

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

I urge my colleagues to defeat this amendment.

I call the roll.

The PRESIDING OFFICER. The clerk will report.

The PRESIDING OFFICER. The roll is closed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. TOOMEY. Mr. President, I call an amendment No. 2104, which is at the desk.

The PRESIDING OFFICER. The clerk will read as follows:

The Senator from Pennsylvania, Mr. TOOMEY, for himself, Mr. DEMINT and Mr. LEE, proposes an amendment numbered 2104.

Mr. TOOMEY. Mr. President, I ask that the reading of the amendment be dispensed with.

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

I urge my colleagues to defeat this amendment.

I think it is a very important measure to begin the process of prohibiting a very unsustainable practice that we participate in, as many of our trading partners, which is the active taxpayer subsidization of exports.

I want to be very clear. There is a very real risk that is carried by American taxpayers, and that risk is systematically undervalued. The fact is the Ex-Im Bank extends loans and provides guarantees to countries and companies buying American exports. It provides those loans and those loan guarantees under terms that are not available in the private sector.

There is a reason those terms are not available in the private sector. It is because the private sector necessarily requires full compensation for whatever risks they take, and there is a risk in any loan. The Ex-Im Bank underprices these loans systematically, and that is why it is important, that is why it exists, and that is why it does business that the private sector cannot win away from the Ex-Im Bank. The Ex-Im Bank necessarily and systematically underprices the risks that taxpayers are on the hook for. This is what many of us object to, the risk that the taxpayers are forced to bear.

In addition to enforcing taxpayers to incur this risk, it is quite unfair to American companies that have to compete with the foreign companies that get the subsidized financing. This isn’t just a theoretical. This happens all the time. Some years ago I was involved in a dispute because the Ex-Im Bank was going to finance the acquisition of equipment by a foreign—i suspect it was a Chinese steelmaker—which would enable them to make steel at lower prices than American Steel. The Chinese would make because the American companies wouldn’t be able to obtain this equipment with the subsidy that the Chinese
companies could obtain through the Ex-Im Bank.

More recently is the case of Delta Airlines, which has observed that the price they have to pay for jets is higher than the price paid by other countries that are not competing routes but buying their aircraft through the subsidies of the Ex-Im Bank.

In 2008 President Obama, referring to Ex-Im Bank, said this is “little more than a fund for corporate welfare.” I think that is what this amendment does. I think we need to understand why this has come to be, I understand why it has been extended, and I understand why people believe we have to subsidize our exports. It is because other countries around the world subsidize theirs. In other words, if our German and French and Chinese and Russian, taxpayers are made to take a risk in subsidizing the sales of their manufacturers, then our taxpayers ought to take a similar risk.

I don’t think it is a logical solution. Let’s require the administration to sit down with our trading competitors and negotiate a mutual phaseout of all of these export subsidies. Frankly, it is in everybody’s interest. We could have a level playing field, on which no taxpayers are subject to this risk. No taxpayers are asked to subsidize the sales of private companies, and I think that is what we ought to do. This is what my amendment would accomplish.

My amendment says we will go ahead with the reauthorization of the Ex-Im Bank but the first increase in the lending limit we are currently at—the bump-up of $20 billion that is contemplated in this bill that has passed the House—would be contingent upon the administration informing Congress that they have begun the process of negotiating a phaseout of all export subsidies.

I recognize this phaseout would not occur immediately but would be a gradual process but would happen over time. So under my amendment the second increase would only occur when the administration came back and informed Congress that they had, in fact, reached an agreement with our leading trading partners on a framework that would phase out subsidization of exports.

I think this is a very sensible way to deal with the only compelling argument I have heard in favor of forcing taxpayers to take this risk: that is, well, everyone does it, so we must. Since that is the only reason, then let’s start the process of persuading everyone else not to do it. We have tremendous leverage in both bilateral and multilateral trade negotiations of all sorts. There are ways the administration—if it makes this issue a priority—can persuade our trading partners that this is the right direction to go.

Each of our trading partners has their own constituency of taxpayers who would probably rather not be forced to subsidize this process just as we do. I think this amendment does it in a careful fashion that allows businesses to continue for now provided we start in a different direction, a direction that will avoid continuing to put taxpayers at risk.

I urge my colleagues to support me.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DeMINT. Mr. President, I would like to speak in support of Senator Toomey’s amendment and to point out some of the things about the Ex-Im Bank that are important for the taxpayers to know.

As a businessman I know if I can get a guaranteed loan, I would take it in a second. I don’t blame companies that are interested in lower rate financing. But as Congressmen and Senators and as the President of the United States, our job is to protect taxpayers. We are forgetting in this debate that when we guarantee a loan, that is a very real liability to them, and we are not just talking about the Ex-Im Bank. The taxpayers in this country are now liable for about $1 trillion for student loans, trillions of dollars for mortgages and other loan guarantees and insurance.

We cannot continue to pass these bills without realizing someday these bills are going to come due and the folks across the country are going to have to pay them.

We were promised, when Fannie Mae and Freddie Mac were making all these loans, that it was good for the taxpayer, that we were making money, we could not lose. But the taxpayers have lost billions of dollars. And now as we continue to guarantee loans around the world, some of the countries these loans are going to are on the watch list for other ratings services because of the financial situation in Europe and all across the world, which is more and more strained. We cannot assume this money is coming back to the taxpayers.

We probably heard already from some of the speakers that the Export-Import Bank was started many decades ago during Franklin Roosevelt’s administration, and there was a limit on how much could be lent. It was $3.5 billion. But as government works and how government grows, the bill we are considering this week is not in the millions; it is in the billions; and it is not $3 billion or $4 billion; it is $140 billion of loan guarantees to American companies that are selling overseas.

Unfortunately, that does not help American companies that want to sell here in America, which means much of the domestic market for our products is financed at a higher rate. It is only the rest of the world, and we are the biggest consuming market in the world. This is not an idea we should continue in America. We are in a bidding war with China and Europe to see who can subsidize the most loans at a time when all of us are broke.

We need to bring this to a close. Senator Toomey’s amendment is a logical way to proceed. The World Trade Organization is set up to make sure there is no subsidization of imports and exports. But this is a very real subsidy and a very real risk to the American people.

Let’s begin the process of taking away this excuse of why we need to subsidize them. That is always the case: We have to do it because they are doing it. But as a world trading organization, we need to take down these subsidies and phase them out. We can do that and decrease the amount of money the American taxpayer is liable for. It is common sense. Hopefully, my colleagues will support it today.

Mr. LEVIN. Mr. President, I am pleased the Senate is voting on H.R. 2012, the Export-Import Bank Reauthorization Act of 2012. This bill will reauthorize the Export-Import Bank, which has been operating under temporary extensions. We are overdue to reauthorize and expand this important agency.

The Export-Import Bank is an important tool. U.S. companies can use to promote the export of American-made manufactured goods, particularly exports of small- and medium-sized manufacturers which make up the largest portion of the Export-Import Bank’s transactions. The Export-Import Bank provides financing to foreign purchasers of U.S. goods when private financing is not available. That financing allows U.S. businesses to sell more U.S. goods abroad, which means we create more jobs here at home. And the reality is that many of our trading partners that compete against us in the global marketplace use aggressive export financing to advantage their companies. We need to offer the same kind of support to our manufacturers so that they can compete in overseas markets on a level playing field.

Over the last 5 years the Export-Import Bank helped 348 Michigan companies export $2.7 billion worth of goods overseas, supporting and creating jobs in Michigan. Over 100 of these Michigan companies are small businesses selling a broad range of products manufactured in Michigan, including fabricated metal products, machinery, parts, chemical wood products, paper, and food. The three top export destinations for these Michigan exports were Mexico, Turkey, and Canada.

The Export-Import Bank is self-financing; and in fact contributes money to the U.S. Treasury every year. This is a win-win situation to reauthorize the Export-Import Bank and increase its authorization level at no cost to the government so that we can export more American-made goods and create and support U.S. jobs here at home.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Washington.
Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for the next 10 minutes.

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

Ms. CANTWELL. I have enjoyed listening to the amendments on the other side of the aisle talk about Senator TOOMEY’s amendment and all about subsidies. Well, it is hard to argue about subsidies when we are talking about the Ex-Im Bank generating $3.7 billion for U.S. exporters.

So if this is a subsidy, we need a lot more of it because you are winning in producing jobs and you are actually producing money for the Treasury. This is a very important tool for us to win in a global economy. I think my colleague from South Carolina who spoke earlier said it best when he talked about the manufacturing jobs that are now in that State and what an important tool it is.

I am not one of those who basically says: Oh, we should do it because other countries do it. I am saying, you should recognize that is going on, but that the United States needs to understand there is a global marketplace for its products and you believe in U.S. manufacturers, as I do—further, I have seen them in my State—they are winning the day in producing products and services that can beat the competition in international marketplaces. They can.

I have silos, I have seen music stands, and, yes, I have seen airplanes. So the question is, are we going to let U.S. products that can beat the competition in an international marketplace lose because the purchaser of those products is looking for financing mechanisms that will help them secure financing and purchase of those products? That is the question.

Does the United States want to do those kinds of activities? I say we should be even more aggressive. Why? Because the global development of many countries that are now buying U.S. products is going to continue to grow. In my State, in southwest Washington, in Vancouver, I saw the second largest grain elevator in the entire world—the second largest grain elevator.

I said: Why do we have the second largest grain elevator in the entire world right here at the Port of Vancouver? They said to me: Because as the Asian middle class rises, they want to eat beef, and if they want to eat beef, they have to have grain.

What is wrong with the United States selling grain to Asian markets because they want our product—or all these other products we have been talking about today? These are examples of products in the United States where we are actually building a product that many countries and many end customers want. We should celebrate that, and we should realize, as the growing middle class increases, there is even more opportunity for the United States to sell products and win the day in the marketplace. So I do not know what they are talking about when they say “subsidies,” because this has been good for the U.S. taxpayers, and it has been good for our economy.

Specifically to the Toomey amendment, this amendment would require unnecessary and unnecessary help the bank in the future. Basically, it would put a hold on the financing of the Export-Import Bank until we negotiated on an international basis to terminate this kind of financing.

As I said, for many States, they have had great benefits. In Pennsylvania, they have had the economic benefit—this is in just 2012—of $1.4 billion in exports and over 9,000 jobs. So here is something fiscally created jobs, created money for the U.S. economy—basically money back to U.S. taxpayers that we have used to help pay down the deficit. So how is it that is bad for us? In the meantime, that manufacturer in Pennsylvania is winning and getting his product out on an international basis and, hopefully, expanding his business to many different countries.

We had numbers on some of the other examples of companies that have been helped in various States. These are products and services like many in my State. We have visited a grain silo producer in Spokane, WA, that is winning in selling its product. We visited a music stands company, Manor Music Stands. You would think somebody might be able to compete with them and beat them in the international market, but, in fact, they are winning the day in the international marketplace, and the Export-Import Bank helps them in doing so.

There are many examples of how this particular program is a win for taxpayers, is a win for manufacturers, and is a win for the U.S. economy. These amendments that are all trying to gut the Export-Import Bank would send this back to the House, when we need to be sending it to the President’s desk, giving certainty and predictability to our economy, giving certainty and predictability to a program that has existed for decades, for which we have a majority support in the Senate and in the House in over 3 years. I would argue that the exercise we have ending tomorrow will have no substantial difference. I do not think there is anyone in America who believes we will have a budget at the end of tomorrow. The Congressional Budget Act of 1974 requires a budget by April 15. So with that, I ask unanimous consent that the request of the leader be modified so that S. 1981, the No Budget, No Pay Act, be automatically discharged from the Homeland Security and Government Affairs Committee, the bill is immediately placed on the calendar, and that when the Senate proceeds to the budget votes mentioned in the Senator’s request, the Senate also vote on the motion to proceed to S. 1981 under the same terms and conditions of the other budget votes.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. CONRAD. Objection has been heard on our side.

The PRESIDING OFFICER. There is objection to the modification. Is there objection to the original request? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, just on the record, that the Senator raised, I want to make clear that I have heard over and over: No budget resolution has passed in 1,000 days. What is not being said is that instead of a budget
resolution last year, the Senate and the House passed the Budget Control Act. The Budget Control Act is not a resolution, it is a law. A resolution, as all Members know, is purely a congressional document. It never goes to the President for his signature.

Last year, instead of a budget resolution, this body and the other body passed legislation called the Budget Control Act that set a budget, budget limits, and spending limits for this year and next. Actually, it went even further: It set 10 years of spending caps. A budget resolution usually only sets 1 year of spending caps.

So I wanted to make clear that instead of a budget resolution being passed last year, the House and the Senate passed the Budget Control Act to set spending limits for this year and next and for the 8 years beyond.

In addition, the Budget Control Act established a supercommittee and gave it power to reform the tax system and the entitlement system and said that if they could come to an agreement, they would not face a filibuster. With a simple majority, we could reform the tax system and the entitlement system here in the Senate. The Budget Control Act further said that if the special committee does not agree to reform the tax system, to reform the entitlement system, there will be an additional $1.2 trillion of spending cuts put in place over and above the $900 billion of spending cuts put in place by the Budget Control Act through spending caps for 10 years. That is a total—because the special committee did not agree—to over $2 trillion of spending cuts that are now in law as a result of the Budget Control Act. That is the largest spending cut package in the history of the United States, and it is law. It is law because of the Budget Control Act passed last year.

Now, my colleagues can go and shout it through the rooftops, as they have done, that the Congress has not passed a budget resolution in 1,000 days, but they are not telling the whole story. They are not telling people that instead of a resolution, the House and the Senate passed a law. A law is stronger than any resolution. A resolution is purely a congressional document. A law has to be signed by the President of the United States, and it is law. It is law because of the Budget Control Act passed last year.

Tomorrow we are going to have a chance to debate fundamental issues of where the resources of the United States go. But we are in a different situation than we normally would be because the Budget Control Act is in law. We know what the appropriators can spend for this year and next. That is locked in. And tomorrow we will have a chance to debate longer term plans.

I will be interested to see what some of our colleagues say about some of the truly extraordinary and extreme budget plans that are being offered by my colleagues on the other side—plans to eliminate Medicare in 2 years, plans to cut Social Security by 39 percent, plans to have trillions of dollars of additional tax cuts for the wealthiest among us, and at the same time cut education 25 percent, cut funding to reduce our dependence on foreign energy by 60 percent, plans to cut spending beyond the Budget Control Act limitations by another $2 trillion.

We are going to see, from some of my colleagues on the other side, truly extreme plans. I hope they will be voted down tomorrow. I hope we will be able to make clear to the American people with the Budget Control Act law that passed last year, instead of a budget resolution, there are spending caps in place this year and next and the 8 years beyond.

Tomorrow will be an interesting day to discuss different Members’ views of the fiscal future of this country. Make no mistake, we need to come together on a long-term plan to get us back on track.

I was part of the Bowles-Simpson Commission. In fact, it was the idea of Senator Gregg and myself to have such a commission. I voted for the findings of that commission to save more than $4 trillion. I was part of the Group of 6 who spent an entire year trying to find a way to implement Bowles-Simpson. So I am fully prepared to have this debate and this discussion.

I am eager for us to come together around a plan to get us back on track, but it is going to require all sides to get out of their fixed positions. That is probably unlikely right before an election, but it needs to happen before the end of this year. I am very hopeful that the Bowles-Simpson style—Bowles-Simpson plan—serves as a good example of where we might find common ground. Both sides, all sides, need to get out of their fixed positions to reach an agreement to get our country back on track. I yield the floor.

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.
The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2101.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the Export-Import Bank of the United States from providing financing to a person or for a project in a country by government or central bank of which holds debt instruments of the United States)

At the appropriate place, insert the following:

SEC. 3. PROHIBITION ON FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR PERSONS OR PROJECTS IN COUNTRIES THAT HOLD DEBT INSTRUMENTS OF THE UNITED STATES.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States may not provide any guaranty, insurance, or extension of credit (or participate in the extension of credit) to a person or with respect to a project in a country the government or central bank of which holds debt instruments of the United States.

(b) DEBT INSTRUMENTS OF THE UNITED STATES DEFINED.—In this section, the term "debt instruments of the United States" means bills, notes, and bonds issued or guaranteed by the United States or by an entity of the United States Government.

Mr. PAUL. Mr. President, first, we borrowed billions of dollars from China, India, and Saudi Arabia. Then we loan it back to them again.

Republicans rightly complain that we are sending taxpayer money to the President's major donors at Solyndra and BrightSource. Now Republicans need to be consistent and say we are not going to send Ex-Im loans to even bigger companies that are even more profitable. If it is wrong for the government to choose winners and send our money to corporations, we should say it is wrong and we should vote against this.

Does anybody remember the President threatening to increase taxes on corporate jets? Ex-Im Banks are now going to increase the loans for corporate jets? Ex-Im Banks are now borrowing billions of dollars from China and other countries to ensure that U.S. manufacturers use to increase the loans for corporate jets tenfold.

My amendment will stop this charade. My amendment will stop sending taxpayer dollars overseas to countries from whom we are already borrowing money. It makes no sense, and the time is now or never.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment is simply another attempt to gut the Export-Import Bank financing that U.S. manufacturers use to increase the sales of their products around the globe.

The amendment would prohibit U.S. exports from using the financing for any country that owns U.S. debt. So basically we are saying we are going to prohibit U.S. manufacturers, who make good products, from hoping to sell those to places such as China and others just because of the amount of U.S. debt.

This is about job creation in America for a program that actually generates money to our Treasury and helps us pay down the debt. It should be helping all U.S. manufacturers sell all around the globe and create jobs at home.

I urge my colleagues to oppose the Paul amendment.

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 9, nays 89, as follows:

[Rollcall Vote No. 92 Leg.]

<table>
<thead>
<tr>
<th>YEA—10</th>
<th>NAY—89</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coburn</td>
<td>Lee</td>
</tr>
<tr>
<td>DeMint</td>
<td>Moran</td>
</tr>
<tr>
<td>Hatch</td>
<td>Paul</td>
</tr>
<tr>
<td>Akaka</td>
<td>Feinstein</td>
</tr>
<tr>
<td>Ayotte</td>
<td>Franken</td>
</tr>
<tr>
<td>Barrasso</td>
<td>Gillibrand</td>
</tr>
<tr>
<td>Baucus</td>
<td>Graham</td>
</tr>
<tr>
<td>Begich</td>
<td>Grassley</td>
</tr>
<tr>
<td>Bennet</td>
<td>Hagan</td>
</tr>
<tr>
<td>Berns</td>
<td>Harkin</td>
</tr>
<tr>
<td>Bingaman</td>
<td>Heller</td>
</tr>
<tr>
<td>Blumenthal</td>
<td>Hoovers</td>
</tr>
<tr>
<td>Blunt</td>
<td>Hunstion</td>
</tr>
<tr>
<td>Boozman</td>
<td>Inhofe</td>
</tr>
<tr>
<td>Boxer</td>
<td>Inouye</td>
</tr>
<tr>
<td>Brown (MA)</td>
<td>Isakson</td>
</tr>
<tr>
<td>Brown (OH)</td>
<td>Johnson (SD)</td>
</tr>
<tr>
<td>Burr</td>
<td>Johnson (WI)</td>
</tr>
<tr>
<td>Cantwell</td>
<td>Kerry</td>
</tr>
<tr>
<td>Cardin</td>
<td>Klouckhar</td>
</tr>
<tr>
<td>Carper</td>
<td>Kohl</td>
</tr>
<tr>
<td>Casey</td>
<td>Kyl</td>
</tr>
<tr>
<td>Chablis</td>
<td>Coats</td>
</tr>
<tr>
<td>Cochran</td>
<td>Landsiere</td>
</tr>
<tr>
<td>Collins</td>
<td>Leahy</td>
</tr>
<tr>
<td>Conrad</td>
<td>Lieberman</td>
</tr>
<tr>
<td>Coons</td>
<td>Lugar</td>
</tr>
<tr>
<td>Corkyn</td>
<td>Manchin</td>
</tr>
<tr>
<td>Crapo</td>
<td>McCain</td>
</tr>
<tr>
<td>Durbin</td>
<td>McCain</td>
</tr>
<tr>
<td>Enzi</td>
<td>McCaskill</td>
</tr>
<tr>
<td>Ewing</td>
<td>McConnell</td>
</tr>
<tr>
<td>Kirk</td>
<td>Rockefeller</td>
</tr>
<tr>
<td>Not Voting—2</td>
<td></td>
</tr>
</tbody>
</table>

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2102

Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on amendment No. 2102 offered by the Senator from Tennessee, Mr. CORKER.

Mr. CORKER. Mr. President, the most important thing this amendment does is establish capital in the Ex-Im Bank. Right now the way the Ex-Im Bank is set up, there is over $1 billion worth of capital against $140 billion in loans. That is a leverage ratio of 140 to 1.

This body spent a tremendous amount of time in a bipartisan way to make sure the financial institutions of our country had proper capital ratios. This amendment establishes a 10-percent capital reserve for the Ex-Im Bank. By their definition these loans are more risky than the private sector would make, and that is why the sponsors are trying to extend the Ex-Im Bank.

As a responsible body, the very least we can do is to cause them to have the appropriate capital reserved against the loans they are making which are more risky by definition than the private sector loans.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, this amendment would force the Ex-Im Bank financing to increase its reserves by nearly 400 percent to maintain that 10-percent ratio. Basically we already have a board that audits third-party accountants, OMB, and a bank inspector general reviewing this. This amendment basically would take away from money that actually goes to the Treasury.

This Ex-Im Bank has generated $3.7 billion for taxpayers since 2005. My colleagues would rather have that put aside as opposed to helping us pay down the deficit. It has a reserve ratio that has worked for decades, worked successfully, and I like the fact that it helps us pay down the deficit.

I urge my colleagues to vote no on the Corker amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2102.

Mr. CORKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The result was announced—yeas 9, nays 62, as follows:

[Rollcall Vote No. 93 Leg.]

<table>
<thead>
<tr>
<th>YEA—36</th>
<th>NAY—62</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
<td>Barrasso</td>
</tr>
<tr>
<td>Ayotte</td>
<td>Boozman</td>
</tr>
<tr>
<td>Burr</td>
<td>Chablis</td>
</tr>
</tbody>
</table>
The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2023

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2023, offered by the Senator from Louisiana, Mr. VITTER. The Senator from Louisiana, Mr. VITTER. Madam President, this amendment is very simple. It simply says that if we are going to have the U.S. taxpayer, through the Ex-Im Bank, finance and guarantee and loan money to traditional energy projects around the world, maybe we should have the same policy and the same help for U.S. projects producing U.S. energy here at home. That is, pure and simple, what it is all about. This is not a theoretical concept. A year ago President Obama traveled to Brazil to praise the development of their offshore industry, to give them U.S. taxpayer help through the Ex-Im Bank. But policies in this country were doing exactly the opposite—hurting U.S. activity to produce U.S. energy, to produce U.S. jobs. If you want to create that reasonable, fair playing field to promote U.S. jobs here at home too, please support this amendment.

The PRESIDING OFFICER. The Senator from Colorado, Mr. UDALL of Colorado. Mr. President, the Senator from Louisiana has the right intentions, but this amendment would truly be a vote against U.S. jobs and manufacturing. It would wrongly target renewable energy manufacturing, and it would threaten millions of dollars in the export of U.S.-made products at a time when we should be seeking to expand these markets overseas.

If you look particularly at the wind industry, it is already suffering be-

cause we have not had the courage, frankly, to extend the production tax credit for wind, and it has bipartisan support; that is, the extension of the wind production tax credit. So we have to pass that production tax credit immediately. But in the meantime, let's not create a double whammy and pass the Vitter amendment because that would damage our opportunity to export renewable energy projects and services. Without question, that sector is expanding dramatically. It is the source of a lot of jobs in my State and I think in every State in the Nation.

Let's expand our markets. Let's get export. Let's not limit that possibility. The Vitter amendment would do just that, so I urge all of you to vote against the Vitter amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to amendment No. 2023.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

YEA—59

Akaka Hagan Mikulski
Baucus Harkin Murray
Beigh Barrasso Sessions
Benet Heller Nelson (FL)
Bigman Hoeven Portman
Blumenthal Inouye Pryor
Blunt Johnson (SD) Reed
Boxer Klobuchar Roberts
Brown (MA) Kerry Sanders
Brown (OH) Kline Schumner
Cantwell Kohl Shaheen
Casey Leahy Stabenow
Conrad Levin Tester
Coons Lieberman Udall (CO)
Durbin Lugar Udall (NM)
Feinstein Manchin Warner
Franken McCaskill Webb
Gillibrand Menendez Whitehouse
Graham Merkley Wyden

NOT VOTING—2

Kirk Rockefeler

Mr. UDALL of Colorado. Mr. President, this amendment is necessarily absent. Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK). The PRESIDING OFFICER. The PRESIDING OFFICER. Mr. SAHANEK. Are there any other Senators in the Chamber desiring to vote? The result was announced—young 37, nays 61, as follows:

Alexander Enzi Murkowski
Ayotte Grassley Paul
Barrasso Hickenlooper Risch
Boozman Hoeven Rubio
Bur Chambliss Johnson Sessions
Coats Inouye Isakson Sessions
Colburn Johnson (WI) Cooper Sessions
Corker Inhofe Reed
Coryn Levin Sessions
Crapo Merkley Sessions
DeMint McCaskill Sessions

YEA—37

Akaka Hagan Murray
Baucus Harkin Nelson (NE)
Beigh Heller Nelson (FL)
Benet Inouye Portman
Bigman Inouye Pryor
Blumenthal Johnson (SD) Reed
Blunt Klobuchar Roberts
Boxer Kline Schumner
Brown (MA) Kline Schumner
Brown (OH) Kline Schumner
Cantwell Landrieu Shaheen
Cardin Leahy Shaheen
Carper Levin Sessions
Casey Lieberman Sessions
Collins Lugar Sessions
Conrad Lieberman Sessions
Coons Leahy Sessions
Durbin Menendez Sessions
Feinstein Merkley Sessions
Franken Merkley Sessions
Gillibrand Moran Wyden

NOT VOTING—2

Kirk Rockefeler

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2024

Under the previous order, there will be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2024, offered by the Senator from Pennsylvania, Mr. TOOMEY.

Mr. TOOMEY. Madam President, there are two things we know about reauthorizing the Ex-Im Bank. We know our taxpayers are subject to a risk for which they are not fairly compensated in the sense of systematically underprices the risk. That is precisely why a borrower goes to them. We also know it is unfair to a domestic competitor that cannot obtain the financing at the same rate that a foreign company can. We are told we should do this anyway because everyone else does it, because all of our competitors around the world subsidize their exports.

So I would suggest the logical conclusion is we should work to phase out export subsidies all around the world. That is what this amendment does. It reauthorizes Ex-Im. It lifts the limit on the borrowing cap. But it makes it contingent on the administration beginning a process of negotiating a phase out of export subsidies. It makes the second increase in the lending cap contingent on an actual agreement that will, over time, get us all out of the business of risking taxpayer dollars in export subsidies.

I think this is a sensible way. It will allow an adjustment to take place for those who are dependent on this bank, but it will get taxpayers off the hook in time. So I urge support.

The PRESIDING OFFICER. The Senator from Washington, Ms. CANTWELL. Madam President, I think this is a nonsensical provision. It says the bank can only make loans—can make more loans if there is an international agreement to terminate the bank.

I know in Pennsylvania, Wallquest finished 2010 with export sales over $17 million, a 61 percent increase because it obtained Ex-Im financing. During the first 2 years, its workforce grew from 80 to 150. Now I know that may not be a big story, but it is the story of the Ex-Im Bank.

So capping it and saying we are not going to give any more money for more loans until we negotiate an end to the bank, I think, is the wrong way to go. I urge my colleagues to defeat the Toomey amendment.

The PRESIDING OFFICER. The question is on agreeing to the Toomey amendment. Mr. TOOMEY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.
Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 63, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—35

Alexander
Ayotte
Barrasso
Boozman
Burr
Chambliss
Coats
Coburn
Corker
Corbyn
Crapo
DeMint

Enzi
Paul
Grassley
Portman
Hatch
Risch
Hutchison
Rubio
Inhofe
Sessions
Isakson
Shelby
Johnson (WI)
Snowe
Kyi
Thune
Lee
Toomey
McConnell
Vitter

NAYs—63

Akaka
Baucus
Begich
Bennet
Bingaman
Blumenthal
Blunt
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carroll
Coons
Conrad
Collins
Durbin
Feinstein
Franken

Gillibrand
Graham
Hagan
Harkin
Heller
Hoeven
Hoenen
Inouye
Johnson (SD)
Kerry
Knobic
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Udall (NM)

Mikulski
Murray
Johnson (NE)
Muskraton
Murray
Nelson (FL)
Nelson (NE)
Portman
Reed
Reid
Sanders

NAYS—2

Kirk

Rockefeller

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 20, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—78

Akaka
Baucus
Begich
Bennet
Bingaman
Blumenthal
Blunt
Boxer
Brown (MA)
Brown (OH)
Cantwell
Cardin
Carroll
Coons
Conrad
Collins
Durbin
Feinstein
Franken

Gillibrand
Graham
Hagan
Harkin
Heller
Hoeven
Hoenen
Inouye
Johnson (SD)
Kerry
Knobic
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Udall (NM)

Mikulski
Murray
Johnson (NE)
Muskraton
Murray
Nelson (FL)
Nelson (NE)
Portman
Reed
Reid
Sanders

NAYs—20

Barrasso
Corker
Crapo
DeMint
Enzi
Grassley

Hatch
Inhofe
Kyi
McCain
McConnell
Paul
Paul
Rubio
Sanders
Toomey
Vitter

NOMINATION OF JEREMY C. STEIN TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 646, Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. Without objection, the clerk will report the nomination.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to calendar No. 646, Jeremy C. Stein, of Massachusetts, to be a member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

Mr. REID. Madam President, I send a cloture motion to the desk with respect to the Stein nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to bring to a close debate on the nomination.

Mr. ROCKEFELLER. Motion to proceed to calendar No. 647, Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.


NOMINATION OF JEROME H. POWELL TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. REID. Madam President, I move now to proceed to executive session to consider Calendar No. 647, Jerome H. Powell, of Maryland, to be a member of the Board of Governors of the Federal Reserve System.

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

The clerk will report the nomination of Jerome H. Powell, of Maryland, to be a
member of the Board of Governors of the Federal Reserve System.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk with respect to that nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.


Mr. REID. Mr. President, I ask unanimous consent to waive the mandatory quorum under rule XXII for both cloture motions, the PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER (Mr. BENNET). Without objection, the Senate resumes legislative session.

PASSAGE OF THE EXPORT-IMPORT BANK REAUTHORIZATION ACT

Mr. REID. Mr. President, I want to express my gratitude for the good work done on this most important measure that just passed the Senate on the Export-Import Bank. It was reported out of the Banking Committee. Senator JOHNSON did a great job with his committee.

In addition to that, the work of Senator CANTWELL was exemplary. She is a terrific legislator. When she gets her teeth in something, she won't let go and she would not let us take our eye off the prize; that is, passing this important legislation. I have such admiration for her legislative skills, and at this time I spread across the RECORD my admiration and congratulations on this legislation, which means so much to her and the entire country.

UNANIMOUS CONSENT REQUEST—S. 2344

Mr. REID. Mr. President, the national flood insurance program is to expire the end of May, this month. The insurance program provides coverage for almost 6 million people who work in flood zones. It is self-sustaining. For more than 40 years it has guarded American homeowners against flood-related disasters. If the program expires, new housing construction will stall, new housing construction will come to a halt, and taxpayers will be on the hook for future disasters.

We have not been able to bring flood insurance reform to the Senate; the Senate has had a lot of problems with Senate procedure that some believe is abusive. It has left us with so little time. As you see, I have filed cloture on two nominations to the Federal Reserve. I will file later on a judge who has been waiting for almost a year. No one believes there is enough time to pass, conference, and enact a long-term flood insurance bill before the end of this month, so under the situation we will have to do another short-term extension simply to keep the bill from expiring. Thus I will seek to pass an extension of this important program now.

Therefore, I ask unanimous consent the Senate proceed to consideration of Calendar No. 366, S. 2344, which is an extension of the National Flood Insurance Program, that that bill be read a third time, passed, the motion to reconsider be laid on the table, and there be no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, the majority leader wants me to go ahead?

Mr. REID. Mr. President, I object. I will hold my comments until after the majority leader finishes his talk, so I can explain my position.

Mr. REID. The Senator can go ahead if he wishes.

Mr. COBURN. The majority leader wants me to go ahead?

Mr. REID. Seriously, I am anxious to hear it.

Mr. COBURN. We have had 14 short-term extensions to the National Flood Insurance Program. That is over the past 4 1/2, 5 years. There is a bill set to be brought to the floor. Yet we are going to have a short-term extension again.

This program is not financially sound and it is not self-sustaining. It runs a $900 million deficit every year. What is the National Flood Insurance Program? Do we need it? Yes. Am I objecting that we do not need it? No. But the vast majority of the moneys that are expended by hard-working Americans go to subsidize the insurance for homeowners of second and vacation homes. Multiple times in the Senate and in the House, both sides have concluded that this should be taken away, this subsidy for those in terms of second homes and vacation properties.

What I would expect, if we are going to do an extension, is that then we ought to do an extension with something that both bodies have already passed, which includes making those people who have properties eight times the average value of the rest of the homes in the flood insurance program carry their fair share of insurance. Should not it be a flat rate, no matter what happens to the flood insurance program, to allow us to continue to extend.

Mr. COBURN. We have had 14 short-term extensions to the National Flood Insurance Program. That is over the past 4 1/2, 5 years. There is a bill set to be brought to the floor. Yet we are going to have a short-term extension again.

This program is not financially sound and it is not self-sustaining. It runs a $900 million deficit every year. What is the National Flood Insurance Program? Do we need it? Yes. Am I objecting that we do not need it? No. But the vast majority of the moneys that are expended by hard-working Americans go to subsidize the insurance for homeowners of second and vacation homes. Multiple times in the Senate and in the House, both sides have concluded that this should be taken away, this subsidy for those in terms of second homes and vacation properties.

What I would expect, if we are going to do an extension, is that then we ought to do an extension with something that both bodies have already passed, which includes making those people who have properties eight times the average value of the rest of the homes in the flood insurance program carry their fair share of insurance. Should not it be a flat rate, no matter what happens to the flood insurance program, to allow us to continue to extend.

Mr. REID. Mr. President, I ask unanimous consent to waive the mandatory quorum under rule XXII for both cloture motions, the PRESIDING OFFICER. Without objection, it is so ordered.

I would make one other point. We will have time in December to fix this, with everything else that is coming up. So the time to fix this is now. I will not object to the 5-year reauthorization coming to the floor. I don't think the majority leader will object as well. We should address this and be done with it. But another short-term extension is not what this country needs. We cannot afford losing another $900 million, plus the American taxpayer is on the hook for $1.34 trillion with this program right now. The subsidy to the average home—not the vacation home—is over $1,000 a year.

I have no objection to supporting those who actually need our help, who are in flood-prone areas. But for those who have the tremendous benefit and the opportunity to have second and third homes, I think it is objectionable we continue to subsidize their purchase of flood insurance.

With that, I object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, before my friend leaves the floor, I hope we can do a short-term bill. As my colleague knows, the impediment to the regular function of the Senate this year has been the offering of irrelevant amendments. I am wondering if I could say through the Chair to my friend, the junior Senator from Oklahoma, what kind of agreement does he think we can get on the number of amendments on something like this?

Mr. COBURN. Mr. President, I would respond to the majority leader through the Chair and say I will help him in any way I could with my side of the aisle to make sure we have cogent amendments to this bill and also agree to a limited number of them, since it is important that we reauthorize this program.

Mr. REID. I say again through the Chair to my friend, how many amendments does he think he would need?

Mr. COBURN. One or two.

Mr. REID. I thank my friend from Oklahoma. It is something I wish to be able to do. We have so much to do—we have the farm bill, we have cyber security, we have the FDA bill, I am filing cloture on nominations—people who have been waiting to change their lives. So I am sorry we cannot legislate more.

I have sympathy with my friend from Oklahoma. I don't agree with everything he said, but this is a program that needs to be changed and I recognize that. I will continue working with my friend. Maybe there is some way we can work together and figure out a way to move this forward. It is hard.

What I would suggest is I would be happy to work on my side, because Senator JOHNSON has talked to me twice today on this legislation, to figure out what amendments my folks want to offer because they want to offer amendments. If my friend from Oklahoma would also make a decision on his side of, as he indicated, cogent
amendments, relevant amendments, we could put this in a little package and move to it without having to file clouse and do these amendments. I wish to do that.

I will work on my side to find out what amendments there are. If my friend will do that, on Monday or Tuesday we will talk about this and see if we can get a very concise agreement to do this. This is important legislation. My friend is not denying that. But I think we do have to make some changes in it. I am here to work forward on it. I think the House is going to take something up real soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. If the Senator from New Jersey will give me a courtesy of 5 minutes to speak as in morning business and I will be through.

I appreciate what the majority leader has said. I will work my side of the aisle. The possibility of moving this is there and I will give it my 100 percent effort between now and next Monday when I see the majority leader to see if we cannot do it.

I will make a couple of points. Our Nation is in big trouble and we are not acting as if it is in big trouble. It seems that the way we are operating is from crisis to crisis. That is not good for the country, it is not good for the agencies, it is certainly not good for the individuals, and it makes it where we actually cannot do effective legislating.

The idea behind the flood insurance program is almost 50 years old. There is nothing wrong with its intent. But we cannot afford $900 million a year in subsidies to the very wealthy in this country for their second or vacation homes. If we are talking about fairness, as the President talks, then it is time to reform this program—whether it is with an extension or not—this component of it where there is a fair premium, where we are not subsidizing those who can in fact take care of themselves in this country.

Whether it is this bill or the farm bill where we are subsidizing 4 percent of the farmers with 60 percent of the crop insurance premium, it is the same issue.

I look forward to working with the majority leader and I will do my part to try to gather up the amendments that might be there and work with our leadership to try to bring this bill to the floor.

I thank the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

VIOLENCE AGAINST WOMEN ACT

Mr. MENENDEZ. Mr. President, I rise to speak about the Violence Against Women Act that we voted on last week. But we see to have a challenge with our colleagues in the House of Representatives. In my view, violence against any woman is still violence. Apparently, my Republican colleagues in the House do not share that view. Republicans in the House have introduced a bill that would not protect all women. Their bill would roll back protections for certain vulnerable populations. It would strip provisions in the Senate bill that protect women from discrimination and abuse, specifically Native American women, the LGBT community, and for undocumented immigrants it actually rolls back protections they have under current law.

We have seen that violence against women is an epidemic and it plagues all of us, not just some of us. We have fought against it. We have Tried to end it, we have established programs and policies at the national and State levels to mitigate it. We have stood with the victims of domestic violence. Now we must stand and reaffirm our outrage.

It is in my mind a no-brainer. I am, frankly, hard-pressed to understand why anyone would stand in the way of denouncing violence against any woman, no matter who they are, no matter what their sexual orientation or citizenship. I am hard-pressed to understand why anyone would choose to exclude violence against certain women, turn back the clock to a time when such violence was not recognized, was not a national disgrace, and make a distinction when and against whom such violence meets our threshold of outrage. There can be no such threshold and no such distinction. Violence against any woman is an outrage, plain and simple.

Is the message to be that we are willing for some reason that in my mind defies logic to accept violence against certain women? Because that seems to be the message the other body is sending us. I cannot believe anyone would take such a position, but that is exactly what we would do if we listened to our Republican House colleagues, who are not able to stand behind this Senator and should be unacceptable to every Member of Congress and every American. If our friends on the other side deny they are waging a political and cultural war against women, then why are they willing to accept an actual war against certain women by excluding them from protection under the Violence Against Women Act?

The reauthorization of the Violence Against Women Act doesn’t just affect those who have experienced victims of sexual violence or domestic violence; it affects all of us. Nearly one in five women reports being the victim of rape or attempted rape. One in six reports being stalked. One in four reports having been beaten by their partner. Of those who report being raped, 90 percent report being raped before the age of 25. The short-term physical and emotional trauma of such an event cannot be overstated. Domestic and sexual violence impact us all, and we must all be part of a solution.

Since 1994, the Violence Against Women Act has been the center piece in our comprehensive approach to protect and empower women, and it must remain so. Since the passage of VAWA in 1994, there has been enormous positive change.

From 1993 to 2010, the rate of intimate partner violence declined 67 percent. More victims are reporting violence to police, and those reports are resulting in more arrests and prosecutions. VAWA is working, but there are still women who need protection. For example, in 1 day in New Jersey, a survey found that domestic violence programs assisted 1,292 victims. On that same day, New Jersey domestic violence hotlines answered 444 phone calls. So our work on this issue is not yet done.

Looking to the merits of the reauthorization, let me highlight, for the record, several critical changes in the legislation—changes that did not simply extend successful programs but built upon them. Every reauthorization of VAWA has incorporated new understanding and updated knowledge, and this reauthorization was and should be no different.

First and foremost, the Senate reauthorization includes additional training for law enforcement services, and courts that increase the focus on high-risk offenders and victims, including connecting high-risk victims with crisis intervention services. I am sure no one can argue against that.

Second, the Senate reauthorization includes additional training for law enforcement services and courts that increase the focus on high-risk offenders and victims, including connecting high-risk victims with crisis intervention services. I am sure no one can argue against that.

Third, the Senate bill strengthens our response to sexual assault while increasing the connection to nonprofit groups. Sexual assault coalitions in every State have been indispensable allies. I met with a large roundtable before our debate and discussions in the Senate, and this bill supports their efforts. It included a 20 percent setaside for assistance to States for sexual assault programs and also included reforms to reduce the unprecedented backlog of rape kits.

I have been proud to support funding to reduce this backlog. Just recently I supported Senator Leahy’s effort to fund the Debbie Smith DNA Backlog Grant Program at the current level of $125 million with at least $90 million directly spent on reducing the DNA backlogs. I am happy to say the Violence Against Women Act will make important strides to reduce the backlog.

Most importantly, given the debate on this legislation, this reauthorization recognizes that domestic and sexual violence affects all groups regardless of their sexual orientation. We included commonsense protections against discrimination on the basis of sex, religion, national origin, and race, and disability because it is, quite simply, the right thing to do because all violence against women is an outrage to all of us.

For the first time the Senate bill established the fundamental notion that victims cannot be denied services based on gender identity or sexual orientation. We included provisions to protect
immigrant victims of violence and Native American victims.

In the Senate the bill passed 68 to 31 with a dozen Republicans voting in support of the final legislation despite Republican attempts to weaken the bill during its consideration in the Senate. Unfortunately, Republicans in the House are attempting to weaken the bill and do what a minority in the Senate could not. For the first time in the nearly 20-year history of the Violence Against Women Act, the House message does not expand protections but instead eliminates a series of them.

In its version, the House sent an undeniable message: If you are Native American, LGB, or undocumented, you do not deserve protection. That is the House message. To start, LGB victims do not receive the protection they need in the House bill. Professionals in the field specifically requested nondiscrimination protections but the House insists on adding addi-

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.

The Violence Against Women Act provides a way out, but the House version does away with confidentiality protections for immigrant victims. Studies have shown that victims are most vulnerable immediately before or after they leave the abuser. The Violence Against Women Act ensures that women in these categories is, in fact, a victim. Each and every one of these women in these categories is, in fact, a victim. There should be no differentiation and there should be protection for all.
We don't fully understand. We don't understand at all why David's life was taken or why the lives of more than 19,000 officers we remembered today ended so soon. But we express our gratitude for their service and dedication to their communities and to our country.

During National Police Week, we also remember their families and the loved ones they left behind. May God comfort them in their time of grief and be a source of strength for them. May he also comfort all those who continue to serve today.

I want to especially mention David Enzbrenner's wife Kerri and his three teenage daughters Avery, Abbi, and Celia. I want them to know we honor the way David lived his life and tell them we love and care for them today and always.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the House bill to be placed on the calendar be suspended so we can move forward on this reauthorization.

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

VIOLENCE AGAINST WOMEN ACT

Mrs. SHAHEEN. Mr. President, I come to the floor today to join my colleague, Senator MENENDEZ, and I think some of the other colleagues who will be here soon, to reaffirm our commitment to the reauthorization of the Violence Against Women Act. That act recently passed out of the Senate with a strong bipartisan vote that recognizes our bipartisan commitment to end domestic and sexual abuse, stalking, and dating violence. The House of Representatives will soon be taking a vote on their proposed counterpart to the Violence Against Women Act, and I want to address some of the concerns I have with the bill that is on the floor in the House.

What we have seen in this country is that domestic violence has a significant impact on families, on victims. It comprises the very stability of our towns and communities. The Violence Against Women Act provides essential resources for victims and for law enforcement. I was pleased to see so many of us in the Senate put politics aside and support this important reauthorization.

Unfortunately, the House version of the reauthorization of the Violence Against Women Act does not provide the same level of protection for victims, and it does not include some resources that have specifically been requested by law enforcement.

In the House bill protections are diminished for college students, for lesbian, gay, and transgender victims, for immigration, and for Native Americans.

The Senate bill strengthens the Violence Against Women Act to provide more protections to more women and their families. The House bill weakens the law by failing to state that same-sex couples will have equal access to services, by decreasing protections for immigrant victims, and by declining to expand the jurisdiction of tribal courts.

One example of some of the changes in that case, if that case fails, is around protections the Senate bill provides to women students on college campuses. The Senate bill provides strong protections that have been omitted in the House bill. The Senate bill includes a provision requiring a university to implement prevention programs, teaching all students, male and female, how to help prevent sexual violence and dating violence, including bystander education.

The Senate bill also requires a university to make reasonable accommodations for students who need to change their living, working, or academic situation as a result of being victimized. For example, if a young woman is the victim of an assault and her attacker lives in her dorm, what the Senate bill would do is require the university to help that young woman find another place to live. Unfortunately, these kinds of protections are not included in the House bill.

The Department of Justice recently estimated that 25 percent of college women will be victims of rape or attempted rape before they graduate within a 4-year college period, and women between the ages of 16 to 24 will experience rape at a rate that is four times higher than the assault rate for all women.

There is no doubt this is a serious problem. The safeguards we implemented in the Senate bill must be preserved if we are to provide the protections that young women and men in college deserve.

When we were working on our reauthorization in the Senate, I had a chance to meet with case workers at Crisis Centers and with some of the victims of domestic violence in New Hampshire.

I heard from one woman who said if it had not been for that 24-hour hotline and her caseworker at the Bridges Crisis Center in Nashua, she would never have been able to leave her abuser. She was finally able to stand up for herself and end the terrible cycle of abuse because of the Violence Against Women Act.

All victims should have equal access to these important resources, and it is imperative this bill provide that.

The Senate bill strengthens the Violence Against Women Act to provide more protections to more women and their families. The House bill weakens the law by failing to state that same-sex couples will have equal access to services, by decreasing protections for immigrant victims, and by declining to expand the jurisdiction of tribal courts.

One example of some of the changes in that case, if that case fails, is around protections the Senate bill provides to women students on college campuses.

The Senate bill provides strong protections that have been omitted in the House bill. The Senate bill includes a provision requiring a university to implement prevention programs, teaching all students, male and female, how to help prevent sexual violence and dating violence, including bystander education.

The Senate bill also requires a university to make reasonable accommodations for students who need to change their living, working, or academic situation as a result of being victimized. For example, if a young woman is the victim of an assault and her attacker lives in her dorm, what the Senate bill would do is require the university to help that young woman find another place to live. Unfortunately, these kinds of protections are not included in the House bill.

The Department of Justice recently estimated that 25 percent of college women will be victims of rape or attempted rape before they graduate within a 4-year college period, and women between the ages of 16 to 24 will experience rape at a rate that is four times higher than the assault rate for all women.

There is no doubt this is a serious problem. The safeguards we implemented in the Senate bill must be preserved if we are to provide the protections that young women and men in college deserve.

When we were working on our reauthorization in the Senate, I had a chance to meet with case workers at Crisis Centers and with some of the victims of domestic violence in New Hampshire.

I heard from one woman who said if it had not been for that 24-hour hotline and her caseworker at the Bridges Crisis Center in Nashua, she would never have been able to leave her abuser. She was finally able to stand up for herself and end the terrible cycle of abuse because of the Violence Against Women Act.

All victims should have equal access to these important resources, and it is imperative this bill provide that.

So I urge my colleagues in the House to insist on these essential components so we can move forward on this reauthorization and we can protect all of the victims of domestic violence.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING CHUCK COLSON

Mr. COATS. Mr. President, I rise this evening to honor a longtime friend, confidant, and mentor, Chuck Colson, whose life we will celebrate tomorrow at a memorial service at the National Cathedral.

It has been said that a man's character can be tested by the way he responds to adversity. If that is the case, Chuck Colson's character was one of remarkable strength, tenacity, faith, and humility.

Chuck was a brilliant man with a record of impressive accomplishments at a very young age: A scholarship to an Ivy League school and a law degree from George Washington University; a veteran and, at one time, the youngest captain in the Marine Corps; a former chief of staff to a U.S. senator from Massachusetts; and then top assistant and legal counsel to the President of the United States.

Now, this does not sound like the type of man who would find himself sitting alone in a Federal prison cell, but that is exactly what happened to Chuck Colson, and what happened there changed his life forever.

Known as President Nixon's 'hatchet man,' Colson pleaded guilty to obstruction of justice in the Daniel Ellsberg case during the Watergate scandal and went from White House Special Counsel to incarcerated felon.

In 1974, Chuck Colson entered Maxwell Federal Prison Camp in Alabama. This fall from perhaps the closest confidant of the President of the United States to a Federal prison cell is about as far and as deep as anyone can fall.

That is what we call hitting rock bottom, but for Chuck Colson became a time of repentance, a time of grace, and a time of transformation.

Far from the Rose Garden, it was behind those prison bars where Chuck Colson made one of the most important decisions of his life—one that would impact the lives of thousands. He decided to dedicate the rest of his life serving the God he loved.

Scripture in Psalm 139 reads:

Trust in the Lord with all your heart and lean not on your own understanding; in all your ways submit to him, and he will make your paths straight.

With a redemption that can only come through the grace of God, and with a renewed sense of vision, Chuck did just that. He put his trust in the Lord and submitted to Him. He decided to let God write the story of his life rather than trying to control his own destiny.

That transformation is the story we will celebrate tomorrow at the National Cathedral—a story of redemption and a testament to the power of God's forgiveness and his ability to bring about growth and change, even through the very bottom of society—Chuck believed that God could change them and any willing heart.
As described in the first two of his many published books—the first one, “Born Again,” and the second one, “Life Sentence”—Chuck dedicated his now-transformed life to serving prison inmates and the families of prisoners.

In 1974, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

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

(See exhibit 1)

Mr. COATS. Mike Gerson said in his CKJ, it was the gift that is a precious gift, and one I do not want to give, but I think this gift can be more useful to someone who can speak as a U.S. Senator than to someone like me who can speak as head of Prison Fellowship.

That gift was given by a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

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

(See exhibit 1)

Mr. COATS. Mike Gerson said in his CKJ, it was the gift that is a precious gift, and one I do not want to give, but I think this gift can be more useful to someone who can speak as a U.S. Senator than to someone like me who can speak as head of Prison Fellowship.

That gift was given by a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.

This young man worked for me for a number of years and the voice of his thinking and the voice of his written messages. He went on to become a speech writer for a Presidential candidate and then the chief speech writer for President George W. Bush. Michael Gerson wrote a piece that was published in the Washington Post on April 22 titled “Charles Colson found freedom in prison.” I think that piece certainly is worth reading. I ask unanimous consent that the order for reading be dispensed with immediately following my remarks.

As a consequence of that, and as a consequence of a string of events that is impossible for me to claim any credit for, Chuck was sentenced to a year in prison for his role in the Watergate break-in. He spent 13 months in a federal penitentiary. Chuck was a young man by the name of Michael Gerson, who had, after leaving college, worked for Prison Fellowship and, through policy decisions and through the written word, helped Chuck with his ministry.
The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

VIOLANCE AGAINST WOMEN ACT

Mrs. MURRAY. Mr. President, it is very hard to believe that today marks exactly 2 months since I first came to the floor to advocate passage of the Senate’s version of the Violence Against Women Act. I was very encouraged to see our body finally come together and eventually support this important legislation. The Violence Against Women Act has helped provide lifesaving assistance to hundreds of thousands of women and their families, and it certainly was a no-brainer to make sure all women had access to that assistance.

However, I was very disappointed to learn that, a day after we passed it, House Republicans pulled an immediate U-turn and introduced their version of the bill that would undo the commonsense progress we made. The House Republican version of VAWA is a giant step backward for victims of domestic violence. It is dangerous and irresponsible and leaves women across the country more vulnerable to domestic abuse. Not only do they remove important protections that would be created by the Senate version of the bill, they actually strip existing protections already paid for by this important law. In fact, it removes critical protections for LGBT victims, does little to address the epidemic of domestic and sexual violence in tribal communities, removes critical protections already in place for students on college campuses, and it rolls back protections for immigrant victims.

We have made a lot of progress since VAWA was first passed back in 1994. I hope no one will insist on putting partisan politics ahead of protecting victims of domestic violence. Where a person lives, whom they love or what their citizenship status may be should not determine whether their perpetrators are brought to justice.

The Senate bill that we passed last month builds on what works in the current law, it improves what doesn’t, and it continues on the path of reducing violence toward women. It certainly should not be controversial.

Mr. President, it is time for the House Republicans to come to their senses and support our bipartisan bill so that women and families in this country can get the resources and support they need.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

150TH ANNIVERSARY OF USDA

Mr. DURBIN. Mr. President, today, I would like to recognize what Abraham Lincoln referred to as “the people’s department”—the U.S. Department of Agriculture.

On this day 150 years ago, President Lincoln signed legislation to create the U.S. Department of Agriculture. At the beginning, USDA’s focus was on agriculture research, farming techniques, and keeping statistics. Today, more than ever, the USDA is “the people’s department.” The USDA covers a broad range of issues that touch people’s lives, from soil and water conservation to the school lunch program that kept millions of kids fed. It helps the agriculture trade to expanding rural broadband services.

Through the efforts of USDA over the past 150 years, agriculture has become one of the most successful sectors in the United States. The USDA accounts for 1 in 12 American jobs and provides our country with 86 percent of the food we consume. In 2011, agriculture trade set records by exporting nearly $140 billion in U.S. farm exports. The USDA has worked to develop rural communities, conserve the environment, and ensure that people across the country have access to safe and healthy food choices. In rural communities, USDA has given money to improve health care facilities, purchase farm properties, and to protect critical wetlands habitats, National Forests, and water and soil. And USDA ensures the health and safety of livestock and meat produced from USDA inspected plants.

The USDA has worked to develop rural communities, conserve the environment, and ensure that people across the country have access to safe and healthy food choices. In rural communities, USDA has given money to improve health care facilities, purchase farm properties, and to protect critical wetlands habitats, National Forests, and water and soil. And USDA ensures the health and safety of livestock and meat produced from USDA inspected plants.

The United States is one of the top five food exporters in the world. The USDA has increased its support of the organic industry, which is growing by 20% every year. It is important to applaud USDA’s efforts to support sustainable agriculture, including its work to develop the bioeconomy, which is the new frontier of economic growth.

The USDA has also been working to reduce food waste and ensure that Americans have access to nutritious food. The Food and Nutrition Service has doubled the amount of food it provides through the school lunch program over the past 5 years, and it has also increased the number of schools that participate in the program.

However, I was very disappointed to hear that the House Republicans have introduced a bill that would undo the important protections already in place for LGBT victims. This is a bill that is doing exactly the opposite of what we need to do in order to support the agricultural industry and protect our communities.

I hope that the House Republicans will reconsider their position on this important legislation.

Mr. President, 150 years ago, in his address to Congress, Lincoln said, “Fellow citizens, we cannot escape history. The fiery trial through which we pass will light us in honor or dishonor to the last generation.”

Mr. President, it is time for the House Republicans to step up and support the important work of the Department of Agriculture.

150 years ago, President Lincoln created the USDA at a time of great change in agriculture. Machinery was being introduced that lessened the workload and made farming more efficient. Families were heading westward and expanding the frontier. It was only 36 years later that Lincoln signed another important law that would have a dramatic effect on the future of agriculture in this country: the Homestead Act. That same year, Lincoln would sign the Morrill Land Grant Colleges Act, which has special meaning for me as a Michigan State University graduate.

But here is the most amazing thing: he did all of this during some of the worst fighting of the Civil War.

When he put pen to paper to create the Homestead Act, there had already been more than 100,000 casualties in the Civil War. He created all of these institutions that would have a large impact on our nation at a time when many people wondered how long this Nation could survive.

Mr. President, 150 years ago, in his address to Congress, Lincoln said, “Fellow citizens, we cannot escape history. The fiery trial through which we pass will light us in honor or dishonor to the last generation.”

President Lincoln rose to the challenge. He saved the Union, and he created lasting institutions that are still with us today and making a difference today.

If he could do all that in the middle of the Civil War, with enemy troops just across the river, what challenge can’t we face today?

In the Agriculture Committee, we came together last month to pass, with an overwhelming bipartisan vote, the Agriculture Reform, Food and Jobs Act, or the farm bill. This is a bill we pass every 5 years to renew America’s agriculture policy and to continue the important work of the Department of Agriculture.

It is critical that we pass the farm bill before the current bill expires in September. We passed a very strong
bill out of committee, with real reforms that cut the deficit by $23 billion, and we did it in a bipartisan way. We evaluated every program, eliminated duplication, and streamlined programs to save taxpayers money while getting better results on the ground, and we did it in a bipartisan way.

Change is never easy, but we came together because the farm bill is so important to the 16 million men and women whose jobs rely on American agriculture. They work hard every day producing the most affordable, healthy, and abundant supply of food, fiber, and energy in the world.

President Lincoln understood how important our food supply is—it feeds the Nation and can be the difference in times of war. The leadership and innovation of those 16 million Americans have made our Nation the world's leader in agriculture. With an ever-growing global population, our farmers are truly a bedrock of our nation, and it is critical that our national security that we pass this farm bill to continue our leadership.

It has been 150 years since President Lincoln created America's commitment to agriculture, and we have come a long way since then. We have been through floods and famines, dust bowls and depressions. But we have also seen great advances as we have learned to overcome these challenges with better risk management, preservation practices, and a commitment to fighting hunger.

Passing the farm bill will continue this great American success story. The 150th anniversary of USDA's creation is a great time to celebrate farmers and rural communities. It is also a strong reminder that we here in Congress need to do our jobs too and pass the farm bill soon. Our country's future depends on it.

Mr. President, today marks the 150th anniversary of the United States Department of Agriculture, and I would like to take a moment to pay tribute to USDA's mission and day-to-day work and to all those involved in the agriculture industry—from farmers, ranchers and foresters, to producers and manufacturers and researchers.

The Department of Agriculture is a pillar and post in American agriculture, fostering durability while enabling innovation; bridging old and new, rural and urban. Agriculture has long been a centerpiece of Vermont's economy and way of life. The impact of agricultural industry is felt in every State, and in every household. In fact, one in every 12 Americans is employed in an agriculture-related industry, and in Vermont, the importance of our agricultural working landscape to tourism, recreation and to the identity of our State is beyond measure.

One hundred and fifty years ago today, on May 15, 1862, with the stroke of President Abraham Lincoln's pen, the Department of Agriculture was established, with the purpose of acquiring information through "scientific experiments" and finding, collecting, and disseminating "new and valuable seeds and plants." It is worth noting that the establishment of the USDA was the first in a series of the foundational acts of Congress that helped to develop our modern agriculture.

Among these other landmark laws is the Morrill Act, named for Vermont's own Senator Justin Morrill, which established our land grant colleges, and which also holds the distinction of 150th anniversary this year. Senator Morrill rightly believed that college education should expand beyond arts and classical studies to include agriculture and life sciences. In the last 150 years, our land grant colleges have provided the foundation for agricultural research and have helped give the United States a competitive advantage in the global market, in addition to becoming inarguably the best public institutions of higher learning in the world.

This year also marks the 150th anniversary of our Nation's agricultural producers, to the research done at our land grant colleges, to the dedication of U.S. Department of Agriculture employees across the country, and to the policies and programs that brought us to this National Celebration of Agriculture. American consumers enjoy a safe and plentiful food supply. We Americans spend, on average, less than 10 percent of our disposable income on food, the lowest in the world. This country is poised to lead the world in agricultural policies, the United States, is in a prime position to lead the war against global hunger and toward public health while also safeguarding our water, air and open spaces for generations to come.

As a lifelong Vermonter, I value my State's farming traditions and I am proud of the hard work of Vermont's farmers who have persisted in a difficult economy, embracing innovation and change. Some are transitioning to organic operations, and others focusing on direct marketing opportunities or value-added products. Farming is not an easy way of life, but it has remained a cornerstone of Vermont's economy, and the Nation's, because of the dedication our farmers and producers, the research of our land grant colleges, and the policies and support of the Department of Agriculture. I am proud to see so many young people returning to the farms of Vermont. Some are continuing their family's farming legacy, while others are the first in several generations to turn back to the land.

My home State of Vermont has placed itself at the forefront of developing and implementing the agricultural and food systems that the planet will depend on in the 21st century, and the USDA is a critical partner in this essential venture. The USDA is providing needed technical support to enhance the efficiency of our dairy and diversified farms; the USDA provides the financial and risk management tools that farmers need to diversify and survive in a changing climate and volatile markets; the USDA supports cutting-edge research at the land grant University of Vermont; the USDA is vitally important to rural communities and businesses; USDA conservation programs are the lynchpin of our work to improve water quality; and the USDA Organic Program in Vermont at the forefront of this fast-growing and promising sector. In fact, in Vermont, and across the Nation, the Department of Agriculture manages some of the Nation's most significant conservation and environmental quality efforts.

The USDA has deep and longstanding roots throughout rural America and in our communities. Bein in and being of the communities that the USDA serves makes a crucial difference, as we saw last year in Vermont through the many ways that USDA's diligent workforce became an integral part of the response to the disastrous damage wrought by Hurricane/Tropical Storm Irene.

We face many challenges today, but with smart, effective and sustainable agricultural policies, the United States is in a prime position to lead the war against global hunger and toward public health while also safeguarding our water, air and open spaces for generations to come.

As a lifelong Vermonter, I value my State's farming traditions and I am proud of the hard work of Vermont's farmers who have persisted in a difficult economy, embracing innovation and change. Some are transitioning to organic operations, and others focusing on direct marketing opportunities or value-added products. Farming is not an easy way of life, but it has remained a cornerstone of Vermont's economy, and the Nation's, because of the dedication our farmers and producers, the research of our land grant colleges, and the policies and support of the Department of Agriculture. I am proud to see so many young people returning to the farms of Vermont. Some are continuing their family's farming legacy, while others are the first in several generations to turn back to the land.
Mr. ROBERTS. Mr. President, today I wish to recognize the marking of an historic event. 150 years ago—on May 15, 1862—President Abraham Lincoln signed into law an Act establishing what our Department of Agriculture is today.

Agriculture has come a long way in 150 years. Through science, innovation, ingenuity and plain old hard work, America’s farmers have gone from producing enough food for their individual families to producing enough to meet the needs of 150 people per person—that’s what I call the miracle of modern agriculture.

Some may have a romanticized view of agriculture production 150 years ago and pine for a return to the days of the past. But let me assure you, those were hard days. And if today’s farmers and ranchers only produced the same yield and quality of food as the farmers and ranchers of yesteryear, we’d be in a world of hurt.

Today’s farmers and ranchers produce the safest, most abundant and affordable food and fiber supply in the world—all while facing increased input costs and tightening regulations.

As if these challenges weren’t enough, our producers face a challenge of worldwide significance. As the global population tops 9 billion in the next several decades, agriculture production must more than double to meet the expected demand for food and nutrition.

In addition to the sheer population expansion, global food demand will shift toward higher value proteins and commodities as economies develop and prosper. For example, in 1865 the average person in China consumed roughly 44 pounds of meat. This increased to 90 pounds per person in a short 15 years. That number is expected to double again by 2030.

That’s no small task. It will take advancements in technology, efficiency and in some cases simply getting government and regulatory roadblocks out of the way. Doubling agriculture production will only occur through production techniques that combine the use of improved seed varieties with the use of improved seed varieties that increase drought and disease resistance while increasing yields.

The importance of agriculture’s mission cannot be overstated. It is also a matter of national security. A well fed world is a much safer and stable place than a hungry world. Full bellies lead to stability, economic growth and peace. Hungry bellies lead to discontent, instability, and extremism.

The more nations we can help to feed and bring economic prosperity, the more stable the world as a whole will become.

Now, I don’t know if 150 years ago President Lincoln knew how important the role of agriculture would become to global stability or what USDA’s role would be in answering these challenges. But this anniversary provides us a unique opportunity to thank our producers for their efforts in bringing agriculture this far, and to let them know that we stand beside them in meeting the challenges ahead.

Mr. President, I yield the floor.

Mr. HARKIN. Mr. President, on this day, May 15, in 1862, President Lincoln signed into law an act establishing our nation’s Department of Agriculture. This 150th anniversary provides an opportunity to recognize and celebrate the success and achievement of the many Americans who are involved directly or indirectly in producing, processing, and distributing food, fuel, and fiber for our nation and for export to foreign consumers.

The specific purposes of the new department mentioned in the 1862 act are “to acquire and diffuse among the people of the United States useful information on agriculture broadly and comprehensively defined, and "to procure, propagate, and distribute among the people new and valuable seeds and plants." The responsibilities and authority entrusted to the Department of Agriculture have of course been enlarged over the course of the past 150 years, but this initial legislation contains the core elements of the Department’s mission and role that have continued to this day.

You will notice in the act the emphasis on disseminating among the people of the United States information, knowledge, and technology that would be helpful and useful to them as in their pursuits in agriculture. In doing so, the new Department would help to create, foster, and develop new, broadly-available opportunities among the people of the United States. Individuals and families could then capital on these opportunities by applying their own efforts and talents to create and grow farms and ranches, and in the process also to build and strengthen our nation. Some 2½ years later after signing the act, President Lincoln noted in his annual message to Congress the success of the new Department of Agriculture in responding to and serving the needs of the people of our Nation: “It is peculiarly the people’s department, in which they feel to and serving the needs of the people working in the Department of Agriculture, it is also important to recognize and commend the dedication, talent, and hard work of all those who work in the Department of Agriculture wherever they may be—in local, county, State, or regional offices, here in Washington, or
in a foreign country. I am also of course proud that several Iowans have very capably led the Department of Agriculture, including our present secretary, Tom Vilsack.

So, today is a time to reflect upon and celebrate the achievements of American agriculture and the contributions to that success from the Department of Agriculture. It is also a time to appraise and consider the huge challenges we face in the years ahead in producing the quantities of food needed to ensure food security in a growing world population and to do so in ways that conserve and sustain natural resources. Undoubtedly, our Nation and our Department of Agriculture will be called upon to continue our leadership in responding to and solving these crucial challenges.

Mr. JOHANNES. Mr. President, I come to the floor today to commemorate the 150 year anniversary of the U.S. Department of Agriculture.

I am pleased that my colleagues in the Senate have agreed the occasion is worthy of a resolution honoring this milestone in our nation's history. On May 15, 1862, President Abraham Lincoln signed legislation to establish the USDA. This action granted the agency general authority to acquire and spread useful information on agricultural subjects and to assist in the development and use of new and valuable seeds and plants.

For the past 150 years, USDA has lent a helping hand to our farmers and ranchers as they provide the food, fiber, and fuel to Americans, as well as a growing customer base around the world. In the 1500s, there was 1 farmer for every 2 people in the United States. Thanks to ongoing improvements in technology and management practices, today's farmers and ranchers are able to produce even more with efficient use of resources. Currently, the average farmer in the United States feeds more than 150 people.

The history of Nebraska has been closely intertwined with this story. In fact, thousands of homesteaders settled in the Nebraska territory after President Lincoln signed another piece of legislation—the Homestead Act—on May 20, 1862. This influx of population led to Nebraska becoming the Nation's 37th State. Since that time, USDA has served as a resource to the many farmers and ranchers who continue to make agriculture the leading industry in Nebraska's economy—just as the department has done for producers nationwide.

As the 28th Secretary of Agriculture, I was proud to work with men and women who are still committed to USDA's original mission of spreading information and developing new technologies to increase agricultural production.

Today's Department of Agriculture conducts valuable research through the land-grant university system and institutions like the University of Nebraska. USDA also helps to minimize the risks of weather and commodity price volatility for producers. And, the department helps to protect the health of our plants and animals. But, USDA's mission goes beyond helping producers. For example, those who enjoy a good steak, as well as other meat and poultry products in the U.S., have come to trust USDA's food safety inspection process.

Of growing importance is USDA's role in promoting exports of agriculture products. It is fitting that this anniversary falls in May—which is also the month in which we celebrate Memorial Day. I believe we can all agree that the benefits of trade are great especially to the agriculture sector.

Nebraska is a big agricultural State. And, in Nebraska alone, more than 30,000 jobs and more than $7.8 billion dollars in revenue were directly tied to exports last year. And, these numbers will only grow as we continue to expand access to customers around the world.

In fact, the Colombia Free Trade Agreement goes into effect today. It offers great opportunity to both the manufacturing and agriculture sectors. The Colombia Agreement eliminates barriers for many Nebraska agriculture and manufacturing and agriculture sectors. The Colombia Agreement eliminates barriers for many Nebraska agriculture and manufacturing products. This agreement will increase our exports to Colombia and help us to provide more opportunities for our American farmers and workers. It is good news for our agriculture producers and manufacturers that trade agreements are finally being implemented. The South Korea Agreement has already gone into effect, and I hope Panama Agreement won't be far behind. These types of free trade agreements are sorely needed so we can level the playing field for our exporters.

We cannot ignore the fact that the fastest-growing opportunities for American agriculture and ranching are outside our borders. They are overseas in rapidly developing countries. I am confident that Nebraska farmers, businesses and workers, and those across the country, can compete with anyone in the world.

And, in doing so, we can create new jobs here at home.

USDA has played a key role in making sure our farmers and ranchers have the tools to take advantage of these export opportunities. Additionally, the department recognizes that American agriculture is intertwined with the health of our rural communities. USDA works to ensure small-town America is not overlooked by a Federal Government that is often focused on big urban areas.

Over the past 150 years, President Lincoln's vision of "the People's Department" has expanded beyond America's farms and ranches and rural communities. I think we can all agree that the health of our schoolchildren, in our ability to supply energy from homegrown sources, and in our leadership role in helping feed some of the hungriest and neediest people around the world.

A key part of USDA's mission—one that consumes the largest portion of USDA's budget—is addressing hunger and meeting the nutritional needs of all Americans. Whether through school lunches or assistance for hungry families, USDA plays an important role in supporting those in need.

USDA's mission is one of the most diverse of any department and in every area there are hardworking men and women striving to meet the department's goals. On this day, I am happy to recognize the men and women of the "People's Department." Their professionalism, dedication, and work ethic provide a shining example of why President Lincoln called the Department of Agriculture the "People's Department."

Together, we celebrate the growth and success of American agriculture and the health and well-being of the people of the United States. We honor our farmers and ranchers whose ingenuity, adaptability, and skill have created the safest and most abundant food supply in the history of mankind.

Mr. CASEY. Mr. President, I am pleased to help recognize the 150th birthday of the United States Department of Agriculture—USDA. As a member of the Senate Committee on Agriculture, Nutrition and Forestry as well as the Committee on Foreign Relations, I understand the importance of agriculture to feeding our Nation and feeding the world.

One hundred and fifty years ago today President Abraham Lincoln signed the legislation creating the Department of Agriculture. This was followed in short order by the Homestead Act and then the Morrill Act establishing our great land grant college system, including The Pennsylvania State University.

I suspect that few Americans at the time could have imagined that President Lincoln's leadership and vision in the area of agriculture would have such a profound impact on our country and the world.

Just recently, Dr. Rajiv Shah, the Administrator of the Agency for International Development said that the single-most effective way to eliminate world poverty was to increase agriculture yields. That is an extraordinary statement. It means that Penn State and the other agriculture search universities have a crucial role to play in eliminating hunger, assisting in global food security and political stability.

The world's population just passed seven billion people and is on the way to nine billion people by 2050. This means we must double world food production by 2050 in order to meet the challenge of feeding this increased population.

Led recently by Bob Stallman, President of the American Farm Bureau Federation:

The importance of science and innovation to agriculture will be significant as we
face several challenges in the years ahead. . . Further, we must accomplish this hefty goal while realizing that our Earth is fragile. To take care of our environment, we must embrace agricultural research, science, innovation and biotechnology. When it comes to medical care, communication and transportation we accept the importance of innovation. That is why we have to take care of it when it comes to the production of food.

Last year, net farm income and farm exports set a record and played a key role in helping to grow the U.S. economy. In order to ensure the food security of our Nation, I believe strongly that Pennsylvania farmers will continue to be productive, competitive and successful and supply food to communities in Pennsylvania, throughout the country and the world. Pennsylvania’s proud agriculture tradition helped to build the Nation and agriculture continues to drive our economy.

We live in a nation that is as diverse in agricultural production as it is in the people and the programs that farmers grow. As we reflect upon agriculture’s past, and look toward agriculture’s future, I hope we can continue to ensure that we have a safe, stable, secure supply of food. Agriculture is nostalgic reflection of the past; it is critical to the U.S. economy and all Americans as we move forward. Therefore, I am pleased to extend birthday wishes to USDA, the land grant colleges and universities and all those in the food value chain.

Ms. KLOBUCHAR. Mr. President, I am here today to commemorate the United States Department of Agriculture on its 150th anniversary.

Our country has changed dramatically since 1862, when President Abraham Lincoln signed a bill into law creating the Department of Agriculture. Despite all the changes we have seen in the century and a half, the USDA remains true to its original mission as “The People’s Department,” administering critical programs that touch the lives of all Americans. So I believe this important milestone for the USDA, I think we should also take a moment to recognize the men and women who are putting its programs to use—the farmers and agriculture leaders who grow our crops, produce our food and power our homegrown energy supply.

Sometimes, people forget that food doesn’t just magically appear on grocery store shelves. But the truth is that it is grown—whether it’s dairy or produce—there is farmer or a rancher who has made it their livelihood to produce nutritious, abundant food.

In Minnesota, our economic strength is anchored in the soil of our land and the sweat of our farmers. Agriculture is our State’s leading export, accounting for $75 billion in economic activity every year and supporting more than 300,000 jobs. And while we are 25th in the country for population, we are the sixth largest agricultural producer.

Minnesota is number one in turkeys, green peas, and oats, number two in spring wheat, number three in hogs and soybeans, and number four in corn.

I have spent the last year traveling across our State as part of an economic tour that has taken me to dozens of communities and businesses throughout Minnesota, Arizona, and Texas—where I was recently reminded of the critical role that farming plays in our State’s economy.

For generations, the Department of Agriculture has stood behind our farmers and ranchers and made sure they had the tools and resource to move forward. The USDA may be best known for administering the farm programs that help agricultural producers manage risk and recover from disasters—everything from floods to market failures. But programs such as crop insurance, which provides a safety net across 254 million acres, are just one component of the USDA’s larger portfolio of priorities—everything from clean energy development and conservation to export promotion.

In terms of research, the USDA has helped our farmers and ranchers remain the most productive in the world. It has funded research that not only shields our food supply from pests and dangerous diseases, but also increases the productivity of farmers growing everything from wheat to watermelons. Anyone who has visited a farm using modern precision agriculture can tell you just how important this research is. And in terms of the economic benefits, studies have shown that for every dollar spent on agricultural research, it returns over $20 to our economy.

The USDA is also making great headway with conservation programs. By working with hundreds of thousands of farmers and ranchers and implementing conservation practices on tens of millions of acres of private land, the USDA is helping reduce soil erosion and ensure clean drinking water.

And in preserving our natural resources, USDA is also strengthening key industries like fishing and hunting, which are so much more than just hobbies in my State—in Minnesota, sportsmen put $3.4 billion into our economy each year and support 55,000 jobs.

On the energy front, USDA is moving us closer to oil independence by encouraging the development of homegrown biofuels and methane digesters and other renewable and energy efficient solutions. Altogether, those solutions are expected to save enough energy to power nearly 600,000 homes a year.

At a time when oil prices are volatile and foreign oil markets, I believe we should be investing in the energy innovators of the Midwest—not the oil cartels of the Mideast.

With the right tools, America’s farmers can develop the power generation energy sources that will power the world. We are already feeding the world, and the USDA has helped make that possible through its work to lift exports barriers and open new markets for agricultural goods. In 2011 farm exports reached a record high of $137 billion, which support 1.5 million jobs here in the U.S.

Finally, so much of the USDA’s work boils down to strengthening rural communities. That is why programs to help finance everything from broadband to infrastructure for clean drinking water are so important. They are critical to ensuring a kid who grows up in rural America can stay in rural America and doesn’t have to move somewhere else to find a job, raise a family or start a business.

In this sense, the USDA truly is the “People’s Department.” This only underscores the importance of the work we’re doing in the Senate to craft a strong and successful farm bill—one that strengthens our farm programs while also making key improvements and accounting for challenges created by the current budget environment.

The Agriculture Committee took the first step by passing the farm bill out of Committee in April, passing a bipartisan vote of 16-5, that should pave the way for full Senate action.

The legislation strengthens and continues many vital programs that farmers rely on in States across the country.

It maintains a robust farm safety net which makes several improvements to the crop insurance program, including changes to ensure the program works better for fruit, vegetable and organic producers.

I sponsored an amendment that will give beginning farmers better access to the crop insurance program, including changing to ensure the production works for them to purchase coverage.

And because I believe we should do more to invest in the future of American agriculture, I worked to make sure the bill included provisions for the Building Farming and Ranchers Program and for promoting public-private research opportunities.

Importantly, the bill we passed in the Committee also streamlines and strengthens the conservation programs that farmers rely on to keep our soil healthy and our water clean and preserves the essential nutrition programs that millions of families and children rely on every day. And it includes a strong energy title for encouraging homegrown energy production.

Every single American has a direct stake in the success of our farms and food businesses. Through the food we eat, the water we drink, the fuel we put in our cars and the air we breathe, each and every one of us is personally invested in the success of American agriculture, and that is why the USDA is such an critical resource.
and dedication to supporting our farmers and rural communities. I look forward to working with all of my colleagues in the Senate to pass a strong Farm Bill that supports vital services at the USDA and gets the job done for our Nation’s agricultural producers.

Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize American agricultural producers on the 150th anniversary of President Lincoln signing legislation establishing the U.S. Department of Agriculture on May 15, 1862.

As President Lincoln said in his last annual address to Congress, “[T]he Department of Agriculture] is precisely the people’s Department, in which they feel more directly concerned than in any other.” Many don’t realize it, but USDA plays a unique role in the daily lives of every single American, ranging from the programs available that assist rural small businesses to providing the support system that makes it possible for farmers and ranchers to produce the most affordable and abundant food supply of any country in the world.

As the main economic pillar and No. 1 industry in my State of South Dakota, it is important that the people of South Dakota and our Nation understand the importance of agriculture and the role that the USDA has played in implementing and supporting policies that have assisted our farmers and ranchers in better feeding, fueling, and clothing the world.

USDA’s work on food, agriculture, economic development, science, risk management, natural resources conservation, and a whole host of other issues has enabled the agriculture industry to establish itself as a critical component in our economic success while having an influence on the lives of every single American. The Department, in coordination with our Nation’s farmers and ranchers, has helped allow families to put nutritious, healthy food on their tables at a lower cost than almost anywhere else in the world. On average, less than 10 percent of American consumers’ disposable income is spent on food.

Moreover, agriculture is the economic engine that drives our rural communities. Without viable family farms and ranches our small towns and Main Street businesses throughout South Dakota and our Nation would face significant hardships. According to the South Dakota Department of Agriculture, the agriculture industry has a $20 billion economic impact each year, accounting for one-third of the State’s economic activity. The 46,000 agricultural producers on 31,500 farms combine with associated industries to employ more than 143,000 South Dakotans.

But the value of America’s farmers and ranchers goes far beyond economic activity. Our producers are also the most productive in the world, providing the food, fuel, and fiber necessary to sustain us and millions of others throughout the world. Each year, just one South Dakota producer raises enough food to feed 155 people both here at home and abroad. As the world’s population continues to grow, the demand for our agricultural products with one acre of land will have to continue improving our productive capacity to double food production on fewer acres.

The increased yields needed to overcome the challenge cannot be accomplished without the full use of sound science and innovative technology. In providing public land for the establishment of colleges to further agricultural research and education, the Morrill Land Grant College Act, which was also signed into law by President Lincoln in 1862, gave us such institutions as South Dakota State University and will remain a lasting achievement for the ongoing progress of production agriculture.

On the 150th anniversary of its establishment, I commend USDA, and the American agricultural producers they assist, for providing the food, fuel, and fiber that we each rely on. I congratulate them and wish them a happy birthday and those throughout the food chain.

Senator KOHL. Mr. President, in the fall of 1859, just two years prior to his election to the presidency, Abraham Lincoln spoke to the Wisconsin State Agricultural Society in my hometown of Milwaukee, WI. Lincoln concluded his speech saying, “Let us hope . . . that by the best cultivation of the physical world, beneath and around us, and the intellectual and moral world within us, we shall secure an individual, social, and political prosperity and happiness.”

Just 3 years later, President Lincoln created the Department of Agriculture with these words in mind.

May 15, 2012 marks the 150th year of the U.S. Department of Agriculture, USDA. Perhaps more than any other department, USDA connects Americans to the land and to each other in ways seen and unseen. From its formation in 1862 through today, the Department has served millions of Americans in a multitude of innovative ways.

From the earliest years of our Nation, agricultural production has been front and center. Today, roughly 1 out of 20 American workers is employed in an agriculture related industry. Whether a producer, researcher, conservator, or one of many other agricultural professions, each person, including those who work in USDA, plays an important role in producing and delivering a safe and healthy food supply to the United States and the world.

Colleges and universities around the country have produced research that has enhanced crop yields, plant and livestock health, and soil quality, among others. Research has also led to the widespread use of conservation practices on farmland. While there are many different types of conservation efforts supported by USDA, they all share the same goal—to maintain the health and vitality of American farmland for future years and future generations. Once research and conservation efforts have been applied it becomes the job of agricultural producers to efficiently harvest and deliver their product to markets around the corner, across the country. I believe American agricultural producers are the best in the world at what they do.

To help America is simplified and the incredible variety of their food choices at grocery stores or farmers markets, USDA provides critical guidance for nutrition assistance. Through the MyPlate program and other nutrition education initiatives, USDA works to ensure that children, low-income individuals, seniors and the disabled not only understand what makes up a nutritious, healthy meal—but they create access to such meals year round, and receive food assistance as the Special Supplemental Nutrition Assistance Program for Women, Infants and Children, or the Supplemental Nutrition Assistance Program. These programs and others help feed those who have trouble accessing healthy foods, but they do so in a way that reinvests in agricultural producers and their rural communities.

I believe USDA’s most important achievement has been the fulfillment of Lincoln’s vision—harmoniously using all the tools, resources and programs at its disposal to serve the social prosperity and happiness through the cultivation of the American land and its people. It is with pride and respect that I honor USDA and our Nation’s agriculture industry today.

HONORING LOST DHS PERSONNEL

Mr. LIEBERMAN. Mr. President, the men and women of the Department of Homeland Security, DHS, are broad and diverse. The men and women of DHS protect our borders and modes of transportation; they guard our waterways; they protect U.S. and foreign leaders; they prepare for and respond to disasters; they manage our immigration process; and, they defend us against cyber attack. DHS employees provide selfless service to their nation and they do so with honor and distinction under an ever-present threat. With National Police Week 2012, I would like to pay tribute to the Department of Homeland Security’s agents, officers, and military personnel who lost their lives in the service of our Nation.

Fifty-five courageous men and women of DHS have died in the line of duty since the Department’s inception in 2003. We owe them more than a tribute on this day, but our gratitude begins with that.

They are:

Andrew W. Knight, Avionics Electrical Technician (E–4), U.S. Coast Guard, Point Clear, Alabama, End of Watch: February 28, 2012.


Tom W. Beldin, Civilian Employee (WG–8), Chief Boatswain’s Mate (E–7), Retired, U.S. Coast Guard, Kodiak, Alaska, End of Watch: April 12, 2012.

NATIONAL POLICE WEEK

Mr. HOEVEN. Mr. President, today, people across our country observe Police Officers Memorial Day. As we remember all of the fallen officers who have made the ultimate sacrifice while upholding justice and protecting our communities, I wish to echo the sentiments of Americans across the country in honoring the lives and exemplary service of all of the men and women who lost their lives this past year, including two North Dakota peace officers, Bismarck police Sgt. Steven Kenner and Burleigh County sheriff’s department Deputy Sheriff Bryan Sleeper.

Sgt. Steven Kenner served with the Bismarck police department for more than a year when he died in the line of duty on July 8, 2011. Sergeant Kenner was a distinguished and well-respected member of the Bismarck police department. He also served as a decorated member of the North Dakota National Guard and founded the business C.A.R., Collision Analysis Reconstruction.

Colleagues, friends and family knew Sergeant Kenner to be a loving, hardworking and dedicated man who served his State with great pride. He was devoted to mentoring and training his fellow officers, and his extensive knowledge and professionalism garnered the respect and admiration of his colleagues, who often referred to Sergeant Kenner as a gentle giant because his stature belied his kind nature and selfless service to others.

During Sergeant Kenner’s distinguished career, he was honored with several awards, including the North Dakota Peace Officers Association Lifesaving Award. Sergeant Kenner was also actively involved in his community, serving in a variety of capacities, including as a member of the Missouri Valley Fraternal Order of Police, the National Trustee for North Dakota and the Midwest Association of Traffic Accident Investigators. He is survived by his wife, Debbie, and children James, Stephanie, Kyle, and Taylor.

Last year, North Dakota also mourned Deputy Sheriff Bryan Sleeper who died in the line of duty on September 28, 2011. A lifelong North Dakotan, Deputy Sleeper graduated from the University of Mary in 1997, and worked at the North Dakota state penitentiary and the Bismarck rural fire department before beginning his distinguished career with the Burleigh County sheriff’s department. Deputy Sleeper was an active member of his community, and his involvement—like his job—aimed to improve...
the well-being of his fellow citizens. He earned his EMT certification and taught CPR and first aid at St. Alexius Medical Center and the Burleigh County sheriff’s department. He was also a volunteer firefighter, member of the West Dakota Peace Officers Association, and a member of the Fraternal Order of Police Missouri Valley Lodge #3 for Bis- mark. At the sheriff’s department, he organized enforcement events including a blood drive and Christmas shopping event for children. Recognitions include the North Dakota Peace Officers Association Lifesaving Award.

Deputy Sleeper was a hardworking, ambitious and energetic man whose kind heart and engaging personality quickly endeared him to the people he met. An athlete and outdoors enthusiast, Deputy Sleeper was a natural leader and committed family man and friend. He is survived by his wife Lana, children Branden, Jeremy and Heather; and grandson Hunter. This past week, North Dakotans added the names of Steven Kenner and Bryan Sleeper to the North Dakota Peace Officer Memorial located on the east side of the North Dakota State Capitol. This memorial now bears the names of 61 brave men. These North Dakota peace officers, like the other officers from across our country who have been killed in the line of duty, have earned our unyielding gratitude for their service and heroism. These brave men and women keep our communities secure, and it is fitting and right that we should pay tribute to these heroes who have paid the ultimate sacrifice.

Mikey and I extend our deepest sympathy to the families of Sergeant Kenner and Deputy Sleeper. Our thoughts and prayers go out to them, and we pray that they will take comfort in knowing that their loved ones served their State and fellow citizens with great honor and pride.

TAIWAN’S PRESIDENTIAL INAUGURATION

Mr. HOEVEN. Mr. President, today I wish to recognize Inauguration Day in Taiwan on May 20, 2012. On January 14, Mr. Ma Ying-jeou was elected to his second term as President of the Republic of China. I offer congratulations to Mr. Ma not only for winning the election but for what his election symbolizes: the continued growth and maturation of democracy in the Republic of China. Taiwan is the first place in the ethnic Chinese world where democracy has taken root, and its democratic transformation has laid the foundation for reduced tensions across the Taiwan Strait and strengthened its ties with the United States as well. Taiwan’s democracy brightens the future for the people of Taiwan and presents a threat to Beijing, and its democratic government has fostered the development of strong cross-strait economic and cultural ties. I hope that, instead of building up its military forces in fear of a democratic Taiwan, Beijing will learn from Taiwan’s example and reform its own political system. Democratization on both sides of the Taiwan Strait will lead to further expansion of the economic and cultural ties that have begun to flourish in recent years as well as improve security for the entire region.

The United States understands that our interests are well served by a free and democratic Taiwan. We want to see Taiwan continue to play an important economic and trade partner, and we recognize that the safety and security of Taiwan is very important to the security of the entire Asia-Pacific region. The partnership between the United States and Taiwan, especially under the terms of the Taiwan Relations Act, has deterred aggressive action in the Taiwan Strait and opened the door for Taiwan to reach its full potential as a strong democracy and an important economic partner. I look forward to strengthening the links between Taiwan and the United States in the future, particularly through the removal of remaining trade barriers and a renewed commitment to addressing the security challenges facing Taiwan. I hope that the United States and the Republic of China, as two fellow democracies, will continue to support each other and commit themselves to even closer ties in the future. And in that spirit, on the occasion of Taiwan’s Inauguration Day, I wish to celebrate the 350th anniversary of St. Francis Xavier Catholic Church in America.

Mr. CARDIN. Mr. President, today I wish to celebrate the 350th anniversary of St. Francis Xavier Catholic Church in Leonardtown, MD. I hope my colleagues will join me in celebrating the centuries of history in marking this anniversary, including the establishment of Catholicism in English America. It was 350 years ago that Leonardtown, which was then known as Newtowne, was founded as the first permanent settlement in the Maryland province after the establishment of St. Mary’s City. Its geographic location places it within view of St. Clement’s Island where the English colonists first landed in 1634. Prior to its settlement by the colonists, the Piscataway Indians and their forebears had occupied the site for many centuries.

Lord Baltimore founded the Maryland colony with the intention of providing his co-religionists with the civil liberty to exercise their religion freely, but it was not until the restoration of Charles II to the throne in England that the political climate in Maryland allowed for the building of a public chapel at Newtowne in 1662. The chapel was built by the local Catholics for the community that continues to the present day as Saint Francis Xavier’s Parish, a parish within the Archdiocese of Washington.

In 1967, when the Society of Jesus withdrew from Newtowne to work in other areas, St. Francis Xavier Church, New townne Manor, and the 7.5 acres surrounding them were conveyed to the Diocese of Washington. At the time, James Cardinal Hickey, realized the religious, historical and archeological significance of these buildings, both of which are on the national Register of Historic Places, and he determined that they must be restored and preserved to maintain a link with the earliest days of the Roman Catholic Church in America.

While the site of the current church, a.d. 1731, and the New townne Manor House, a.d. 1789, the graveyard, and the site of the original chapel have been excavated by archaeologists, more work remains to be done to tell the full story of what is believed to be the second public Catholic chapel built in the colonies. The first is thought to be in neighboring Charles County, MD. I join Father Brian P. Sanderfoot and the Saint Francis Xavier Catholic Church congregation in encouraging further investigation and exploration of their history. Their work will inform all of us about the colonial history of the Catholic community in Maryland and the early colonial life and freedoms embraced in the United States, and the archeological findings of St. Francis Xavier Catholic Church.

ADDITIONAL STATEMENTS

350TH ANNIVERSARY OF ST. FRANCIS XAVIER CATHOLIC CHURCH

Mr. CARDIN. Mr. President, today I wish to congratulate the 350th anniversary of St. Francis Xavier Catholic Church in Leonardtown, MD. I hope my colleagues will join me in celebrating the centuries of history in marking this anniversary, including the establishment of Catholicism in English America. It was 350 years ago that Leonardtown, which was then known as New townne, was founded as the first permanent settlement in the Maryland province after the establishment of St. Mary’s City. Its geographic location places it within view of St. Clement’s Island where the English colonists first landed in 1634. Prior to its settlement by the colonists, the Piscataway Indians and their forebears had occupied the site for many centuries.

Lord Baltimore founded the Maryland colony with the intention of providing his co-religionists with the civil liberty to exercise their religion freely, but it was not until the restoration of Charles II to the throne in England that the political climate in Maryland allowed for the building of a public chapel at Newtowne in 1662. The chapel was built by the local Catholics for the community that continues to the present day as Saint Francis Xavier’s Parish, a parish within the Archdiocese of Washington.

In 1967, when the Society of Jesus withdrew from Newtowne to work in other areas, St. Francis Xavier Church, Newtowne Manor, and the 7.5 acres surrounding them were conveyed to the Diocese of Washington. At the time, James Cardinal Hickey, realized the religious, historical and archeological significance of these buildings, both of which are on the national Register of Historic Places, and he determined that they must be restored and preserved to maintain a link with the earliest days of the Roman Catholic Church in America.

While the site of the current church, a.d. 1731, and the Newtowne Manor House, a.d. 1789, the graveyard, and the site of the original chapel have been excavated by archaeologists, more work remains to be done to tell the full story of what is believed to be the second public Catholic chapel built in the colonies. The first is thought to be in neighboring Charles County, MD. I join Father Brian P. Sanderfoot and the Saint Francis Xavier Catholic Church congregation in encouraging further investigation and exploration of their history. Their work will inform all of us about the colonial history of the Catholic community in Maryland and the early colonial life and freedoms embraced in the United States, and the archeological findings of St. Francis Xavier Catholic Church.

CONGRATULATING ASHLEE SMITH

Mr. HELLER. Mr. President, today I wish to honor a young Nevadan for being recognized as one of America’s top 10 youth volunteers of 2012. Ashlee Smith, a seventh grader from Sparks, NV, was awarded the prestigious National Prudential Spirit of Community Award for her efforts to assist child victims of house fires and natural disasters. I am proud to congratulate one of Nevada’s own for her leadership, compassion, and selflessness as she sets a fine example for students all across the United States who want to make a difference.

Ashlee’s home burned down in a devastating fire in 2005, destroying all that had been owned by her and her childhood toys. Ever since this experience, she has dedicated her free time to helping children who are victims of natural disasters recover their lost belongings. Two years ago, she founded Ashlee’s Toy Closet, a nonprofit organization that helps low-income children as well as those who have been affected by natural disasters. Over the past 5 years, she has collected and distributed more than 350,000 toys to children who have been affected by natural disasters. Ashlee’s commitment to children in need is inspiring and reinforces the importance of serving our communities.
Having four children of my own, I understand the importance of creating an environment where our kids can give back to their communities. Encouraging our Nation’s next generation of leaders to become engaged in community service will help ensure that they are active and positive contributors to their local community. We must encourage our Nation’s youth to excel beyond the academic arena, demonstrate strong leadership skills, and show active initiative to support their communities.

I am proud to stand with the citizens of Sparks to congratulate Ashlee on this exceptional accomplishment. As she continues to grow her organization, I hope that she will serve as an example for Nevada’s youth and will continue building upon this experience in her professional and personal future. Today, I ask my colleagues to join me in recognizing an ambitious Nevadan who has helped make a difference in the lives of thousands all over the Nation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

MEASURES READ FOR THE FIRST TIME

The following bill was read the first time:

S. 3172. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with the accompanying papers, reports, and documents, and were referred as indicated:

EC-6003. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; St. Croix River, Stillwater, MN” ((RIN 1625-AA09) (Docket No. USCG-2011-4026)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6004. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulations; Niantic River, Niantic, CT” ((RIN 1625-AA09) (Docket No. USCG-2012-0305)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6005. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Lake Washington Ship Canal, Seattle, WA” ((RIN 1625-AA09) (Docket No. USCG-2012-0362)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6006. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY” ((RIN 1625-AA09) (Docket No. USCG-2012-0344)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6007. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Ana costia River, Washington, DC” ((RIN 1625-AA09) (Docket No. USCG-2011-1132)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6008. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulations; Manchester Harbor, Manchester, MA” ((RIN 1625-AA09) (Docket No. USCG-2012-0344)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6009. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Laguna River, Bay City, MI” ((RIN 1625-AA09) (Docket No. USCG-2011-1043)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6010. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY” ((RIN 1625-AA09) (Docket No. USCG-2012-0344)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6011. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulations; James River, Hopewell, VA” ((RIN 1625-AA09) (Docket No. USCG-2012-0290)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6012. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulations; Intra-coastal Waterway, Chesapeake, VA” ((RIN 1625-AA09) (Docket No. USCG-2012-0362)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6013. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY” ((RIN 1625-AA09) (Docket No. USCG-2012-0362)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6014. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD” ((RIN 1625-AA09) (Docket No. USCG-2012-0101)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6015. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Mattacuck Bridge Construction, Mattacuck Pass, Mattacuck, FL” ((RIN 1625-AA09) (Docket No. USCG-2011-1146)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6016. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Margate Bridge, Intra-coastal Waterway; Margate, NJ” ((RIN 1625-AA09) (Docket No. USCG-2012-0069)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.
EC-6106. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Eighth Coast Guard District Annual marine Events and Safety Zones” ((RIN1625-AA00; 1625-AA08) (Docket No. USCG-2011-0296)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6107. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; TriMet Bridge Project, Willamette River, Portland, OR” ((RIN1625-AA00) (Docket No. USCG-2012-0263)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6108. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; Magothy River, Sillery Bay, MD” ((RIN1625-AA00) (Docket No. USCG-2012-0001)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6109. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Choptank River and Cambridge Channel, Cambridge, MD” ((RIN1625-AA07) (Docket No. USCG-2011-1146)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6110. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Coast Guard Exercise, Hood Canal, Washington” ((RIN1625-AA00) (Docket No. USCG-2012-0298)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6111. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; 2012 Memorial Day Tribute Fireworks, Lake Charlevoix, Boyne City, Michigan” ((RIN1625-AA00) (Docket No. USCG-2012-0337)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6112. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Two Hundred Month Anniversary of the Battle of Lafayette River, Charleston, SC” ((RIN1625-AA00) (Docket No. USCG-2012-0045)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6113. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port of Long Island Sound Zone” ((RIN1625-AA00; 1625-AA08, 1625-AA07) (Docket No. USCG-2012-0001)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6114. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; 2011 Memorial Day Tribute Fireworks, Lake Charlevoix, Boyne City, Michigan” ((RIN1625-AA00) (Docket No. USCG-2012-0328)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6115. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Area” ((RIN1625-AA00) (Docket No. USCG-2012-0045)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6116. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Annual Events Requiring Safety Zones; Non-Compliant Vessel Pursuit Training Course, Wando River, Charleston, SC” ((RIN1625-AA00) (Docket No. USCG-2012-0328)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6117. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Smokin’ The Lake; Gulfport Lake, Gulfport, MS” ((RIN1625-AA08) (Docket No. USCG-2012-0168)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6118. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations and Safety Zones; Recurring Events in Northern New England” ((RIN1625-AA00; 1625-AA08; 1625-AA07) (Dock No. USCG-2011-0235)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6119. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations for Marine Events; Potomac River, Washington, DC” ((RIN1625-AA08) (Docket No. USCG-2011-1766)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6120. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Hebdah Cup Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI” ((RIN1625-AA08) (Docket No. USCG-2012-0340)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6121. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Black Warrior River; Tuscaloosa, AL” ((RIN1625-AA08) (Docket No. USCG-2012-0218)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

EC-6122. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations; Lowcountry Splash Open Water Swim, Wando River and Cooper River, Mount Pleasant, SC” ((RIN1625-AA08) (Docket No. USCG-2012-0252)) received in the Office of the President of the Senate on May 9, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment: S. 1023. A bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes (Rept. No. 112-165).
EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services:

Jessica Lynn Wright, of Pennsylvania, to be an Assistant Secretary of Defense.

James N. Miller, Jr., of Virginia, to be Under Secretary of Defense for Policy.

Frank Kendall III, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

Erik C. Conaton, of the District of Columbia, to be an Assistant Secretary of the Army.

Derek H. Cholle, of Nebraska, to be an Assistant Secretary of Defense.

Heidi Shyu, of California, to be an Assistant Secretary of Defense.

Kathleen H. Hicks, of Virginia, to be a Principal Deputy Under Secretary of Defense.

Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER:

S. 3177. A bill to amend the Truth in Lending Act to require servicers to provide responses to mortgagors requesting residential mortgage loan refinancing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself, Mr. RUBIO, and Mr. PAUL):

S. 3178. A bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, and Mr. BEGICH):

S. 3179. A bill to amend the Servicemembers Civil Relief Act to enhance protections accorded to servicemembers and their spouses with respect to mortgages, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND:

S. 3180. A bill to require the Department of Defense to develop a plan to track and respond to incidents of hazing in the Armed Forces; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself and Mr. CARDIN):

S. 3181. A bill to amend title 10, United States Code, to require a plan to ensure the military leadership of the Armed Forces reflects the diversity of the population of the United States, and for other purposes; to the Committee on Armed Services.

GILLIBRAND.

S. 3182. A bill to require a report on implementation of a termination on the ground combat exclusion policy for female members of the Armed Forces; to the Committee on Armed Services.

By Mr. SCHUMER (for himself and Mr. BROWN of Ohio):

S. 3183. A bill to extend the Internal Revenue Code of 1986 to require the use of domestic property to be eligible for certain tax incentives for solar energy; to the Committee on Finance.

By Mrs. MURRAY:

S. 3184. A bill to suspend temporarily the duty on certain fitness equipment; to the Committee on Finance.

By Mr. CORNYN:

S. 3185. A bill to amend the Immigration and Nationality Act to provide certain immigration benefits for aliens with advanced degrees in science, technology, engineering, or mathematics and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 3186. A bill to make it unlawful to alter or remove the identification number of a mobile device; to the Committee on the Judiciary.

By Mr. HARKIN (for himself and Mr. ENZI):

S. 3187. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; read the first time.

By Mr. RUBIO (for himself, Mr. CORNYN, Mrs. HUTCHISON, Mr. NELSON of Florida, Mr. PAUL, Mr. INHOFE, Mr. DEMINT, Mr. BLUNT, and Mr. LEE):

S. J. Res. 40. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rules submitted by the Department of the Treasury and the Internal Revenue Service relating to the reporting requirements for interest that relates to the deposits maintained at United States offices of certain financial institutions and is paid to certain non-resident alien individuals; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon) as indicated:

By Mrs. BOXER (for herself and Mr. INHOFE):

S. Res. 460. A resolution designating the week of May 20 through May 26, 2012, as “National Public Works Week”; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. MAROON, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. BEGICH, Mr. WARNER, Ms. LANDRIEU, Mr. SANDERS, Mrs. GILLIBRAND, Ms. STABENOW, Mr. JOHNSON, Mr. COONS, Ms. FEINSTEIN, and Mr. KOHL):

S. Res. 461. A resolution recognizing the contributions to the United States for their contributions to the development and progress of our Nation; considered and agreed to.

ADDITIONAL COSPONSORS

S. 534 At the request of Mr. KERRY, the names of the Senator from New York (Mr. GILLIBRAND) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 1173 At the request of Mr. WYDEN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1173, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

S. 1288 At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1288, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel.

S. 1497 At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1497, a bill to amend title XVIII of the Social Security Act to extend for 3 years reasonable cost contracts under Medicare.

S. 1570 At the request of Mr. BAUCUS, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1570, a bill to amend the Internal Revenue Code of 1966 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1592 At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1703 At the request of Mrs. SNOWE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1701, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1990, and for other purposes.

S. 1872 At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1938 At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1878, a bill to assist low-income individuals in obtaining recommended dental care.

S. 2058 At the request of Mr. GRASSLEY, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 2058, a bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organization, and for other purposes.
May 15, 2012

CONGRESSIONAL RECORD—SENATE

S3175

At the request of Mr. Lieberman, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1910

At the request of Ms. Mikulski, the name of the Senator from Georgia (Mr. Chambliss) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 1935

At the request of Mrs. Feinstein, the name of the Senator from Montana (Mr. Baucus) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2003

At the request of Mr. Schumer, the names of the Senator from Vermont (Mr. Sanders), the Senator from Maryland (Ms. Mikulski) and the Senator from New York (Mrs. Gillibrand) were added as cosponsors of S. 2047, a bill to authorize the Secretary of Education to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools.

S. 2047

At the request of Ms. Mikulski, the name of the Senator from Montana (Mr. Tester) was added as a cosponsor of S. 2069, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2069

At the request of Mr. Cardin, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 2074, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 2074

At the request of Mr. Franken, the name of the Senator from Connecticut (Mr. Blumenthal) was added as a cosponsor of S. 2076, a bill to improve security at State and local courthouses.

S. 2076

At the request of Mr. Moran, the name of the Senator from Maine (Ms. Collins) was added as a cosponsor of S. 2160, a bill to improve the examination of debtor institutions, and for other purposes.

S. 2160

At the request of Mr. Barrasso, the names of the Senator from Utah (Mr. Hatch) and the Senator from Arizona (Mr. McCain) were added as cosponsors of S. 2245, a bill to preserve existing rights and responsibilities with respect to waters of the United States.

S. 2245

At the request of Mr. Grassley, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of S. 2276, a bill to permit Federal officers to remove cases involving crimes of violence to Federal court.

S. 2276

At the request of Mr. Thune, the name of the Senator from Wyoming (Mr. Enzi) was added as a cosponsor of S. 2277, a bill to respond to the extreme fire hazard and unsafe conditions resulting from pine beetle infestation, drought, disease, or storm damage by declaring a state of emergency and directing the Secretary of Agriculture to immediately implement hazardous fuels reduction projects in the manner provided in title I of the Healthy Forests Restoration Act of 2003, and for other purposes.

S. 2277

At the request of Mrs. Murray, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 2299, a bill to amend the Servicemembers Civil Relief Act and title 38, United States Code, to improve the provision of civil relief to members of the uniformed services and to improve the enforcement of employment and reemployment rights of such members, and for other purposes.

S. 2299

At the request of Ms. Ayotte, the names of the Senator from Georgia (Mr. Isakson) and the Senator from Indiana (Mr. Lugar) were added as cosponsors of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2320

At the request of Mr. Nelson of Florida, the name of the Senator from Louisiana (Mr. Vitter) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2325

At the request of Mr. Cardin, the name of the Senator from Pennsylvania (Mr. Casey) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2347

At the request of Mr. Brown of Ohio, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 3048, a bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes.

S. 3048

At the request of Mr. Rubio, the name of the Senator from South Dakota (Mr. Thune) was added as a cosponsor of S. 3083, a bill to amend the Internal Revenue Code of 1986 to require certain nonresident aliens to provide valid immigration documents to claim the refundable portion of the child tax credit.

S. 3083

At the request of Mr. Menendez, the name of the Senator from Michigan (Ms. Stabenow) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 399

At the request of Mr. Whitehouse, the name of the Senator from Hawaii (Mr. Akaka) was added as a cosponsor of S. Res. 401, a resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

S. RES. 401

At the request of Mr. Casey, the names of the Senator from New Jersey (Mr. Menendez) and the Senator from Connecticut (Mr. Blumenthal) were added as cosponsors of S. Res. 405, a resolution calling for democratic change in Syria, and for other purposes.

S. RES. 405

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Reed (for himself, Mr. Durbin, Mr. Whitehouse, Mr. Brown of Ohio, and Mr. Begich):

S. 3179. A bill to amend the Servicemembers Civil Relief Act to enhance the protections accorded to servicemembers and their spouses with respect to mortgages, and for other purposes; to the Committee on Veterans' Affairs.

Mr. Reed. Mr. President, today I introduce the Servicemember Housing Protection Act, and I thank Senators Durbin, Sherrrod Brown, Whitehouse, and Begich for joining me as original cosponsors of this bill.

In 1940, as World War II escalated across the globe, Congress enacted the Soldiers' and Sailors' Civil Relief Act "to protect those who have been obliged to drop their own affairs to take up the burdens of the nation." In 2003, Congress passed a new version of this law to reflect the new challenges of post-9/11 service and renamed it the Servicemembers Civil Relief Act, SCRA. In 2010, in order to address the country's high foreclosure rates and their impact on servicemembers, Congress further amended this law to enhance foreclosure protections. Also in 2010, when it became evident that military families needed an entity...
to serve as a watchdog, provide education, and help monitor and respond to concerns, questions, and complaints about consumer financial products and services. I led the bipartisan effort during the Dodd-Frank act debate to create a new Office of Servicemember Affairs within the Consumer Financial Protection Bureau, CFPB.

Our country has a strong tradition of ensuring that the laws that protect our servicemembers keep pace with the challenges they face. The Servicemember Housing Protection Act seeks to address one such continuing challenge helping servicemembers with their housing needs so they can maintain a focus on the difficult task of protecting our country.

First, our bill would make it easier for servicemembers to submit their military orders to creditors and get their affairs in order prior to deployment. Currently, creditors require a copy of military orders in order to trigger SCRA protections. However, these orders are often not cut until just before deployment or once the servicemember is already deployed. Redefining military orders as either official orders or a letter from the servicemember’s commanding officer would further ensure that a servicemember has more time to prepare for deployment and promptly receive SCRA protections, including the interest rate limitation of six percent on qualifying mortgages. Second, this bill would extend foreclosure protections to surviving spouses. Currently, servicemembers have a 9-month window of foreclosure protection following service, to provide time to reacclimate to civilian life and get affairs back in order. Our bill extends this nine-month window of foreclosure protection to a surviving spouse. After suffering such an un speakable loss, a military spouse should not have the additional burden of domesticating with immediate foreclosure. Lastly, this bill would help facilitate the transition from off-base to on-base housing. Due to the shortage of on-base military housing, many servicemembers temporarily find off-base housing until on-base housing becomes available. When a servicemember on a waiting list is given the chance to move into on-base housing, they or she is sometimes unable to terminate his or her off-base housing lease. Including an order from off-base to on-base housing as additional grounds for lease termination would allow servicemembers and their families the opportunity to move into the military housing community. We should extend this opportunity, which already is law in several states, such as Florida, Georgia, and Virginia, to servicemembers serving at any of our military bases.

While the men and women of our Armed Forces are protecting our nation we should do everything possible to protect their families and homes. I urge my colleagues to join Senators Durbin, Sherrard Brown, Whitehouse, Begich, and me, as well as the Military Officers Association of America, in supporting this bill and taking these next steps to add protections for our military families.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 460—DESIGNATING THE WEEK OF MAY 20 THROUGH MAY 26, 2012, AS ‘NATIONAL PUBLIC WORKS WEEK’

Mrs. BOXER, for herself and Mr. INHOFE submitted the following resolution; which was considered and agreed to:

WHEREAS public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

WHEREAS the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

WHEREAS public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

WHEREAS understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as "National Public Works Week";

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2105. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 2072, to authorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table.

SA 2106. Mr. ISAKSON (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2072, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SEC. 25. RENEWABLE ENERGY AND ENERGY EFFICIENCY TECHNOLOGIES.

(a) IN GENERAL.—The Export-Import Bank of the United States should work to increase the export of renewable energy technologies and end-use energy efficiency technologies with a goal of significantly expanding, year after year, the Bank’s annual aggregate loan, guarantee, and insurance authorizations supporting those technologies.

(b) INCREASED REPORTING REQUIREMENTS.—The Export-Import Bank of the United States shall include in its annual report to Congress an analysis of any barriers to realizing the Bank’s congressional directive to increase the Bank’s financing for renewable energy technology and end-use energy efficiency technology and any tools the Bank needs to assist the Bank in overcoming those barriers. The analysis shall include barriers such as—

(1) inadequate staffing;

(2) inadequate financial products;

(3) lack of capital authority; and

(4) limitations imposed by domestic markets.

SEC. 26. EFFECTIVE DATE.

Except as provided in section 9(b), this Act and the amendments made by this Act shall
SA 2106. Mr. SAKSON (for himself and Mr. Coons) submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 26. EXTENSION OF THIRD-COUNTRY FABRIC RULE UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT; ELIGIBILITY OF SOUTH SUDAN FOR DESIGNATION FOR PREFERENTIAL TREATMENT.

(a) Extension of AGOA Third-Country Fabric Rule.—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3706) is amended by inserting “Republic of South Africa” each place it appears in the text and in the heading and inserting “September 30, 2012” each place it appears in the text and in the heading and inserting “September 30, 2015”.

(b) Designation of South Sudan.—Section 107 of the African Growth Opportunity Act (19 U.S.C. 3706) is amended by inserting “Republic of South Sudan (South Sudan)” after “Republic of South Africa (South Africa)”.

AUTHORITY FOR COMMITTEES TO MEET

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 15, 2012, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Reform: What It Could Mean for Tribes and Territories.”

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “The High Cost of High Prices for HIV/AIDS Drugs and the ‘XDRM Fund Alternative’” on May 15, 2012, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 15, 2012, at 2:30 p.m., in room SD-562 of the Dirksen Senate Office Building to conduct a hearing entitled: “Missed by the Recovery: Solving the Long-Term Unemployment Crisis for Older Workers.”

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

PRIVILEGES OF THE FLOOR

Mr. JOHANNS. Mr. President, I ask unanimous consent that Maureen McLaughlin, a detailedie to the Senate Finance Committee, be granted the privileges of the floor for the duration of the consideration of H.R. 2072.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL PUBLIC WORKS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 460.

The PRESIDING OFFICER. The clerk will report the resolution by title.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 460) was agreed to.

The preamble was agreed to. The resolution, with its preamble, reads as follows:

S. Res. 460

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States; Whereas public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States; Whereas public works professionals design, build, operate, and maintain the transportation, water, wastewater, and other infrastructure systems of the United States and other structures and facilities that are vital to the people and communities of the United States; and Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as “National Public Works Week”;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve— (A) the public infrastructure of the United States; and 

(B) the communities that public works professionals serve;

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designated—

RECOGNIZING TEACHERS OF THE UNITED STATES

Mr. REID. Mr. President, I ask unanimous consent that we proceed to the immediate consideration of S. Res. 461.

The PRESIDING OFFICER. The clerk will report the resolution by title.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 461) was agreed to.

The preamble was agreed to. The resolution, with its preamble, reads as follows:

S. Res. 461

Whereas education is the foundation of the current and future strength of the United States; Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation’s children; Whereas the purpose of “National Teacher Appreciation Week”, is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession; Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of “National Teacher Appreciation Week”: Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service; and 

(2) promotes the profession of teaching; and
Mr. REID. Mr. President, following any leader remarks tomorrow morning, the Senate will begin debate on several motions to proceed to resolutions introduced by Republican Senators. This is an agreed-upon method of proceeding on these resolutions.

ORDER OF BUSINESS

It is my intention to equally divide the first hour, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes. I ask unanimous consent that be the case.

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

Mr. REID. So there is 6 hours of debate time allowed under the consent agreement that was approved earlier today. I certainly hope we can get this done expeditiously. Senator Conrad will be leading efforts on our side opposed to this; and once we get this out of the way, we should move forward.

Tomorrow morning, after we understand the morning hour will be deemed expired and the time for the two leaders, Republicans and Democrats, to use later in the day, I ask unanimous consent that be recognized at that time.

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

ADJOURNMENT UNTIL 9:30 A.M., TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:36 p.m., adjourned until Wednesday, May 16, 2012, at 9:30 a.m.
To be junior assistant nurse officer

KIMBERLY A. BRINKER

To be assistant scientist officer

SHALON M. IRVING

To be assistant veterinary officer

LAURA ADAMS

RYAN M. WALLACE

To be assistant pharmacy officer

FRANK A. ACHEAMPONG

Withdrawing from further Senate consideration the following nomination:

ARUNAVA MAJUMDAR, OF CALIFORNIA, TO BE UNDER SECRETARY OF ENERGY, VICE KRISTINA M. JOHNSON, RESIGNED, WHICH WAS SENT TO THE SENATE ON NOVEMBER 30, 2011.
EXTENSIONS OF REMARKS

REMEMBERING DR. THOMAS E. FLORESTANO

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HOYER. Mr. Speaker, on March 31 my state of Maryland lost a giant in the realm of higher education. Dr. Thomas E. Florestano, who served for fifteen years as President of Anne Arundel Community College, sadly passed away at age 79.

The son of Italian immigrants, Tom was born in Annapolis and graduated from St. Mary’s High School in 1952. He matriculated into the University of Maryland but paused his studies to serve in the U.S. Army as a military police officer in Korea and West Germany. Honorably discharged as a sergeant four years later, Tom returned to the University and earned a bachelor’s degree in education in 1958.

While an undergraduate, Tom met his future wife of 52 years, Patricia Sherrer. Together, they dedicated their careers to improving access to higher education for Maryland students, with Patricia teaching at the University of Baltimore and currently serving as chairwoman of the Board of Regents for the University System of Maryland.

After graduating, Tom worked as an education advisor at the Army Education Center in Fort Meade. Two years later, he joined the University of Maryland as assistant dean of student life and director of student activities. During this period, Tom earned his master’s degree in education and later obtained his Ph.D., both from the University of Maryland.

Tom turned his attention to community college administration in 1970, when he took a job as dean of evening and community education and summer school at Prince George’s Community College. After nine years there, Tom was appointed President of Anne Arundel Community College.

He took over during a time when the college was facing significant challenges, including tensions between faculty and administration as well as declining enrollment and budget shortfalls. Tom oversaw a program of revitalization that tripled enrollment, instituted new degree programs, expanded the campus, and turned deficits into sound finances by the time he retired in 1994. The legacy of his leadership of Anne Arundel Community College has been its transformation into the third-largest community college in Maryland. Even more so, Tom put the “community” back in “community college.”

All of us who knew Tom recognized him as one who looked at a challenge and saw an opportunity and who looked at a student and saw a future. Those futures were what he worked so hard to make possible for thousands of Maryland students.

Tom will be greatly missed by the Maryland education community and by all of us who called him a friend. I join in celebrating his life and offering my condolences to Patricia, their son Tom Jr., daughter Leslie, son-in-law Kevin, and their extended family.

TRIBUTE TO ROMNEY, WEST VIRGINIA

HON. SHELLEY MOORE CAPITO
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the 250th anniversary of the city of Romney. In 2012, the city will celebrate its 250th birthday with a year-long celebration.

Romney is the oldest town in the oldest county in West Virginia. On December 23, 1762, Virginia’s Governor signed the act that created Romney.

When Virginia was divided during the Civil War, Romney was located in what became West Virginia. The city was located in an area that was important to both the North and the South during the Civil War and is rumored to have changed hands 56 times as a result. Romney is home to the West Virginia Schools for the Deaf and the Blind as well as Davis History House, Hampshire County Courtthouse, the Taggart-Hill House, the Wilson-Woodrow-Mytinger House, and the oldest office building in the state. I’m pleased to have this unique city in my district!

CONGRATULATING PRESIDENT MA AND THE PEOPLE OF TAIWAN

HON. DENNIS A. ROSS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. ROSS of Florida. Mr. Speaker, I extend my congratulations and best wishes to Mr. Ma Ying-jeou and the people of Taiwan as they celebrate Mr. Ma’s presidential inauguration this May 20. Mr. Ma Ying-jeou won re-election as the fifth freely elected president of the Republic of China on January 14.

President George W. Bush once famously described Taiwan as “a beacon of democracy to Asia and the world.” His words were recognition of Taiwan’s achievements in democratic developments. The United States and Taiwan value human rights, civil liberties and the rule of law. Our shared values have produced a strong and dependable friendship for the past century. Taiwan was one of the first to come to our aid after the events of September 11th and Hurricane Katrina. Taiwan continues to be our ally in the war against terror by cooperating with humanitarian assistance in Iraq and Afghanistan and providing intelligence. They have shown generosity and compassion by donating to the Twin Towers Fund and Pentagon Memorial Fund.

In honoring Taiwan, we need to continue to sell defensive weapons to Taiwan under the framework of the Taiwan Relations Act. Despite the rapprochement that has been built up between Taiwan and the PRC, a well-armed Taiwan is still the best guarantee to permanent peace in the Strait. Also, I firmly believe that Taiwan should have a much broader international visibility. I encourage my colleagues to support Taiwan’s current bid to join the International Civil Aviation Organization (ICAO) as an observer.

To President Ma and the people of Taiwan, I extend my congratulations on their Presidential Inauguration Day.

HONORING WILFRED EARL ARCHER

HON. DAN BENISHEK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. BENISHEK. Mr. Speaker, let it be known, that it is a pleasure and honor to pay tribute to Wilfred Earl Archer, who was born in Port Huron, Michigan on Jan. 30, 1926, to Glen and Genevieve Archer. “Bill” was raised in Flint, Michigan, and attended North Muskegon High School. His family then moved to Detroit, where he attended Denby High School.

Following in the footsteps of his father, who served in the U.S. Army and fought in World War I, Bill felt an intense need to serve his country during World War II. He left school and enlisted in the U.S. Coast Guard, on April 1, 1943. He was stationed in San Diego, CA, where he received Amphibious Forces Training in operating Troop Carriers (LCVPs). He was then transferred to San Francisco and stationed on the USS Middleton, which was modified/transformed into an Assault Personnel Attack vessel. The Middleton was sent to Maui, Hawaii, and then to New Guinea to assist the 98th Infantry in the invasion of the Philippines. Bill was awarded five Battle Stars for service in the battles within the Pacific Theater; Saipan, Tinian, Okinawa, Leyte, and Luzon, as an LCVP engineer and gunner, Petty Officer 3rd Class Archer also served as a Diesel Electrical Engineer. He was honorably discharged in January of 1946. As a civilian, Bill worked at a foundry in Muskegon.

In 1948, Bill enlisted as a Staff Sergeant in the U.S. Army Air Corps, which shortly thereafter became the U.S. Air Force. He received training in aircraft engine repair in Biloxi, Mississippi. His military career took another direction when Bill was sent to Japan to activate the 1273rd Transport Squadron. While in Japan, Bill achieved flying status as a Flight Engineer, and accumulated 18,000 flying hours while involved with embassy flights to the Philippines and India, and combat flights in the Korean Conflict. In 1949, Bill was a crew member of a C-54, which was the first U.S. aircraft destroyed in the Korean Conflict. It was unoccupied when it was bombed at an air base in Kempo, South Korea. After serving

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
four years there, he was transferred back to the United States, and served in Great Falls, Montana, with Operation Blue Jay, to build an Air Force Base in Tule, Greenland. He received flight training in SA-16 Tri-Phib in West Palm Beach, Florida. He was promoted to Tech Sergeant, and flew AC-47s inspecting instrument landing equipment, at Hamilton Field in San Francisco. Bill later became part of the Strategic Air Command in Omaha, Nebraska. He attended flight engineer school at Chanute Air Force Base in Rantoul, Illinois and was reassigned to Homestead Air Force Base in Florida as a Flight Engineer on KC-97s.

Bill retired from the Air Force, but retirement didn’t last long. While working with the Civil Service, his knowledge as an F-4 aircraft Inspector led Bill to transfer from retired status to the U.S. Air Force Reserves, servicing and flying C-124s. He was sent to transport combat troops and materiel to Cam Rahn Bay, Republic of Vietnam. Bill was discharged from the U.S. Air Force Reserves in 1974. That was the end of an exemplary thirty-one-year military career, involving combat service in three major conflicts. Technical Sergeant Wilfred Earl Archer served with great distinction in World War II, the Korean Conflict, and the Vietnam War.

While in his exemplary military career ended, and his civilian career began, Bill received a Teachers Certificate in Automotive Technology from Texas State Technical Institute, and later taught at the TSTI Connally campus. He is a Life member of the Veterans of Foreign Wars and served his fellow veterans as a VFW Commander of Post 2053 in White Cloud, Michigan.

On Tuesday, May 15, 2012 Mr. SPEAKER, I rise today to pay tribute to Dr. Lewis N. Walker, who will retire next month after years of distinguished service at Lawrence Technological University in Southfield, Michigan.

Dr. Walker joined Lawrence Tech in 1994, serving as provost for 12 years. During that time, he improved student access to computer technology, expanded international partnerships, and developed facility improvements to support emerging technologies and career fields. Dr. Walker is also credited with fostering and instituting the only required undergraduate leadership program in the country outside the Nation’s three military academies. In 2005, again through Dr. Walker’s efforts, the University began a unique partnership with the Ferndale Public Schools to establish University High School, which offers a rigorous preparatory curriculum for public school students. This partnership is making a difference. A full 99 percent of University High School’s first three graduating classes received their diplomas, and 85 percent have gone on to higher education.

In 2006, Dr. Walker was made President of LTU. The severe economic downturn that began the following year brought a time of extraordinary challenge for the country, and especially for the State of Michigan. With steep job losses, especially in our State’s vital auto and manufacturing sectors, there was a clear need for retraining of displaced workers. Through Dr. Walker’s leadership, Lawrence Tech stepped up and addressed the challenge through the “Recovery Starts Here” initiative, which provided grants to over 650 displaced workers and supported efforts to diversify Michigan’s economy. This program was widely replicated and serves as an example of the vital synergies that can and should exist between institutional higher education and our Nation’s economy.

Building on the successful redevelopment of the campus quadrangle and A. Alfred Taubman Student Services Center, Dr. Walker set in motion the next phase of growth of LTU by laying the groundwork for development of a state-of-the-art Engineering, Life Sciences, and Architecture Complex. Over the years, my office has been pleased to work closely with Dr. Walker and his team on efforts to expand
Mr. Speaker, once again, please join me in leading this body in congratulating New Jersey Citizen Action for their thirty years of service to the New Jersey community. Their efforts continue to enhance and protect the lives of constituents throughout New Jersey.

UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012

SPEECH OF HON. JOHN GARAMENDI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, May 9, 2012

Mr. GARAMENDI. Madam Speaker, on May 9, 2012, the House of Representatives reaffirmed our strong relationship with the State of Israel and demonstrated our commitment to Israel’s right to defend itself, by passing H.R. 4133 with 411 votes. Unfortunately, I was not present at the time of the vote, but I would like to voice my support for Israel and this bill. Israel is a valued ally and friend of the United States. It is in the national security of both countries to ensure that Israel has the robust defense needed to protect itself from any threats within the region. H.R. 4133 guarantees that the United States will aid Israel in this defense and this bipartisan vote shows that we will always stand firm on our commitments to this relationship. Again, I would like to apologize for missing this important vote, but I commend my colleagues for supporting this vital alliance.

REMEMBERING THE LIFE OF MRS. RUTH TINSMAN

HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of my dear friend Ruth Tinsman. Mrs. Tinsman, beloved wife of the late Jerry Tinsman, passed away on April 28, 2012, at the age of 81. My thoughts and prayers go out to her family and friends at this most difficult time. She is survived by her husband William, her son Jerry, her daughter Ruth, her sister-in-law Patricia O'Rork, three grandchildren, and one great-grandchild.

Ruth Tinsman’s life was dedicated to others in her community. As a resident of the City of Hialeah, Florida for over 50 years, she worked tirelessly to improve the quality of life and well-being of all. Mrs. Tinsman has served as a dedicated and loyal member of the Hialeah Housing Authority Board of Commissioners since January 9, 1990. On November 18, 1999, she was elected Chairperson of the Board of Commissioners, which she served on for 10 years. The Ruth A. Tinsman Pavilion, an elderly development facility, was built and named after her in 1996 to honor her work and dedication to the community. Additionally, Mrs. Tinsman served on the board of Citrus Health Network, as well as President of “Kids in Dade Society,” developing programs to educate and keep children safe.

Mr. Speaker, Mrs. Ruth Tinsman will be remembered in South Florida for her love of and dedication to her community. Her legacy of care and compassion will live on for generations to come in the lives she has touched. Ruth was a dear friend and I am truly honored to have known her. She will be missed.
This legislation focuses its efforts on sub-Saharan Africa to ensure a meaningful and successful strategy to eliminate this condition. Local factors that are part of the reason obstetric fistulas may develop vary dramatically in regions where women are afflicted. By focusing on a single region that is already rich in diversity, we believe that the strategy and campaign will be successful and sustainable.

This legislation has the potential to transform the empowerment of women in the region by eradicating fistula and, as a result, improving the social, educational, and economic conditions of fistula victims and their communities. Accordingly, addressing this issue is not only a moral imperative for the United States, but it is also in our best strategic interest. I urge my colleagues to support our efforts, and this legislation.
HONORING JAMES V. LOUGHRAN
UPON THE OCCASION OF HIS RETIREMENT

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HIGGINS. Mr. Speaker, I rise today to honor James V. Loughran, a distinguished resident of the town of Amherst, Erie County, New York, upon the occasion of his retirement.

Coming from a large family with a longtime dedication to public service, Jim Loughran served with pride and distinction as a Rifleman with the United States Marine Corps. After multiple combat tours in Vietnam between 1967 and 1969, Jim made the decision to dedicate his professional career to his country with a career in the military.

Jim spent his military career principally in areas of administrative management and recruitment. Time and again Jim was called upon to manage and administer the safe deployment of Marines, often doing so for the largest active and reserve units within the Corps. On multiple occasions, Jim received commendations from his commanders who knew all too well the type of dedication and commitment that Jim showed to his country and to his duties.

Jim maintains a close relationship with former Joint Chiefs of Staff Chairman Peter Pace, under whom Jim served when both were stationed in Buffalo. On three different occasions, Jim was fortunate to serve under Gen. Pace’s command, and their relationship speaks volumes about the type of soldier Jim was, and the respect that Jim’s leadership had on his commanding officers.

Jim’s commitment to his brothers and sisters in the military did not end when soldiers removed their uniforms. Jim took a serious interest in what soldiers and military personnel would have to face after their careers ended, and spent several years in hands-on counseling of veterans transitioning from military to civilian life.

In the mid-1990s, Jim faced that same transition himself. Our region was fortunate to attract Jim to the area. And his community was all the better for that decision.

After several years of service to one of our region’s most highly regarded members of the Erie County Legislature, Jim put his management skills to work as the Administrator for the Town of Amherst Justice Court. The largest such court in New York State, Jim served several town justice courts in Amherst by administering the operations of the court with flawless quality and impeccable honesty and integrity. As the Chief Judge of the Town of Amherst, Jim said that, “Jim transformed Amherst Town Court into the most efficient justice court in New York State, leading in the management of the largest caseload and managing the largest such staff in the state. No one gets a job done better than Jimmy. Loughran.”

Jim was an innovator. Working closely with Judge Farrell, Jim was on the ground floor in the formation of specialized courts, including service to veterans and to those in need of treatment for problem gambling. Jim also worked with town justices to form the Amherst Drug Court and Therapeutic Foundation, where today he serves as President. Jim is involved with dozens of professional and civic associations and has a particular interest with fundraising efforts for the many charities, including the Lend-A-Hand Make-A-Wish Foundation, the Cystic Fibrosis Foundation, and the St. Vincent de Paul Society.

Jim was faced with a health challenge not long ago, and his many friends and family members are delighted to see that he is working through it. On Thursday, May 17, what is sure to be a capacity crowd will fill the Somona Grille in the heart of Jim’s beloved hometown of Amherst to fete Jim upon the occasion of his retirement.

A long time ago, during his Marine service, Jim earned the nickname “Jimmy Good Guy,” and that name has never been more aptly applied to a person as has ever been assigned to a person. Jim earned that nickname simply because of his willingness to help someone—anyone—who was in need. No one who has had the good fortune to encounter Jim Loughran has left that engagement without knowing that Jim would do anything he could to help them.

That is why, Mr. Speaker, I am asking that all members of the House join with me, and with Jim’s own friends and family, to wish Jim Loughran—the one and only “Jimmy Good Guy”—well and good health in the months and years to come.

HONORING THE 95TH BIRTHDAY OF MR. GEORGE GAYNES

HON. LOIS CAPP
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mrs. CAPPS. Mr. Speaker, today I rise to honor Mr. George Gaynes on the occasion of his 95th birthday. Mr. Gaynes is a distinguished member of the Santa Barbara community. He is a man who has devoted his life to the arts and his community. Today I am pleased to recognize him as we celebrate his life as a distinguished actor and entertainer, a man dedicated to making the Central Coast and this Nation a richer, more vibrant place.

George Gaynes was born in 1917 in Helsinki, Finland. In Europe, he served in the Dutch and British Navies during World War II. Mr. Gaynes served as a translator on battle ships since he spoke, and still speaks, six languages fluently. Mr. Gaynes, blessed with a wonderful singing voice, started his career in opera companies in Switzerland and London, and later in the New York City Opera Company singing basso.

After moving to the United States, Mr. Gaynes became an accomplished Broadway actor, best known for his on-stage role in Wonderful Town. He also had notable roles in the Cole Porter musical On The Sunny Side and in his U.S.-on-stage tour of My Fair Lady. Mr. Gaynes has also enjoyed a distinguished career on-screen. He is perhaps best known for his role in the Police Academy series as Commandant Eric Lassard, as Henry Warnimont on the NBC television series Punky Brewster, and as Arthur Falcone on Days and Nights of Molly Dodd. Gaynes is also remembered for his role as Frank Smith on the popular soap opera General Hospital, and has appeared in movies such as The Way We Were, Tootsie, and The Crucible.

Gaynes met the love of his life, fellow dancer and actress Allyn Ann McLerie in 1952 in New York where they were both performing on Broadway. The couple has been married for 58 years and has two wonderful children, Iya and Matthew. They have one grandchild, Nicole Falcone Gaynes. The couple is expecting their first great-grandchild, Portia, in June 2012.

George and Allyn Ann moved to Santa Barbara in 1989 and the couple immediately became involved in the issues important to our community and could always be counted upon to support those causes they believed in deeply. In fact, George has continuously contributed various “Letters to the Editor” on both local and national issues in several local newspapers. The couple were also founding members of the State Street Ballet Company in Santa Barbara.

Gaynes is a man who has devoted his life to the arts and his community. Today I am pleased to recognize him as we celebrate his life as a distinguished actor and entertainer, a man dedicated to making the Central Coast and this Nation a richer, more vibrant place.
Kat Country 103 received the news of its nomination for the Country Music Association’s award through a telephone call from country sensation Taylor Swift. Kat Country 103 was the first to interview Swift when she broke into the country music business.

Beyond providing music to its listeners, Kat Country 103 has given back to the community and to those in need. Every year, it works with the Make-A-Wish Foundation by holding a telethon to raise money for the organization. It’s hosted several charity concerts to support St. Jude’s Children’s Cancer Research Hospital and even collected donations of thirty-six million pennies for the hospital. In addition, every year at Christmastime it participates in the Marine Toys for Tots Foundation drive, collecting toys and gifts for disadvantaged children in the community. The station also supports the Second Harvest Food Bank, the American Cancer Society, and countless other organizations. It also recognizes and thanks its dedicated listeners by throwing an annual Listener Appreciation Concert. To show its sincere appreciation of support, the station invites nearly 10,000 listeners to attend an all-day concert, absolutely free. It has had such performers as Toby Keith, Taylor Swift, Blake Shelton, The Band Perry and countless others. This year it will welcome Montgomery Gentry as their opening act.

Country 103 also strives to give back to the country sensation Taylor Swift. Kat Country’s nomination for the Country Music Association and Academy of Country Music Awards are. They are a very deserving country music radio station and I am proud to have served them in the 18th California Congressional District.

HONORING MR. THOMAS W. LUCE III
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. SMITH of Texas. Mr. Speaker, I would like to recognize and honor a great Texan, Mr. Thomas W. Luce III, for his years of leadership and contributions to improving our public schools, strengthening higher education and supporting business and economic growth.

Mr. Luce was a founding and managing partner of the law firm of Hughes and Luce, LLP until his retirement from the firm in 1997. In addition to his active law practice, Mr. Luce has served on the boards or as guest lecturer at a number of schools of higher education, including the Kennedy School of Government at Harvard, the LBJ School of Public Affairs at The University of Texas at Austin, and Southern Methodist University.

Mr. Luce also has been appointed five times to major posts by Texas governors, including Chief Justice pro tempore of the Texas Supreme Court. He is perhaps best known for his role as the Chief of Staff of the Texas Select Committee of Public Education, which produced one of the first major reform efforts among public schools in 1984.

Mr. Luce served on the Dell Inc. Board of Directors from 1991 to 2005, until he was appointed United States Assistant Secretary of Education for Planning, Evaluation and Policy Development by President George W. Bush. He then served as Chief Executive Officer of the National Math and Science Initiative, Inc. from 2007 to 2011.

In addition, following his resignation from the Department of Education, Mr. Luce rejoined the board of Dell Inc. He is the longest serving outside board member of this Texas-based company and will leave the board when his term expires on April 13, 2012.

During his time on the Dell Board of Directors, Mr. Luce served on all four board committees and oversaw a period of rapid growth for Dell, a great American success story. In 1991, Dell reported $890 million of revenue and $20 million in earnings the following year. Today, Dell is a $62 billion company and ranked No. 41 on the Fortune 500 list.

Michael Dell, founder, chairman and CEO of Dell, said, “Tom is a great friend and trusted advisor to us all here at Dell, and it’s been a true privilege to know him and benefit from his wise counsel for so many years. During his long service as a member of the Dell Board, Tom has contributed to our success in countless ways and has helped shape the strategies that have allowed Dell to deliver the very best in technology solutions to our customers. On behalf of the global Dell team and my fellow Board members, it is my distinct honor to thank Tom for his commitment to our company and to Dell, and to wish him the very best in everything the future holds.”

I ask my colleagues to join me in honoring Mr. Luce and thanking him for his service to our country and his business leadership. We wish him the best in his future endeavors.

TAIWAN PRESIDENT MA YING-JEOU’S SECOND INAUGURATION

HON. DAVID SCOTT
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. DAVID SCOTT of Georgia. Mr. Speaker, on January 14, another great President Ma Ying-jeou successfully won reelection and will be inaugurated for a second term on Sunday, May 20th. The day will be one of a celebration of democracy, however, like every day in Taiwan, it is one clouded by the ever-present, potential danger lurking a mere 100 miles to its west. The People’s Republic of China and its more than 1,400 missiles will continue to target Taiwan. While Taipei and Beijing have made strides in terms of trade, investment, travel and tourism, as well as political strides via the repatriation of fugitives; the government of mainland China still espouses its belief in a right to take Taiwan by force. History is riddled with such fateful attempts in this conflict such as Mao Ze-dong’s bombings of Taipei-administered islands Kinmen and Matsu in the 1950s.

In contrast to Taiwan’s culture of democracy, mainland China’s political culture is a closed one. The leadership and its central planners listen to few, the least of which include its own people. There is little nuance, dialogue or meaningful negotiation unless backed by the threat of brute force. The government of mainland China exerts its intimidation tactics beyond its borders and against its regional neighbors, nations like Vietnam, the Philippines and others who lay at least some seafaring claim to the waters of the South China Sea.

We cannot let stand such intimidation and let Taiwan suffer the same fate. It is in our national strategic interest and in that of Taiwan’s for us to continue our providing our steadfast support and in supplying Taiwan with defensive capabilities consistent with its obligations in the Taiwan Relations Act. Being sufficiently armed and defensively capable is sadly the only way that Taipei can interact with Beijing on what can at least pass for a perceived position of strength. The United States of America and the American people must continue to have the guts and vision to step forth and provide our democratic friend and ally access to the tools it needs to defend itself and free way of life.

Yet, while we must acknowledge the real concerns, the ever-looming storm on the horizon in this conflict, we must also take note of the successes of democracy. Taiwan continues to hold free and fair elections and we will do our part in supporting such continued success. So, on this day, please join me in congratulating President Ma on his inauguration. But even in celebration, we will not fall complacent; we will continue to urge our government to continue providing our support of Taiwan and our commitment in providing access to the defensive tools it needs to safeguard its democracy.

HONORING DR. SANDRA KURTINITIS
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Dr. Sandra Kurtinitis, president of the Community College of Baltimore County, who was recently named the 2012 “Humanitarian of the Year” by the Optimist Club of Dundalk.

This prestigious honor is reserved for individuals who serve the Dundalk-Edgemere community. As president of the Community College of Baltimore County for the past seven years, Dr. Kurtinitis leads the largest provider of higher education in the Baltimore region and is credited with establishing a leaner executive structure that prioritizes the classroom.

Throughout her tenure at the Community College of Baltimore County, Dr. Kurtinitis has gone above and beyond the call of duty to reconnect the once fledgling Dundalk campus with the community. As a result of Dr. Kurtinitis’ efforts, enrollment at the Dundalk campus is thriving, having doubled from 2,500 students in 2005 to 5,000 students today.

Shortly after her arrival, Dr. Kurtinitis worked to place several of the college’s signature programs on the Dundalk Campus in order to attract new students. Under her direction, the school constructed a new building to house a new program for dental hygienists and dental assistants. In an effort to integrate the school with the surrounding community, the facility is open to the public and will offer low-cost preventative dental work to more than 2,000 residents each year.

In addition, Dr. Kurtinitis has overseen a $6 million renovation of the campus cafeteria and
library. She also boosted the college's presence at community meetings and events, working closely with the Dundalk Renaissance Corporation and the Dundalk Chamber of Commerce. The college has begun entering a float in the annual Dundalk Independence Day parade, winning awards for the past three consecutive years.

A self-described "servant leader," Dr. Kurtinitis is an experienced and respected educator, administrator and author. Before returning to Maryland, she served as president of Quinsigamond Community College in Massachusetts and, prior, taught English at Prince George's Community College for 22 years.

Mr. Speaker, I ask that you join with me today to honor Dr. Sandra Kurtinitis. Her dedication to quality education for all students is an inspiration. It is with great admiration and appreciation that I congratulate Dr. Kurtinitis on her well-deserved recognition and wish her many more years of success.

RECOGNITION OF FIFTY-EIGHT SOUTH JERSEY HIGH SCHOOL SENIORS FOR ENLISTING IN THE UNITED STATES ARMED SERVICES

HON. JON RUNYAN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. RUNYAN. Mr. Speaker, I rise today in recognition of 58 high school seniors in South Jersey for their admirable decision to enlist in the United States Armed Forces. Of these 48 seniors, 13 have joined the Marine Corps; their names are Dominigo Parson, Kyle Holzward, Angel Gomez, Andrew Galiano, Blaise Salva, Cody Quick, Joshua Molinas, Jacob, Presley, Hector Rivera, Anthony Pimpinello Jr., Giovanni Figueroa, Joseph Fabrizio, and Vincent Settineri II. Nine have joined the Army; their names are Dakota Beck, Brian Esposito, John Sabatino, Alan Nguyen, Kierra Law, Darryn Henwood, Ryan Maddox, and Tony A. Four have joined the Air Force; their names are Dane Ugo, Marvin Smith, Addison Steiger, Daniel Flowers, Rebecca Freedman, Alex Belli, Carlos Restrepo, Gabrielle Swift, Matthew Vidalone, and Taylor Dockery. Four have joined the Navy; their names are John Weiser, Matthew Kapp, Craig Smith and Derek Smith. Twelve have joined the New Jersey National Guard; their names are Ronald Chinn, Wyatt Cooper, Tyrell Powell, Daniel Szovati, Alesha Morales, Tucker Patten, Jimmy Rodriquez, Yaritza Victor, Michael Murphy, Christian Shinkowitz, Andrew Krevetski and Jonathan Kellum. All of the 46 seniors will be celebrating their graduation in California's Oakland Unified School District. For their academic achievement by African American youth and Mrs. Wandra Boyd, for its record of success in encouraging and acknowledging academic achievement by African American youth in California's Oakland Unified School District, Today, the African American Education Task Force and the Oakland Unified School District will celebrate a successful decade of
recognizing our local African American students’ Honor Roll status. The African American Education Task Force Academic Achievement Celebration takes place at the ACTS Full Gospel Church, pastored by Bishop Bob Jackson in Oakland, California.

During this year’s event, 1,026 African American students from the 8th through 12th grades will be honored for attaining grade point averages of 3.00 or above for the 2011–2012 school year. This outstanding group of young people has accomplished a great deal, and we are pleased to commend them for their academic dedication and success. Especially in light of the great budgetary challenges faced by the State of California and the city of Oakland, these students have proven themselves to be bright, capable and resourceful.

I would like to take this opportunity to congratulate each and every student for earning this distinction. Thank you for understanding and promoting the importance of staying in school. By continuing to be the best students possible and by making the most of your education, you will enjoy a full range of opportunities to realize your personal goals, as well as give back to your communities.

Your accomplishments represent the strength of your initiative and a commitment to excellence. The skills and discipline you have developed will be of great use as you continue to follow your dreams toward success. I am so very proud of you for taking personal pride in your studies. Oakland’s future leaders are certain to present at this celebration of academic achievement, and I welcome your many civic contributions in the years to come.

On behalf of the residents of California’s 9th Congressional District, I again salute you for your exemplary academic performance. I am confident that you will continue this fine record of scholarship, service and success. Keep up the good work, and I wish you the very best in all of your future endeavors.

RECOGNIZING MOUNT CARMEL BAPTIST CHURCH, MAY 15, 2012

HON. GREGORY W. MEEKS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, I rise to recognize Mount Carmel Baptist Church who this year, will celebrate 100 years of service to the Arverne Community in my district.

Mount Carmel Baptist Church is committed to advancing the kingdom of our Lord and Savior Jesus Christ through the preaching and teaching of the Gospel, comforting the sick and distressed, and helping humanity.

Under the leadership of Rev. Joseph Hezekiah May, Mount Carmel Baptist Church became the flagship Baptist Church on Far Rockaway. Rev. May was a freedom fighter for affordable and appropriate housing and through his efforts, the City of New York took notice and began building public housing.

Mount Carmel Baptist Church has served as a pillar to the Arverne community through its desire to further the cause of the Gospel of Jesus Christ through social activism, pastoral care, community engagement and youth development.

On behalf of the more than 655,000 residents of Sixth Congressional District, we thank Mount Carmel for your outstanding contribution to our community, city, and state. We join with Mount Carmel to celebrate 100 years of service and wish you continued success in all of your endeavors.

RECOGNIZING SMSGT (RET.) WALTER LAMERTON’S EFFORTS TO BRING A USO CENTER TO TAMPA INTERNATIONAL AIRPORT

HON. GUS M. BILIRAKIS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor retired U.S. Air Force SMSgt (Ret.) Walter Lamerton of Trinity, Florida for his critical role in bringing the USO to Tampa International Airport.

On January 12, 2012, the USO Board of Governors voted to grant a charter for the USO expansion to Tampa. This USO Center is scheduled to open in August 2012 and will support the more than 300,000 service members and their families that annually transit the Tampa Bay community. At the time of the vote, USO Headquarters Staff stated that “Many have applied, but that this is the first Chartered USO Center approved in the nation in over twenty years.”

Walter Lamerton was a driving force behind submitting this ultimately successful proposal to the USO Board of Governors. He worked closely with volunteers throughout the Tampa Bay area and effectively conveyed their message of support for our service members and their families to both the local community and to the USO Board of Governors, under a compact timeframe.

Mr. Lamerton’s leadership and attention to detail were critical in the effort to bring the USO Center to Tampa. As a result, many of our Nation’s service members and their families will directly benefit from his efforts for years to come.

As Vice-Chairman of the House Committee on Veterans’ Affairs, I constantly find myself in awe of the sacrifices and efforts that have been made on behalf of our great country by the men and women who have worn the uniform of our Armed Services. Because of this, it is my distinct honor to recognize and express my gratitude to Walter Lamerton for his dedication in bringing the USO to the Tampa Bay area. His success in this endeavor will serve as a lasting legacy for all who support our military and their families. The USO Center at Tampa International Airport will, surely, be a shining star in our community.

PRAISE FOR TAIWANESE ELECTIONS

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. RANGEL. Mr. Speaker, as Taiwan prepares for its Presidential inauguration on May 20, I’d like to congratulate our friends in Taiwan for the smooth conclusion of their presidential election on January 14, when Mr. Ma Ying-jeou won a second term as President of Taiwan.

For over half a century, the United States and Taiwan have enjoyed strong relations over economic and security issues. Our shared interest in peace and stability has guided the relationship, and our commitment to Taiwan’s security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build strong democratic government, which serves as a symbol of success for others in the region and beyond. Similarly, Taiwan’s economic partnership with us has been extremely beneficial. Taiwan is currently our tenth largest trading partner, with over $68 billion in total bilateral trade.

During Mr. Ma’s second term, I hope our relationship with Taiwan will continue to flourish in areas as diverse as trade, military cooperation, and the VISA Waiver Program.

Congratulations to Mr. Ma and the people of Taiwan.

THE DEATH OF NICOLAS KING

HON. LAURA RICHARDSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, it is my regrettable duty to report the passing of a great American, Nicolas King. Mr. King died on April 3, 2012 in Santa Rosa, California. He was 79. Perhaps more than any other person, Mr. King was responsible for preserving the Watts Towers in Los Angeles, which has been visited by millions over the past 50 years.

King was instrumental in preserving the world famous Watts Towers which adds an aesthetic appeal to my 37th District. The unique work of folk art, was created over 33 years by Italian immigrant Simon Rodia. Rodia, described as a cement finisher and construction worker, began building the towers in 1921. The nearly 100-foot complex of spires and other structures are decorated with broken pottery, seashells, glazed tiles and pieces of colored glass.

In 1954, Rodia moved to Martinez, California to be closer to family and signed his property over to his neighbor, Louis Sauceda. His former house had burned down, the gates to the walled property were open and unguarded, and the grounds were littered with refuse left by unwanted visitors. Nicholas King and his friend, William Cartwright, visited the famed Watts Towers for the first time and were surprised by what they saw.

The current owner was a dairy farmer by the name of Joseph Montoya. For $3,000 and a downpayment check of just $20, Nicholas King and William Cartwright became the owners of the Watts Towers. King and Cartwright cleaned up the area around the towers, and an architect friend of Cartwright soon drew up a plan for a caretaker’s cottage on the property.

But when the architect went to apply for a building permit, he discovered that an order had been issued earlier for Montoya to “demolish and remove the fire-damaged dwelling and dangerous towers from the premises on or before March 5, 1957.” The Watts Towers in 1959 passed a stress test in which the tallest spire was subjected to 10,000 pounds of force, but avoided demolition.

With the establishment of the Committee for Simon Rodia’s Towers in Watts, King and Cartwright yielded ownership of the towers to...
the committee. The group elected Cartwright as its chairman and King as permanent directors.

Born Robert Nicholas King in Sacramento on March 21, 1933, he studied acting at the Pasadena Playhouse after graduating from high school in 1951. King had uncredited roles in The Violent Men and had a supporting role in The Young Lions. He had the role of Arnie in Joy Ride (1958) and Georgie in Thieves (1960). He also had a recurring role on the TV version of the radio serial “One Man's Family.”

In 1969, King became a partner in a land cooperative on the Garcia River in Point Arena in Northern California, where he moved with his wife, Kate, and their two young children. King was involved in logging and started a nursery business in which he grafted apple trees and sold root stocks and apples. He also helped organize the river preservation group Friends of the Garcia and was active in the group Save Our Salmon.

Nicholas King’s inspirational life reminds us to preserve the rich artistic history of America. William Cartwright said it best, “We knew we had to do something that we believed should have been done before us: preserving something that needed it and not abandoning it.” Generations to come will be touched by the artwork at Watts Towers and we have Nicholas King to thank. He will be deeply missed and I pray that many of you will join me in extending condolences to the King Family.

Mr. Speaker, I ask for a moment of silence in memory of Nicholas King.

**THE 150TH ANNIVERSARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE**

HON. ROSA L. DELAURO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Ms. DELAURO. Mr. Speaker, I rise today to recognize the 150th anniversary of the United States Department of Agriculture (USDA).

Last year, agricultural producers had record net farm income and trade surplus. One in twelve jobs is linked to agriculture and forestry and American consumers spend less than 10 percent of their disposable income on food. USDA programs affect each of us—from nutrition programs to food safety, conservation to plant and animal health, and rural development to research and extension.

The department manages anti-hunger and nutrition programs that help ensure millions of Americans have enough food. Food banks across the country count on the Emergency Feeding Assistance Program to keep their pantries stocked. USDA’s Supplemental Nutrition Assistance Program is helping more than 46 million Americans. More than 30 million American school children rely on the National School Lunch Program for a nutritious lunch. But there is clearly more to do.

With almost 13 million unemployed in this economy, and one in six Americans living below the official poverty line, we know that millions of middle-class and working families are hungry across the country. Nearly fifteen percent of American households were food insecure in 2010. In other words, nearly 50 million Americans, including over 16 million children, struggled with hunger. In my district in Connecticut, nearly one in seven households were not sure if they could afford enough food to feed their families. Earlier this month, the Meals on Wheels Association released its first report card on senior hunger: with 1 in 7 seniors facing the threat of hunger, the country received a D.

At a time such as this, our key federal food security policies become all the more vital. They make a difference for the health and well being of millions of families. In the words of Harry Truman, “Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare.”

As we look to the future, it is important that the United States maintains its leadership in agriculture. And we must also strive to ensure that everyone has access to the food they need to thrive.

**CELEBRATING 150TH ANNIVERSARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE**

HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in honor of the 150th anniversary of the United States Department of Agriculture (USDA). Founded by President Lincoln in 1862 as “the People’s Department,” the USDA has helped modernize and advance American agriculture to the point where Americans now enjoy a safe and abundant food supply at a cost of less than ten percent of their disposable income. The USDA has been critical in protecting the farmers and ranchers who are the stewards of our land and essential to ensuring that our nation maintains an independent and secure food supply.

Over the course of its 150 years, the USDA has repeatedly been vital in solving the many agricultural challenges facing our nation. For example, a rapidly declining pollinating species population currently threatens the sustainability of our agriculture across the country. With one out of every three bites of food we eat the result of the intervention of pollinators like bees, bats, bees, and butterflies, the USDA has taken a lead role in addressing this looming disaster through programs like the Agricultural Research Service’s research on the causes and treatment of Colony Collapse Disorder. The importance of the USDA is reflected in the fact that without pollinators, our country would not be able to grow food.

The USDA also does much more than just work with our local agriculture. It is a key player in addressing the changing needs of agriculture across the globe. The world’s population is estimated to be nine billion people by 2050. Consequently, the world will need to produce more food in the next 50 years than has been produced during the past 10,000 years combined. The USDA, America’s farmers, ranchers, and research scientists will answer this challenge together through programs such as Food for Progress, McGovern-Dole International Food for Education and Child Nutrition, the USDA National Hunger Clearinghouse, and the Norman Borlaug Commemorative Research Initiative.

One hundred and fifty years ago, President Lincoln recognized the potential of America’s farmers to resourcefully cultivate our land to provide an ample food supply. Today, we must use the same innovative spirit in approaching agricultural production. By supporting USDA programs and initiatives, we are able to link research and scientific innovations to effective adaptations in order to successfully address the food security needs of our country. I am pleased to honor our country’s farmers and ranchers, and acknowledge the work of the USDA on this historic occasion.

**HONORING OFFICER CRAIG BIRKHOLZ**

HON. THOMAS E. PETRI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. PETRI. Mr. Speaker, today I want to recognize those peace officers being honored during National Police Week, and I particularly want to honor a constituent of mine who was killed in the line of duty last year.

Officer Craig Birkholz was only 28 years old when he was shot and killed during a six-hour standoff at a home in Fond du Lac, Wisconsin. Officer Birkholz is one of the 166 being honored today as part of National Peace Officers Memorial Day, and his name has been engraved on the National Memorial wall.

Officer Birkholz had been with the Fond du Lac Police Department for two years and was a veteran who had served in Iraq and Afghanistan with the Army. Born in Kenosha in 1982, he graduated cum laude from the University of Wisconsin-Oshkosh with a degree in criminal justice. In 2009, he married his wife, Ashley. Men and women such as Officer Birkholz, who make the ultimate sacrifice in order to keep us safe, truly are owed our eternal gratitude.

I hope that National Police Week celebrated here in Washington will help those affected by the loss of a relative or fellow officer know that their life of service will continue to be honored. We will remember the life and service of Officer Birkholz, and the memorial is a lasting tribute to him and all fallen officers.

**TRIBUTE TO SIGNAL HILL POLICE OFFICER ANTHONY GINIEWICZ ON THE OCCASION OF BEING ADDED TO NATIONAL PEACE OFFICERS MEMORIAL WALL OF HONOR**

HON. LAURA RICHARDSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, later today the name of Anthony Giniewicz of Signal Hill, California, will be added to the National Peace Officers Memorial Wall of Honor.

The National Law Enforcement Officers Memorial Wall of Honor is the nation’s monument to law enforcement officers who have died in the line of duty. Officer Giniewicz served on the Signal Hill Police Department, died on December 7, 2011, as a result of gunshot wounds sustained 26 years earlier during an exchange
of gunfire with gang members. He will be enshrined on the Memorial Wall of Honor with 361 other peace officers who died in the line of duty in 2011, 19 of whom are from California.

Dedicated on October 15, 1991, the Memorial honors Federal, State and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our Nation and its people. Carved on its walls are the names of more than 19,000 officers who have been killed in the line of duty throughout U.S. history, dating back to the first known death in 1791.

On February 19, 1985, Officer Giniewicz and his partner were accosted by three gang members while off duty in Signal Hill, California. When Officer Giniewicz identified himself as a police officer the assailants opened fired and shot him multiple times. Miraculously, Officer Giniewicz survived the shooting but was paralyzed from the waist. He spend the next 26 years as a paraplegic and underwent multiple surgeries before succumbing on December 7, 2011 due to complications from his injuries.

It is fitting recognition of Officer Giniewicz’s heroism that his name will be added to the National Law Enforcement Officers Memorial Wall during the National Peace Officers Memorial Service.

Officer Giniewicz was more than a police officer, he was a dedicated father, son, brother, friend, and role model to his colleagues on the Signal Hill Police Department. Although his injuries were severe and followed him throughout his life, he fought through it and was still able to enjoy many of the activities he loved before the shooting. Officer Giniewicz was a 35-year member of the Blue Knights Law Enforcement Motorcycle Club, as well as a lifetime member of the National Rifle Association.

Mr. Speaker, Officer Anthony Giniewicz epitomized everything that is good and true and great about America. He was brave and kind and fearless and devoted to serving others. He is survived by his mother, Nellie; son, Anthony Aleksandr; stepson, John; stepdaughter, Barbara; former wife, Barbara; six sisters Paula, Linda, Elaine, Christine, Diane and Laurie; and two grandchildren Katelyn and Marissa.

As a member of the Law Enforcement Caucus and the representative in Congress of Signal Hill, California, I am saddened at the loss of Officer Anthony Giniewicz but proud to represent the police department Officer Giniewicz served with such distinction. I am honored to represent the people of the 37th Congressional District of California in paying tribute to the 362 fallen heroes who will be joining the more than 19,000 gallant men and women who gave the last full measure of devotion to the communities they took an oath to protect and serve.

Mr. Speaker, I ask for a moment of silence in memory of Officer Anthony Giniewicz and every other man and woman whose name graces the National Peace Officers Memorial Wall of Honor.

HONORING DR. HAMID SHIRVANI, PRESIDENT OF THE CALIFORNIA STATE UNIVERSITY, STANISLAUS

HON. JEFF DENHAM OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. DENHAM. Mr. Speaker, my colleague, Mr. CARDOZA, and I rise today to acknowledge and honor Dr. Hamid Shirvani, President of the California State University, Stanislaus, to thank him for his leadership and dedication to the academic advancement of the Central Valley.

Dr. Hamid Shirvani faithfully served California State University, Stanislaus, as its President for seven years since his appointment on July 1, 2005.

Under his leadership, the academic reputation of the university grew in stature and the university received national recognition for its excellence, including its first appearance in the Princeton Review’s Best Colleges list in 2007, and then every year since.

Dr. Shirvani carefully managed the resources of the university: eliminating a budget deficit that existed upon his arrival, building a reserve, and guiding the university through severe budget reductions that were not fully replaced by tuition increases. While these cuts were made more catastrophic by rising enrollment, Dr. Shirvani maintained and even improved the academic quality of the university by providing a high level of service to the students.

Demonstrating his deep commitment to support and strengthen the region, he proactively and tirelessly reached out to the region’s business community to learn about their workforce needs, build partnerships, and create new academic programs to address those needs. He did all this while also providing high-quality, educational opportunities for students that would prepare them for well-paying jobs in the region after graduation.

President Shirvani tenaciously advocated on the university’s behalf and established relationships with diverse educational partners and businesses and secured more than $118 million of external resources—the fruit of which included eight newly endowed professorships and many large donations used to provide scholarships to students with financial need, fund the development of new academic programs, and build and upgrade campus facilities.

His dedication to serving the students and putting their needs first was recognized when he was twice selected as President of the Year by the system-wide student body government, representing 430,000 students across 23 campuses, in 2007 and 2009.

He is a visionary leader who made substantial contributions to higher education in the Central Valley and worked hard to raise the profile and stature of the university.

In June 2012, President Shirvani will be leaving CSU Stanislaus to become the Chancellor of the North Dakota University System.

Mr. Speaker, please join me in honoring and commending Dr. Hamid Shirvani, President of the California State University, Stanislaus, for his numerous years of selfless service to the education of our community.

RECOGNIZING CURTIS WHITEHEAD, MAY 2012 STUDENT OF THE MONTH

HON. GREGORY W. MEEKS OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. MEEKS. Mr. Speaker, I rise to recognize an outstanding student from my congressional district, Curtis Whitehead. Curtis is a senior at August Martin High School in Queens, NY and has won the April student of the month award. During his time at August Martin, Curtis has overcome challenges, excelled in his studies and discovered his true passions: cooking and acting. Since his sophomore year, he has had a recurring lead role on a Time Warner Cable production called “Power Tools for Life.” He has since, participated and excelled in countless culinary competitions. By all accounts Curtis is well liked and respected by his classmates and teachers, baking cookies and cupcakes for their birthdays and offering to help in times of need. Upon graduation Curtis will enroll in the Culinary Academy. I applaud Curtis Whitehead for winning student of the month and wish him the best in his future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08. Today, it is $15,767,996,273,860.82. We’ve added $5,050,119,224,947.74 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

MARISHA LOZADA

HON. LOU BARLETTA OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. BARLETTA. Mr. Speaker, I rise to congratulate Marisha Lozada as a Gold Medal recipient of the Scholastic Art and Writing Awards of 2012 for her painting titled Woman with Black.

The Scholastic Art and Writing Awards is the largest, longest-running scholarship and recognition program for creative teens. Awards are presented annually by the Alliance for Young Artists and Writers, a nonprofit organization headquartered in New York. This year, the Scholastic Art and Writing Awards program received 200,000 submissions from students in public, private and home schools across America. Of the 200,000 submissions, 60,000 students received regional recognition and 1,600 received national medals.

Mr. Speaker, the arts are an important part of America’s cultural fabric, and student creativity should always be encouraged. Therefore, I congratulate Marisha Lozada for her...
passion and dedication to the arts, which is evident in her accomplishment.

CELEBRATING THE 50TH ANNIVERSARY OF THE LOGAN SQUARE NEIGHBORHOOD ASSOCIATION

HON. LUIS V. GUTIERREZ
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. GUTIERREZ. Mr. Speaker, I rise in honor of the Logan Square Neighborhood Association in Chicago, Illinois and wish to congratulate them for their 50 years of committed community service. Their visionary leadership, strategic partnerships and compassionate dedication to our community has made a real and lasting difference in the lives of the residents of Logan Square and the Chicagoland area.

Since 1962, the Logan Square Neighborhood Association has dedicated the last five decades to building a healthy community by directly serving hundreds of residents each year and impacting the lives of tens of thousands more with nationally-recognized programs in education, housing, immigration, health and the arts. The Logan Square neighborhood has benefitted greatly from the Association’s commitment to change and community involvement.

Among the Logan Square Neighborhood Association’s many accomplishments are Parent Mentoring programs that help students, teachers and families bridge cultural differences between immigrants’ homes and the schools their children attend, creating a new approach to parent engagement in schools. By partnering with local schools, the Association established Community Learning Centers that allow elementary schools to provide convenient, evening continuing education and physical activities. The Association partnered with community organizations to banish slumlords, ending unethical practices and helping make affordable rental housing available to families. Their home ownership programs have helped more than 100 moderate-income families purchase their first home and led to the first homeownership program for teachers that was adopted by the Chicago Board of Education. The Logan Square Neighborhood Association has also developed programs focusing on living wage jobs which helped to create more than 1,400 permanent, living wage jobs in the Logan Square community.

Because of their commitment to change and to improving the Logan Square community, it makes me proud to have the Logan Square Neighborhood Association serve the residents of the 4th Congressional District. It is with great honor that I commend the Logan Square Neighborhood Association for their 50 years of effectively serving our community. I wish them continued success.

HONORING THE 50TH ANNIVERSARY OF THE USDA

HON. RUBEN HINOJOSA
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HINOJOSA. Mr. Speaker, on May 15, 1862, President Abraham Lincoln signed legislation to create the U.S. Department of Agriculture. Today, exactly 150 years later, Lincoln would be proud of how the USDA touches almost every aspect of our daily lives. The USDA not only protects and strengthens our rich agricultural tradition, but it also supports nutrition programs, promotes and develops rural housing, utilities and businesses, food safety, animal health, natural resource conservation, reduces our dependence on foreign oil and much, much more. Because of the USDA, rural communities have affordable electricity and broadband; poor children are able to eat a nutritious meal every day through the School Lunch Programs, and we lead the world in agriculture exports.

My district in South Texas has benefited greatly from the work of the USDA. From providing assistance to rural farmers, to biotechnology research that works to develop drought resistant crops, to developing and upgrading our aging water treatment systems, the USDA is a vital partner in keeping south Texas moving forward. That is why I am honored to extend my thanks and congratulations to Secretary Vilsack and the thousands of people at the USDA for their tireless service.

HONORING NORM NEISS FOR HIS MORE THAN 50 YEARS OF SERVICE TO HIS COMMUNITY

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Mr. Norm Neiss for the more than 50 years of service he has given to the Mantua community in Virginia. Mr. Neiss dedicated his life to serving the nation, spending more than 29 years in the United States Navy as a naval aviator. He retired from the Navy in 1974, but his service to our country continued through his dedication to his community.

Mr. Neiss moved to Virginia in 1965 and has been an active member of the community ever since. He was the Chabad Lubavitch Temple Liaison, and he was a volunteer for the New Covenant Committee, the Architectural and Environmental Review Committee, the District Planning Commission, the Fairfax Federation, and the Fairfax County Citizen Emergency Response Team’s medical corps. In addition to generously donating his time as a member of these many community organizations, Mr. Neiss served in a number of leadership positions, heading the Providence District Council, heading the Mantua Neighborhood Watch, and serving as the President of the Mantua Corporation.

Mr. Neiss never sought recognition for his many efforts in the many organizations in which he so graciously gave of his time. Nevertheless, his neighbors noticed his dedication and the shining example that he set. They nominated Mr. Neiss as the 2012 Fairfax Federation of Citizens Associations Citizen of the Year. The Federation represents the homeowners, civic, and citizen associations for Fairfax County’s more than 1 million residents. Further, in recognition of his tireless service, Mr. Neiss was nominated by the Grand Marshall for the 2012 Mantua Parade on June 9th. Mr. Neiss’ life-long dedication to serving his community is a wonderful example for us all.

I urge my colleagues to join me in thanking Norm Neiss for the tireless efforts he so graciously has given over the past 50 years and to recognize the tremendous contributions he has made to the Mantua community and the nation.

PERSONAL EXPLANATION

HON. GREGORY W. MEEEKS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. MEEEKS. Mr. Speaker, on rollcall No. 240, Holt of N.J. Amendment to H.R. 5326, I inadvertently missed the vote.

Had I been present, I would have voted “yes.”

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Bryan A. Rivera-Bruno for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Bryan has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

HONORING THE 90TH BIRTHDAY OF MR. STEVEN MEYER

HON. BRAD MILLER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. MILLER of North Carolina. Mr. Speaker, I rise today to congratulate Steven Meyer on the occasion of his 90th birthday. Mr. Meyer is being honored by his family for the exceptional life he has led and for his many accomplishments in both the professional and personal realms.

Born in Moers, Germany in 1922, Mr. Meyer fled the Nazi Occupation with his family in 1939 and settled in New York, New York. Drafted by the Army in 1943, Mr. Meyer served with the Army Corps of Engineers in the European Theater of Operations. During his military career he worked as a planner for the D-Day invasion of Normandy, and while in the service Mr. Meyer gained his American citizenship. Following the war, Mr. Meyer had a 30-year career as a contract manager with Koppers Company in Pittsburgh, PA. While in Pittsburgh, he earned his degree in Mechanical Engineering from Carnegie Tech, now Carnegie Mellon. He raised two sons, Robert and Andrew, with his late wife Mrs. Irma Meyer, and has four grandchildren.
Mr. Meyer is an upstanding member of his community and a model citizen. During their years in Pittsburgh, Mr. Meyer and his wife participated in the Council for International Visitors, a program that helped recent arrivals to the United States acclimate to the local community. Following Mrs. Meyer’s passing in 2006, Mr. Meyer, together with his sons, endowed the Irma Meyer Memorial Lecture Series at the West Penn Hospital in order to better educate health care providers about end-of-life issues.

Steven Meyer currently resides at the Raleigh Brookdale Senior Living community in my congressional district, where he has assumed an active leadership role. He has thrice been elected president of the resident’s council, and serves on various committees. In his retirement, Mr. Meyer has discovered a latent talent for painting and discovered his love for playing the piano. His paintings have been exhibited at Raleigh City Hall, and he often given piano recitals for fellow residents at the Heritage.

Mr. Speaker, as I meet with distinguished colleagues, I ask you to join me in wishing Steven Meyer a happy birthday and best wishes for continued health and happiness.

JEWISH AMERICAN HERITAGE

MONTH

HON. LAURA RICHARDSON
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize May as Jewish American Heritage Month. Jewish community has been a vibrant presence in America for over 350 years and contributed greatly to American history and culture. The Jewish community has tirelessly worked to promote issues that affect all Americans, not just members of their own community. With a strong commitment to philanthropy, education, and human and civil rights, Jewish Americans have helped shape the United States into the beacon of hope and equality that it is today.

Approximately five million of the world’s thirteen million Jews live in the United States, constituting roughly two percent of the national population. Despite these relatively small numbers, the Jewish community has made a substantial impact on protecting America’s promise of freedom. Generations of Jewish Americans have pioneered workers’ and civil rights, fought honorably in our armed forces, and served as a strong model for women’s equality.

As we enter into the month of May, we should also recognize the 64th anniversary of Israel’s founding in May of 1948. The United States has always maintained a strong relationship with Israel and has respected Israel’s commitment to democracy and its resilience in the face of constant adversity. The Jewish community has played an important role in fostering this relationship.

Mr. Speaker, as a representative of one of the most diverse districts in the Nation, I firmly believe that an appreciation of other cultures and religions is what makes our country great. I am proud to celebrate Jewish American Heritage Month and the wonderful contributions the Jewish community has made throughout our Nation’s history.

HONORING COLONEL PETER B. TRAINER AFTER 30 YEARS OF SERVICE WITH THE UNITED STATES AIR FORCE

HON. GERALD E. CONNOLLY
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize and pay tribute to Colonel Peter B. Trainer on the occasion of his retirement from the United States Air Force.

Colonel Trainer’s professional achievements are numerous and I know he would be the first to acknowledge that none of them would have been possible without the support of his wife and family. Colonel Trainer’s parents set the example of service as his father, Lt. Colonel Thomas R. Trainer, retired after a distinguished career in the Air Force.

He began his distinguished career in 1982 when he received his commission through ROTC at The Citadel in Charleston, South Carolina. From there, he proceeded on to numerous important assignments. After completing the Space Operations Officer Course at Lowry AFB, Colorado, he was assigned as a Satellite System Controller and later Assistant Chief, Satellite Mission Planning Branch, Defense Meteorological Satellite Program (DMSP), Offutt AFB, Nebraska. In 1986, he was assigned as the Chief of Satellite Operations, Space Systems Division Los Angeles AFB, California where Colonel Trainer was responsible for all command and control activities of the launch and early orbit checkout for two DMSP satellites. Colonel Trainer was then selected for special duty as an Air Force Recruiter and served as the Chief of Operations for the 3514th Recruiting Squadron, McGuire AFB, New Jersey, where he was responsible for Air Force accessions in an area that included New York City, New Jersey and Europe. In 1993, Colonel Trainer was assigned to Headquarters, U.S. Space Command where he qualified as a Space Surveillance Center Commander in the Cheyenne Mountain Operations Center. He was subsequently selected to become Chief of the Space Surveillance Section where he was a key player in the command’s Space Control Mission.

In 1995, Colonel Trainer transitioned to his present status as a USAF Reserve Officer where he was chosen by U.S. Space Command for Operations to be the first Space Command Intern to the National Signals Intelligence Committee. Col. Trainer helped to shepherd in a new era of cooperation between Space Command and the National Reconnaissance Office. His successes continued as he later served as Chief, Space Exploitation and Integration Branch at U.S. Strategic Command, where he played an integral role in establishing the nation’s nuclear command and control systems, including “Blue Force Tracking” to our combatant forces. Following the attacks of September 11, 2001, Colonel Trainer served as one of the watch commanders that stood up the nation’s Blue Force Tracking Missions Management Center during Operation Enduring Freedom. This experience and background led to his selection as Individual Mobilization Augmentee to the Chief, Space and Missile Programs, Air Force Legislative Liaison, advising on space and missile programs to Congress. Col. Trainer worked extensively with our colleagues on the House Armed Services Committee Strategic Forces Subcommittee, developing great rapport with former members, Rep. Terry Everett and Rep. Ellen Tauscher.

Colonel Trainer’s dedication and service in support of numerous projects, including the unveiling of the Operational Responsive Space Concept to Congress, led to his selection as the Legislative Liaison Reservist of the Year in 2008.

Perhaps the most challenging assignment was his final one as Individual Mobilization Augmentee to the Director, National Reconnaissance Office, where he served as the senior reserve officer supporting the NRO and all associated Space activities. In this position, he led a total force of 600 personnel to support the Director in the NRO’s interaction with significant mission partners including the Director for National Intelligence, National Security Agency, National Geospatial-Intelligence Agency, Air Force Space Command, Strategic Command and other Combatant Commanders. In 2010, the Air Force Reserve recognized Col. Trainer’s performance by selecting him to its Reserve Brigadier General Qualification List.

Colonel Trainer has excelled throughout his distinguished career and I am honored to pay tribute to this Airman. Mr. Speaker, I ask my colleagues to join me in thanking Colonel Pete Trainer, his wife, Melanie, and their son, Nick, for their service to our country. I wish them Godspeed, and continued happiness as they start a new chapter in their lives.

SIDLEY AUSTIN LLP’S LOBBYING FOR CHINESE TELECOM FIRM HUAWEI

HON. FRANK R. WOLF
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mr. WOLF. Mr. Speaker, I submit my recent correspondence with Mr. Carter G. Phillips, managing partner for Sidley Austin LLP, regarding the firm’s representation of Chinese telecom firm Huawei. As noted in the letters, the U.S. national security community has serious concerns with Huawei’s connections to the People’s Liberation Army and Chinese intelligence.

Equally troubling is Huawei’s well-documented history of supporting America’s greatest adversaries—some of the most repressive and brutal regimes in modern history—including the Taliban regime in Afghanistan, Saddam Hussein regime in Iraq and the current regime in Iran.

Today, through Huawei, China exports its repressive technologies to some of the world’s most authoritarian governments. An October 27, 2011, Wall Street Journal piece reported that the Chinese telecom giant Huawei “now dominates Iran’s government-controlled mobile-phone industry... it plays a role in enabling Iran’s state security network.”
Respected national security reporter Bill Gertz also recently reported that Huawei has also been "linked to sanctions-busting in Saddam Hussein’s Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. Although Huawei generally dismisses all legitimate criticisms of its ties to the Chinese government as "tired disinformation," I thought you should be aware that just last week the House Armed Services Committee singled out the threat from Huawei by name in its FY 2013 National Defense Authorization Act. According to the committee report, the company is a potential threat from Chinese telecom firms, "specifically Huawei and ZTE Corporation, have been, and are likely to continue to provide billions of dollars in Chinese Government support. The report also stated that concerns have been raised in certain deals with U.S. firms because of national security concerns." I have enclosed a copy of the relevant section from the report for your reference. There should be no question that the national security community actively considers Huawei a serious concern.

Perhaps this is due, in part, to Huawei’s longstanding history of supporting America’s greatest adversaries—some of the most repressive and brutal regimes in the world history—including the Taliban regime in Afghanistan, Saddam Hussein regime in Iraq and the current regime in Iran.

Respected national security reporter Bill Gertz also recently reported that Huawei has also been "linked to sanctions-busting in Saddam Hussein’s Iraq during the 1990s, when the company helped network Iraqi air defenses at a time when U.S. and allied jets were flying patrols to enforce a no-fly zone. The company also worked with the Taliban during its short reign in Afghanistan to install a phone system in Kabul."
My reason for writing is two-fold. I noted with interest President Obama’s recent executive order authorizing sanctions and visa bans against those who commit or facilitate grave human rights abuses. I am encouraged to see these matters prioritized.

Moving forward, it will be essential to ensure that these efforts don’t simply result in additional scrutiny but rather are the prelude to action in the face of grave human rights abuses.

Sincerely,
FRANK R. WOLF,
Member of Congress.

EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 2012

SPEECH OF
HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012
Mr. JOHNSON of Georgia. Mr. Speaker, today I rise in support of H.R. 2072, the Export-Import Reauthorization Act of 2012.

Since it was established in 1934, the Ex-Im Bank has helped to support American exports by providing loan guarantees, working capital guarantees, export credit insurance, and direct loans to American companies and foreign businesses that purchase American products. The Ex-Im Bank has supported over $450 billion of U.S. exports since its inception.

Over the last 5 years the Ex-Im Bank has supported 11,000 transactions and $65.5 billion, supporting American jobs and American businesses in more than 2,000 communities nationwide.

Since 2007, in my home state of Georgia, the Ex-Im Bank has supported the trading activities of 129 companies, 60 percent of which were small businesses—supporting over $270 million dollars in total export sales.

In my district over the same time period, the Ex-Im Bank has assisted 16 companies—including nine small businesses and four minority-owned businesses—supporting more than $150 million dollars in total export sales.

John Chihade, Vice President of Chihade International, a small business in my district, told my office, quote, “Without the Ex-Im Bank I would not have been able to get the line of credit that I currently have. With the SBA my line of credit may be up to $2 million, but with the Ex-Im Bank I am now up to $7.5 million. This has allowed me to really grow my business. I’ve gone from 3 employees to 42 employees in 4 years.”

Because of the Ex-Im Bank’s support for Mr. Chihade’s company, not only was he able to sustain his business during the worst economic recession in America’s history, but he was able to grow his business and create jobs.

In Fiscal Year 2011, the Ex-Im Bank provided $6 billion in financing and insurance to American small businesses and has set a goal of providing $9 billion annually, adding 5,000 new businesses to its portfolio by 2015. These 5,000 new businesses will be better able to sell goods in the global market place and expand their enterprises, creating jobs and opportunity while strengthening and expanding America’s global commercial reach.

The Export-Import Bank plays such a key role in its National Export Initiative, a plan to double U.S. exports in five years to support 2 million jobs in the United States.

Our work to reauthorize the Ex-Im Bank is a rare example of effective government in this House, and I have to commend my colleagues, the Majority Leader and the Minority Whip, for working so hard to make sure this key priority of the Obama Administration is passed. My colleagues have not only recognized the need to reauthorize the Ex-Im Bank, but also the need for improvements to ensure the long term success of the Bank.

The provision that directs the Secretary of the Treasury to look at the impact of the Bank’s activities on private competition will provide the Ex-Im Bank and Congress with the information that is needed to ensure that the Bank’s lending practices do not unintentionally benefit one U.S. industry at the expense of another.

Also—and I think that most of my Republican colleagues will agree—the provision that raises the Ex-Im Bank’s lending cap by $40 billion is critically important to ensuring that the U.S. can continue to support American exporters by matching the unfair export financing.
activities of foreign nations such as China, and other non-OECD member countries. Re-authorizing the Ex-Im Bank is a win-win-win. It is a win for American workers, American businesses, and for the American taxpayers. Not one single tax payer dollar will be needed to re-authorize the Ex-Im Bank.

In fact, since 2005, the Ex-Im Bank has generated more than $3.4 billion in profits that it has returned to the Treasury, including $700 million in Fiscal Year 2011. With a less than 2 percent borrower default rate since its inception, the Ex-Im Bank is, and has been, a revenue generator for the American taxpayer.

The Ex-Im Bank is a prime example of government efficiency, and I for one am glad that we could come to a bipartisan compromise here in the House to re-authorize its charter, and I strongly urge my Senate colleagues to do the same.

Again Mr. Speaker, I support the re-authorization of the Export-Import Bank and urge my colleagues to support this legislation.

CONGRATULATING TONY JIMENEZ FOR BEING NAMED SMALL BUSINESS PERSON OF THE YEAR

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to congratulate Tony Jimenez, President & CEO of MicroTech, for being named the Small Business Person of the Year by the Small Business Council of America, or SBCA. MicroTech is an innovative technology company located in Vienna, Virginia started by Mr. Jimenez in 2004. It provides a host of technology services—including cyber security, systems integration, and cloud computing—to the commercial and public sectors, serving more than half-a-million daily technology users.

The SBCA is a nationwide nonprofit representing more than 20,000 businesses in the retail, service and manufacturing sectors. According to the SBCA, the criteria for the Small Business Person of the Year award includes, “dedication to small business in America as evidenced through promotion of a climate favorable to free enterprise, promotion of a positive image of American business through excellent business, civic or corporate leadership, [and] leadership in advancing the interest of small business in America.”

During its short history MicroTech has won a number of awards from a host of organizations. Just a few of the many recognitions include: the Red Herring Global 100, which recognizes the most innovative tech companies in the world; the AFFIRM Award which recognizes the top 100 most influential Hispanics in IT; the U.S. Chamber of Commerce “Blue Ribbon Small Business;” and the CRN Number 1 Fastest Growing Solutions Provider.

In addition to being an award-winning business professional, Mr. Jimenez is dedicated to giving back to the community and he was named the Top CEO Philanthropist; received recognition from the Washington Business Journal for top-privately-held corporate philanthropist; and received the USHAA Bravo Award for good business practices and philanthropy.

As my colleagues and I well know, small businesses are the economic engine of America, and MicroTech is a shining example. In its 8 years of existence Mr. Jimenez has created more than 400 jobs in 28 states. MicroTech is a shining success story and clearly demonstrates how a dedicated entrepreneur such as Mr. Jimenez can turn an idea into a successful business employing hundreds of Americans while serving as a tremendous corporate citizen in the community.

Mr. Speaker, I urge my colleagues to join me in recognizing the value that America’s small business leaders bring to our economy, and join me in congratulating Tony Jimenez for being named the SBCA Small Business Person of the Year.

PERSONAL EXPLANATION

HON. MARTIN HEINRICH
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HEINRICH. Mr. Speaker, I unfortunately missed four votes the afternoon of May 10, 2012, which included rollcall votes 246, 247, 248 and 249.

If I had been present, I would have voted in favor of rollcall vote 246, the Democratic Motion to Recommit H.R. 5652.

If I had been present, I would have voted against rollcall vote 247, Representative Ryan’s (WI-1) bill, H.R. 5657.

If I had been present, I would have voted in favor of rollcall vote 248, the Democratic Motion to Recommit H.R. 5326.

Lastly, I would have voted against rollcall vote 249, Representative Wulf’s (VA-10) bill, H.R. 5326.

CELEBRATING THE U.S. DEPARTMENT OF AGRICULTURE’S 150TH ANNIVERSARY

HON. MARCY KAPTUR
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Ms. KAPTUR. Mr. Speaker, I rise today to congratulate the U.S. Department of Agriculture (USDA) for its 150th year of service. President Abraham Lincoln established USDA 150 years ago today in 1862.

American agriculture has been the second most productive sector of our nation’s economy in the past decade. United States farm income is forecast at $91.7 billion in 2012, the second highest on record. Agriculture now accounts for 1 in 12 jobs in the United States. United States agricultural exports have been particularly strong. Exports reached record levels in fiscal year 2011 of $137.4 billion. This level supported 1.15 million jobs here at home and contributed to a trade surplus of $42.7 billion in agriculture. Agriculture is one of the few sectors that the United States has consistently had a trade surplus.

American farmers and ranchers provide us with 86 percent of the food we consume. This efficiency results in American consumers spending less than 10 percent of their disposable incomes on food. By comparison, most European consumers spend more than double that, and in developing counties, the percentage is often as high as 50 percent.

USDAs has played a vital role in the success of American agriculture. There is no doubt that without assistance from USDA American agriculture could not have sustained the economic growth that we have seen for the past three years.

The Know Your Farmer, Know Your Food (KYF) initiative represents a good first step in using USDA’s programs to improve local food systems. KYF provides a one-stop shop for information on more than 25 USDA programs that could assist in developing and improving local food systems, encourages much needed collaboration across agencies to reduce bureaucratic barriers in supporting and expanding marketing opportunities in local food markets, and works to connect farmers directly to consumers, which helps increase the availability of healthy nutritious foods as it is today.

KYF efforts have been hugely successful related to farmers’ markets. We have seen a 54 percent increase in the number of farmers’ markets since 2008. Over 2,400 farmers’ markets and farm stands are now authorized to accept EBT, an increase of 51 percent over last year.

Mr. Speaker, while there are many challenges still facing American agriculture, there is no doubt in my mind that USDA is up to the task. From my perspective, the future success of USDA and American agriculture will depend on our support for local food systems and other emerging markets such as the specialty crop market.

I congratulate USDA for its 150th Anniversary and thank all the department’s employees for their service.

HONORING JOHN F. MURPHY HOMES

HON. MICHAEL H. MICHAUD
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. MIChAUD. Mr. Speaker, I rise today to recognize John F. Murphy Homes of Auburn, Maine on the occasion of its 35th anniversary. John G. Murphy was one of Maine’s foremost advocates on behalf of the developmentally disabled. In 1954, Mr. Murphy used his standing on the Lewiston Board of Finance to purchase 164 acres on about 500,000 acres for an educational facility for mentally retarded children. After his passing in February of 1976, members of the Lewiston Auburn Association for
the Mentally Retarded formed a foundation in Mr. Murphy’s honor to continue his work.

On May 18, 1977, the John F. Murphy Foundation for the Mentally Retarded was officially established with the mission to provide housing for individuals with developmental disabilities. In March of 1978, they opened their first home at 23 Pleasant St. in Lewiston for 6 people. Today, the agency provides direct support to hundreds of Mainers and their families, employs more than 700 people in the greater Lewiston-Auburn area, and generates millions of dollars in local economic activity. John F. Murphy Homes has helped to raise awareness about intellectual disabilities and the need for group care facilities. The organization’s remarkable success is owed to the tireless work of its employees. In January, John F. Murphy Homes received a $1.7 million grant from the Department of Housing and Urban Development to continue their important work.

John F. Murphy’s example has truly made the Lewiston-Auburn community a better place for the mentally retarded.

Mr. Speaker, please join me in congratulating the John F. Murphy Homes on achieving 35 years of exemplary service to the Lewiston-Auburn community.

RECOGNIZING THE USDA FOR 150 YEARS OF SERVICE

HON. GERALD E. CONNOLLY OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to salute the United States Department of Agriculture (USDA) and its dedicated employees for 150 years of service to America. By working with farmers across America, the USDA has built the most productive, efficient agricultural economy on earth. It has rescued whole regions from the Dust Bowl, diversified production in the South to end regional dependency on cotton, led efforts to restore estuaries like the Chesapeake Bay through conservation programs, financed rural development, and rebuilt agriculture in war-torn countries in partnership with the Armed Services. America’s food security today stands in stark contrast to other industrialized countries which are heavily dependent on food imports. Only because of the USDA’s work do we enjoy this security, which includes affordable food for working Americans. Today the USDA is working to ensure that food security includes healthy foods which address America’s most challenging chronic health problems. Under Secretary Vilsack, the USDA is leading efforts to redevelop local food production. The benefits of this initiative are evident in my home state of Virginia, where growing wine, cheese, fruit, and vegetable production is bringing land back into production which had been fallow for decades. The USDA is much more than agriculture; it pursues a comprehensive program of rural development, and its recent efforts to strengthen local food supply chains are emblematic of this comprehensive approach.

The USDA is playing a central role in conserving America’s natural resources, as it has since its inception. Photographs from the Work Progress Administration should serve as a reminder of the resources that would have been lost but for USDA leadership. Before we had comprehensive agricultural conservation programs, cubic miles of prime soils were being lost throughout the South and Midwest to erosion from wind and rain. The USDA pioneered soil conservation methods which ensured that these regions would remain productive for generations to come. Building on that early success, USDA conservation programs are responsible for reducing agricultural pollution entering the Chesapeake Bay and other estuaries, ensuring that Americans can enjoy productive fisheries as well as productive agricultural lands.

In an era where government is disparaged all too frequently, the USDA is a shining example of the benefits of federal service. We could never have become the most powerful, prosperous nation on earth without the agency which worked with farmers to feed our armies and our workforce, and to conserve those natural resources that we will rely on for the next 150 years.

REMEMBERING CONSTANTINE G. VALANOS

HON. STENY H. HOYER OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HOYER. Mr. Speaker, I doubt there is a single member for the Senate who has never set foot inside the Monocle on D Street. Just steps from the Capitol, the Monocle has been a political institution as much as it has been a warm and welcoming restaurant. Its tables have long been set with a spirit of friendship that transcends party; they have been host to meetings and discussions on nearly every issue of national importance. The Monocle has been a place of agreement, often at times when disagreement divided us in this House.

It was Constantine Valanos who brought that warm and inviting place to Capitol Hill and to all who serve here. Many of us knew Connie well. Connie made a point of knowing and remembering all of us who set foot in his restaurant, even if just once in a while. Sadly, Connie passed away last month at age 93.

Constantine George Valanos was born into a family of Greek immigrants in Albany, New York, as the First World War was drawing to a close. He grew up here in Washington, D.C., and served in the U.S. Navy during World War II. Following his discharge, Connie attended the George Washington University and pursued a career in accounting. In 1960, seeing an opportunity to buy and fix up an old restaurant on Capitol Hill, Connie and his wife, Helen—who passed away in 2005 after a fifty-three year marriage—opened the Monocle. Among their first regular customers were then-Senators John F. Kennedy and Richard Nixon. Over the next fifty years the Monocle would see a steady stream of Senators, Representatives, future Presidents and Vice Presidents, Supreme Court justices, foreign diplomats, and ordinary Americans visiting with their elected representatives.

After three decades at the helm, Connie and Helen passed the management of the business to their son, John, and daughter-in-law, Vasiliki, who continue to run the Monocle today and provide the same friendly and welcoming environment to all who step through the door.

The ancient Greek statesman Pericles said: “What you leave behind is not what is engraved in monuments of stone but what is woven into the lives of others.” Connie Valanos leaves behind a legacy not only of a restaurant but also of the countless ways in which he made that restaurant a place where leaders come together to hash out the agreements that help make our Nation great and improve lives around the world. The Monocle, as former Vice President and regular patron Walter Mondale once noted, is “where laws are debated, where policies are set, and where the course of world history is changed.” That is Connie’s lasting legacy.

I join in celebrating Connie’s life and in offering my condolences to his wife Judith, his children, John and George, his three grandchildren, and the entire Valanos family.

RECOGNIZING JESSIE “DINK” HOSMAN

HON. BILLY LONG OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 91st birthday of Jessie C. “Dink” Hosman who was born June 3, 1921, and grew up in the Willard, Missouri area.

During World War II, Technician Fifth Grade Hosman was in Company B, 1st Battalion, White Combat Team, which fought all over Burma with “Merrill’s Marauders”. T/5 Hosman fought through some of the harshest conditions of the war where the enemy was often less of a concern than malaria, deadly Mite Typhus, Amoebic Dysentery, and malnutrition. T/5 Hosman spent two years in the jungle and also served in Panama and India. Being a member of “Merrill’s Marauders” earned T/5 Hosman the distinction of United States Army Ranger.

T/5 Hosman helped secure the strategic Burma Road while it was being built in treacherous conditions. Extraordinarily, while “Merrill’s Marauders” had such a high casualty rate, they never left a fellow soldier’s body behind. T/5 Hosman received the Combat Infantryman Badge, the Presidential Unit Citation, and the Bronze Star Medal for exemplary service.

After the war, Jessie returned stateside and spent some time in San Francisco where he was given everything and anything he wanted to eat to make up for two years of malnutrition. Eventually Jessie returned home to the Willard area where he raised his family and purchased a farm where he ran a milk and beef cattle operation for 50 years.

These days, Jessie is enjoying life and taking it easy living with his daughter, Terri Hughes, and her husband, Jimmy Hughes, in Walnut Grove, Missouri. He still enjoys his hobbies of fishing, hunting, boating and his RV. Jessie has also attended several “Merrill’s Marauders” reunions.

As the years create more and more distance from the events and heroes that defined World War II, I personally wanted to take this
opportunity to recognize one of my constitu-
ents who is a Real American Hero. Without
the sacrifices of America’s Greatest Genera-
tion, we would not be enjoying the freedoms
and rights they fought to preserve. May God
bless Jessie C. Hosman. I wish him a very
happy birthday and many more.

RECOGNIZING GMU PRESIDENT ALAN MERTEN ON HIS RETIRE-
MENT

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I
rise today to recognize Dr. Alan G. Merten and
to congratulate him on the occasion of his
retirement following a distinguished 16-year tenure as president of George Mason Uni-
versity.

Dr. Merten was Mason’s fifth president, and
under his leadership the University developed
the culture, academics and reputation of a
unique and world-class institution of higher
learning. There are many examples of the
profile of the University and our community.

In 1996, he accepted the position of President
of Management at Cornell University in 1989.

Throughout his tenure, Dr. Merten has ex-
hibited and demonstrated unique and world-class traits that have raised the
caliber of excellence Dr. Merten has helped build at Mason. U.S. News and World Report ranks
George Mason 138th among the best univer-
sities in the nation. Incoming freshman now
average a 3.6 GPA, up from 3.0 in 1996. The
son’s student body has grown to more than
32,000. While GMU was founded as a branch
of the University of Virginia, it became an
independent institution in 1972 and now is the
largest university in the Commonwealth. Dr.
Merten’s success cultivating new funding op-
portunities and promoting the fields of informa-
tion technology and biological sciences have
spawned an increase in annual research fund-
ing from $28 million in 1996 to more than
$100 million today.

When he steps down next month, Dr. Merten
will conclude a career in higher edu-
cation that has spanned more than four deca-
dades of service at numerous institutions. Dr.
Merten holds an undergraduate degree in
mathematics from the University of Wisconsin,
a master’s degree in computer science from
Stanford University, and a PhD in computer
science from the University of Wisconsin. He
began his career in 1970 as an associate pro-
fessor of industrial and operations engineering
at the University of Michigan. He later served
as an associate dean in the Michigan Busi-
ness School where he was responsible for ex-
ecutive education and computing services.

After serving for three years as the dean of
the College of Business at the University of
Florida, Dr. Merten accepted the deanship of
the Samuel Curtis Johnson Graduate School
of Management at Cornell University in 1989.
In 1996, he accepted the position of President
at GMU.

Dr. Merten is a well respected figure in the
Northern Virginia community who has used his
considerable and diverse talents to raise the
profile of the University and our community.
Throughout his tenure, Dr. Merten has ex-
"
Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me today in honoring Dr. F. Sherwood Rowland, who was born on June 28, 1927, in Delaware, Ohio, and who passed away on March 10, 2012, at his home in Corona del Mar, California, at the age of 84.

Professor Rowland was a giant in the scientific community. Along with his colleague Dr. Mario Molina, he discovered the serious threat to the earth's ozone layer posed by man-made chemicals called chlorofluorocarbons, or CFCs. These supposedly harmless chemicals were being released from aerosol sprays, refrigerators, and air conditioners. In their 1974 paper published in Nature, the two scientists showed that CFCs were depleting the planet's protective stratospheric ozone layer. They found that CFCs rose into the stratosphere, where they were broken apart by powerful ultraviolet rays and released chlorine atoms. The chlorine destroyed the ozone molecules protecting the planet's surface from harmful ultraviolet radiation.

Sherry Rowland recognized that the depletion of the ozone layer "was not just a scientific question, but a potentially grave environmental issue." Increased exposure to ultraviolet radiation meant more cases of skin cancer and eye damage, as well as harm to plant and marine life.

Sherry Rowland spoke out about this danger to the ozone layer and argued for a ban on CFCs. Over the years, he did hundreds of press interviews and testified before Congress and state legislatures time and time again.

Professor Rowland persevered despite efforts to discredit his work. Scientific societies withdrew their invitations for him to speak about his research. And industry attacked him personally. In 1977, the president of one aerosol company claimed that criticism of CFCs was "orchestrated by the Ministry of Disinformation of the KGB."

But Professor Rowland was ultimately vindicated by both his fellow scientists and the international community. In 1983, a British Antarctic Survey team confirmed the existence of a hole in the ozone layer above Antarctica. Four years later, the Montreal Protocol was signed. This landmark treaty phased out the production and use of CFCs. The ozone layer is now expected to fully recover around the middle of the century.

In 1995, Dr. Rowland received the recognition he deserved when he shared the Nobel Prize for Chemistry with Dr. Molina and Dr. Paul Crutzen for their ozone layer work.

Sherry Rowland's life stands as a testament to the critical role of scientific discovery in the development of wise and effective government policy.

One need only ponder what the world would be like today without the work and voice of Sherry. For too often, we underestimate the magnitude of his contributions. Please join me in celebrating the life of Dr. Sherry Rowland, a man who literally helped save the world.

Mr. RAHALL. Mr. Speaker, the glorious hills of West Virginia fell more silent than usual this past week. A familiar voice was quieted by the passing of an American original. This last week, we celebrated the life and legacy of Mr. Everett Lilly, who passed on to his heavenly reward after 87 years on this Earth. Until just recently, Mr. Lilly's voice and mandolin playing were a familiar melodious staple for the ears and musical souls of southern West Virginians and countless ones beyond our borders.

Everett and his brother, Bea, who passed in 2005, introduced bluegrass music, Lilly-style, or as Mr. Lilly liked to call it, "American Mountain Country Folk Music," to our country's northeast in the 1950's with Don Stover and Tex Logan. They rose to international fame and toured Japan. Everett played two separate stints with the legendary bluegrass group formed by Lester Flatt and Earl Scruggs. Most recently, even though he was well into his 80s, he toured with his own band, The Lilly Mountaineers, and taught classes at Mountain State University—passing on his knowledge and skill with mountain music and its accompanying lore.

The Lilly Brothers were inducted into the West Virginia Music Hall of Fame and the International Bluegrass Music Hall of Fame. Everett received the Virginia Award, West Virginia's highest folk life honor, in 2009. Tributes to Mr. Lilly and his considerable talents continue to be written, West Virginia's Mountain Stage's memorial to him reminds us that country singer, Marty Stuart, called Mr. Lilly, 'God's mandolin player.'

Let me just add that all the words used to describe Mr. Lilly's legacy like entertainment giant, pioneering artist, and musical legend and icon are true I knew Mr. Lilly and knew his family. They are friends of mine and the best compliment I can pay him is that what you saw was what you got. I don't think he had a fake bone in his body, and he was more than ready to lend a helping hand whenever, wherever possible. Indeed, as our hometown newspaper, the Register Herald, summed it up succinctly, Everett was genuine.

Among the tens of thousands Mr. Lilly enlightened and entertained over the decades was everyone from presidents to just plain good people. Though he achieved international fame and the composition of his audi-ences were wildly change from venue to venue, he never did. Whether he was on the world stage or staged in front of a family barn, he never did. Whether he was on the world stage or staged in front of a family barn here in southern West Virginia, Everett never strayed from his deep roots in Clear Creek, West Virginia.

The New York Times ran a warm story on Mr. Lilly's many accomplishments and concluded with perhaps what he considered his greatest, his family. Mr. Lilly's son, Jiles, preceded him in death, but he is survived by his wife of 64 years, JoAnn; three sons, Daniel, Mark and Everett Allen; four daughters, Karen Perrin, Diana Tomam, Ann Lilly and La- verne Wheeler; a sister, Flossie Williams; and numerous grandchildren and great-grand-children.

"He played music right up to the end," Daniel Lilly told the Times. "He was enjoying life and still riding his four-wheeler through the woods at the age of 87. He died at the kitchen table."

And his band used to play an old song that seems to fit this epitaph of a long happy career and life. I leave you with the lyrics to, "Who will sing for me," confident that the praises for Everett Lilly will continue to be sung by all those whose lives he touched. Mr. Speaker, my colleagues, we all could take a page or two from the songbook of this talent, this beloved son of West Virginia: Often I sing for my friends At death's cold hand I see When I reach my journey's end Who will sing for me

Chorus
I wonder (I wonder) who Will sing (will sing) for me When I come the cross of that silent sea Who will sing for me
When crowds shall gather round And look down on me Will they turn and walk away Or will they sing one song for me So I'll sing 'till the end Contented I will be Assured that some friends Will sing one song for me

Mrs. MALONEY. Mr. Speaker, once again, the Republican majority is proposing legislation that puts Americans directly on the Road to Austerity. Similar to theRyan Budget, the Sequester Replacement Reconciliation Act is noteworthy for the harsh austerity it demands of the many and the lavish benefits it extends to the few.

Instead of closing tax loopholes or asking millionaires to contribute to deficit reduction, this bill focuses only on cutting spending while hurting millions of Americans.

This bill puts the burden of deficit reduction squarely on the backs of seniors, the middle class, and the most vulnerable among us: It slashes food stamps by $33.2 billion at a time when families can least afford it; permanently eliminates the Social Services Block Grant program which provides assistance for nearly 23 million Americans including 4.4 million children and 1.7 million older Americans who receive “Meals on Wheels”; cuts investments to women’s health by eliminating the Prevention and Public Health Fund which promotes maternal and child health; and political contributions that are the Consumer Financial Protection Bureau which was created by the Dodd-Frank law to deal with banks that are “too big to fail.”

Mr. Speaker, Democrats agree that we need deficit reduction, but demand that we do it in a balanced and fair way. The proposal before us today is a giveaway to the wealthy and a giveaway to the banks. It also means that the government safety net that protects millions of hardworking families in an effort to protect defense cuts under sequestration and makes billions of dollars in cuts beyond what
was agreed to under the Budget Control Act for FY13. This bill is another example of a partisan bill that has no chance of going anywhere but that sends a message to all Americans: You are on your own. From Medicare to child protective services, to responsible care for disabled individuals, the Republican minority is cutting your services while handing a neatly wrapped gift to our Nation’s millionaires.

I strongly urge a “no” vote.

HONORING MR. MA YING-JEOU ON TAIWAN’S PRESIDENTIAL INAUGURATION DAY

HON. RICHARD L. HANNA
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. HANNA. Mr. Speaker, as Taiwan prepares for its Presidential Inauguration Day on May 20, I’d like to congratulate President Ma and our friends in Taiwan for a smooth completion of their presidential election on January 14. Mr. Ma Ying-jeou won a second term as President of the Republic of China (Taiwan).

President George W. Bush once famously described Taiwan as “a beacon of democracy to Asia and the world.” His words were recognition of Taiwan’s achievements in democratic development. We trust Mr. Ma and his people will continue to deepen and improve Taiwan’s democracy and instill an even stronger commitment to democratic values among Taiwan’s people.

The United States and Taiwan have enjoyed a strong security and economic partnership for over half a century. Our common interest in peace and security has guided U.S.-Taiwan relations and our commitment to Taiwan’s security, as stated in the 1979 Taiwan Relations Act, has enabled Taiwan to build a strong democratic government and today serves as a beacon for others in the region and beyond. Similarly, Taiwan’s economic partnership with us has benefited both sides, resulting in Taiwan being our tenth largest trading partner with total bilateral trade amounting to over $68 billion.

During Mr. Ma’s second term, I hope our relationship with Taiwan will continue to flourish, especially in areas like military cooperation, Taiwan’s inclusion in the Visa Waiver Program, as well as our trade relationship.

Congratulations to Mr. Ma and the people of Taiwan.

RECOGNIZING THE 150TH ANNIVERSARY OF THE DEPARTMENT OF AGRICULTURE

HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. WOLF. Mr. Speaker, today is the 150th anniversary of the founding of the Department of Agriculture, which was established by President Lincoln on May 15, 1862.

I commend the hardworking individuals at the department who work with all elements of the food supply chain—including our farmers, growers, and ranchers, to support for packers and shippers, marketers and processors, equipment suppliers, researchers, and retailers—to ensure that Americans have access to affordable, safe and abundant food.

The USDA also assists with important conservation efforts, and connects the most vulnerable in our society with critical food resources. As we mark its anniversary, I hope we all will take this opportunity to recognize the continued need that exists at our local food pantries. I meet with food banks and pantries on a regular basis, and demand is at an all-time high. Families who use to donate food regularly are now limited to the food we can receive.

I appreciate the support of my colleagues for the inclusion of language in the FY12 agriculture spending bill that was signed into law to make it easier to donate excess food from the Federal school lunch program to local food banks by ensuring they are covered by the Good Samaritan Act.

The American agriculture community should be commended for their work to ensure that everyone has safe food on the table.

A TRIBUTE TO AGRICULTURE

HON. AUSTIN SCOTT
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, with the 150th anniversary of the U.S. Department of Agriculture upon us, I feel it important to pay tribute to our country’s farmers, ranchers, and producers who remain a cornerstone in the foundation of our country. Since the settlement of American colonies, agriculture has played a paramount role in the lives of American citizens.

Growing up in South Georgia, I witnessed the impact agriculture plays in our Nation’s economy and national security. In Georgia, agriculture is directly related to one out of every seven jobs. It contributes billions of dollars to the State’s economy and provides a safe and reliable source of food for American citizens. The U.S. Department of Agriculture has played and continues to play an important role in each of these aspects.

With the long-standing relationship between Georgia and the U.S. Department of Agriculture, the State of Georgia has become synonymous with agriculture. Georgia leads the nation in broilers and value of egg production with $4 billion dollars and $570 million dollars, respectfully. It produces the second highest amount of cotton in the United States, and it produces almost half of the peanuts grown in the U.S. with a farm gate value of over $401 million dollars. Altogether, agriculture contributes about 12 percent annually to Georgia’s $787 billion dollar economic output.

With the success of our Nation’s agriculture sector, it is vital that the U.S. government create an optimal environment where farmers and ranchers can continue to provide our country with a consistent and safe supply of agricultural products. We can achieve this through appropriate policies that provide support for our Nation’s agricultural producers.

Therefore, Mr. Speaker, during this time of honoring the 150th anniversary of the Department of Agriculture, it is with great esteem and pride that I honor our Nation’s farmers, ranchers, and producers. I ask my fellow colleagues to provide continued support for our country’s agriculture industry. With continued support, we can carry on our America’s role as a world leader in reliable material and safe foods.

RECOGNIZING MICHIGAN HELMET CHOICE LAW

HON. TIM WALBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. WALBERG. Mr. Speaker, I rise today in support of the recent passage and signing into law of a helmet choice law in my home State of Michigan.

Last month, Governor Rick Snyder signed into law Senate Bill 291, which modernizes Michigan’s outdated mandatory helmet law and allows adult choice for motorcycle riders like myself. The new law allows riders to exercise their personal liberty in choosing whether to wear a helmet or not, while at the same time including smart safeguards to ensure riders are equipped with the proper skills and protections to safely travel on Michigan roads.

Michigan now joins the 30 other States with helmet choice laws, and this law will undoubtedly encourage cross-country riders to visit our beautiful State and support our strong tourism industry.

While riders are certainly free to choose whether they will ride with a helmet or not, driver awareness cannot be optional. Too many riders are injured or killed each year due to reckless driving and the only way to ensure the safety of motorcycle riders and car drivers is increased awareness on the roadways. Along with increased motorcycle rider education, it is my hope that the debate over this commonsense law will encourage all drivers to pay closer attention behind the wheel.

Again, I am grateful to Governor Snyder and the Michigan legislature on advancing personal liberty in Michigan through the passage of Senate Bill 291, and I look forward to taking my Harley out soon.

USDA—HAPPY 150TH BIRTHDAY

HON. JAMES P. MCGOVERN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012

Mr. MCGOVERN. Mr. Speaker, as a member of the Agriculture Committee, I am pleased to recognize the 150th birthday of the U.S. Department of Agriculture (USDA). The good work of USDA and the important programs administered by USDA reach all of us every day, often more than most of us realize. In coordination with our farmers and ranchers, USDA ensures that we have a safe and abundant food supply. USDA protects the quality of our meat and poultry; feeds children and low income Americans through the nutrition programs; and supports rural Americans with an array of basic programs, including broadband, housing and economic development.

As Co-Chair of the House Hunger Caucus, along with my good friend Representative Jo Ann Emerson, I am committed to fighting hunger in the United States and around the world. I want to praise USDA’s robust domestic programs to help feed the most vulnerable among...
us and improve nutrition. These safety net programs, including SNAP, the Child Nutrition Programs, and WIC are vitally important to helping those in need put food on the table during economic hard times and helping make sure no one especially seniors and children—goes hungry in America. The SNAP and Child Nutrition Programs including the National School Lunch Program are among the most important and successful anti-hunger and nutrition programs in the country. Thanks to diligent oversight by USDA, and significant reforms in the program, SNAP now funds the most effective and efficient federal programs. It is a testament to USDA’s longstanding commitment to the highest standards and oversight of its programs.

Globally, the impact of USDA is just as great. I have long promoted an integrated government-wide approach to addressing global hunger and food insecurity. Beginning with the Bush Administration and expanding under the leadership of President Obama, Secretary of State Clinton, Secretary of Agriculture Vilsack and USAID Administrator Raj Shah, I am proud to say that global food security programs are stronger than ever. In particular, I am proud to support USDA’s signature role in global agricultural development, emergency food aid, and international school feeding programs.

Agriculture is not just a nostalgic reflection of the past, it is a critical part of contemporary American life and the U.S. economy. I would like to take this opportunity to salute the thousands of Massachusetts small farmers who contribute so much not only to the economy, but to the nutrition and health of the people of Massachusetts, New England and the nation. It has been such a privilege for me to visit their farms, dairies and gardens and witness first-hand the great work they are doing.

I am pleased to extend my heartfelt birthday wishes to USDA on this landmark anniversary, and I wish them the very best success in supporting agricultural development here at home and around the world in the next 150 years.

Because of their efforts, no Member of Congress will be able to say they haven’t been touched by this terrible disease. And because of their efforts, I truly believe that one day in the not so distant future we will finally have a cure.

I also wish to honor one special individual in particular who had planned to be here today, before he lost his battle with ALS on April 27, 2012 at just 34 years old. Joshua Kennedy led a life of exemplary service. He served his country bravely as a Sergeant in the U.S. Army Reserves, including eighteen months in Iraq as a petroleum supply specialist. He served his family as a devoted husband to his wife Ernesta and a proud father to his sons Tyler, Charles, and Andrew. He served his community in Maine as a correctional officer at Androscoggin County Jail in Auburn. Then after his diagnosis in March 2010, he began to serve his country in a way he never imagined—as a passionate advocate for ALS awareness.

I had the distinct pleasure of meeting Josh in my Portland office not long after his diagnosis. I was struck by his compelling story, his warm smile, his love for his family, and his bravery in the face of unbeatable odds. He and Ernesta later traveled to Washington DC, where he brought his message to Congress and inspired action the same way he inspired the community who rallied around him and his family back home. Even as his voice eluded him and his body began to fail him, it was clear that his spirit remained strong.

I had looked forward to seeing him again this year, and his presence is dearly missed today, as it will be for years to come. There is not enough time to memorialize his legacy or to comfort his family on their tremendous loss. But I know his advocacy was not in vain. It is because of people like Josh that we are making progress, bit by bit, and I look forward to the day when we can celebrate his memory with a cure for ALS.

REMEMBERING ORLANDO ZAPATA TAMAYO

HON. MARIO DIAZ-BALART
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012
Mr. DIAZ-BALART. Mr. Speaker, I rise today to commemorate Orlando Zapata Tamayo who would have turned 45 years old today, had his life not been cut short by the murderous Castro dictatorship.

Orlando Zapata Tamayo was a member of the pro-democracy Movimiento Alternativa Republicana and the Consejo Nacional de Resistencia Cívica. He was arrested several times, including on March 20th, 2003 during Cuba’s notorious ‘Black Spring.’ During his many years in prison, he suffered beatings, humiliation, and long periods of solitary confinement. Zapata Tamayo began a hunger strike on December 3rd, 2009 to protest inhumane prison conditions and arbitrary extensions of his sentences. His hunger strike lasted more than 80 days. During that time, he was deprived of water, suffered abhorrent prison conditions and ultimately died at the hands of the Castro regime on February 23rd, 2010. Sadly, the two years since his death have been years of increased repression and more deaths by the Castro regime. The number of political arrests doubled between 2010 and 2011, and the first three months of 2012 have proven even more brutal and repressive than the same period last year. While we continue to mourn the loss of Zapata Tamayo, his spirit and message have not waned. The international community joined Cuba’s courageous pro-democracy movement. Shortly after Zapata Tamayo’s death, other pro-democracy activists continued his cause such as Jorge Luis Garcia Perez (“Antuñez”), who founded the “Orlando Zapata Tamayo Front for Civic Resistance and Civil Disobedience.” In so many ways, he still lives.

Among the pro-democracy activists that honor him and continue his mission, Mr. Zapata Tamayo is an enduring symbol of perseverance in the face of brutal repression. Mr. Speaker, I am honored to pay tribute to Orlando Zapata Tamayo. Although his life was brutally cut short, he will forever be a blessing to Cuba’s courageous pro-democracy movement and to the activists that will not allow his sacrifice to be in vain.

RECOGNIZING THE 200TH ANNIVERSARY OF HAMILTON COLLEGE

HON. RICHARD L. HANNA
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, May 15, 2012
Mr. HANNA. Mr. Speaker, I rise today to honor Hamilton College on the occasion of its bicentennial.

Hamilton is one of this Nation’s finest liberal arts colleges. It is known for its rigorous academic program to prepare students for lives of meaning and purpose. The College is renowned for teaching students to express their ideas with clarity and precision, to think creatively and analytically, and to act ethically and with conviction.

Hamilton College was originally founded in 1793 as the Hamilton-Oneida Academy by the Reverend Samuel Kirkland, missionary to the Oneida Indians. Rev. Kirkland’s vision was to educate the children of the Oneidas alongside the children of the white settlers streaming into Central New York following the American Revolution. He presented his plan of education in 1793 to President George Washington who “expressed approbation” and to Secretary of the Treasury Alexander Hamilton who lent his name to the institution and consented to become a trustee. Oneida Chief Skeneandoa and Baron von Steuben, inspector general of the Continental Army and “drillmaster” of Washington’s troops during the War for Independence, were present when the cornerstone for the new Academy was laid on July 1, 1794.

The Hamilton- Oneida College lasted 19 years before it was rechartered by the Regents of the University of the State of New York as Hamilton College on May 26, 1812. The institution is believed to be the 31st oldest college in the United States.

Over the years, Hamilton has never wavered from its mission to teach the liberal arts and sciences. In 1968, all-male Hamilton College established the all-female Kirkland College, which lasted 10 years until the two colleges combined in 1978. Today, Hamilton enrolls 1,812 students from 49 States and 37 countries. Its student-to-faculty ratio of 9:1-1 ensures significant individual attention for its students, many of whom...
Wednesday, May 15, 2012

CONGRESSIONAL RECORD — Extensions of Remarks

E805

HON. CAROLYN B. MALONEY
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 15, 2012

Mrs. MALONEY. Mr. Speaker, since I was elected to federal office, I have been a champion for women’s equality and have introduced the Equal Rights Amendment, ERA, for the last 15 years. I am very fortunate for this important legislation until women are included in the Constitution.

Despite determined efforts by many dedicated activists, the ERA has never become part of our Constitution. On the 40th anniversary of the Congress passing the Equal Rights Amendment, I was joined by a number of speakers who spoke about the importance of equality for women. I submit their comments below to demonstrate the wide support for this Constitutional amendment. It is my great hope that we will soon realize a time when my bid does not need to be reintroduced and speechless and events to raise awareness of the ERA are not needed; simply put, a time when the ERA has been adopted and true equality has finally been achieved.

SENATOR BIRCH BAYH
REMARKS ON THE 40TH ANNIVERSARY OF CONGRESSIONAL PASSAGE OF THE EQUAL RIGHTS AMENDMENT BIRCH BAYH

To Bobbie Francis and Members of the NCWO-ERA Task Force:

I'm sorry I can't be there to share interesting conversations with all of you. I particularly appreciate the invitation from Bobbie Francis to join her and all of the friends of the NCWO-ERA Task Force in discussing an issue that has been close to my heart for more than 40 years. Recent events have seen an assault on those who provide health care services to women and we have even seen questions raised anew about issues like contraception. It may have been 40 years since we passed the NCWO-ERA Task Force, but this is the time when many of us tried to write women's rights into the Constitution are still with us today. As the chief floor leader of the Equal Rights Amendment, I remember well the intensity of the battle we fought in the early 1970's. America's history has been a steady expansion of individual rights and equality for women. Today we stand as one in this country would say that women are not equal in this nation in the world. In Europe, consumers spend double that percentage and, in developing countries, consumers often spend more than half of their income on food. As Americans, we can be proud of our producers and the role our agriculture department has played in making advancements in the agricultural sector. Successes in agriculture lift all aspects of our economy.

American agriculture’s success has been fueled largely by the hard work of our farmers and ranchers. They withstand incredible challenges on a daily basis to provide our nation with a safe, abundant and affordable food supply. More and more, our producers will be depended upon to feed not only Americans here at home, but a growing world population. I am confident our producers, our research institutions and the private sector will be able to harness innovation to meet the daunting challenges of feeding a world population that is expected to grow from around 7 billion to over 9 billion by the year 2050.

Agriculture will continue to represent the foundation of the U.S. economy. I am proud of what agriculture has been able to accomplish over the last 150 years with the support of USDA. We wish great respect for the farmers and ranchers in Southern Missouri I represent, and those in industry and our research institutions, that I recognize agriculture’s great success story over the last 150 years.
rights, that I will not relent or give up. Alice said, "I never doubted that equal rights was the right direction. Most reforms, most problems are complicated. But to me, there is nothing could have about ordinary equal-ity." How true this statement is.

**Terry O'Neil, NOW**

**REMARKS BY TERRY O'NEILL, EQUAL RIGHTS AMENDMENT PRESS CONFERENCE, MARCH 22, 2012**

Thank you to Congresswoman Maloney for having the courage and the tenacity to re-introduce the ERA every year until we get it done. We will not give up. We will get the ERA one way or another. I have told people over and over again, if we have to get the ERA, we are going to sell every chandelier in the house, that's the route we'll take to get it. I'm so grateful for all the leaders we have here. Thank you for your leadership. Women are only 17 percent of the United States Congress. That is not okay. Women are only three out of nine Supreme Court justices and given what the Supreme Court has started doing to women these days, that is really not okay. This year—2012, needs to be the year of the women. If we had had women in state legislatures in those key legislatures in 1982 when we almost ratified the ERA back then, in Illinos, in Florida and in North Carolina. If we had had women if we had had people of color, men and women of color, we know that we would have ratified the ERA. We have got to change the complexion of our elected leadership. It starts this year, women will be voting this year, we've had enough. Enough with the war on women, the war on women, we're going to elect more women to support the ERA.

Thank you so much.

—Terry O'Neill, National Organization for Women, President.

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**HON. BOB GIBBS**

**OHIO**

**IN THE HOUSE OF REPRESENTATIVES**

Tuesday, May 15, 2012

Mr. GIBBS. Mr. Speaker, today marks the 150th anniversary of President Abraham Lin-coln signing into law an act of Congress es-tablishing the United States Department of Agri-culture. Stat. 5, 1862, the USDA's work on agriculture, economic development, science, natural resource conservation and many other important issues has impacted the lives of generations of Americans.

As the first Member of Congress who has also served as President of a state farm bu-reau and a farmer of 30 years, I know first-hand the valuable programs the USDA pro-vides to rural America. Whether you need help with growing, grazing, or international trade, the USDA works to ensure that Ohio's number one industry remains a viable part of American society. The USDA has taken historic steps to improve the lives of rural Americans and build thriving economies in rural communities, a fact that does not go unnoticed in our state with over 26,207,000 acres of farmland.

I am proud to submit to the CONGRESSIONAL RECORD this case study by American Farm Bu-reau President Bob Stallman, which highlights the story of the USDA and the important role science and technology played in the American farming industry.

[From the Agagenda, May 2012.]

**USDA: CELEBRATING 150 YEARS OF INNOVATION**

(By Bob Stallman)

President Abraham Lincoln is known for many achievements during his lifetime, but a little known triumph of his—that affects farmers and ranchers greatly—was the establish-ment of the United States Department of Agriculture (USDA).

On May 15, 1862, President Lincoln signed into law a bill establishing a new Depart-ment of Agriculture, which was specifically directed to the flow of information through “practical and scientific experiments” and to collect and propagate “new and valuable seeds and plants” and distribute these to the nation’s agriculturists. As is clear, Lincoln was a man beyond his time.

A MAN WITH A VISION

Lincoln understood the importance of agri-culture to America and, as importantly, he realized science and technology played a major role in the farming industry. Without a doubt, I believe Lincoln today would em-brace the many technological advancements farmers use on their farms, including bio-technology.

Lincoln once wrote: “Every blade of grass is a sturdy farmer and where there was but one, is both a profit and a pleasure. And not grass alone, but soils, seeds and sea-sons—hedges, ditches and fences, draining, draining and draining, and diking and harrowing—reaping, mowing and threshing— saving crops, pests of crops, diseases of crops and what will prevent or cure them . . . the thousand things of which these are speci-mens—a each a world of study within itself.”

The federal government was, from the be-ginning of its involvement in agriculture, dedicated to improving lives in farming and food production by 2050 in order to meet this challenge.

Mr. Speaker, we had had women and if we had had people of color, men and women of color, we know that we would have ratified the ERA. We have got to change the complexion of our elected leadership. It starts this year, women will be voting this year, we've had enough. Enough with the war on women, the war on women, we're going to elect more women to support the ERA.

Thank you so much.

—Terry O'Neill, National Organization for Women, President.

**AMENDMENT PRESS CONFERENCE, MARCH 22, 2012**

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**HON. NICK J. RAHALL II**

**OF WEST VIRGINIA**

**IN THE HOUSE OF REPRESENTATIVES**

Tuesday, May 15, 2012

Mr. RAHALL. Mr. Speaker, during this sea-son of renewal, it is fitting that we recognize those who, through their service to the public good, paid the ultimate sacrifice. Today, every 53 hours a law enforcement officer falls in the line of duty in this country.

Mr. Speaker, as we stand here today, we got up in the morn-ings, dressed for work, kissed their family goodbye, and went out the door just as we do each morning, but with one tremendous dif-ference. As law enforcement officers, they knew the challenges of a most typical day for them, would amount to unimaginable odds for any of us to face on our best day.

What they viewed as just doing their job, the rest of us know goes to the heart of human courage and commitment. They died so the rest of us could live. Their sacrifice allowed us to grow, prosper and, for their families, as scripture tells us, “to go forth and multiply.”

In this, our Nation's Capital, each year for the past several years on May 15th, a few blocks west of our Capitol Building, our coun-try pauses to reflect on the noble and selfless acts of these officers who represented the law and order in the greatest republic of law enforcement. National Law Enforcement Officers Memorial during National Police Week in a solemn and moving memorial candlelit vigil ceremony, Americans gather around our Nation’s living tribute to fall-en officers throughout the land.

Though it is a monument hewn of solid blue gray stone marble to withstand the ages—it is, Mr. Speaker, as alive as you or I. For on its face are forever carved the names of fathers, mothers, sons and daughters, brothers and sisters, aunts and uncles, grand paws and granddads, cousins galore and friends to countless numbers of us. As long as we live, Mr. Speaker, they, nor their memories, will ever die.

This year, two names have been added to the face of the monument’s more than 19,000 names of law enforcement officers who have been killed in the line of duty. These two sons of the State of West Virginia, two loyal public servants from the heart of the coalfields of Appala-chia, and two officers of the law from Boone County, West Virginia, who were sim-ply doing their jobs when the face and forces of evil struck to rob them and their families of any future.

All West Virginians owe them a deep debt of gratitude and we are indebted, as well, to
the Sheriff of Boone County. The Honorable Rodney A. Miller, whose invaluable assistance helped speed their acknowledgement and inclusion into this fraternity of honor and remembrance.

Mr. Speaker, I am grateful to the Coal Valley News, the National Law Enforcement Officers Memorial, and the families for sharing the memories of the fallen with me which I humbly pass on for this Nation's greater edification.

Killed in the line of duty were Deputy Sheriff Jesse Rice Browning and Constable Cecil Alvin Ferrell.

Constable Ferrell was shot as he attempted to serve an arrest warrant. When Constable Ferrell allowed the suspect to get dressed, the suspect grabbed a shotgun and fired. Constable Ferrell sustained a gunshot wound to the abdomen and died at the scene on October 17, 1937. He was 36 years old.

On April 9, 1917, Deputy Sheriff Jesse Browning was shot by an inmate who attacked him and gained control of his gun before fatally wounding him. Jesse Browning was taken to Charleston, Kanawha Valley Hospital, via train where he clung onto life for several days until he passed from the Earth on April 15, 1917. Deputy Sheriff Browning was 39 years old. He had served Boone County for 15 years.

His body lies in a grave on a remote hillside in Barrett, W.Va. At the time of his death, he left behind a wife, Orpha Pauley Browning, and seven children: Glenn Browning, Marie White, Gladys Jarrell, Dennis Browning, Clyde Browning, Dassie (Scootie) Williams and Georgia Workman. He was predeceased by a son, Alvin Browning. At the time of his death, his youngest child was only three months old.

All of his children remained life-long residents of West Virginia. His descendants include 36 grandchildren and many great grandchildren. Several of these have been behind the effort to have their grandfather recognized for his service and sacrifice to Boone County, West Virginia.

Chaplain Grant Wolf offered these thoughts of comfort and hope, “It was only a moment, but in that moment we mourn for the life that was taken and grieve for the survivors, remembering the sacrifice made to protect and serve. It was only a moment but he is gone, a sacrifice made to give us a future. We pause in our sorrow reflecting what might have been—but then we press on for, by the grace of God, his memory still stands.”

I am deeply honored to represent the good people of southern West Virginia in the Congress. Life does go on for these two loving families, yet preserving the lives of their fallen relatives preserves not only cherished family memories, it fosters a legacy critical to the very foundation our country’s future.

For if, Mr. Speaker, we are to remain a nation ruled by law and not by men, it is incumbent upon each of us to search our souls and find the strength and solace these brave officers achieved to protect and to serve us. May God bless such men and women as these and may such dedication reign forever in the home of the brave and land of the free.
D465
Tuesday, May 15, 2012

Daily Digest

HIGHLIGHTS
Senate passed H.R. 2072, Export-Import Bank Reauthorization Act.

Senate

Chamber Action
Routine Proceedings, pages S3137–S3179

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 3177–3187, S.J. Res. 40, and S. Res. 460–461.

Measures Reported:
S. 1023, to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990. (S. Rept. No. 112–165)

Measures Passed:
Export-Import Bank Reauthorization Act: By 78 yeas to 20 nays (Vote No. 96), Senate passed H.R. 2072, to reauthorize the Export-Import Bank of the United States, 60 Senators having voted in the affirmative, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto:

Rejected:
By 12 yeas to 86 nays (Vote No. 91), Lee Amendment No. 2100, to phase out the authority of the Export-Import Bank of the United States and to require the President to initiate negotiations with other major exporting countries to end subsidized export financing programs. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

By 36 yeas to 62 nays (Vote No. 93), Corker Amendment No. 2102, to require the Export-Import Bank of the United States to provide financing only for transactions subsidized by export credit agencies of other countries or for which private sector financing is unavailable or prohibitively expensive and to require the Bank to maintain a ratio of capital to the outstanding principal balance of loans and loan guarantees of not less than 10 percent. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

By 37 yeas to 61 nays (Vote No. 94), Vitter Amendment No. 2103, to clarify the requirement that the Export-Import Bank of the United States not make or guarantee loans that are subordinate to other loans, to restrict financing of certain fossil fuel projects in foreign countries, and to prohibit financing of renewable energy products manufactured in foreign countries. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

By 35 yeas to 63 nays (Vote No. 95), Toomey Amendment No. 2104, to prohibit an increase in the lending authority of the Export-Import Bank of the United States to more than $100,000,000,000 until the Secretary of the Treasury certifies that the Secretary has initiated international negotiations to eliminate export financing programs and to prohibit an increase in that lending authority to more than $120,000,000,000 until a multilateral agreement to eliminate export financing programs has been completed. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)
National Public Works Week: Senate agreed to S. Res. 460, designating the week of May 20 through May 26, 2012, as “National Public Works Week”.

Recognizing Teachers Contributions to the United States: Senate agreed to S. Res. 461, recognizing the teachers of the United States for their contributions to the development and progress of our Nation.

Measures Considered:

Stop the Student Loan Interest Rate Hike Act: Senate began consideration of the motion to proceed to consideration of S. 2343, to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

Budget Resolutions—Agreement: A unanimous-consent-time agreement was reached providing that following Leader remarks, on Wednesday, May 16, 2012, Senate proceed to the consideration of motions to proceed to the following budget resolutions en bloc: S. Con. Res. 41, setting forth the President’s budget request for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; H. Con. Res. 112, establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022; S. Con. Res. 37, setting forth the congressional budget for the United States Government for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; S. Con. Res. 42, setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; and S. Con. Res. 44, setting forth the congressional budget for the United States Government for fiscal year 2013 and setting forth the appropriate budgetary levels for fiscal years 2014 through 2022; that there be six hours of debate on the motions to proceed, equally divided between the two Leaders, or their designees; that upon the use or yielding back of time, Senate vote on the five motions to proceed in the order listed above; that there be two minutes equally divided between the votes; that all after the first vote be ten minute votes; notwithstanding the adoption of any motion to proceed; Senate proceed to the remaining votes on motions to proceed; provided further, that at the conclusion of these votes, Senate resume consideration of the budget resolution if a motion to proceed is adopted; if no motion to proceed has been adopted, the Majority Leader be recognized.

Stein Nomination—Cloture: Senate began consideration of the nomination of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System.

A motion was entered to close further debate on the on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, May 17, 2012.

Powell Nomination—Cloture: Senate began consideration of the nomination of Jerome H. Powell, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Jeremy C. Stein, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System.

Nominations Received: Senate received the following nominations:

Thomas Hart Armbruster, of New York, to be Ambassador to the Republic of the Marshall Islands.

David Bruce Wharton, of Virginia, to be Ambassador to the Republic of Zimbabwe.

1 Air Force nomination in the rank of general.

Routine lists in the Foreign Service, and Public Health Service.

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Arunava Majumdar, of California, to be Under Secretary of Energy, which was sent to the Senate on November 30, 2011.

Measures Placed on the Calendar:

Measures Read the First Time:

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Privileges of the Floor:

Record Votes: Six record votes were taken today. (Total—96)
Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies approved for full committee consideration an original bill making appropriations for Military Construction and Veterans Affairs, and Related Agencies for fiscal year 2013.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security approved for full committee consideration an original bill making appropriations for the Department of Homeland Security for fiscal year 2013.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Frank Kendall III, of Virginia, to be Under Secretary for Acquisition, Technology, and Logistics, James N. Miller, Jr., of Virginia, to be Under Secretary for Policy, Erin C. Conaton, of the District of Columbia, to be Under Secretary for Personnel and Readiness, Kathleen H. Hicks, of Virginia, to be Principal Deputy Under Secretary for Policy, Jessica Lynn Wright, of Pennsylvania, to be Assistant Secretary for Reserve Affairs, Derek H. Chollet, of Nebraska, to be Assistant Secretary for International Security Affairs, and Heidi Shyu, of California, to be Assistant Secretary of the Army for Acquisition, Logistics, and Technology, all of the Department of Defense.

TAX REFORM

Committee on Finance: Committee concluded a hearing to examine tax reform, focusing on what it could mean for tribes and territories, after receiving testimony from Sarah H. Ingram, Commissioner, Tax Exempt and Government Entities, Internal Revenue Service, Department of the Treasury; Steven Maguire, Specialist in Public Finance, Government and Finance Division, Congressional Research Service, Library of Congress; Robert Odawi Porter, Seneca Nation of Indians, Salamanca, New York; and Lindsay G. Robertson, University of Oklahoma College of Law, Norman.

HIV/AIDS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging concluded a hearing to examine the cost of HIV/AIDS drugs and the Prize Fund alternative, including S. 1137, to provide incentives for investment in research and development for new medicines, to enhance access to new medicines, and S. 1138, to de-link research and development incentives from drug prices for new medicines to treat HIV/AIDS and to stimulate greater sharing of scientific knowledge, after receiving testimony from Mohammad N. Akhter, District of Columbia Department of Health Director, Frank Oldham, Jr., National Association of People with AIDS, and James Packard Love, Knowledge Ecology International, all of Washington, D.C.; Suerie Moon, Harvard Global Health Institute and the Harvard School of Public Health, and Lawrence Lessig, Harvard Law School, both of Cambridge, Massachusetts; and Joseph E. Stiglitz, Columbia University, New York, New York.

LONG-TERM UNEMPLOYMENT

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 41 public bills, H.R. 5740–5780; and 3 resolutions, H. Con. Res. 124; and H. Res. 657–658 were introduced. Pages H2712–14

Additional Cosponsors: Page H2715

Reports Filed: Reports were filed today as follows:

H.R. 4970, to reauthorize the Violence Against Women Act of 1994, with an amendment (H. Rept. 112–479, Pt. 1);

Supplemental report on 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 (H. Rept. 112–479, Pt. 2); and

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 (H. Rept. 112–481). Pages H2712

Speaker: Read a letter from the Speaker wherein he appointed Representative Bishop (UT) to act as Speaker pro tempore for today. Page H2665

Recess: The House recessed at 12:05 p.m. and reconvened at 2 p.m. Page H2665

Recess: The House recessed at 2:14 p.m. and reconvened at 4:06 p.m. Page H2667

Suspensions: The House agreed to suspend the rules and pass the following measures:

Mobile Workforce State Income Tax Simplification Act: H.R. 1864, amended, to limit the authority of States to tax certain income of employees for employment duties performed in other States; Pages H2667–69

National Blue Alert Act of 2012: 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, by a 2/3 yea-and-nay vote of 394 yeas to 1 nay, Roll No. 250; Pages H2673–76, H2693–94

Security in Bonding Act: H.R. 3534, amended, to amend title 31, United States Code, to revise requirements related to assets pledged by a surety; Pages H2676–78

Black Hills Cemetery Act: H.R. 3874, amended, to provide for the conveyance of eight cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, by a 2/3 yea-and-nay vote of 400 yeas to 1 nay, Roll No. 251; Pages H2681–82, H2694

Agreed to amend the title so as to read: “To provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.” Page H2695

HEARTH Act: H.R. 205, amended, 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, by a 2/3 yea-and-nay vote of 400 yeas with none voting “nay,” Roll No. 252; and Pages H2682–85, H2695

Agreed to amend the title so as to read: “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.” Page H2695


Modifying 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: H.R. 4045, amended, 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. Pages H2695–98

Recess: The House recessed at 6:21 p.m. and reconvened at 6:30 p.m. Page H2693
Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

**Border Tunnel Prevention Act of 2012:** H.R. 4119, amended, to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; Pages H2669–73

**Chimney Rock National Monument Establishment Act:** H.R. 2621, amended, to establish the Chimney Rock National Monument in the State of Colorado; Pages H2678–80

**Amending the Mesquite Lands Act of 1986 to facilitate implementation of a multispecies habitat conservation plan:** H.R. 2745, amended, 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; and Pages H2680–81

**Expressing the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability:** H. Res. 568, amended, to express the sense of the House of Representatives regarding the importance of preventing the Government of Iran from acquiring a nuclear weapons capability. Pages H2687–93

**Supplemental Report:** Agreed that the Committee on Armed Services be authorized to file a supplemental report on 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. Page H2693

**Commission on International Religious Freedom—Appointment:** The Chair announced the Speaker’s appointment 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 of Virginia. Page H2698

**Senate Messages:** Message received from the Senate by the Clerk and subsequently presented to the House today and a message received from the Senate today appear on page H2693.

**Senate Referral:** S. 418 was held at the desk. Page H2667

**Quorum Calls Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H2693–94, H2694, H2695. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 9:31 p.m.

---

**Committee Meeting**

**CHEN GUANGCHENG: HIS CASE, CAUSE, FAMILY, AND THOSE WHO ARE HELPING HIM**

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled “Chen Guangcheng: His Case, Cause, Family, and Those Who are Helping Him”. Testimony was heard from public witnesses.

**VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2012; NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013**

Committee on Rules: Granted, by a record vote of 7 to 2, a closed rule for H.R. 4970, Violence Against Women Reauthorization Act of 2012. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, as modified by the amendment printed in the Rules Committee report, shall be considered as adopted. The bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions.

The resolution further provides for a general debate rule for H.R. 4310, National Defense Authorization Act for Fiscal Year 2013. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. Finally, the rule provides that no further consideration of the bill shall occur except pursuant to a subsequent order of the House. Testimony on H.R. 4310 was heard from Chairman McKeon and Representative Smith of Washington. Testimony on H.R. 4970 was heard from Representative Gowdy, LoBiondo, Griffith of Virginia, Biggert, Scott of Virginia, Zoe Lofgren of California, Jackson Lee of Texas, Visclosky, Schakowsky, and Moore.

**Joint Meetings**

**POLITICAL PRISONERS IN CENTRAL ASIA**

Commission on Security and Cooperation in Europe. Commission received a briefing on political prisoners in Central Asia, focusing on Uzbekistan, Turkmenistan, Kyrgyzstan, Tajikistan, and Kazakhstan from Cathy Cosman, United States Commission on International...

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 16, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Environmental Protection Agency, 10:30 a.m., SD–124.

Subcommittee on Department of Defense, to receive a closed briefing on proposed budget estimates for fiscal year 2013 for Northern Command and Southern Command Programs, 10:30 a.m., SVC–217.

Committee on Commerce, Science, and Transportation: to hold an oversight hearing to examine the Federal Communications Commission, 2:30 p.m., SR–253.

Committee on Environment and Public Works: Subcommittee on Children’s Health and Environmental Responsibility, to hold hearings to examine growing long-term value, focusing on corporate environmental responsibility and innovation, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to the Federal Democratic Republic of Nepal, Piper Anne Wind Campbell, of the District of Columbia, to be Ambassador to Mongolia, and Dorothea-Maria Rosen, of California, to be Ambassador to the Federated States of Micronesia, all of the Department of State, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine identifying opportunities for health care delivery system reform, focusing on lessons from the front line, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 1910, to provide benefits to domestic partners of Federal employees, S. 1515, to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984, S. 2218, to reauthorize the United States Fire Administration, S. 1100, to amend title 41, United States Code, to prohibit inserting politics into the Federal acquisition process by prohibiting the submission of political contribution information as a condition of receiving a Federal contract, H.R. 2415, to designate the facility of the United States Postal Service located at 11 Dock Street in Pittsston, Pennsylvania, as the “Trooper Joshua D. Miller Post Office Building”, H.R. 3220, to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the “Master Sergeant Daniel L. Fedder Post Office”, H.R. 3413, to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the “Private Isaac T. Cortes Post Office”, and the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President, 10 a.m., SD–342.

Committee on the Judiciary: to hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD–226.

United States Senate Caucus on International Narcotics Control: to hold hearings to examine drug threats in West Africa, focusing on drug trafficking and United States efforts to counter emerging narcotics-related threats, 2:30 p.m., SD–562.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing entitled “Formulation of the 2012 Farm Bill: Commodity Programs and Crop Insurance”, public witness day, 10 a.m., 1300 Longworth.

Committee on Appropriations, Full Committee, meeting to consider Revised Suballocation of Budget Allocations for Fiscal Year 2013; Full Committee, markup Homeland Security Appropriations Bill for Fiscal Year 2013; and Military Construction, Veterans Affairs and Related Agencies Appropriations Bill for FY 2013, 10 a.m., 2359 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled “Exploring State Success in Expanding Parent and Student Options”, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled “Broadband Loans and Grants”, 10 a.m., 2123 Rayburn.


Full Committee, markup of H.R. 4471, the “Gasoline Regulations Act of 2012”; and H.R. 4480, the “Strategic Energy Production Act of 2012”, 4 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions, hearing entitled “The Impact of the Dodd-Frank Act: What It Means to be a Systemically Important Financial Institution”, 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled “Oversight of the Federal Deposit Insurance Corporation’s Structured Transaction Program”, 2 p.m., 2220 Rayburn.


Committee on Foreign Affairs, Subcommittee on Middle East and South Asia, hearing entitled “Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges in South Asia”, 2 p.m., 2172 Rayburn.
Subcommittee on Oversight and Investigations, hearing entitled “Status of the Processing of the Camp Ashraf Residents”, 2:30 p.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security, hearing entitled “Access Control Point Breaches at Our Nation’s Airports: Anomalies or Systemic Failures?” 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, hearing entitled “Implementation of the Leahy-Smith America Invents Act”, 10 a.m., 2141 Rayburn.


Committee on Oversight and Government Reform, Subcommittee on Regulatory Affairs, Stimulus and Government Spending, hearing entitled “The Obama Administration’s Green Energy Gamble: What Have All the Taxpayer Subsidies Achieved?”, 9:30 a.m., 2154 Rayburn.


Committee on Rules, Full Committee, hearing on H.R. 4310, the “National Defense Authorization Act, FY 2013” (amendment testimony), 2:30 p.m., H–313 Capitol.


Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime, hearing entitled “Creating American Jobs and Assuring the Safety and Security of America’s Waterways: A Review of the Coast Guard’s 5-year Capital Improvement Plan”, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Health, hearing entitled “Optimizing Care for Veterans with Prosthetics”, 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing entitled “Examining Executive Order #13607 and Its Impact and Schools and Veterans”, 2 p.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Oversight, hearing entitled “Examining Operations and Oversight of Tax-Exempt Organizations”, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine how the taxation of labor and transfer payments affect growth and employment, 2 p.m., SD–G50.
Next Meeting of the SENATE

9:30 a.m., Wednesday, May 16

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized. Following Leader remarks, Senate will begin consideration of the motions to proceed to consider resolution at approximately 4 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 16

House Chamber


Extensions of Remarks, as inserted in this issue

Gibbs, Bob, Ohio, E806
Gutierrez, Luis V., Ill., E795
Hanna, Richard L., N.Y., E803, E804
Hastings, Alice L., Fla., E797, E791, E793
Heinrich, Martin N., N.M., E799
Higgins, Brian, N.Y., E786, E787, E789
Hinojosa, Ruben, Tex., E793
Hoyer, Steny H., Md., E788, E800
Johnson, Henry C. "Hank", Jr., Ga., E798
Kaptur, Marcy, Ohio, E799
Lee, Barbara, Calif., E791
Levin, Sander M., Mich., E786
Long, Billy, Mo., E800
McGovern, James P., Mass., E800
Maloney, Carolyn B., N.Y., E802, E805
Meeke, Gregory W., N.Y., E792, E794, E795
Michaud, Michael H., Me., E799
Miller, Brad, N.C., E795
Pullum, Frank, Jr., N.J., E787
Petri, Thomas E., Wisc., E793
Pingree, Chellie, Me., E804
Rahall, Nick J., II, W.Va., E802, E806
Rangel, Charles B., N.Y., E794
Richardson, Laura, Calif., E792, E793, E796
Rogers, Mike, Ala., E788, E791
Roes, Dennis A., Fla., E788
Ryunan, Jon N., E791
Ruppersberger, C.A. Dutch, Md., E788, E790
Rush, Bobby L., III, E801
Austin, David, Ga., E803
Scott, David, Ga., E790
Smith, Lamar, Tex., E790
Walberg, Tim, Mich., E803
Waxman, Henry A., Calif., E802
Wolf, Frank R., Va., E786, E803

Congressional Record

The Congressional Record (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. Public access to the Congressional Record is available online through the U.S. Government Printing Office, www.gpo.gov, free of charge to the user. The information is updated online each day the Congressional Record is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office, Phone 202–512–1800, or 866–512–1800 (toll-free). E–mail, contactcenter@gpo.gov. The Congressional Record paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $14.60 per year, or purchased for $3.00 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.

POSTMASTER: Send address changes to the Superintendent of Documents, Congressional Record, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.