The House met at 9 a.m. and was called to order by the Speaker.

PLEDGE OF ALLEGIANCE

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

Mr. HECK led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

Mr. HECK led the Pledge of Allegiance as follows:

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OBAMACARE DECISION DISCOURAGING FOR SMALL BUSINESSES

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday’s decision by the Supreme Court to uphold ObamaCare is discouraging for America’s small businesses by destroying jobs and threatening families with the loss of their insurance policies.

When the President lobbied for the passage of the 2,700-page health care takeover, he promised Americans that the individual mandate was not a tax increase. Chief Justice Roberts based his opinion on his view that it is a tax increase, which contradicts the President as being incorrect.

Chief Justice Roberts and the four liberals now confirm the President has been inaccurate. Not only will this tax place more hardship on small businesses to follow the law, but already 12,000 pages of regulations have been issued with more than 150 new boards, agencies, and programs destroying jobs.

On July 11, the House of Representatives, under the leadership of John Boehner and Eric Cantor, will vote to repeal the Obama taxes. On November 6, American citizens will have the opportunity to vote for repeal and reform.

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

EXPRESSING THANKS TO KRISTIE JOHNSON GREGORY FOR EXEMPLARY SERVICE

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

Mr. BARROW. Mr. Speaker, I rise today to express my thanks to Kristie Johnson Gregory, who is moving on from my staff after 7 years of service to accept the position of special populations coordinator at Augusta Technical College. Kristie started as an intern in my office back in 2005, and she quickly rose up the ranks to serve as a senior constituent services representative.

Every Congressman knows just how important it is to have good staff, and Kristie is the kind of staffer that you need. Kristie and our district staff recovered some $3.7 million in benefits wrongfully withheld from families back home in just the last year alone, and there’s no telling how many homes she helped rescue from the brink of foreclosure. When you add it all up, her record is reflected in the thank you letters of grateful constituents and the appreciation of this Congressman for a job well done.

STOLEN VALOR ACT OF 2011

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

Mr. HECK. Mr. Speaker, I urge my colleagues to join with me
in restoring the honor and valor of our military heroes by cosponsoring my bill, H.R. 1775, the Stolen Valor Act of 2011.

While yesterday our attention was focused on the Supreme Court health care ruling, let us not lose sight of how the Court also struck down the Stolen Valor Act of 2005, concluding that the broad nature of the law infringed upon the guaranteed protection of free speech provided by the First Amendment of our Constitution.

The Court determined that the act “sought to control and suppress all false statements on this one subject, without regard as to whether the lie was made for the purpose of material gain.” The Stolen Valor Act of 2011 resolves these constitutional issues by clearly defining that the objective of the law is to target and punish those who misrepresent their service with the intent of profiting personally or financially. Defining the intent helps ensure that this law will pass constitutional scrutiny.

Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2005. I urge my colleagues to cosponsor H.R. 1775 so that this law will pass constitutionally. Defining the intent helps ensure that this law will pass constitutional scrutiny.

Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2005. I urge my colleagues to cosponsor H.R. 1775 so that we can restore the honor and protect the valor of our military heroes.

SRI LANKA

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

Ms. SCHAKOWSKY. I rise today to mark the third anniversary of the end of the civil war in Sri Lanka and to urge the U.S. Government to continue to press for full accountability for all human rights abuses committed during the conflict.

Over 70,000 Sri Lankans were killed in the course of the 26-year civil war. The United Nations found claims that both sides committed war crimes to be credible, and although the war ended 3 years ago, human rights violations are reportedly continuing. Reports suggest that over 50 people—mostly critics of the government—have been abducted in the last 6 months. Human rights activists have been targeted for harassment and labeled as traitors in the national media. Gender-based violence is on the rise in the country’s north.

Mr. Speaker, the international community must continue to call for accountability for the crimes during the conflict, and we must urge the Colombo government to uphold its international commitments and fully respect the human rights of all Sri Lankans.

SEQUESTRATION OF DEFENSE DOLLARS

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

Mr. WITTMAN. Mr. Speaker, today I rise to share my frustration with the Congress’ inaction on looming cuts coming to the Nation’s defense budget.

In America’s First District, we have a deep military history. Many of my constituents have or continue to bravely serve their Nation in a military uniform. Set to take effect in January 2013, sequestration will cut billions of defense dollars at a time when we see soldiers and sailors and airmen and marines in harm’s way in Afghanistan.

I am adamantly opposed to these catastrophic cuts and believe Congress must act now. Sequestration threatens the capability of our military to adequately protect this Nation. The Bipartisan Policy Center estimated that sequestration would result in a loss of about 1 million jobs in 2013 and 2014. This is not simply American job loss; it is a loss of critical national security capability.

Congress must not choose failure over making tough choices for the greater good of this country. Failure is an outcome we must not and cannot accept.

INVESTING IN AMERICA

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

Mr. LARSEN of Washington. Mr. Speaker, later today the House will take up a bill that is key for jobs now and for opportunity for the future.

First, we cannot have a big league economy with little league infrastructure. The transportation bill will do more to create jobs through public investment than any other piece of legislation that this House has passed in the last 18 months. It puts thousands to work repairing roads, bridges and highways, and maintaining our transit systems.

Second, this bill creates opportunity for the future by stopping a devastating interest rate hike on loans students take to pay for college. College affordability is a necessary step for creating opportunity for the future. The bill sends a clear message to college students everywhere that America will invest in you.

WHAT TEXANS THINK OF THE SUPREME COURT’S RULING ON OBAMACARE

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

Mr. POE of Texas. Mr. Speaker, here’s what the people of Texas think of the Supreme Court’s ruling on ObamaCare.

Jason from Kingwood, Texas says this:

Now that the Supreme Court has deemed every action of Congress that it does is acceptable so long as it’s considered a tax, you can kiss it all goodbye. Tax on gun ownership, boxes of ammunition, worship fees, mission trip tax, Bible fee.

But don’t worry. They won’t take away your right to vote directly. They’ll just dilute it with multiple voting, illegal voting and fuzzy counting. But it won’t be through taxation.

Stacie from Texas also wrote me and says this:

This ruling sets up so much more of nanny taxes and government telling us what we can do and not do. Don’t buy the right car? It’s a tax. Don’t buy the right vegetables? Tax. Don’t buy the right music? Another tax.

Mr. Speaker, the power to tax is the power to destroy. So what’s the next tax from Big Government?

Congress and the Supreme Court have both had their chance to voice their opinion. Now it’s time for the American people to voice theirs.

And that’s just the way it is.

HIGHLIGHTS OF THE PATIENT PROTECTION AFFORDABLE CARE ACT

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

Ms. HANABUSA. Mr. Speaker, I stood here 2 days ago addressing the Patient Protection and Affordable Care Act and reviewing its benefits. I stand here today after the landmark Supreme Court decision to make people aware of the Republicans’ efforts to repeal this historic piece of legislation.

The stakeholders must remember: seniors, the benefits with the prescription drugs already benefiting with $3.7 billion in savings; young adults who stay on their parents’ plan until the age of 26, 6.6 million of you; small businesses who will experience tax credits of up to 50 percent by the year 2014; and women, women who suffered discrimination in premiums and on preexisting conditions like pregnancy. Imagine being defined a preexisting condition. 2014 they will stop.

These are just highlights, and this is why we need to, again, focus behind the Affordable Care Act and remember, it’s the largest part of our GDP that keeps growing; and we need to have it under control in order to have our great economy.

CONGRATULATING DAVID BONNER FOR HIS 2011 PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

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

Mrs. BIGGERT. Mr. Speaker, I rise to congratulate David Bonner on earning the 2011 Presidential Award for Excellence in Mathematics and Science Teaching. Mr. Bonner is a physics
teacher at Hinsdale South High School in Illinois.

As a former school board member for Hinsdale District 86, as well as a member of the Education and Science Committee, I have seen how important STEM education is in preparing our students to succeed in the 21st century. And I also know how special it is to have a great teacher who can inspire our students to get excited about a future in science, physics, math, and engineering.

Mr. Speaker should be very proud to join the ranks of only 97 teachers from across the country who have been selected for this award by a panel of distinguished scientists, mathematicians, and educators. He is a very important asset to our community, our children, and our future; and I wish him the best of luck in the future.

READ THE LAW

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

Mr. YARMUTH. Mr. Speaker, during the debate on the health care reform act, the Affordable Care Act, we continued to hear cries of ‘read the bill, read the bill, read the bill,’ as if those of us who had supported the bill had not read it. As a matter of fact, I, among many, had read it; and we were astounded at the misrepresentations that were out in the public, foisted by our Republican opponents.

Well, I’m going to be generous today and assume that they just hadn’t read that bill. But now that bill is unquestionably the law of the land. So I implore my Republican colleagues, before they continue to mislead and confuse their constituents, read the law. Read the law. Read the law.

PROVIDING FOR CONSIDERATION OF H.R. 5856, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013; PROVIDING FOR CONSIDERATION OF H.R. 6020, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2013; AND PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

Mr. WEBSTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 717 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 717

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, direct the chair and ranking member of the Committee of Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with ‘Provided’ on page 95, line 9, through ‘level’ on page 95, line 11. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the chair of the Committee on Appropriations may, at any time, determine the order of business.

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

There was no objection.

Mr. WEBSTER. Mr. Speaker, I rise today in support of this rule and the underlying bills.

House Resolution 717 provides for a standard conference report rule for the consideration of the conference report to accompany H.R. 3438, the Surface Transportation Extension Act of 2012, Part II, also known simply as the ‘highway bill.’ The conference report for the highway bill represents a bipartisan and bicameral effort to address our aging national infrastructure and chronic unemployment with a 2-year extension of the ‘highway bill.’

This long-term transportation bill, agreed to by both Houses and by both parties in this conference report, provides much-needed certainty. It provides certainty not only to States and to State governments but also to the transportation and construction industries and to those Americans whose livelihoods depend on them. Rather than another short-term extension merely extending mere weeks or months, this bill authorizes transportation funding for 2 full years and allows businesses to plan ahead, hire workers, and grow.

The conference report ensures taxpayer dollars are spent on high-priority infrastructure projects, helps fully fund job creation and economic activity. The conference report also contains significant reforms: it streamlines the lengthy buereaucratic approval process with reforms aimed at cutting the permitting process in half; it consolidates and eliminates duplicative Federal programs; and it embraces increased private sector involvement by leveraging...
Federal, State, and local dollars with private sector funding. As importantly, it does all of this without anyear marks and without any spending increases.

The conference report also extends the current student loan rates of 3.4 percent for student loans for another year. This ensures that young Americans have certainty when it comes to the terms of their student loans for the coming year; and because it is paid for, the conference report ensures that no further debt will be heaped upon the American taxpayer.

Finally, the conference report reforms and reauthorizes for 5 additional years the Federal Flood Insurance Program. This program is dependent upon by so many in times of natural disaster.


The Department of Defense Appropriations Act of 2013 includes funding for critical national security needs, and it provides the resources needed to continue our Nation's military efforts abroad. In addition, the bill provides essential funding for health and quality-of-life programs for the brave men and women of our Armed Forces and their families.

The Financial Services and General Government Appropriations Act of 2013 has jurisdiction over agencies responsible for regulating the financial and telecommunications industries; collecting taxes and providing taxpayer assistance; supporting the operations of the White House, the Federal judiciary, and the District of Columbia; managing Federal buildings; and overseeing Federal workers. The activities of these agencies impact nearly every American and are an integral part of the operations of our government.

So, once again, Mr. Speaker, I rise in support of the rule and the underlying bills. I encourage my colleagues to vote “yes” on the rule.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend and colleague for yielding the time, and I yield myself such time as I may consume.

I rise to express my disappointment, not necessarily in this measure, but in how it has come about. We are here considering a rule for five unrelated measures the day before we recess for the 4th of July. Once again, we are rushing to the floor with vital legislation that most Members have hardly had the chance to read. This rule is the very embodiment of congressional dysfunction.

While my colleagues are busy playing political games, our Nation’s infrastructure and economy will continue to deteriorate. We are here in Congress to provide the resources we need to ensure that our infrastructure is able to move our country forward. The Republicans on the other side of the aisle choose to undermine the long-term priorities of this Nation in favor of partisan posturing.

I’ve said before and I maintain again and now that the Republicans are living in a world of let’s pretend. In “Alice in Wonderland,” Alice said that “if she had a world of her own, everything would be nonsense.” In the Republican world, as Alice said, “Nothing is what it is, because everything is what it isn’t.” In the Republican world, Mr. Speaker, the best way to rein in the most corrupt practices of Wall Street is to underfund the SEC; the best way to close a $400 billion tax gap is to force the IRS to fire thousands of taxpayer support employees; and the best way to ensure our national defense is not to cut funding for the Department of Defense. And once again, the Republicans kowtow to corporate power rather than provide the resources to keep rampant excesses at bay. And once again, my friends on the other side of the aisle choose to undermine the long-term priorities of this Nation in favor of partisan posturing.

In this world, increasing unemployment somehow improves our economy; defunding essential government programs somehow helps the hardest-hit Americans; and cutting domestic programs in health care, education, infrastructure, and economic development while increasing Defense Department funding somehow serves the long-term needs of this country. Well, it doesn’t. For months we’ve known that student loan rates were set to rise; for months we’ve known that the highway bill will be going to expire; and for months we’ve done nothing but use the House floor as a political playground.

Mr. Speaker, our country cannot prosper if every major piece of legislation is held hostage to partisan interests. As Alice said—again referring to “Alice in Wonderland”—“of all the silly nonsense, this is the stupidest tea party I’ve ever been to in all my life.”

With that, I reserve the balance of my time.

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

Mr. HASTINGS of Florida. Mr. Speaker, I’m very pleased at this time to yield 3 minutes to the distinguished gentleman from Sacramento, California, a former member of the Rules Committee, my good friend, Ms. MATSUI.

Ms. MATSUI. I thank the gentleman from Florida for yielding me time.

The transportation bill we are considering has been an even longer time in coming—over 3 years to be exact. While the conference report is not perfect, it is clear that we must pass a long-term reauthorization so that construction projects all across the country can move forward with repairing and improving our Nation’s aging transportation and infrastructure network. Yet, once again, we find ourselves racing against the clock.

Without a long-term bill, opportunities to truly invest in our Nation’s infrastructure and economy will continue to pass us by. Without a long-term bill, construction projects all across the country could shut down. Without a long-term bill, 3 million Americans will be faced with not having a job after Saturday. We should not have to pass nine extensions over 3 years’ time to get to this point, and we should be better served than this 57th-month extension if we did a 4- or a 5-year bill.

Infrastructure investments are essential to our Nation’s economic growth and prosperity. This reauthorization should never have been held hostage by political gamesmanship. There is simply too much at stake. Short-term extensions put millions of jobs and the safety of our Nation at risk by casting gravity on our transportation and infrastructure projects.

This is unacceptable.

While I’m not happy about every provision in the flood insurance portion of this conference report, after 10 years since its last reauthorization and countless short-term extensions, it’s about time that we get a long-term extension.

The National Flood Insurance Program insures 5.6 million properties across every State in the Nation. Yet, one Senator from Kentucky refused to allow the bill to go forward on the House floor without votes to take a vote on abortion. I have yet to hear the Senator explain what abortion has to do with flood insurance or why he would threaten the security of the homes of all those Americans just to make a political point. I guess I shouldn’t be too surprised. I read where he said just because two or more persons at the Supreme Court make a decision, that doesn’t mean that it’s constitutional. I hope this guy goes back to law school, if he ever went.

Finally, on today’s underlying appropriations measures, I can only say: here we go again. Once again, the Republicans refuse to provide the necessary funds to reach the hard-hit Americans. Once again, the Republicans kowtow to corporate power rather than provide the resources to keep rampant excesses at bay. And once again, my friends on the other side of the aisle choose to undermine the long-term priorities of this Nation in favor of partisan posturing.

I’ve said before and I maintain again and now that the Republicans are living in a world of let’s pretend. In “Alice in Wonderland,” Alice said that “if she had a world of her own, everything would be nonsense.” In the Republican world, as Alice said, “Nothing is what it is, because everything is what it isn’t.” In the Republican world, Mr. Speaker, the best way to rein in the most corrupt practices of Wall Street is to underfund the SEC; the best way to close a $400 billion tax gap is to force the IRS to fire thousands of taxpayer support employees; and the best way to ensure our national defense is not to cut funding for the Department of Defense. And once again, the Republicans kowtow to corporate power rather than provide the resources to keep rampant excesses at bay. And once again, my friends on the other side of the aisle choose to undermine the long-term priorities of this Nation in favor of partisan posturing.
ensure that students will not see an interest rate hike on their loans. This package also includes a much-needed 5-year extension of the National Flood Insurance Program. This comes after 17 short-term extensions.

Mr. Speaker, I represent Sacramento, which is the most at-risk metropolitan area for major flooding, as it lies at the confluence of the American and the Sacramento Rivers.

Since Hurricane Katrina, more than 25,000 homeowners in my district have been remapped, and flood insurance is now mandatory for them. The average homeowner in Sacramento that has been remapped currently pays about $350 for a PRP policy. That’s a preferred-rate policy. Beginning in 2013, they will be set to pay $1,350 once the PRP rate expired. However, that is no longer the case.

This bill contains a number of important provisions, including a flood insurance phase-in amendment offered during debate on the House NFIP bill last July. Instead of overnight sticker shock for homeowners, the provision allows for the price of flood insurance to be phased in at 20 percent per year over 5 years to the full policy price, when preferred-rate policies are no longer available in their community.

Specifically, it will effectively allow homeowners next year, in 2013, residing in Sacramento and the rest of the country, to pay close to if not the same amount they’re currently paying. Each year after that, the price of flood insurance will continue to be both affordable and predictable, only rising by 20 percent until it reaches full price in year five. This provision will save the average policyholder in a remapped area hundreds of dollars, if not a few thousand, over the next 5 years.

Mr. Speaker, this provision offers real savings, especially in these trying economic times, whether it’s for a senior citizen on a fixed income or a family struggling to make ends meet.

Finally, I would like to commend Chairwoman BIGGERT and Ranking Member WATERS for working with me, for their continuous efforts to preserve this amendment and work towards achieving this 5-year extension.

Mr. WEBSTER. Mr. Speaker, I yield 4 minutes to my good friend from Georgia (Mr. WOODALL).

Mr. WOODALL. Mr. Speaker, I thank my friend for yielding to me. It’s not often that I find agreement with both of my friends from Florida at the same time. When I listened to my friend from Florida, my Democratic colleague on the Rules Committee, his opening statement, you absolutely right. We were bringing 5 completely unrelated provisions to the floor in this conference report today, and we’re bringing it in a rushed fashion so folks can get out of here and go home for the 4th of July.

I agree with my friend from the Republican side of the aisle, my freshman colleague, who says this is just a standard conference report rule. That’s absolutely right. All of these things that the gentleman from Florida, my Democratic colleague, finds troubling are just part of the standard conference report process.

I’ve been watching this process for a long time. I may be a freshman, but I’ve been here for three years. And it’s just the way things go around here. We’ve done better. To be fair to this House leadership, over the 18 months that I’ve been here in Congress, we’ve done better. We’ve made a commitment to get this floor at a time, and 99 percent of the bills I’ve voted on have been 10 pages or less, and I could read them. I didn’t have to staff it out. I could do it myself.

But something happens when we get to this conference report time. Mr. Speaker, the question goes to our colleagues. I suspect if we put the question to our colleagues—my friend from Florida knows it’s true: Would you rather rush these five unrelated bills to the floor today and get home for all the commitments you’ve made over the weekend, or would you rather stretch this thing out and do it right?

Mr. HASTINGS of Florida. Will the gentleman yield?

Mr. WOODALL. Reclaiming my time, I absolutely do not believe it should be standard procedure, but it is. It has been the entire time my friend from Florida has been serving here in this House.

Again, we’ve done better. To the credit of my freshmen colleagues, we’ve done better over these last 18 months, and we will continue to do better. But Chief Justice Roberts had it right yesterday: elections have consequences. The American people are responsible for what goes on here. Mr. Speaker, we keep this calendar for a reason. We do it out of a need for service. You and I both have commitments to constituents starting at dawn tomorrow morning.

We have commitments to our constituents to keep transportation bills, to keep student loans, to reauthorize flood insurance, and on and on. We have competing commitments to our constituents. I would just hope, Mr. Speaker, that if you were asking your constituents, that they would say, You know what; I would rather you cancel on me this weekend and stay up there and get it right than rush it through.

Now, with that said, it has not been partisan politics that’s kept us from getting it here until this point. We’ve been working hard on this. To thecredit of the folks on the transportation conference committee, they have been working hard. And this was just the best they could do, getting it done today, for whatever reason. This town only operates in crisis.

I say to my friend, if we can work toward regular order, I would love to see regular order come to this institution. We can do better. Eighteen months on the job, since I’ve been here, you and I. We have done better. My colleague from Florida and I. We have done better. But we can still do better. But we’re only going to do better if the constituents demand it. The American people have got it right. You can throw out the folks who aren’t doing it right. Mr. Speaker, I encourage you to encourage all voters to look at what we do, see when we’re getting it right and tell us, and see when we’re getting it wrong and ask us to do better. We can do better. We will do better.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend from the Sunshine State, Mr. Christensen.

Mrs. CHRISTENSEN. I thank the gentleman for yielding.

After 20 years of being fully and fairly included in the surface transportation bills, what is being voted on today is funding for the smaller territories by $10 million. And while I am glad our sister territory of Puerto Rico as well as the States and District of Columbia are level-funded, it just seems grossly unfair that only the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Mariana Islands are singled out for cuts.

Why cut $10 million? Or it could have been spread out across the entire bill and not raised a blip in the 50 States, the District, or Puerto Rico. But for us small economies, it’s a big blow.

That being said, it could have been worse. This body would have made our funding discretionary and, therefore, cancelable. So while I decry the cuts, I have to thank the Senate for hearing our pleas and keeping our funding in the trust fund.

After all of the time, though, that we have waited for even this 2-year, 3-month infrastructure and job-creating transportation bill and knowing the need to keep college affordable and reauthorize flood insurance, I cannot, in good conscience, oppose the bill before us today.

What is being done to the territories is unfair and discriminatory. And since it makes so little difference in the overall bill, it seems deliberately and unnecessarily punitive to us loyal Americans who serve and shed our blood just like every other in the United States service to this, our country. Fairness would demand that it be restored.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 5 minutes to the distinguished gentleman, my good friend from Oregon (Mr. Blumenauer).
Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this bill.

Mr. Speaker, there’s no small amount of irony that we are having this discussion today. It’s on the anniversary of Eisenhower’s bill going into law the National Defense Highway Act. This weekend will be the 150th anniversary of the Transcontinental Railroad Act, signed into law by Abraham Lincoln. There was an era when we believed in infrastructure and development.

In fact, for most of our history, actually, infrastructure has not been partisan. It’s been something that people on this House floor could come together to work on. There would be differences, to be sure. But for the 20 years that I’ve been involved with this issue, we’ve been working to broaden our view of how to make transportation work better, involve citizens, make the dollars stretch. This came crashing to a halt with this Congress.

Now the bill that’s going to come before us, I will very reluctantly vote in favor of it - in part because of what’s in it. Remember, our Republican colleagues tried to force through a bill which, for the first time in history, had never had bipartisan work that came out of the Transportation and Infrastructure Committee, that came out of Ways and Means. In fact, it never even had a full committee hearing, rush-work session. Mercifully, it collapsed before it came to the floor.

And the reasons I’ll vote for this bill is because what the Republicans wanted has been rejected. Remember, they wanted to take away all the funding guarantees for transit. Working with the Senate, we were able to bring up the possibility that we could have allowed the Senate bill, in its entirety, to be voted on, and I’m confident that would have passed. Or wonder of wonders, they actually could have worked, like we used to do, in a bipartisan fashion. The last transportation bill under Republican control passed with 412 votes.

Well, we’ve missed an opportunity. At precisely the time when America needs more investment in renewing and rebuilding, for transit, for roads, for rail, for water and sewer, there is a whole range of things that we should be coming together to work on.

I hope that the American public looks very closely at what was attempted here in the last 6 months, they look at what we managed to stagger through, and that it is a wake-up call for people to be engaged.

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

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

Mr. BLUMENAUER. I have worked for 5 years with a broad coalition of stakeholders that’s not partisan, that are committed to working together on a vision for how we’re going to rebuid and renew the country, how we’re going to revitalize the economy, and how we make our communities more livable, our families safer, healthier, and more economically secure.

If we’re able to use this flawed process and make this bill as a springboard, maybe in some ways it will have been worth it.

Mr. WEBSTER. Mr. Speaker, I just want to remind everyone again, as I said in my opening remarks, this bill has no earmarks. Yes, we know how they did it in the past, with 6,000, 7,000, 8,000 earmarks, and certainly there would be a lot of support among individual Members if that were the case. This bill has no earmarks. It’s good policy.

The Federal Government says: We know all. We know everything that’s needed, which communities, and we can stamp out one of our famed cookie-cutter approaches to funding transportation, as we used to do, so that every single dollar has a little teeny category and every State is brought into spending within those little teeny categories.

Yes, we could have done that, but that’s the old way of doing it. We did it a different way. We actually had a conference, no earmarks, and we gave States flexibility. We sent to the States the opportunity to decide. Did we take out any of those things that were mentioned? Absolutely not. They’re all options. So every single dollar need not go to the State. They have an opportunity to say, Maybe we don’t want to do a sound barrier, whatever it is that’s there. No, we can take the flexibility that’s given to us, we can use it. We can use it to our benefit far better to build transportation from the ground up, like the bill that was passed from the top down, Washington, D.C., cookie-cutter style.

I yield 2 minutes to the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I rise today to urge my colleagues today to support this bipartisan compromise to enact three of our top economic priorities.

Some people have said, Well, we don’t like the bundling; we don’t like putting three bills together. But I think this is the art of compromise, and this is the art of possible. Because all three of these bills are very important to all of us, I think, and to have this bipartisan way to do this, I think this is the way that we should go.

I started out with the flood insurance bill. And before we even had a bill, we did a draft so that every group could look at it, so that every Member could look at it and be a part of it and to have what they thought was necessary or to talk about what they didn’t think was necessary. So we came up with a bill that came out of my Financial Services Subcommittee by voice vote, but out of the Financial Services Committee last June, 54–0. And people said, How did that happen? Well, it happened because we got together and worked because we really just love my bill. And I think it’s so important that we do this and get back together to be able to work in a bipartisan way. The gentlelady from California was my co-sponsor. And everybody joined together.

So I think it’s really important. Actually, the student loan bill is also my bill. So I really care about what is going on this morning and that we can really get together and pass these. And the transportation bill is so important to all of us. Several of us in Illinois had real concerns about how the transit part of that bill was going to be in it and really wanted to do something like what the Senate had done and include that in the trust fund.

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

Mr. WEBSTER. I yield the gentlelady an additional 15 seconds.

Mrs. BIGGERT. So I really thank the gentleman, and I think that it took a lot of compromise on both sides of the aisle. But this agreement safeguards those bills such as the suburban transit options and funds critical road and bridge projects. So it’s been a long time, but I encourage
my colleagues to look at the big picture and lend this agreement their strong support.

Mr. Speaker, I rise today to encourage my colleagues to support this bipartisan compromise to enact three of our top economic priorities: an extension of lower student loan rates, an extension of the National Flood Insurance Program (NFIP), and a long-term transportation bill.

All three face tight statutory deadlines. And this agreement gives us the momentum to get all three over the finish line.

Repealing the NFIP will restore financial security to the flood program, which yields savings for taxpayers and stability in the housing market.

And extending affordable loan rates for our students will ensure that our young graduates don’t have to pay the price for gridlock in Washington. Already, half of recent graduates are either unemployed or underemployed, and now is not the time to burden them with more debt and higher education costs.

Both of these proposals began here in the House, I sponsored. And both passed in the House with bipartisan support. Today, we can send them to the President alongside a third critical economic priority—a long-term transportation bill.

This agreement includes a two-year extension of federal transportation funding, avoiding the need for another short-term bill.

In my home State of Illinois, transportation managers need a long-term bill to invest in the road and rail projects that will keep commerce and traffic moving—not to mention create jobs.

Mr. Speaker, it took a lot of compromises on both sides of the aisle—but this agreement safeguards suburban transit options and funds critical road and bridge projects.

It’s been a long, tough fight, but I encourage my colleagues to look at the big picture and lend this agreement their strong support.

Mr. HASTINGS of Florida. Mr. Speaker, would you be kind enough to tell me the time remaining for both sides?

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 13½ minutes, and the gentleman from Florida (Mr. WEBSTER) has 18¼ minutes.

Mr. HASTINGS of Florida. Thank you very much, Mr. Speaker.

I am very pleased at this time to yield 4 minutes to my good friend, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the distinguished gentleman from Florida for his courtesies and his friendship. We’ve known each other a long time, and his service has been one of great commendation, and the manager as well.

We’ve gathered here on the floor this morning, and I want to acknowledge that the legislative process is not always pretty, but there are lives embedded in this legislation today. And though I have concerns, I am more pleased toward this House doing things to improve the quality of life for Americans stand by the wayside and the highways of despair waiting for us to provide jobs to improve the conditions of infrastructure and their lives.

Over the past 2 years, we have seen tornadoes. We’ve even seen an earthquake here in Washington, D.C. We’ve seen hurricanes on the coastline where I come from in Texas. And in Florida, just recently, Hurricane Debby has pierced the infrastructure. Obviously, this legislation points to some of those needs.

As I stand here today, I do want to take note of a comment made by a person in the other body and suggest to Attorney General Holder the following. Do not resign. We have better things to do than to speak to a Cabinet officer who is a commended public servant. So I want to make sure that that does not occur.

But as I discuss this legislation, I think it is important to note several things. One, there are young people that are facing the uphill battle of getting a college education. Now we’ll have a refuge. I held a town hall meeting, and to hear the stories of $37,000, $50,000, $80,000 in debt that these young people are facing. And then they graduate, and they graduate first and second year. They are sophomores and juniors. Or maybe the veteran who does not fall into the schedule of veterans benefits with college and person has an enormous amount of debt.

And so if we want to freeze that interest rate, and we should say loudly to the students who are now studying that America cares about them and this House will care about them.

Now, I am concerned. And I am reading language that indicates while there’s been significant progress regarding MWBEs—and this bill has $13 billion in it for surface transportation and highways—there is concern expressed in this report that we have not really met our goals to help small businesses and minority-owned businesses and women-owned businesses. And in actuality, they have an outreach goal of 10 percent. Do we realize that there are some entities receiving Federal funds that don’t even meet that goal? And I’m going to cite Houston Metro, because I was proud to have this body provide $900 million to Houston Metro; but I’m disappointed in their lack of commitment to MWBEs.

And so this is an important statement. As I read the language, it is adding women to this to create jobs. And we want to work together. We don’t want to be fighting against each other. But we’re going to fight the good fight for our small businesses. And that is crucial. Mass transit has been helped. But I want to note the jobs that President Obama and Democrats have been speaking of are now focused in this bill. Because as we begin to fix the crumbling infrastructure and the $13 billion that we’ve committed to mass transit, the highways, to the construction of infrastructure and bridges that are crumbling and those that have now been the subject of tornadoes, as I indicated, of hurricanes, deteriorating infrastructure, it can now be revitalized and rebuilt.

So, Mr. Speaker, and to my colleagues, yes, I will be voting on this conference report and acknowledge the work that has been done. But more importantly, Mr. Speaker, to acknowledge that legislation sometimes, when you have to pull things from people who are desperate, may not be a process that one says is the ordinary process. But I like the idea that ordinary people have done extraordinary things.

And this is an extraordinary legislative initiative with its problems, but with $13 billion going to the people of the United States and protecting our service people and doing the business of the American people, as opposed to other direction. I hope that we will move forward in serving the American people.
Mr. WEBSTER. Mr. Speaker, I reserve the balance of my time to close. Mr. HASTINGS of Florida. I yield my time to the gentlewoman from California (Ms. RICHARDSON).

Ms. RICHARDSON. Mr. Speaker, I rise in support of the conference report on H.R. 4348, the Surface Transportation Extension Act, which provides funding for the Federal-aid highway program through fiscal year 2014 at current funding levels.

Among other things, the conference report makes key investments in our Nation’s infrastructure critical to goods movement, which is specifically very important to me in my district, and the additional $500 million that is there for projects of national and regional significance.

The conference report also calls for a national freight strategic plan, and it encourages us to develop those freight plans to incentivize those States to invest in freight projects, policies, and to make sure that we can make progress in that area that has long avoided us.

In recent days, some Members have come down and expressed a desire for the Federal Government to adopt a national freight policy. As a member of the Transportation Committee representing the 37th Congressional District, I represent a very transportation-intensive district, and that’s why last March I introduced a bill, H.R. 1122, the Freight Focus Act. That particular legislation was supported very much across the aisle and included the American Association of Port Authorities, the American Trucking Association, Operating Engineers, and many more.

My Freight Focus Act was to establish an office of freight planning within the office of the new assistant secretary, and many of those ideas have been incorporated.

As we look forward at this bill, it certainly is not what we had hoped for. We had hoped for something more like a 5-year reauthorization. That would be helpful, but at this point, given our limitations, the key thing I would like to see focus on is to ensure that there is strong freight plan, and I look forward to working with my colleagues to make sure that’s implemented.

Further, my legislation created a goods movement trust fund. That is something that is not addressed in this legislation but should be considered as we go forward.

As you can see, there are sound freight policies. I have been a leader of that in working with Chairman Mica and others, and I look forward to us bringing forward not only this bill, but many more to come which will put Americans back to work.

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Resolved, That the House of Representatives disapproves of the behavior of the chair for interfering with ongoing criminal investigations; insisting on a personal attack against the attorney general of the United States; and for calling the Attorney General of the United States a liar on national television for interfering with ongoing criminal investigations therefore by discredit to the integrity of the House.

The SPEAKER pro tempore. The resolution presents a question of privilege.

MOTION TO TABLE

Mr. WEBSTER. Mr. Speaker. I move to lay the resolution on the table.

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

Ms. JACKSON LEE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The question is on the resolution. The vote was taken by electronic device, and the yeas had a majority; and nays.

The result of the vote was announced by the Clerk. So the motion to table was agreed to.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the adoption of House Resolution 717.

The vote was taken by electronic device, and the yeas and nays were ordered.

The SPEAKER pro tempore. The question is on the resolution. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the adoption of House Resolution 717.

The vote was taken by electronic device, and the yeas and nays were ordered.

The result of the vote was announced by the Clerk. So the motion to reconsider was laid on the table.

Stated against: Mr. FILNER. Mr. Speaker, on rollcall 443, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF H.R. 5856, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2013; PROVIDING FOR CONSIDERATION OF H.R. 6020, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2013; AND PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3438, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 717) providing for consideration of the bill (H.R. 5856) making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; the conference report to accompany the bill (H.R. 6020) making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes; and providing for consideration of the conference report to accompany the bill (H.R. 3438) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution. The question is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 176, not voting 12, as follows: [Roll No. 444]
The SPEAKER pro tempore, pursuant to House Resolution 717, the conference report is considered read.

[(For conference report and statement, see proceedings of the House of June 28, 2011, at page H4342.)]

The SPEAKER pro tempore, the gentlemen from Florida (Mr. Mica) and the gentleman from West Virginia (Mr. Rahall) each will control 30 minutes. The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the conference report to accompany H.R. 4348.

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

There was no objection.

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

Mr. Speaker and my colleagues, it has indeed been a very bumpy road to get to this point where we could pass a transportation bill.

I want to first of all thank the Members of the House of Representatives who stuck by me, who insisted that we pass this legislation that we worked on together in the best interest of the people of the United States, particularly at a time when people have lost their jobs, particularly at a time where the construction industry is at its lowest point in probably our history, and particularly at a time when it’s important for Congress to act, not just to talk about problems that we have, but to get things done in the best interest of the people of the United States.

So I want to thank first the Speaker.

Mr. Speaker, on rollcall 444, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall No. 443, I was delayed and unable to vote. Had I been present I would have voted “yea” on rollcall No. 443, and “nay” on rollcall No. 444.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on June 29, 2012, I regret that I was not present to vote on the Motion to Table the Jackson Lee Privileged Resolution and H. Res. 717.

Had I been present, I would have voted “nay” on both bills.

CONFERENCE REPORT ON H.R. 4348, Moving Ahead for Progress in the 21st Century Act

Mr. MICA. Mr. Speaker, pursuant to House Resolution 717, I call up the conference report on the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

The Clerk read the title of the bill.
my coat, and he said, Your shirt is awfully clean.

I said, What do you mean?

He said, For someone that’s been thrown under the bus so many times, you don’t have many tire tracks on you.

One of the light moments in this process.

But you know what you have to do is, when they throw you under the bus, you get up, you right yourself, you dust yourself off, and then you gain even more determination to win and get the job done. And that’s what we’re doing today.

Today we’re passing a bill, again, that the other side couldn’t pass when they had complete control of the White House, the Senate, and the House of Representatives. We’re passing this today, ironically, in the week that they passed the first transportation bill in Congress, and it was signed into law back in June of 1956.

This isn’t the bill that exactly I would like, but this is a bill that, first of all, has the most historic reforms in the Federal participation in transportation programs in its history, since its adoption back in 1956. Those reforms are included, and there is a dramatic change in consolidation of some of the programs that mushroomed. Government mushrooms. Nobody does anything about reining in the size of government. This bill does something about it.

This bill takes the plea that we’ve heard from Beckley, West Virginia, to the west coast, from sea to shining sea in an unprecedented number of hearings across the country. And people said the whole paperwork process, red tape of Federal Government involved in transportation projects has to be changed. And we change it here for the first time historically, dramatically reducing the time that it takes to permit projects; in project delivery; in project coalescence in a way that is consistent with the pending conference agreement.

This bill makes a sound investment in America. Fifty-six years ago, a Democratic Congress and a Republican President came together. And on this day in 1956, President Dwight D. Eisenhower signed into law the Federal-Aid Highway Act, which established the interstate system of highways. This historic piece of legislation created a transportation system in this country that has transformed the world. Yet in recent decades, our roads, bridges, trains, and transit systems have slipped into decline because we have failed to make the necessary investments to improve the condition and performance of this network.

The pending legislation will not completely reverse the course of this decline, but, at the very least, States will see no reduction in the infrastructure investment funding that they desperately need to tackle crumbling roadways, deficient bridges, and to secure rail-highway grade crossings. The States and transportation contractors will have the ability to count on a stable source of funding through the States, major projects will be able to move forward to help create jobs and generating in the United States and pass this long overdue legislation.

I reserve the balance of my time.

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

As with health care in the aftermath of yesterday’s landmark Supreme Court decision, it’s now time to move forward and put the divisiveness which has plagued the enactment of a surface transportation reauthorization bill for the first time in decades behind us and coalesce in support of the pending conference agreement.

This bill is what it is.

I’m grateful, again, for all that Mr. DEFAZIO of Oregon, the SPEAKER pro tempore. Without objection, the gentleman from Oregon will control the time.

There was no objection.

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

The SPEAKER pro tempore. The gentleman from Oregon will control the time.

Mr. MICA. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN), who does a wonderful job chairing and leading the Highways Subcommittee.

Mr. DUNCAN. Mr. Speaker, I rise in support of the conference report on H.R. 4348, the surface transportation reauthorization bill for 2012.

I first want to salute Chairman Mica for the tremendous job he has done in bringing this bill to the floor today, and I want to thank him for allowing me to serve as chairman of the Highways and Transit Subcommittee. This monumental reform package will be considered the signature jobs bill of the 112th Congress, and I am pleased to have been a conferee on the negotiations of the conference report.

States will have a decade of funding certainty with no tax increases. By providing long-term funding stability to States, major projects will be able to move forward to help create jobs and make much-needed repairs to our Nation’s critical transportation infrastructure. These are jobs, Mr. Speaker, that will not be outsourced to China or elsewhere.

Traffic congestion costs the U.S. economy over $100 billion a year, approximately. With congestion expected to increase over the next decade and beyond, the job creation from this bill will help reduce congestion costs and boost the economy.

This conference report contains no earmarks.

Funding is distributed based on formula that wisely directs to State Departments of Transportation, which will prioritize the highway and transit projects that are the most needed and most important in their State.
The number of Federal programs has been greatly reduced, which will give the States greater flexibility on how they spend their limited Federal resources. The conference report doubles the funding for the Highway Safety Improvement Program, which gives States resources to improve dangerous and unsafe sections on our Nation’s highways and will save lives. A more robust Highway Safety Improvement Program will help continue the downward trend of highway fatalities and serious injuries that we have seen in the last several years.

The House included several streamlining provisions that will have a dramatic effect on the project delivery process. Federal agencies will be given deadlines to review burdensome environmental requirements, and it requires concurrent instead of consecutive project reviews. Projects that are in the footprint of an existing highway will not be required to go through this process to the last study of the Federal Highway Administration, the project delivery process can take up to 15 years from conception to completion. This is government at its worst. These reforms will help cut project delivery times in half and save taxpayers a great deal of money.

The Senate bill also includes a wide spectrum of additional government bureaucracy and red tape for small business that would have severely hurt their bottom line. We were successful in revising many of these over-burdening regulations.

This, Madam Speaker, is the most conservative highway bill ever, both from a fiscal standpoint and from a policy standpoint. I would especially like to praise the staff that has worked so hard, led by Jim Tymon, one of the most competent and capable people this Congress has ever had, from a staff standpoint.

I look forward to passing this reform bill and putting Americans back to work, and I urge passage of this bill.

Mr. DeFAZIO. I yield myself 2 minutes.

This is 27 months of certainty for the States. That’s good. They’ll be able to plan major projects. That will mean there will be some equipment acquisitions by contractors and others, unlike the short-term miniscule amount of money spent during the so-called “stimulus” which opposed. That’s good. But this is not enough.

Ten years ago, the United States of America was rated as having the fifth-bast transportation infrastructure in the world. Not great, but not that bad. Today, we are 25th in the world. Most Third World countries are spending a much larger percentage of their gross domestic product on transportation infrastructure than we are.

The Eisenhower legacy is crumbling. We have 150,000 bridges that need repair or replacement. Forty percent of the pavement on the national highway system needs to be totally redone, not just surfaced. And we have a $70 billion backlog in transit, and we have Buy America rules, which guarantee that all the products that go into those jobs, that investment we need, would be kept here at home. So we did not get to that point with this bill.

This is essentially a little decline from what we just went last year on transportation infrastructure. And what we spent last year, according to two blue ribbon panels commissioned during the Bush administration, is about half of what we need to begin to bring America to a world-class system to compete with the rest of the world and deal with the deficiencies. Build a 21st century transportation system. This money in this bill for 27 months will be enough to put a few more Band-Aids on the 20th century, and the 19th century infrastructure, in some places, that we’re still utilizing.

There are good things. It builds on the ideas that Chairman Oberstar and I offered 2 years ago to dramatically reduce the bureaucracy of downtown at the Department of Transportation. We don’t need to be spending money on 106 different programs that are so complicated that no one knows how to apply, and how to apply the rules, and all that. They’re going to consolidate that. It does some streamlining so projects will get done more quickly.

There are a number of salutary aspects of this bill. But we need to do better by the American people the next time we work.

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, the gentleman from Tennessee (Mr. DUNCAN) will control the time.

There was no objection.

Mr. DUNCAN of Tennessee. Madam Speaker, I yield 2 minutes to a former chairman of our committee, a great Member of this body, the gentleman from Alaska (Mr. Young). (Mr. YOUNG asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Speaker, Members of this body, I want to congratulate the staff, primarily. We mentioned some of them before. The work that they put in this bill is awesome, when they’re dealing with the dark side. And you did such a good job of getting things done that we tried to get done in H.R. 7. I will agree with the gentleman from Oregon about the future and what we have not done in this body because the public still does not believe we need to do what should be done, and that is to pay for the infrastructure through a system that’s fair to everyone and quit thinking there’s a magic wand to get this job done to build our infrastructure as it should be. We are declining each year.

I would like to thank the chairman also, Mr. Mica. He’s absolutely right. When I was chairman, we had a $289 billion, 5-year bill. It’s been in place now 8 years. And I’m quite proud of TAEA-LU. But the chairman was, yes, with his hands tied, because we did not and have not in the Congress retained what I think is a constitutional right of every Congressman: direct money in directions that they know best, without cutting the budget one dime. Now they’re transferring it to the State Departments of Transportation, and I think that’s really a wrong way to do it, because they’re not elected. They don’t know what’s best for a State.

But Mr. Mica did an outstanding job. Mr. DUNCAN did an outstanding job. And the staff did an outstanding job to make really a small silk purse out of a sow’s ear. But now we have to go forth and do another legislative bill in the very near future and explain it to the public: you don’t like those potholes, you don’t like that wobbly bridge, then you better support the concept of a user’s fee or some way to raise the money, because you won’t take it out of the general fund.

We have to do this for America if you want a sound economy. Our economy is based upon energy and the ability to move product to and from. If you don’t do that, you don’t have the America I know.

Mr. DeFAZIO. I yield 1 minute to the gentleman from Iowa (Mr. Boswell).

Mr. BOSWELL. I would just like to give my appreciation to you, Mr. Chairman, to Mr. RAHALL, and to you, PETER, and everybody that’s worked so hard on this.

Just one comment. We’re moving forward. We’re going to have jobs. We’ve done the right thing by way of a good first step. We’ve got more to do, as was just said. Everybody gives up something.

We’ve got this control box, if you want to call it, the black box; the recoder that’s going to be in all trucks. The Mexican trucks get theirs paid for. This happens to be a commercial driver’s license. I don’t know how many of you have got one, but if you want to see one, come look at it some time. It’s a little deck on a one-page slip. Owner-operators have to pay for their own. They’re making $50,000, $60,000 a year if they’re doing a good operation. That’s prevalent in trucks running across this country. They’re doing a good job. They’re keeping commerce moving. We ought to just keep in mind we ought to give those middle class, hardworking, patriotic Americans the consideration they deserve.

But I’m glad we got the bill. I will go out there and work with all of you to try to get it better and get more done, but we’ve got a good first step.

Mr. DeFAZIO. I ask unanimous consent that the gentleman from West Virginia (Mr. RAHALL) be permitted to continue the balance of his remarks.

The SPEAKER pro tempore. Without objection, the gentleman from West Virginia will control the time.

There was no objection.

Mr. MICA. Madam Speaker, I am pleased to yield to 3 minutes to the distinguished chair of the Science, Space and Technology Committee, the gentleman from Texas (Mr. Hall).
Mr. HALL of Texas. Madam Speaker, I, of course, rise in support of the conference report accompanying H.R. 4348, a bicameral effort that provides States flexibility and eliminates duplication of effort. I want to thank Chairman MICA for his outstanding work in negotiating a strong surface transportation reauthorization. The conferees' commitment to reforming Federal surface transportation programs has ensured hardworking taxpayers' dollars are being used more effectively and efficiently.

Chairman MICA actually visited most areas of this country. At a time when we were at home in our districts, he could have been at his home in his district, but he was seeking to empower a bill that sought the greatest good for the greatest number. He worked hard at it. I don't believe in my 32 years here I've ever seen a chairman work so hard to get a bill that was very difficult to start with.

At the outset of the conference, many of us committed to ensuring that surface transportation and restoration funding is used for its intended purpose. As chairman of the House Committee on Science, Space, and Technology, I'm pleased that the transportation research programs in the reauthorization is focused on enhancing safety, reducing congestion, and improving quality in the transportation system.

The reauthorization before us provides, among other things, greater flexibility to keep research programs focused, and eliminates a number of unnecessary programs.

The inclusion of language contained in the RESTORE Act illustrates our commitment to the revitalization of those areas harmed by the Deepwater Horizon oil spill. The addition of certain transparency requirements and the ability for the Gulf States to dedicate funding to research and development and undertaking projects and programs using the best available science ensure the area most impacted will benefit. I would also like to thank my colleagues from Science, Space, and Technology, Mr. CRAVAACK. He worked hard to protect the interest of his constituents in Minnesota, and he was committed to ensuring that we come away with a strong research title. I believe we've done that.

Finally, I'd like to thank the Speaker for the opportunity to work with the Senate to complete a conference report that will provide more certainty to the States and the localities for infrastructure planning purposes.

I believe this bill helps to create jobs for the American people, which is vital in this troubled economy.

Mr. RAHALL. Madam Speaker, I am happy to yield 2 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), the ranking member of the Education and Workforce Committee, who has jurisdiction over the student loan section of this conference agreement.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Madam Speaker, I rise today in support of this conference agreement.

Without it, transportation projects would dry up across America. Workers would be thrown out of work, and a college education would cost an additional $1,000 for more than 7 million students and their families.

The benefits of this legislation for millions of Americans will be felt immediately. In my home State of California, this legislation will save or create nearly 190,000 construction jobs rebuilding our highways and bridges and bike paths; and it will save 570,000 California students that would have to take on student loans this year for a total of $1.3 billion. The majority of those will be women, more than 1.5 million of those will be African American, nearly 1 million are Hispanic students, all who are struggling to stay in college. This interest rate relief that we are providing today will help them.

What is happening today, though, is a rare thing in this Congress. It's a victory for college students. It's a victory for low-income families. It's a victory for the middle class. It's a victory for the President. A victory that should not be as rare as it is in the Congress today. The American people should thank this win, and we should make sure that we continue to cooperate in this Congress. And we should commend the work of Mr. YOUNG and Mr. DEFAZIO that we have to do more on our infrastructure to make this country a first-rate country going forward in the future.

Thank you very much for yielding me this time, Mr. BACHUS, the distinguished chair of the Financial Services Committee.

Mr. BACHUS. Madam Speaker, first let me commend Chairman MICA on behalf of this Congress and the American people for the fine work that you and your colleagues have done on this bill. We'll build more roads with less money and cut through red tape and expedite projects.

I also want to associate myself with the words of Don Young, our former chair from Alaska, and District Insurance Commissioner from California. You cannot have—the leading country in the world cannot have a Third World infrastructure. And unless we find new funding sources, we will continue to fall behind, and we will continue to have those potholes and bottlenecks.

Now, I want to move to the National Flood Insurance Program which is a part of this bill. It is also a win for the American people. This House over a year ago approved comprehensive flood insurance, risk based, that would reduce the cost and bring many benefits to the program. Last week, the Senate passed a bill which is essentially the bill we sent them over a year ago. It's a bipartisan bill. It was a lot of hard work and input from Members. We passed it overwhelmingly in the Financial Services Committee and overwhelmingly on the floor of the House.

I would like to commend Chairwoman BIGGERT for her fine work. Her name is on this bill, and there's a reason for that. She worked harder than anyone in this Congress to deliver a good bill. It's a 5-year bill, and it was able to make up for the deficit of $17.5 billion that this program has as a result of those hurricanes back in 2005.

I would like to commend the Illinois delegation and the California delegation under Mr. SENSENICH and Mr. COSTA, who, sadly, is retiring this year. This bill takes care to balance costs and communities that use their own funds. I urge Members to pass this bill. It's a good bill. It includes many good provisions that Members have been a part of this effort.

As the legislation to reauthorize and reform the National Flood Insurance Program heads to the President's desk, I would like to acknowledge the time, effort, and wisdom that four members of the Financial Services Committee staff provided to create this positive outcome. These staff members were able to reconcile the differences between the House and Senate bills—working through a host of complex, highly technical issues—in less than one week. The efforts of Clinton Jones, Talisman Johnson, Ed Skala, and Nicole Austin helped all of us to achieve this very beneficial outcome for the American taxpayer, and I thank them for their service to the U.S. House of Representatives.

Madam Speaker, I want to commend Transportation Committee Chairman MICA, Subcommittee Chairman RAHALL and others for their hard work on the needed transportation and infrastructure improvements in this bill.

I also want to take the time to comment on provisions in this bill regarding reauthorization and reform of the National Flood Insurance Program (NFIP).

Today we're doing something we haven't done since 2004: provide a long-term reauthorization with meaningful reforms for the National Flood Insurance Program. Since September 2008, the NFIP has been lapse 17 times and the program has lapsed four times during that same time period, creating needless uncertainty in the residential and commercial real estate sectors in communities across the country.

Over a year ago the Financial Services Committee and then the House, in a bipartisan display of cooperation, overwhelmingly passed a five-year flood insurance bill with comprehensive reforms and savings for the taxpayers. This week the Senate approved our legislation.

This bipartisan bill represents the hard work and input of many members, and I especially
Mr. SHUSTER. I thank the chairman for yielding me this time. I first would like to thank Chairman Mica and Chairman DUNCAN for their hard work in producing what I believe is a very solid bill with historic reforms in it. The chairman was a tough negotiator, and he carried through to something that I believe we can all be very proud of.

We need to act on this bill. If we don't act, if we fail to act, the trust fund will default. We'll have to figure out a way to bail it out. And yet, here we are, fully funded and has some significant reforms in it.

Those reforms include, first of all, the fact that it is a 2-year bill which puts certainty out there to the States and the companies and people who build roads and highways and supply them with the products that they need. That is extremely important.

Second, it consolidates nearly two-thirds of the programs, which is important of NFIP authorization and in the streamlining project delivery. That is significant. We believe that will reduce the amount of time it takes to build a significant highway project in half. That's a tremendous savings. When you look at a project I recently visited in Oklahoma City, the Crosstown Expressway, a $680 million job, it took 15 years. If you cut that in half, it saves somewhere between $30 million to $80 million just on the inflation alone. So that's a significant saving, and that's why I believe this has great reforms in it. It is something that we all need to get behind and pay.

Again, I want to congratulate the chairman for his great work, and also the staff, all of the staff on the committee, both sides of the aisle. Both sides of the Capitol worked hard, but a special thanks to Jim Coon, Amy Smith, Jennifer Hall, and Jim Tymon for their tireless effort. There were a lot of late nights, but they did a great job, and I think we did a great deal of thanks for what they did.

Again, I encourage all of my colleagues to support this bill.

Mr. RAHALL. Madam Speaker, I'm happy to yield 1 minute to the gentle-

man from New York (Mr. NADLER), another valued conference on our side.

Mr. NADLER. Madam Speaker, I rise in support of the transportation reau-

thorization conference report, the Moving Ahead for Progress in the 21st Cen-
tury Act or "MAP–21" (H.R. 4348).

Mr. NADLER. Madam Speaker, I was honored to be appointed as a member of the con-

ference committee, and I was ready to negotiate in good faith to craft a bill that we could all be proud to support. Unfortunately, the process by which this conference was conducted over the last couple of weeks is a cause for concern and was tarnished by a lack of transparency and bipartisan collabora-
tion. House Democratic conferences were shut out of the final negotiations. Our committee staff was not even allowed in the room. The bill text wasn't made available until 4 a.m. yesterday morn-
ing, so we have had a very limited amount of time to review the details of this legislation. Yesterday morning, I declined to sign the conference report simply because I could not endorse a product without an adequate understand-
ing of all of its contents, and of the full impact to New York. Our Sen-
ate counterparts appear to have struck a compromise that is impor-
tant victories, as well as concessions of concern. The final package will provide at least $105 billion over the next two...
Madam Speaker, I rise in support of the conference report, but the designation of a primary freight network and development of a national freight strategic plan is retained. For too long, freight has been too low a priority, and this must be changed. We must make the efficient movement of freight a national priority. There is no greater transportation issue in the federal interest, and I hope that the measures contained in the report will be a stepping stone to a greater federal emphasis on freight policy and funding—and not an end result.

The Transportation Enhancements program, which is now called Transportation Alternatives and includes bicycle, pedestrian, and safe routes to schools, is still in the conference report, but the program is weakened from current law and from the Senate bill. These projects have bipartisan support, as evidenced by the Cardin-Cochran amendment to the Senate bill, and the Petri amendment to the House bill. Despite the broad support for transportation enhancements, the conference report lowers the overall amount of funding for these projects by several hundred million, and expands the ability for states to use this funding for other purposes, including for projects already eligible under other highway programs.

The House also should be commended for keeping the Keystone Pipeline out of the bill, as well as the provisions limiting EPA authority to regulate coal ash. These are important concessions that were undoubtedly difficult to secure. The RESTORE Act, which would dedicate 80% of the fines levied on BP to Gulf Coast oil spill restoration, is still in the bill, but it is unfortunate that the provision directing funding through the Land and Water Conservation Fund did not survive.

There are several important safety incentive programs, including those tar- geted at highway safety, public safety, and marine transportation enhancements, the conference report, but the designation of the Senate bill’s temporary and targeted ability for transit agencies to flex funding for operating assistance has been dropped from the final agreement.

The bill retains the Projects of National Significance program, which we first established in SAFETEA-LU, but the provision is greatly watered down and is rendered largely symbolic. The authorization level is scaled back to $500 million for one year in FY13, and the funding is not guaranteed, but subject to general fund appropriations. The Transportation Appropriations bill for FY13 has already been considered in the House. It passed just yesterday, and there was no funding for this provision included in it. Perhaps we will get lucky and secure funding for it when the appropriations bill is conferenced with the Senate later this year, but the spending levels in that bill are already much too low and resources are strained. It’s hard to see how any significant funding will be dedicated over the life of this bill to these projects that are essential to freight movement, economic growth, and global competitiveness. There is a requirement that DOT prepare a report on how to increase the effectiveness of the program, but some work in this area will continue, but it is wholly inadequate.

The National Freight Program originally in the Senate bill is not in the conference report, but the designation of a primary freight network and development of a national freight strategic plan is retained. For too long, freight has been too low a priority, and this must be changed. We must make the efficient movement of freight a national priority. There is no greater transportation issue in the federal interest, and I hope that the measures contained in the report will be a stepping stone to a greater federal emphasis on freight policy and funding—and not an end result.

The conference report also does not include any increases to truck size or weight requirements and it includes a study which could provide useful information on truck size and weight safety impacts. The bill also includes improvements to motorcoach safety, requiring seat belts and establishing roof strength and crush resistance standards. However, these standards apply only to newly-manufactured motorcoaches, and there is no mandate to retrofit existing buses.

This final package is a combination of hard-fought victories and losses. There are several aspects of it that I do not support, and the process by which this conference report was developed was, at times, regrettable. But the funding levels and distributions to the states and transit agencies should be considered a victory, especially given the position of House Republicans, and the bill will put a lot of people back to work at a time when we need it most. Because of the positive aspects of the transportation bill, and the extension of lower student interest rates, I will vote for the conference report.

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to one of the distinguished leaders in the House, the gentlelady from Illinois (Mrs. BIGGERT), who had a great deal to do with the flood insurance provisions—worked tirelessly.

Mrs. BIGGERT. I thank the chairman for giving me this time.

Madam Speaker, I rise in support of this conference report and wish to address particularly title II, which would reauthorize for 5 years the National Flood Insurance Program, or NFIP.

There are six important reforms included in this bill: It improves NFIP’s financial stability; it will reduce the burden on taxpayers; it restores integrity to the FEMA mapping system; it will recognize the existence of the insurance market through a 5-year reauthorization; and last, it explores ways to increase private market participation.
Let me just say also, that I'd like to thank the bill's co-sponsor, Mrs. WATERS, as well as Chairman BACHUS and the Financial Services Insurance Subcommittee and full committee staffs on both sides of the aisle. Let me just say also that I'd like to thank the Senate and House leadership, including Speaker BOEHNER and Leader CANTOR, as well as the thousands of constituents and groups who gave their valuable time and input to making this a very good bill.

I rise in support of this Conference Report, and I wish to address in particular Title II, which would reauthorize for five years the National Flood Insurance Program or NFIP. There are six important reforms included in this bill:

- It improves NFIP's financial stability; it will reduce the burden on taxpayers; it restores integrity to the FEMA mapping system; it will help bring certainty to the housing market through the necessary reauthorization; and lastly, it explores ways to increase private market participation.

Many of us in Congress would like for the private sector—instead of taxpayers—to shoulder the risk of the National Flood Insurance Program. Market participants have signaled that they can assume the risk of flood insurance. And with the appropriate data from FEMA, the reinsurance industry has indicated that within weeks it can price this risk. That's why, for the first time in the NFIP's existence, this flood reform measure will require FEMA to solicit bids to determine the cost to the private sector, not to the taxpayer, of bearing the risk of flood insurance.

Finally, I'd like to say that this bill is proof that bipartisanism is possible, particularly when it comes to an issue of national significance, such as the most frequently occurring national disaster in the United States, flooding. When a flood occurs, it does not choose an area that has Republican or Democrat leanings or elected officials. Floods affect the country and people of all walks of life. Today's flood reform measure demonstrates the democratic process, where reforms are publically vetted, reflect input from interested stakeholders, and are realized.

With that, I will note that this conference report includes the first significant reform to the NFIP in nearly a decade. After 17 extensions since 2008, multiple lapses in the program, and months of inaction, this flood insurance reform measure is a major bipartisan accomplishment. As I've said from the beginning, the NFIP is too important to let lapse and too in debt to continue without reform. I urge my House—and Senate—colleagues to support the conference report so that we can send this agreement to the President's desk and put the nation's flood insurance program back on a sound financial footing.

In closing, let me thank the bill's co-sponsor, Mrs. WATERS, as well as Chairman BACHUS, Financial Services Insurance Subcommittee and full committee staffs on both sides of the aisle. Let me just say also that I'd like to thank the Senate and House leadership, including Speaker BOEHNER and Leader CANTOR, as well as the thousands of constituents and groups who gave their valuable time and input to making this a very good bill.

I would also like to thank the following:

My constituents in the 13th Congressional District of Illinois who provided advice to us throughout the development of this bill; Illinois floodplain managers, Paul Osman and Sally McConkey; Mrs. WATERS, Chairman BACHUS, and all of the 54 Members of the House Financial Services Committee who voted unanimously to pass out of Committee a flood reform bill last May (2011); All of the Members of the House who contributed to the development of this bill, and the 406 Members of the House who voted for H.R. 1309 last July (2011); Republican House Financial Services Committee staff: my designee, Nicole Austin, as well as Clint Jones, Ed Skala, Tallman Johnson, Jim Clinger, and Eric Thompson; Democrat House Financial Services Committee staff: Charla Ouertatani, Dom McCoy, and Kelly Larkin; House Republican and Democrat leadership, particularly Speaker BOEHNER and Majority Leader CANTOR, and their staff; All Members of the House Science, Judiciary, and Rules Committees; Senators and Senate Banking Committee staff; Dan Hoople with the Congressional Budget Office; Paul Callen and his colleagues at the House Office of the Legislative Counsel; FEMA staff, including technical experts, congressional affairs, and Vince Fabrizio; Witnesses who testified during our hearings on flood reform; and All of the various financial services organizations, consumer groups, as well as the SmarterSafer Coalition, which includes groups from the National Wildlife Federation to the International Code Council to Americans for Tax Reform.

Mr. RAHALL. Madam Speaker, I am happy to yield 2 minutes to the distinguished ranking member on our Railroads Subcommittee and a valued member of our conference, the gentle- man from West Virginia, Mr. RAHALL.

Ms. BROWN of Florida. I had much higher hopes for this transportation re-authorization bill and long for the days that our committee worked together in a bipartisan manner, but this is a good day for the traveling public and for the American economy. This transportation bill will strengthen our infrastructure, provide quality jobs, and serve as a tool to put the American people back to work. Although I would have preferred a long-term bill with much more funding for infrastructure, and I'm disappointed that we did not include a rail title or give our local transit agencies the flexibility they asked for during these economic times, this bill will give States, local governments, and our transportation stakeholders some stability to plan and build critical transportation projects.

This bill provides steady funding for both highway and transit programs, maintains the 80-20 split between highway and transit, speeds up the permitting process for projects, includes important safety measures that will save lives, and maintains OSHA oversight of hazardous materials.

I am also pleased that this legislation includes the RESTORE Act, which will help Gulf States like my State of Florida recover damages and plan for and prevent future oil spills. Florida's economy is based on tourism and would be destroyed overnight if an oil spill reached our beaches.

This isn't a perfect bill, but I am going to vote for it. I want to thank the Senate, and I want to thank Senator BOXER, Mr. MICA and Mr. RAHALL, and all for working together. My understanding is that this is a clean bill and we can vote for it. No riders are included, which is my understanding. So I will vote for it, and I will recommend my colleagues vote for it too.

Mr. MICA. Madam Speaker, I am pleased to yield 1½ minutes to one of the leaders of transportation, new on the committee, but a conference member, an outstanding job, the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Madam Speaker, as a member of the House transportation conference committee, I join my colleagues in proudly supporting this legislation.

My House colleagues and I attended many of the conference negotiations, and we fought hard for commonsense transportation reforms. This bill streamlines the environmental review process, consolidates and eliminates duplicative programs, and provides more flexibility to the States. Passing this legislation will provide job security for millions of Americans.
I'm grateful to my House and Senate colleagues that stood with me in opposing an amendment that was in the Senate bill. This amendment unfairly punished the State of Indiana for pursuing a public-private partnership. Not only would it have cost Indiana millions in transportation, but it would have set our country backwards in innovative transportation policy. This type of thinking is not where we need to be headed in transportation policy. We need to put taxpayers first and continue to improve the private sector in transportation projects.

I would like to thank the House and Senate staff, who have been working tirelessly on the legislation. I thank Chairman MICA, Senator BOXER, and Senator INHOFE for their leadership on this issue. Thanks to everybody's work, 25,000 Hoosiers will have job security for the next 2 years.

I urge all of my colleagues to support this legislation, and let's put millions of Americans back to work.

Mr. RAHALL. Madam Speaker, I'm happy to yield 2 minutes to the distinguished ranking member on our Committee on Oversight and Government Reform, as well as a valued member of our conference on transportation, the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Thank you, Ranking Member RAHALL, and thank you for your leadership. I also thank Chairman MICA and all of my colleagues.

This bill provides certainty for our States, but overall funding for highways is reduced relative to fiscal year 2011. To ensure our Nation's mobility, we need expanded investments in all modes.

Critically, this bill finds that discrimination and related barriers continue to pose obstacles for minority and disadvantaged business in the transportation industry. My colleagues and I have considered the extensive evidence provided to us in testimony in the Transportation Committee and detailed disparity studies documenting ongoing discrimination in transportation contracting. We've concluded there is a compelling national interest in reauthorizing our DBE programs. I thank Senator BOXER for her leadership on this issue.

That said, I'm disappointed that House Democratic participation in the conference was so limited. And as I have had the chance to review the final report, several of its provisions deeply concern me—perhaps none more so than section 100124, which would reduce by one-third the percent of food aid shipped on U.S. vessels.

There are fewer than 100 U.S.-flagged vessels in the foreign trade now, and they carry less than 2 percent of U.S. cargos. Without the MSP and cargo preference programs, we would have no domestic merchant marine, leaving our military, and indeed, our economy, completely dependent on foreign vessels.

The effect of section 100124 will be to speed the continuing decline of our fleet. It should never have been included in this bill, and it should be immediately repealed.

With that, I am going to support the bill and urge my colleagues to support it.

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from West Virginia (Mrs. CAPITO), who has worked very hard on this provision, and she's going to explaining the situation that brings her here at this point.

Mrs. CAPITO. Thank you, Mr. Chairman, and ranking member and the conference committee, for what I think is a victory today. I think this reauthorization bill is one of the most important responsibilities we have. It's a jobs bill. It will bring efficiencies to our funding stream for very important projects, and it will remove a lot of uncertainty.

As a member of this committee, I'm really, really pleased that we were able to come to a compromise. The efficiencies and the streamlining, when the chairman brought the committee to Yeager Airport, one of the resounding complaints about current funding in the transportation sector is it takes too long, it's too expensive, and time is money. And we can do a lot better job with more efficiencies and make our dollars go farther. And with hard deadlines and exemptions, I think that this bill will do that.

There are a couple of provisions in here that I regret were not included, and most specifically, the provision on the coal ash provision. I mean, we're looking at a time where we have scant resources. We have to make smart decisions about how to weave the balance between our environment and our economy; and the coal ash provision would have provided, I think, the certainty to the coal industry and to those surrounding, also, the coal industry that smart use and responsible use of coal ash would be in our future.

Unfortunately—and I believe it occurred in the Senate that that provision was not included in our bill, and I'm deeply disappointed by that. But we will, as an energy State and as energy representatives, we'll live to fight another day.

Additionally, I would like to say, as a member of the Financial Services Committee as well, the reason that the flood bill is on this bill is extremely important, again, to lend the certainty to lenders, Realtors, homebuilders, and really, the consumer that we can get that housing market moving again; and the certainty provided by the reauthorization of the flood bill in here will provide us with that.

But I simply want to say that I think that in a bicameral, bipartisan way we worked particularly in West Virginia and across this Nation that we can work together to create the jobs that we need in the sectors that we need, and I look forward to supporting the bill.

Mr. RAHALL. Madam Speaker, I am happy to yield 1 minute to the gentlewoman from California (Ms. WATERS), who has higher jurisdiction over the flood insurance portion.

Ms. WATERS. Madam Speaker, I'm pleased that we could work in a bipartisan fashion to not only extend our expiring transportation and student loan interest rate programs, but to also reform the Federal flood insurance program.

I'd like to thank Representative JUDY BIGGERT for her leadership and commitment to reforming flood insurance. Representative Biggert and I both worked together to meet the needs of our respective caucuses, and the result is a bill that puts the flood insurance program on a solid footing.

The flood insurance program provides insurance for over 5 million Americans. However, due to massive losses from Hurricane Katrina and an inefficient mapping system, the flood insurance program has faced challenges in serving homeowners and renters. The Biggert-Waters bill will reauthorize the National Flood Insurance Program for 5 years and make critical improvements to the flood insurance program. The reforms in this bill will make flood insurance more affordable, give communities more input into flood maps, and strengthen the financial position of the flood insurance program.

With that, I would urge an "aye" vote.

Mr. MICA. Madam Speaker, I am pleased to yield 1½ minutes to the gentlewoman from Washington (Ms. HERRERA BEUTLER), another conferee and a young leader in the Transportation and Infrastructure Committee.

Ms. HERRERA BEUTLER. Thank you, Chairman MICA. And I'd like to thank you and your staff for working tirelessly on this issue.

The past several months, both House and Senate Members and staff have been working around the clock, and through tough negotiations we were able to work in a bipartisan, bicameral way to produce something that has direct impact on the lives of the folks I serve in southwest Washington.

I'm well aware the perception that this Congress is having difficulty getting things done, but I'm pleased to say that we were successful. And particularly folks in my home district in southwest Washington State are excited that the House fought for vital reforms that are going to allow us to cut project delivery times down, even by half in some instances. That means dollars are going to go further, more projects are going to get done, and more money will be available for additional projects. That sets us up for more jobs.
Madam Speaker, first I want to extend my deep appreciation to all conferees on this legislation, some 47, I believe. I'd like to pay particular word of commendation to the chair of the conference committee, the gentleman from California, Senator BARBARA BOXER. She worked extremely hard on this legislation. She worked tirelessly to resist many, many, many extreme proposals that were lobbed at her by Republican House conferees. She worked hard to ensure that policies and investment levels of this legislation will serve America, and she did work in a bipartisan fashion.

I'd also like to thank my counterpart and the chair of our House Transportation and Infrastructure Committee, Mr. MICA, for his leadership. He has already spoken, and has many times, of the bipartisan nature in which we started this journey in my hometown of Beckley, West Virginia, and I deeply appreciate the hearings that he started there and his continued outreach across the country.

As this hard road progressed, there were some diversions along the way. There were efforts to sidetrack what we were trying to do in providing long-term funding for this Nation's infrastructure, yet we're here today to hail the efforts that we've heard that many times in this body, and we're not considering the perfect bill. Yet we are, out of necessity, finding ourselves working together to extend our transportation program so that millions more American workers are not laid off the job.

I also want to thank my senior Senator, JAY ROCKEFELLER, the chairman of the Senate Commerce Committee, for his great contribution to this pending measure. Again, efforts were fought to ensure that we did not further degrade any safety measures that were proposed in this conference agreement. We have a strong measure in regards to safety issues thanks to Senator ROCKEFELLER.

This legislation will preserve American jobs. As I said in the opening of this conference committee, it's time that we quit taking those political jabs at one another and, rather, provide jobs for our people. That's what we're doing in this legislation. The contract season is late, especially in many of our northern States, and our contractors need this legislation in order to have the certainty to sign those contracts that put Americans to work this summer, repairing our infrastructure. We have put aside, I guess you'll say, our hard heads—I'm happy to say—in exchange for hard hats doing the work that's necessary to get our economy back on.

As with any piece of legislation, we've compromised in this bill—all sides have—which is part of the legislative process. I've always said that. There are some things in this bill we don't like and some things we like. There are probably 435 different ways this bill could have been written if each of us had had his own way to write a bill, but that's not the way the process works. With the process being what it is, we are where we are today, so I want to thank the staff on both sides of the body as well.

I want to thank our conferees on the House side: PETER DEFAZIO, JERRY COSTELLO, ELEANOR HOLMES NORTON, JERRY NADLER, CORRINE BROWN, ELIOT CUMMINGS, LEONARD BOSWELL, and TIM BISHOP. These individuals stuck with us every part of the way, and they truly had their hearts in improving our infrastructure and providing jobs for America. So this is a jobs bill. I'm happy to support it, and I urge my colleagues to support this conference agreement.

Fifty minutes remain of my time. Mr. MICA, I yield myself the balance of my time.

Madam Speaker, it is good to be at this point in the completion of a long overdue, major transportation reform bill for the Congress and for the American people.

First, I will take a moment and thank our staff: Jim Tymon, who is next to me here, is the tireless staff director of the Highway Subcommittee. He is day and night helping to sort things out, looking out for the people and making certain this bill has the very best provisions; Dan Yeoni; Shant Boyajian; Geoff Strobek; Joyce Rose; Fred Miller; Steve Martinko; Justin Harclerode, who is my press secretary, or assistant. He has always had to explain what I've said or at least clarify; Jason Rosa; my sidekick, Clint Hines, who has followed me from the floor to many member requests; Jennifer Hall, our outstanding legal counsel; Amy Smith has some real firepower for good policy for the country and for transportation for the Nation; and then our untiring leader of the committee, Jim Coon, our staff director, who day and night neglected his beautiful family for the benefit of the people of this country.

Then we even retired Jimmy Miller in this process, who headed this up for many, many years in the service to our Nation and the committee. He retired in the process, hopefully not as a result of all the hard work. He is a great American:

Then there is Stephanie Kopelousos, who was on our team for a while. She is the former Secretary of Transportation from Florida, and she organized the Secretaries around the United States—I think the forward-thinking Republicans who help us go through the laws and all the mess and redline it and get rid of the bureaucracy, the duplication, the costly red tape.
So our hats are off to all of them and to so many more and to all of our distinguished colleagues who were conferees who worked on this.

We actually engaged members in discussion, which is a new approach to a conference committee. We did that. I’m not sure where Bob Boex has been. Bob Boex’s staff did. So, again, if there was anyone who felt that he didn’t participate enough, I tried not to be responsible for that approach in having started, as I said, the first hearing in Beckley, West Virginia, Mr. Rahall’s hometown, going all the way to the west coast to have an unprecedented, historic bipartisan bicameral hearing in California with Barbara Boxer, who chaired the conference committee.

So this is where we are. Tomorrow would actually close down thousands of transportation projects. Departments of Transportation around the country were on the verge of actually giving sort of IOUs or giving notification to close down, and probably millions would have been put out of work if we hadn’t acted. So this is very important for the American people, particularly at this time when we’re on the cusp of not knowing which way the economy is going to go, and it has to go forward.

There are some other things in here that are also great: the RESTORE Act; student loans from which our students will benefit; national flood insurance from which I am wondering if the 50 states and others will see reductions; transportation safety was paramount; there was a consolidation of some of the programs, streamlining, cutting red tape.

We were able to do more with less and move transportation forward for the Nation.

Again, I thank everyone for their cooperation. I am pleased that we’ve reached this point. It doesn’t have everything, and a lot of people said it couldn’t be done. As my son often says—and I’ll close with his remarks, and he likes the Cable Guy—”Dad, git-r-done.”

Son, we got-r-done today. I yield back the balance of my time.

Mr. COSTELLO. Madam Speaker, I rise in support of the conference agreement on H.R. 4348, the Surface Transportation Extension Act of 2012.

As a conferee on the surface transportation bill, I am glad an agreement was reached and the bill is before us today.

I am pleased that Senator Boxer’s share of federal highway formula funding increased to 3.67%, the highest level that our state has received in over 15 years.

In addition, the conference report does not include language that would allow bigger and heavier trucks on our roads and bridges, but instead will authorize U.S. DOT to conduct a comprehensive, national study.

While the surface transportation conference report is not perfect, it does provide certainty to State DOTs, transit agencies, and contractors that will help create and sustain jobs for out-of-work Americans and keeps construction workers on the job for the rest of the season.

I commend Chairman Mica, Ranking Member Rahall, Subcommittee Chairman Duncan and Ranking Member DeFazio for their leadership in helping to bring this conference report before us today.

Finally, this legislation does not include residual risk provisions in the National Flood Insurance program that would have required the purchase of flood insurance for communities behind certified levees. A strong bi-partisan effort prevailed to remove these provisions from this legislation, and I commend Congressman Shimkus, Senator Durbin, and Senator Kink for working with me on this matter.

I urge my colleagues to support the conference report and yield back the balance of my time.

Ms. BORDALLO. Madam Speaker, I rise today in strong opposition to H.R. 4348, the Moving Ahead for Progress in the 21st Century Act (MAP–21) which significantly cuts critical federal investment in surface transportation projects for the territories. The authorized funds for the next two fiscal years would severely undermine my district’s ability to improve and upgrade road systems on Guam and put current projects at risk.

MAP–21 cuts 90% percent from the Territorial Highway Program (THP), which was established to assist Guam, the Northern Mariana Islands, American Samoa and the U.S. Virgin Islands build and improve main and secondary highway systems. It is critical to ensuring that our districts have a quality highway system that facilitates commerce in the territories. The territories have received funding that does match their current upgrade and modernization requirements. The cuts to the THP will hinder our district’s ability to meet these requirements over the next two years.

The proposed cut to this program, about $8 million for Guam over the next two years, could jeopardize financing for larger projects utilizing GARVEE financing. The GARVEE financing mechanism and current bonds assumed level funding over the next several years. Ultimately, this bill may lead to project cancellations and job losses.

Even at current funding levels, the THP is inadequate in addressing the needs of the territories, and the governments in the territories do not have access to many programs available to the 50 states and Puerto Rico. I introduced legislation that would put the territories on equal footing when competing for federal highway discretionary grant programs. Further, I offered the text of my bill for consideration as an amendment in conference. Unfortunately, the text of this legislation was not included in the final bill. On top of crippling cuts to the THP, the territories are not even afforded opportunities to compete for other discretionary programs like the Innovative Bridge Research and Deployment program. My bill, H.R. 2743, would permit the Secretary of Transportation to make the territories eligible for this competitive funding to the territories and remedies a disparity where our governments are unable to even compete for this program.

Madam Speaker, H.R. 4348 will likely have a detrimental effect on my constituents and would significantly undercut our ability to improve our roadways and invest in critical infrastructure improvements. Guam is being asked to support one of the largest military realignments in our nation’s history and our island is in critical need of assistance to improve our roadways to support the military buildup. Cutting 20 percent from the THP would provide nominal short-term savings but it would cost significantly more in the long run and along with the most difficult job market in generations. Keeping student loan interest loans for an additional year keeps our commitment to our younger generations.

It is unfortunate that this compromise on student loans is attached to the transportation reauthorization as I strongly opposed to the cuts to the THP and, as such, urge my colleagues to oppose this legislation.

Mr. HOLT. Madam Speaker, I rise today in strong support of H.R. 4018, the Public Safety Officers’ Benefits Improvements Act, of which I am a cosponsor, and I thank my colleague from across the Delaware River, Mr. Fitzpatrick, for his work on this extremely important issue.

During the early morning hours of August 28, 2011, as Central New Jersey was bearing the brunt of Tropical Storm Irene, the Princeton First Aid and Rescue Squad was called to investigate a vehicle submerged in raging floodwaters with the occupants possibly trapped inside. Michael Kenwood, a 39-year-old volunteer emergency medical and rescue technician, entered the water tied to his partner in an attempt to reach the stranded vehicle. The two quickly realized that the current was too strong and tried to turn back, but Michael lost his footing and was sucked into the current. When he was pulled from the water, Michael was unconscious and not breathing. Michael died later that day, leaving behind a wife, Beth, and 3-year-old daughter, Laney. The submerged car turned out to be empty.

Michael’s death was a tragedy. But what compounded this tragic situation was the fact that, under current law, Michael’s family was not eligible for federal death benefits because he was a volunteer member of a non-profit organization. This is just wrong. Michael’s sacrifice would be no different if he had been a member of a paid fire department or EMS agency, and federal law should treat it as such. When he was called to enter those floodwaters, Michael did not stop to think, “I don’t get paid for this so I don’t do this?” He answered the call just like thousands upon thousands of others do each and every day, risking their lives in the service of others, regardless of whether or not they are paid.

This legislation would extend the federal benefit programs for the women and men who volunteer for fire departments and rescue squads and are injured or killed in the line of duty. Quite simply, it is the right thing to do. I am glad to see this bill being brought to the floor and urge my colleagues to support it here today.

Last Saturday, Michael’s name was added to the National EMS Memorial in Colorado Springs, Colorado. I would ask that my colleagues join me in remembering Michael’s sacrifice, and those made by the other police officers, firefighters, and emergency medical responders who put their lives on the line each and every day to protect ours.
Mr. FALEOMAVAEGA. Madam Speaker, the Conference Agreement on H.R. 4348, Surface Transportation Extension Act of 2012 unfairly places the financial burden on the smaller territories—American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, the Virgin Islands (U.S.)—critically, the agreement would result in a 20-percent reduction for each of the smaller territories under the Territorial and Puerto Rico highway program (Div A, Title 1, Subtitle A, Section 1114) for FY 2013 and FY 2014.

The territorial highway program underscores federal commitment to sustain economic development in the territories as well as to ensure safe highways in our communities. Funding from the territorial highway program has provided for the construction and improvement of highways and roads, critical infrastructure for commerce and transportation in the territories.

Mr. Speaker, any cuts to these critical funding could prove devastating to the economies of the smaller territories, yet we face the same challenges—the high cost of energy and transportation—as everyone else across the country.

Similarly, the initial version of the Highway Reauthorization bill that the House passed earlier this year would have replaced the Highway Trust Fund as the funding source for the Territorial Highway Program, with a less stable source.

For these reasons, the territorial delegates wrote a joint letter to the Conference Committee on April 26. We specifically highlighted the need to maintain the current funding levels for the territorial program. In addition, we asked that the territories be made eligible for certain discretionary grants and planning grants programs.

I am pleased that the conference agreement would keep the Highway Trust Fund as the funding source for the Territorial Highway Program. While I am disappointed to know that the smaller territories are given the brunt of the budgetary cuts to bear, I am hopeful however that the territories would be made eligible for certain discretionary grants and planning grants programs. These additional grants could help mitigate some of the financial issues as a result of the proposed reduction.

Mr. LANGEVIN. Madam Speaker, a rare thing has happened today. Republicans and Democrats in the House and Senate have reached a compromise for the greater good of the American people. Today we will vote on three critical measures: a long-term transportation extension, a long-term flood insurance extension, and a one-year continuation of current rates for need-based student loans.

Each of these measures provides critical importance to our nation’s economic recovery. This legislation will create or save more than 2 million jobs, including approximately 9,000 in Rhode Island, by authorizing highway and transit programs through 2014.

Unfortunately, in order to secure an agreement, the conferes included some provisions in this bill with which I disagree. I am disappointed that the legislation threatens critical environmental funding and protections and fails to expand funding for the Land and Water Conservation Fund, which provides matching grants to states to acquire land and water for the benefit of all Rhode Islanders. I will work to restore these resources in the future, but on balance this is a good agreement that will benefit communities and workers across our state.

I am also pleased that this measure prevents the Stafford loan interest rate from doubling to 6.8 percent on July 1 for 7 million college students, saving them $1,000 over the course of the year. However, I do recommend that the bill cuts the student loan program by limiting the amount of time a student qualifies for a loan to 150 percent of the program’s length and eliminates the six-month interest subsidy grace period after a student has graduated. Too many students—especially those from low-income families—are unnecessary barriers to pursuing a college degree, and it is our responsibility to empower them by investing in their education.

Thousands of jobs in Rhode Island have been on hold, waiting for Congress to act. This delay was needless, and this legislation is long overdue. Nowhere is our nation’s fragile recovery more apparent than in my home state of Rhode Island, with an unemployment rate of 11 percent. I applaud the Conference for their tireless efforts to craft this compromise, which will bring relief to students, provide flood insurance to our homeowners, and allow our states and cities to move forward on the path to rebuilding our roads, our communities, and our economy.

Mr. HINOJOSA. Madam Speaker, I rise in strong support of the underlying bill, the Conference Report to H.R. 4348, legislation that will keep student loans affordable for more than 7 million students: 4.5 million of whom are women, 1.5 million of whom are African-American, and nearly one million of whom are Latino.

This legislation will prevent interest rates on need-based student loans from doubling on July 1st, from 3.4 to 6.8 percent and provide much-needed relief to students and families. This will save students an average of $1,000 over the life of their loan. In my home state of Texas, approximately 461,533 borrowers will benefit from this congressional action.

As you know, student debt is skyrocketing, with the average borrower graduating with $25,000 in student loan debt. The Consumer Financial Protection Bureau, total outstanding student loan debt surpassed $1 trillion last year.

As Ranking Member of the Subcommittee on Higher Education and Workforce Training, I urge my colleagues to vote for this bill and to work in a bipartisan manner to reaffirm Congress’ strong commitment to accessibility and affordability in higher education.

Together, we must address the rising cost of higher education and the ever-increasing amount of debt that students are being burdened with.

Young people in our communities must know that Congress is working hard to ensure that they have a bright future and access to an affordable, high-quality education—one that prepares them to lead healthy and prosperous lives.

With that, I urge my colleagues on both sides of the aisle to vote for this bill.

Ms. BORDALLO. Madam Speaker, I rise today in strong opposition to H.R. 4348, the Moving America Forward Act in the 21st Century Act (MAP–21). This bill significantly cuts critical federal investment in surface transportation projects for the territories. The authorized funds for the next two fiscal years would severely undermine my district’s ability to improve and upgrade road systems on Guam and put current projects at risk.

MAP–21 cuts 20% from the Territorial Highway Program (THP), which was established to assist Guam, the Northern Mariana Islands, American Samoa, and the Virgin Islands build and improve main and secondary highway systems. The program is critical to ensuring that our districts have a quality highway system that facilitates commerce in the territories. The territories have a long-standing need that does match their current upgrade and modernization requirements. The cuts to the THP will hinder our district’s ability to meet these requirements over the next two years.

The proposed cut to this program, about $8 million for Guam over two years, could jeopardize funding for larger projects utilizing TIFIA financing. The TIFIA financing mechanism and current bonds assumed level funding of the THP over the next several years. Ultimately, this bill may lead to project cancellations and job losses.

Even at current funding levels, the THP is inadequate in addressing the needs of the territories, and the governments in the territories do not have access to many programs available to the 50 states and Puerto Rico. I introduced legislation that would legislate territories on equal footing when competing for federal highway discretionary grant programs. Further, I offered the text of my bill for consideration as Conference Committee commenced but the text of this legislation was not included in the final bill. On top of critic student loan cuts for the THP, the territories are not even afforded opportunities to compete for other discretionary programs like the Innovative Bridge Research and Deployment program. My bill, H.R. 2743 would permit the Secretary of Transportation to make the territories eligible for this competitive funding to the territories, and remedies a disparity where our governments are unable to even compete for this program.

Madam Speaker, H.R. 4348 will likely have a detrimental effect on my constituents and would significantly undercut our ability to improve our roadways and invest in critical infrastructure improvements. Guam is being asked to support one of the largest military realignments in our nation’s history and our island is in dire need of assistance to improve our roadways to support the military buildup. Cutting 20% from the THP would provide nominal short-term savings but it would cost significantly more in the long-term.

However, I am very supportive of the efforts of House and Senate leaders who reached agreement to freeze student loan rates for an additional year. Increases in student loan rates would have had a significant negative impact on a generation that is already competing with the most difficult job market in generations. Keeping student loan interest rates at current levels for an additional year keeps our commitment to our younger generations.

It is unfortunate that this compromise on student loans is attached to the transportation reauthorization as I am opposed to the cuts to the THP and, as such, urge my colleagues to oppose this legislation.

Mr. STARK. Madam Speaker, I rise today in relevant support of the Transportation and Student Loan Agreement (H.R. 4348). We must prevent interest rates on student loans from doubling as they are set to do tomorrow. We must reauthorize our transportation programs and get people to work rebuilding our
infrastructure. This legislation, while far from ideal, accomplishes both of those worthy goals.

The bill does leave much to be desired. It invests far too little in the infrastructure investments we need, it restricts the ability of part-time college students to pay interest on their federal loans, undertakes to tax mass transit, biking, and pedestrian projects, its “Buy America” provision is weak, and it includes a pay-for that could further weaken our pension system. However, given the situation we are in, passing it today is the responsible thing to do.

Continuing their trend of governing through hostage taking and brinksmanship, the Republican Majority has once again brought the nation to the edge of a vital program—in this case, Surface Transportation—expiring. More than three months ago, the Senate overwhelmingly passed a bipartisan, job-creating transportation bill with 74 votes. Instead of taking up that bill, as myself and many of my colleagues and the President urged, Republicans brought up a hyper-partisan bill that included numerous anti-environmental riders, gutted mass transit investments, undertook to tax mass transit, and bicycle infrastructure. Compared to that debacle, today’s legislation is a vast improvement. It does not contain provisionsmandating that the tar sands pipeline be built or that EPA rules on safe disposal of coal ash be uncirculated. It allows for slashing the loan limit, it maintains funding. Most importantly, it will support more than 2 million American jobs, including 180,000 in California, rebuilding our nation and providing some certainty for Californian and other states to move forward with much-needed infrastructure projects.

The student loan issue is another example. Much like the payroll tax cut at the end of last year, of Republicans refusing to act in the interest of the American people until their hand is forced by overwhelmingly public opinion. On March 29th, House Republicans voted to allow student loan interest rates to double when they passed the Ryan Budget. They voted to increase rates on 7 million students, including 570,000 California students—the equivalent of a $1,000 education tax on these students and their families. After being told the outcome from the public and feeling political pressure to act, the majority finally changed their tune. I wish that the interest rate fix we are voting on today was for longer than a year and I also wish we were not paying for it, in part, by punishing part-time students by taking away interest deferment for those students. But compared to allowing the interest rate hike staring millions of students in the face to go into effect, passing this legislation is the right thing to do.

Mr. CAMP. Madam Speaker, I rise today in support of the Highway Conference Report. This bill will not only provide the funding that states and towns depend on to develop and maintain the infrastructure they need to attract businesses to locate in their communities and create jobs. However, given the current fiscal challenges facing our country, we must ensure that meeting these objectives does not further hamper an already weak economic recovery.

This legislation reflects that effort and serves as a reminder that Washington must learn to live within its means. To that end, House Republicans ensured that the provisions in this conference report promote job creation and do not add to the national debt.

First and foremost, the Conference Report rejects nearly $7 billion in tax hikes included in the Senate bill. From higher taxes on private investment in infrastructure to redundant and ineffective tax enforcement measures, House Republicans were able to prevent $7 billion in costly tax hikes on the nation’s families and businesses during a time when our economy is still struggling to recover.

In addition to preventing these job-kill tax hikes, the Conference Report also adopts necessary reforms to the Pension Benefit Guaranty Corporation—or PBGC—resulting in greater accountability to taxpayers, the pension beneficiaries, plan sponsors, and insurance program, and who depend on PBGC to insure their retirement needs. Importantly, these reforms will also protect taxpayers from being on the hook for potential bailouts in the future.

Along with common-sense reforms, this legislation provides companies who sponsor pension plans with some important funding relief made necessary by the stagnant economy, while also requiring greater accountability and transparency so that resources are correctly accounted for and used in a way that puts workers first.

Specifically, to address the failed policies of the Obama Administration that are squeezing employers and pension plans, there has been bipartisan support for a long-term funding relief. Liabilities in pension plans are often calculated by using an average of interest rates on corporate bonds over the prior two years. In response to an extremely weak Obama economy, the Federal Reserve has driven interest rates to historic lows and kept them there. Combined with plan investment policies, this has substantially increased the value of plan liabilities, resulting in “a rising tide” of required pension contributions (to quote a report by the Society of Actuaries).

The pension funding relief provided in this conference report will allow companies to spread these skyrocketing required contributions over a longer period of time, rather than forcing employers to divert resources in the near term from other business activities such as hiring, expansion, and investment.

Pension funding relief is necessary, but so too are reforms that provide greater protection, accountability and transparency to the workers who depend on the PBGC, and taxpayers who should not be called upon to bailout PBGC. That is why the package includes several necessary PBGC reforms that were not included in the Senate bill to protect against a taxpayer-funded bailout. Those reforms include:

Disclosure requirements so participants in pension plans know of any shortfalls;
Adjustments to PBGC fees, including for multiemployer plans, which currently pose the greatest risk to PBGC;
Reforms to PBGC’s governance structure;
The establishment of a new PBGC Risk Management Officer;
A required annual peer review of PBGC’s insurance modeling systems; and
The termination of PBGC’s unsecured $100 million line of credit from the U.S. Treasury.

Madam Speaker, we have passed nine exceptions to the accrued benefits firewall, which is at current level funding, earmark free, reduces the federal bureaucracy by consolidating transportation programs, and cuts red tape to institute significant reforms to complete major infrastructure projects. Relative to the Senate highway bill that irresponsibly relied on taxpayer bailouts for highway spending and past funding practices, the conference bill before us today is a huge improvement.

Despite this bill’s progress, it does not address the structural problems in our transportation programs and I have some concerns with some aspects of the legislation.

First, though the Highway Trust Fund was intended to be financed at the level of gas tax revenues, Congress has increased spending for the program well beyond gas tax revenue levels. As a result, the fund has increasingly operated in the red by relying on general fund transfers to pay for annual funding shortfalls. The trust fund has required three large general fund transfers, or taxpayer contributions, totaling $35 billion since 2008. Over the next decade, the Congressional Budget Office (CBO) anticipates the Highway Trust Fund to run cash deficits in total of $105 billion, even upon enactment of today’s bill. Through a budgetary loophole, these transfers of general taxpayer revenues are not captured for budgetary effects, allowing Congress to bail out the program without being recorded as a net increase in spending or deficits. The FY 2013 House budget resolution, H. Con. Res. 112, included a reform to close the budget loophole for general fund transfers to ensure future transfers are fully offset and assumed potential funding streams in the form of new oil and gas revenues for the Highway Trust Fund. Congress needs to continue to reform the critical highway program to put it on sound financial footing without further bailouts with borrowed money. H.R. 4348 makes an important effort to offset the $18.8 billion in general fund transfers contained in the bill. But instead of continuing to pay increased general fund transfers going forward, we need to address the systemic factors that have been driving the trust fund’s bankruptcy.

In terms of the bill’s cost estimate, according to CBO, the unified budget impact of the entire bill is $16 billion in net deficit reduction over ten years. However, under traditional budget scoring, this does not include the cost of general transfers to the highway fund nor the flood insurance reforms’ net income. When considering the bill under House budget enforcement per its budget resolution, if we consider costs of Medicare, and tax-in scored general fund transfers and the flood insurance income, it leads to a small deficit reductio
Second, I am concerned with H.R. 4348’s use of ten-year savings from pension law changes, but some of these changes come with long-term costs. It appears possible that any savings gained in the ten-year window may be offset by greater federal obligations in the future, a concern met over a similar ‘smoothing’ provision when used in past legislation.

Finally, this bill extends the current interest rate on certain student loans for another year. This is another example where Congress established a temporary subsidy with sudden expiration dates and no plans for next steps. I believe it is imperative that we work toward responsible, long-term reform in this area. Congress must stop playing games with students’ interest rates. As we look to the future, we must focus on how developing an effective, fair and sustainable process for providing capital to students one that ensures access to higher education without fueling tuition inflation and exposing the taxpayer to unacceptable levels of risk. I look forward to working with my colleagues to achieve such reforms.

Mrs. CAPITO. Madam Speaker, I am pleased to see that H.R. 4348 includes pension reform provisions that will allow businesses to invest more to create jobs, while generating over $9 billion in Treasury revenue over the next 10 years. H.R. 4348’s pension reforms are critical to help businesses create jobs in a struggling economy.

However, I am concerned these vital reforms will be incomplete if financial reporting requirements known as Generally Accepted Accounting Principles do not conform to H.R. 4348’s changes in law. H.R. 4348 does not provide a deadline to adjust these financial reporting requirements to match the bill’s pension reforms. We should expect prompt harmonization between the law and how pension obligations are reported on companies’ financial statements. If there is not harmonization many company balance sheets will be required to show inflated liabilities that H.R. 4348’s pension reforms seek to address.

The clear policy of H.R. 4348 is that pension funding be calculated by a more stable, long-term method. I expect, and Congress should expect, that financial reporting requirements be in place by Congress’s clear intention on this issue. Financial statements should be consistent with the rate stabilization set forth in this legislation.

Mr. PALAZZO. Madam Speaker, I want to thank the Chairman for bringing this bill to the floor, and the hard work of our con-

Today, I rise before you to remind this body one last time of the importance of Gulf Coast recovery and the importance of passing the RESTORE Act.

Less than a year ago, a small group of Gulf Coast legislators came together with big support from their communities, and a mission to make the Gulf Coast whole.

This was no small effort. But it is the least we could do to show our support once more to all those affected by the single largest man-made disaster in our history.

I am proud to have been a part of this landmark legislation. I want to thank all those who worked so hard to make this happen from my Gulf Coast colleagues to local leaders, business interests to conservation groups.

There were many who said this could not be done in an election year, with so much competing for time on the calendar. But we knew how important it was to pass this bill.

We did not give up because we knew that restoring and replenishing the Gulf Coast is more than just a responsible decision; it is the right thing to do.

Mr. DINGELL. Madam Speaker, I rise today in support of H.R. 4348. While this is not a perfect bill, it will fund important transportation projects while creating well-paying jobs across this country.

H.R. 4348 will reauthorize through the end of fiscal year 2014 our highway and transit programs at current levels—$105 billion. While I am disappointed in this short-term reauthorization, I do believe this authorization will provide some stability to our state and local government transportation programs.

We do not want any 51 states to lose access to federal funds invested in our highway and transit infrastructure nearly 39,000 jobs are created or sustained. This investment will give our transportation industry the ability to continue to create thousands of jobs across our country.

I am also extremely pleased that all states will be guaranteed a minimum rate of return of 95 percent on their payments into the Highway Trust Fund. During the last reauthorization I worked hard with my colleagues on both sides of the aisle to increase Michigan’s rate of return to 92 percent, and I am pleased to be able to support increasing it once again.

This bill will continue the Safe Routes to School program, and the transportation enhancement activities such as bike paths, bike lanes, and trails. This program has been critical to helping communities in my district, like Ann Arbor, to make their communities more livable and attractive to families and businesses, while also greening our environment by providing alternative transportation. Furthermore, I am pleased that H.R. 4348 will continue to fund our mass-transit program, providing funding to critical projects that will bring our transit infrastructure to the 21st Century.

I am disappointed that H.R. 4348 did not re-authorize the Federated Border Infrastruc-
ture program. Michigan was one of the leaders in creating CBIP given its critical relationship with Canada and it has been instrumental in addressing border congestion. It is my hope that we can reauthorize this program in the coming months. Consequently, this bill does not include any provisions directing the Department of Transportation to develop a long-term national rail plan.

I am one of the co-sponsors of the bill that would increase Michigan’s rate of return to 92 percent. We did not give up because we knew that the rate of return is not just a campaign talking point, this affects students and families and can be the difference between achieving your goals or being priced out of your dreams.

The Flood Insurance extension is a much needed part of this compromise. As we continue to experience extreme weather across the country, we need to ensure that home-

ers, business interests to conservation groups. They are counting on us and I am pleased we are now standing up for the future to make higher education and job training affordable.

We are taking a step forward today, we must start thinking towards next July when this one-year extension will expire. We cannot wait until the last minute to address this issue as we did this year. We must start thinking now about how to deal with this problem. This is not just a campaign talking point, this affects students and families and can be the difference between achieving your goals or being priced out of your dreams.

I am proud to have been a part of this legislation. I want to thank all those who worked so hard to make this happen from my Gulf Coast colleagues to local leaders, business interests to conservation groups.

While we are taking a step forward today, we must start thinking towards next July when the one-year extension will expire. We cannot wait until the last minute to address this issue as we did this year. We must start thinking now about how to deal with this problem. This is not just a campaign talking point, this affects students and families and can be the difference between achieving your goals or being priced out of your dreams.

I am pleased that H.R. 4348 will continue to fund our mass-transit program, providing funding to critical projects that will bring our transit infrastructure to the 21st Century.

I am disappointed that H.R. 4348 did not re-authorize the Federated Border Infrastruc-
ture program. Michigan was one of the leaders in creating CBIP given its critical relationship with Canada and it has been instrumental in addressing border congestion. It is my hope that we can reauthorize this program in the coming months. Consequently, this bill does not include any provisions directing the Department of Transportation to develop a long-term national rail plan. I passed one of the first transportation bills to rebuild America—that is similar to the bill we are taking up today.

This bill will create or save more than 2 mil-

lion jobs, authorize highway and transit pro-
grams for more than two years at current lev-

evels, make key reforms consolidating transpor-
tation programs, and leverage federal re-

sources to expand public-private partnerships in transportation.

However, regarding the education of our Nation in making college more affordable has always been a top priority of Democrats. In
2007, the Democratic-led Congress enacted legislation that cut the interest rate on need-based student loans in half— to 3.4 percent— over five years.

Unfortunately, under current law, that reduced rate expires and doubles to 6.8 percent on July 1.

This Congress cannot sit by and let students suffer and be denied a chance at making a better future and a brighter tomorrow because we failed to act. I am determined to see that students have a chance to learn, to aspire, and to dream. If we don’t pass this bill with common-sense pay-fors, we are setting up a roadblock to dreamers, in essence telling them that education can be foreclosed on because we did not do our jobs.

If the current rates expire the average student faces an increase of $1,000 each. In doing nothing, House Republicans are, putting more barriers in the way of millions of Americans already struggling to pay for a higher education. It is time for Republicans in Congress to stop playing politics with students’ futures as we come to the negotiating table.

Minority and Women Contractors. Regarding set-asides to ensure that minority, women and other disadvantaged businesses are able to compete for transit and highway contracts, the conference report continues the program and includes a provision regarding discrimination in transportation contracts to ensure that these important provisions are upheld if ever challenged. These provisions are not expanded to rail, which is not authorized in the bill.

Although I am disappointed the bill does not include language that as we move forward, transportation contracts, whether it be for airlines, bus, rail, or even little red wagons, women and minorities are able to compete on equal footing with the old boy’s network.

I have supported this reauthorization at least 16 times since 2008. The National Flood Insurance Program (NFIP) has been invaluable for victims and potential victims of flooding in Texas.

Congress must extend authority for the NFIP to write or renew flood insurance policies, which are required in order to obtain a mortgage in the 100-year floodplain. This is an issue of importance to not just the coastal states but in nearly every state.

Just a month ago the Houston Association of Realtors was in town and came to advocate for a reauthorization but as a practical matter would prefer— like many Members of Congress on both sides of the aisle—a long-term, 5-year reauthorization for this important measure.

The National Flood Insurance Program (NFIP) was established in 1968 in response to increasing federal government spending for disaster relief. Standard homeowners insurance does not cover flooding and therefore offers no protection from floods associated with hurricanes, tropical storms, heavy rains and other conditions. The NFIP mandates that federally regulated or insured lenders require flood insurance on properties that are located in areas that have a high risk of flooding.

As Ranking Member of the Subcommittee on Transportation Security and Infrastructure Protection of the Committee on Homeland Security, I understand as well as anyone that supporting and securing our Nation’s transportation systems are critical to ensuring the free movement of people and commercial goods.

But I also know that, in the strained economic circumstances that we currently face, it is equally imperative that we allocate limited resources in a way that maximizes their capacity to improve the lives of as many Americans as possible.

I am pleased that the Conference Agreement measure includes provisions to strengthen highway and motor carrier safety programs. The legislation consolidates National Highway Traffic Safety Administration incentive grant programs, and increases funding flexibility for states that qualify for safety incentive grants. The measure improves the motor carrier safety in a balanced manner.

As the Representative of 18th Congressional District of Houston, Texas, I am keenly aware of our transportation needs. Houston needs infrastructure to relieve congestion and provide adequate public transportation, but it also needs this because an investment in Houston’s New Start Transit Project means jobs for Houston’s constituents through the transportation sector in its communities and around the Nation.

However, however I balance the needs of my constituents. This funding is critical for funding existing and pending surface transportation and infrastructure projects while we pursue longer term solutions in the face of a misplaced focus on spending cuts. We must work together to provide long-term solutions to our Nation’s infrastructure and mass transit needs.

Economic experts universally agree that funding the critical and necessary infrastructure projects nationwide creates jobs for America and increases our level of global competitiveness. There is an intense competition between fiscal responsibility and investment in job growth & infrastructure.

We must make investments in job creating infrastructure projects in order to grow the US economy. We must be winners in contest for economic change now and for our children’s future. We cannot be the losers. We must catch the wave of economic growth or be crushed by it. China, India and Europe understand this because they have committed to greater investments in infrastructure.

As I think of my home District, the 18th Congressional District in Houston, Texas and its busy ports, much like the other ports around this great nation, I am compelled to urge my colleagues to consider the pressing national necessity of decongesting the surface transportation, both rail and highway, that moves the goods in and out of those ports.

We must improve this surface transportation system in order to accommodate national economic health, global competitiveness, and to avoid harming the economy’s maritime jobs and manufacturing jobs. Maritime jobs and construction jobs for infrastructure provide a good middle class wage, allow workers to get educations at night, and lower crime rates in our cities.

We must invest in High Speed Rail. We have about 500 miles of high speed rail in process, but China has about 10,000 miles being built! We need to have a domestic talent pool with the required knowledge, skills and trained workers to do projects like high speed rail or we will be paying for skilled Chinese companies to do it for us.

Infrastructure Investment is a Non-Partisan Issue: If the AFL-CIO and U.S. Chamber of Commerce have teamed up to promote infrastructure investment, then surely the Democrats and Republicans in this Congress can do the same. Moreover, now is the time for us to consider the creation of a long overdue National Infrastructure Bank and Public-Private partnerships to shift our infrastructure improvement into full gear. We should not shy away from this issue whether it is for us to do our part to restore our economy through fortification of our infrastructure. It is time for another large, bold, national forward thinking infrastructure project like interstate highway system.

Governors and Mayors at ground level around this nation will quickly confirm that infrastructure investments create jobs, help balance budgets, and grow both state and national economies. We must listen to our local elected officials who must fix the potholes, repair the crumbling bridges and tunnels or be held directly accountable by their constituents on every street corner. Our local elected officials will quickly tell us that infrastructure investment creates jobs, because it attracts business!

The American Association of Civil Engineers (ASCE) gives U.S. Infrastructure the Grade of “D” in its 2009 Report Card. Infrastructure Investment equals Jobs! But, the U.S. is falling behind its competitors in infrastructure development (especially China, India & Europe).

The bottom line is that Transportation and Infrastructure Investment is needed for a Strong Economy.

So, I say to my colleagues that we weight this measure carefully. A delay in enactment of this Conference Agreement will shut down more than $800 million next month in highway reimbursements and transit grants to States and urban areas, endangering more than 28,000 jobs and multi-million dollar construction projects across the country.

As Ranking Member of the Transportation Security Subcommittee at the House Committee on Homeland Security, I have continuously supported the increase in adequate resources and program attention to surface and mass transit security programs at the Transportation Security Administration.

To this end, the bill authorizes additional surface inspectors needed to validate security programs impacting our surface and mass transit security. The bill also creates mechanisms to strengthen stakeholder outreach, makes key revisions to the public transportation security assistance grants program and increases canine teams and resources for surface and mass transit modes.

I must say that I am pleased today that our colleagues have come together in a bipartisan and bicameral manner to create a Conference Agreement that will put Americans back to work.

Mr. TIBERI. Madam Speaker, many employers have reassured me that the pension stabilization language included in the Surface Transportation Extension Act of 2012 will allow them to invest more to create jobs and will prohibit a reduction in their workforce. I hope this is the case and that these pension reforms will help businesses create jobs in a struggling economy.
However, H.R. 4348 does not make changes to the financial reporting requirements known as Generally Accepted Accounting Principles (GAAP) to allow companies to reflect the reforms on their balance sheets. The end result of this is that many company balance sheets will be required to show inflated pension liabilities that the reforms seek to address.

There is also no guidance provided to the overseeing entities of GAAP on how to conform these reforms and accounting requirements.

The pension stabilization language is meant to allow companies to calculate their pension funding status through a more stable, long-term method. There should be consistency between the law and how pension obligations are reported on companies’ financial statements.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 717, the previous question is ordered.

The question is on adoption of the amendment.

Pursuant to House Resolution 717, proceedings will be postponed and on which further proceedings on this question will be postponed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. LATHAM. Madam Speaker, I ask unanimous consent to vacate the House on the state of the Union for the further consideration of the bill (H.R. 4348).

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

There was no objection.

Mr. LATHAM. Madam Speaker, I ask unanimous consent to vacate the House on the state of the Union for the further consideration of the bill (H.R. 4348).

There was no objection.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mrs. BLACKBURN of Tennessee.

Amendment No. 13 by Mr. McCLINTOCK of California.

Amendment No. 9 by Mr. DENHAM of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

The Acting CHAIR. Pursuant to House Resolution 697 and rule XVIII, the Chair declares the House in the Committee of the Whole on the state of the Union for the further consideration of the bill, H.R. 5972.

Will the gentleman from Indiana (Mr. BUCHON) kindly take the chair.

Mr. BUCHON. Madam Speaker, I demand the yeas and nays.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Acting CHAIR. Pursuant to House Resolution 697 and rule XVIII, the Chair declares the House in the Committee of the Whole on the state of the Union for the further consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. BUCHON (Acting Chairman) in the chair.

The Clerk reads the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 27, 2012, an amendment offered by the gentleman from Louisiana (Mr. SCALISE) had been disposed of and the bill had been read through page 150, line 9.

AMENDMENT OFFERED BY MR. LANDRY

Mr. LATHAM. Madam Chairman, I ask unanimous consent to vacate the House for a request for a recorded vote on the Landry amendment to the end that the Chair put the question de novo.

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

Without objection, the request for a recorded vote on the amendment is vacated and the Chair will put the question de novo.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Acting CHAIR. Pursuant to House Resolution 697 and rule XVIII, the Chair declares the House in the Committee of the Whole on the state of the Union for the further consideration of the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. BUCHON (Acting Chairman) in the chair.

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Mr. BUCHON. Madam Speaker, I demand the yeas and nays.

The Acting CHAIR. The Clerk will redesignate the amendment.

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The Clerk reads the title of the bill.
Mr. CARTER changed his vote from "aye" to "no."

MESSRS. MARCHANT, HARRIS, CASIDY, ROSKAM, ROYCE, HARPER, HERGER, and KINGSTON changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 446, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no.

AMENDMENT NO. 13 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR (Mr. THORN-BERRY). The unfinished business is the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

Mr. CARTER changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 446, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

CHARITIES REAL WINNERS FROM CONGRESSIONAL BASEBALL GAME

Mr. DOYLE, Mr. Chairman, you all know that last night was the 51st annual Congressional Quarterly-Roll Call baseball game for charity, and I'm pleased to inform the House this morning that the Democratic team won 18-5 last night.

Mr. Chairman, there are 21 outs in the game we played because we only play seven innings. Cedric Richmond struck out 16 batters, so he didn't leave much work for our infield. It's my understanding that if the Republicans should win the Presidency, that Cedric is going to be offered a Cabinet position just to get him out of here. Other notables, Cedric came within about 3 feet of hitting one out of the park at National Field, too. Ben CHAPMAN also had a fantastic game for our team as co-MVP.

But, Mr. Chairman, the real winner last night was the Boys and Girls Club
of Washington, D.C. and the Washington Literacy Council. This was a record year for the congressional baseball game. We came close to raising, for the first time ever, almost a quarter of a million dollars for the charities.

I want to congratulate my good friend and Republican manager, Joe BARTON, on a hard-fought game. I can tell you, as someone who has played in the game for 18 years now, I’ve been part of the highs and part of the lows. I know what it’s like to be on both ends of a winning and losing ball game. But the Republicans were game opponents. They came out there, and they did their best last night; but we were just a little bit better than them. And now I yield to my good friend, Joe BARTON.

Mr. BARTON of Texas. Thank you, Congressman DOYLE. There are a few things you said, like most Democrats, stretching the truth a little bit. You know, you said that there are only 21 outs in the game. We being very generous and open-hearted Republicans, we play a game where you got about 31 outs because we were so friendly with the way we didn’t catch the ball.

For my Republican colleagues, there is good news and bad news. Good news is we got nine times as many hits this year. We got 500 percent more runs this year. We got 500 percent more runs this year. We got 500 percent more runs. The good news is that God owes us one. Conscience.

There is no truth to that game. There is no truth to that rumor. There is no truth to that rumor.

Mr. DOYLE. We want to give a round of applause to our Chaplain, too, for playing in the game.

One final look: here’s the trophy, guys.

AMENDMENT OFFERED BY MR. LANKFORD

I want to congratulate my good friend and Republican manager, Joe BARTON, on a hard-fought game. I can tell you, as someone who has played in the game for 18 years now, I’ve been part of the highs and part of the lows. I know what it’s like to be on both ends of a winning and losing ball game. But the Republicans were game opponents. They came out there, and they did their best last night; but we were just a little bit better than them. And now I yield to my good friend, Joe BARTON.

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The vote was taken by electronic device, and there were—ayes 239, noes 185, not voting 8, as follows:

AYES—239

NOT VOTING—8

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:
Mr. FILNER. Mr. Chair, on rollcall 448, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

The Acting CHAIR. The Clerk will read as follows:

This Act may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2013."

Mr. LATHAM. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BISHOP of Utah) having assumed the chair, Mr. THOMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, directed him to report the bill, as amended by House Resolution 697, back to the House with sundry further amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT
Mr. BARBER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BARBER. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The bill will carry the motion to recommit.

The Clerk read as follows:

Mr. BARBER moves to recommit the bill, H.R. 5972, to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment.

Page 71, line 19, after the dollar amount, insert "(reduced by $31,000,000)".

Page 72, line 8, after the dollar amount, insert "(reduced by $13,000,000)".

Page 74, line 6, after the dollar amount, insert "(reduced by $13,000,000)".

So the amendment was agreed to.
The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. BARBER. Mr. Speaker, I’m offering this final amendment to assist our veterans.

Mr. Speaker and my colleagues, I came before you last week to be sworn in, and I spoke then about working together, working across the aisle to ensure that our constituents and all of our constituencies are served by our very best work, rather than our partisan ambitions.

So I rise today in that same spirit. I rise today to ask that we come together and work in concert to help those who most deserve our gratitude and our assistance, the veterans who have bravely served to defend our homeland.

Today, we have an opportunity to take care of the veterans of our military who, much to our collective shame, are homeless.

I remember the Vietnam War, and I look every veteran we represent in the country so well.

There are over 100,000 veterans in my state of Arizona. One of them, Mr. Murray, a disabled Operation Desert Storm medic and combat veteran, came to our office to seek our help when I served as Congresswoman Gifford’s district director. A bank was foreclosing on his home, and he had recently been diagnosed with terminal cancer. Our staff was able to work to rescind the foreclosure and allow Mr. Murray to stay in his own home.

The simple dignity of being in your own home during your final days is something we all too often take for granted. We must not deny that dignity to those who have, like Mr. Murray, served our country so well.

My amendment offers every one of us a chance to do what our office did then: to ensure that our veterans get our help and have the simple dignity of a roof above their heads. And my amendment does that while reducing the deficit.

The passage of this amendment will not prevent passage of this underlying bill. If the amendment is adopted, it will be incorporated into the bill, and the bill will be immediately voted upon. And so, though we may disagree on parts of the bill today, we have the opportunity to speak up for the men and women who have fought for our country.

And let us all be able to go home and look every veteran we represent in the eye and know that we did the right thing by them and by their homeless brothers and sisters.

I urge everyone to vote “yes” on this final amendment.

I yield back the balance of my time.

Mr. LATHAM. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. Mr. Speaker, I rise in opposition to the motion to recommit. The veterans homeless program is a very good program, understand that. In this bill—and everybody should listen—we provide $75 million for 10,000 new vouchers already. So there’s no question that we are meeting the need. This is the same as last year, and what we have in the bill is the President’s request. Let me say that again. What we have in the bill for veterans vouchers is what the President asked for.

I will also say, it’s interesting at this time to talk about motion. We have been through subcommittee markup, we have gone through full committee markup, we have been on the floor of this House for 2 days, and no one’s ever raised this issue because everyone understood that we had fully met the funding requirements for the veterans homeless vouchers. So now it’s an interesting time to bring this amendment or this motion.

And I will tell the folks, if, in fact, we find there is additional need before we get to conference, there isn’t anybody in this House that won’t support it. But we have fully funded the needs. This has been a full vetting process, and now, at the last moment you come up with a motion that is not necessary because everyone supports these vouchers.

This is a good, balanced bill, and I urge a “no” vote on the motion to recommit.

I yield back the balance of my time.

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

RECORDED VOTE

Mr. BARBER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommittal will be followed by 5-minute votes on passage of H.R. 5972 and adoption of the conference report on H.R. 4348.

The vote was taken by electronic device, and there were—ayes 188, noes 233, not voting 11, as follows:

[Roll No. 449]

AYES—188

Aderholt

Adams

Amash

Aumand

Oberstar

Overseas

Pallone

Palacio

Pascarella

Pastrana

Perlmutter

Peters

Peterson

Pingree (ME)

Polis

Prince (NC)

Quigley

Rahall

Rangel

Reyes

Richmond

Risch

Ross (AR)

Ross (NY)

Roybal-Allard

Royce

Ruppersberger

Ryan

Sánchez, Linda

Sánchez Loretta

Sarbanes

Schakowsky

Schiff

Schneider

Schwartz

Scott (IL)

Scott (VA)

Scott (WA)

Schneider

Sherer

Shuler

Slaughter

Smith (WA)

Smith (WY)

Sporer

Stark

Sutton

Thompson (CA)

Thompson (MS)

Tierney

Terry

Tonko

Towns

Townsman

Van Holen

Velasquez

Vergara

Velasco

Walsh (IL)

Walsh (MA)

Wasserman Schultz

Waters

Waxman

Welch

Wilson (FL)

Woolsey

Yarmuth

NOES—233

Anderholt

Amado

Aumand

Bachmann

Bachus

Barlett

Barrett

Barrett

Bass (NC)
CONGRESSIONAL RECORD—HOUSE

June 29, 2012

H4635

Vieclodsky
Walden
Walden (GA)
Walsh (MA)
Webster
Wood
Woodall
WOODWARD

West
Whitfield
Wittman
Wolf
Womack
Young (AK)
Young (FL)
Young (IN)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1309

Mr. JOHNSON of Georgia changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FINKLER. Mr. Speaker, on rollcall 449, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 261, nays 163, not voting 8, as follows:

[Roll No. 450]

YEAS—261

Mr. SERRANO changed his vote from as above recorded.

So the motion to recommit was re-
CONFERENCE REPORT ON H.R. 4348, MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The SPEAKER pro tempore. The unfinished business is the question on adoption of the conference report on the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 52, not voting 7, as follows:

(Roll No. 461)

Table: [List of representatives' names and their voting preferences]

CONGRESSIONAL RECORD — HOUSE

June 29, 2012

Mr. FILNER. Mr. Speaker, on rollcall 451, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

STUDENT LOAN INTEREST RATES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, the House passed a bipartisan 1-year extension of the current interest rate for Federally subsidized student loans. This is a good thing for students across the country. But as we celebrate this accomplishment, let's keep our eye on the larger picture. We wouldn't be worried about these interest rates if not for the fact that the economy is so weak and the cost of education is so high. According to the Department of Education, the savings will be $7 a month for the average Stafford loan borrower. While that might not seem like a lot, each dollar counts for a college graduate still searching for a good-paying job.

We can have a larger effect for students by working to repeal Federal unfunded mandates that grade our ability to keep college tuition and by working to put the wheels back on the economy. As a member of the Subcommittee for Higher Education and Workforce Training, I'm committed to making that happen. Let's work together to ensure that students can achieve a quality education at a reasonable cost and get great jobs when they graduate. There's no better social program than a good-paying job.

LET'S CONTINUE THE GREAT WORK

(Chairman COURTNEY asked and was given permission to give the House for 1 minute and to revise and extend his remarks.)

Mr. COURTNEY. Mr. Speaker, with a few minutes to spare, we just voted to make sure that the interest rate for the Stafford student loan program was going to stay at 3.4 and avoid the doubling of rates, which would have happened Saturday night if we had not acted. This is an issue which took months to get to. President Obama challenged Congress back at the State of the Union in January, telling us that we must act. It took months to get any response. And I want to congratulate the 130,000 college students all across America who submitted a petition to the Speaker's office saying it was time to get moving.

We started the countdown clock on that day at Day 10, and now we are officially defusing the time bomb that would have exploded with a higher interest rate if we had not acted. We have a lot more work to do with the high cost of college and student loan debt, which now exceeds credit card debt and consumer loan debt. But having said that, we saw today an honest
compromise; people coming together to make sure that that lower rate was going to be extended. Let’s use that example to move forward and solve this problem for middle class families all across America.

Again, to those students who worked so hard, to have their voices heard, congratulations. Let’s roll up our sleeves and continue the great work.

IN SUPPORT OF THE RESTORE ACT

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

Mr. PALAZZO. Mr. Speaker, today is a good day for the people of Mississippi’s Fourth Congressional District and it’s a good day for all the people of the Gulf State. Because today, with passage of the RESTORE Act, we give these States the tools they need to continue vital economic and environmental recovery.

Less than a year ago, a small group of gulf coast legislators came together with big support from their communities and a mission to make the gulf coast whole. This was no small effort, but it is the least we can do to show our support once more to all those affected by the single largest man-made disaster in our history. I am proud to have been a part of this landmark legislation. I want to thank all those who worked so hard with us to make this happen, from my gulf coast colleagues and House leadership to local leaders, business, and conservation groups.

There were so many who said this could not be done in an election year with so much competing for time on the legislative calendar. But we know how important it was to pass this bill. We did not give up because we knew that restoring and replenishing the Gulf coast is more than just a response to an immediate need. It is a commitment.

LET’S NOT DECEIVE OURSELVES ON WHAT THE MUSLIM BROTHERHOOD SEEKS

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

Mr. DOLD. Mr. Speaker, as people in the United States evaluate what happened this past weekend in the presidential election in Egypt, I have a simple message: we shouldn’t deceive ourselves.

At a time when we are focused on stopping Iran’s nuclear weapons program and on isolating the Iranian regime, the incoming Egyptian President vows to expand ties with Iran. At a time when families in southern Israel constantly live in fear of Qassam rocket attacks from Hamas-controlled Gaza, the incoming Egyptian President vows to expand ties with Hamas. As for relations with Israel, we should not paper over the most obvious reason for alarm. While the incoming President has recently pledged to honor the Camp David Accords, it is our responsibility to ensure that the U.S. goodwill is not taken advantage of and painfully looked upon in vain.

We must understand that the Muslim Brotherhood has a very clear history of opposing the peace treaty. Six weeks ago, incoming President Mohammed Morsi stated: “Jihad is our path, and death for the sake of Allah is our most lofty ideal.”

While we welcome the democratic process, Mr. Speaker, this result is nothing to cheer. We must not be in denial of what the Muslim Brotherhood really wants.

TRIBUTE TO WENDY WAYNE

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

Mr. MCCARTHY of California. Mr. Speaker, I rise today to honor longtime Bakersfield resident Wendy Wayne, who passed away on June 17 after a 4-year struggle with cancer. Wendy was the type of person who would go out of the way for those in need, personally taking action to make sure that those in need were helped. She was instrumental in leading the Community Connection for Child Care in Bakersfield, and later the First 5 Kern organization which served the youth of our community.

One of my fondest memories is from just 2 years ago when Wendy joined me in this House. She was my guest for the State of the Union. Sometimes we had philosophical differences, but it never changed our friendship.

Wendy will forever be known as the Mother Teresa of Bakersfield. She will be missed, but her deeds and her life will not be forgotten.

HONORING KYLE R. SCHNEIDER

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

Ms. BUERKLE. Mr. Speaker, I rise today to honor Corporal Kyle R. Schneider. Kyle R. Schneider was born on January 8, 1988, to Richard and Lorie Schneider. He was raised in the Baldwinsville, New York, area with his brother, Kevin. Kyle was a graduate of Baker High School in Baldwinsville and attended Onondaga Community College for 1 year in the criminal justice program. While at Baker High School, he played baseball, football, and ran track. He loved the outdoors and was an avid hunter and fisherman.

In March 2008, Kyle joined the United States Marine Corps and in January of 2011 was assigned to the 3rd Platoon, 10th Marine Expeditionary Unit, in support of Operation Enduring Freedom. In defense of our Nation, Kyle was killed in the Helmand province, Afghanistan, on June 30, 2011, by an improvised explosive device. Kyle Schneider was 23 years old.

As we commemorate the first anniversary of his death, let us honor the service and sacrifice of Corporal Kyle R. Schneider. He is an American hero. He was a proud son and a loyal Marine. He was also a son, a brother, a grandson, a fiancee, friend, and comrade. Kyle is greatly missed, and no words will diminish the grief of those who knew and loved him. In his death, Kyle R. Schneider has earned the thanks of a grateful Nation.

STUDENT LOAN INTEREST RATES

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

Mr. CLARKE of Michigan. Mr. Speaker, today this House voted to extend the cap on student loan interest rates, or at least for certain student loans, for an additional year. That’s fine, but it’s only a Band-Aid. Over 1 million Americans, and this is just one box of many that contains petition signatures, say that they want more relief.

They want their student loan debt cut, reduced, and excessive debt forgiven.

So let’s listen to more than 1 million Americans who want the student loan debt forgiven in this country so we can give people hope and create jobs.

TEMPORARY SURFACE TRANSPORTATION EXTENSION ACT OF 2012

(Mr. SHUSTER asked and was given unanimous consent that the Committee on Transportation and Infrastructure, Ways and Means, Natural Resources; Energy and Commerce; Science, Space, and Technology; and Education and the Workforce be discharged from further consideration of the bill (H.R. 6064) to provide an extension of Federal-aid highway, safety, motor carrier, and transit programs funded out of the Highway Trust Fund pending enactment of a multiyear law authorizing such programs, and ask for its immediate consideration in the House.)

The Clerk read the title of the bill.

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

There was no objection. The text of the bill is as follows:

H.R. 6064

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

SECTION 1. SHORT TITLE. RECONCILIATION OF FUNDS; SPECIAL RULE FOR EXECUTION OF AMENDMENTS IN MAP–21; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Temporary Surface Transportation Extension Act of 2012”.

(b) Reconciliation of Funds.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a project, program, or activity under this Act in
fiscal year 2012 by amounts apportioned or allocated for the project, program, or activity pursuant to the Surface Transportation Extension Act of 2011 (Public Law 112–102) for the period beginning on October 1, 2011, and ending on June 30, 2012.

(c) SPECIAL RULE FOR EXECUTION OF AMENDMENTS IN MAP—21.—On the date of enactment of the MAP–21—

(1) this Act and the amendments made by this Act shall cease to be effective;

(2) the text of the laws amended by this Act shall revert back so as to read as the text read on the day before the date of enactment of this Act; and

(3) the provisions made by the MAP–21 shall be executed as if this Act had not been enacted.

The title of contents for this Act follows:

Sec. 1. Short title; reconciliation of funds; special rule for execution of amendments in MAP–21; table of contents.

TITLES I—FEDERAL- AID HIGHWAYS

Sec. 101. Extension of Federal-aid highway programs.

TITLES II—EXTENSION OF HIGHWAY SAFETY PROGRAMS


Sec. 203. Additional programs.

TITLES III—PUBLIC TRANSPORTATION PROGRAMS

Sec. 301. Allocation of funds for planning programs.

Sec. 302. Special rule for urbanized area formula grants.

Sec. 303. Allocating amounts for capital investment grants.

Sec. 304. Appropriation for urbanized area formula grants for other than urbanized areas.

Sec. 305. Apportionment based on fixed guideway factors.

Sec. 306. Authorizations for public transportation.

Sec. 307. Amendments to SAFETEA–LU.

TITLES IV—HIGHWAY TRUST FUND EXTENSION

Sec. 401. Extension of trust fund expendi- ture authority.

Sec. 402. Extension of highway-related taxes.

TITLES V—STUDENT LOANS

Sec. 501. Temporary authority.

TITLES I—FEDERAL-AID HIGHWAYS

TITLES II—EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS

(a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is amended by striking "$255,000,000 for each of fiscal years 2009 through 2011, and $176,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "$235,000,000 for each of fiscal years 2009 through 2011, and $182,265,440 for the period beginning on October 1, 2011, and ending on July 6, 2012.".

(b) MATERIALS IMPEMENTATION.—Section 2001(a)(2) of SAFETEA–LU (119 Stat. 1519) is amended by striking "$255,000,000 for each of fiscal years 2009 through 2011, and $176,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012," and inserting "$235,000,000 for each of fiscal years 2009 through 2011, and $182,265,440 for the period beginning on October 1, 2011, and ending on July 6, 2012.".

(c) G RANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1520) is amended by striking "$3,128,160 for the period beginning on October 1, 2011, and ending on June 30, 2012." and inserting "$4,116,000 for each of fiscal years 2009 through 2011, and $19,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.".

TITLES IV—HIGHWAY TRUST FUND EXTENSION

Sec. 401. Extension of trust fund expendi- ture authority.

Sec. 402. Extension of highway-related taxes.
(B) by striking “2011 and $2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and $2,280,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(d) HIGH-PRIORITY ACTIVITIES.—Section 3110(k)(2)(A) of title 49, United States Code, is amended by striking “2011 and $2,250,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and $2,280,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(e) NEW ENTRAINT AUDITS.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking “and up to $21,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “and up to $22,040,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(f) OUTREACH AND EDUCATION.—Section 412(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking “and to $760,000 for the Federal Motor Carrier Safety Administration,” and $2,250,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012” and inserting “and to $760,000 to the Federal Motor Carrier Safety Administration, and $2,260,000 to the National Highway Traffic Safety Administration, for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(g) OUTFORCING.—Section 3680(a) of title 49, United States Code, is amended by striking “2011 and $750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and $870,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(h) INVESTMENT GRANTS.—Section 5309(m) of title 49, United States Code, is amended to read as follows:

SEC. 303. ALLOCATING AMOUNTS FOR CAPITAL INVESTMENT GRANTS.

Section 303(a)(5) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting “SPECIAL RULE FOR FISCAL YEARS 2006 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JULY 6, 2012.”

(2) in subparagraph (A) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on July 6, 2012.”

(3) in subparagraph (C) by striking “2011 and $5,760,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and $7,600,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

SEC. 304. APPORTIONMENT BASED ON FIXED GUIDEWAYS TO OTHER THAN URBANIZED AREAS.

Section 5339(g) of title 49, United States Code, is amended to read as follows:

SEC. 305. APPORTIONMENT BASED ON FORMULA GRANTS FOR DEDICATED BUS GRANTS.

Section 5339(g) of title 49, United States Code, is amended to read as follows:

SEC. 306. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION PROGRAMS.

Section 5339(g) of title 49, United States Code, is amended to read as follows:

SEC. 307. SPECIAL RULE FOR URBANIZED AREA GRANTS.

Section 5339(g) of title 49, United States Code, is amended—

(1) by striking “2011 and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(v) in clause (iv) by striking “for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(vii) in clause (vi) by striking “for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “for each fiscal year and $760,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

SEC. 302. SPECIAL RULE FOR URBANIZED AREA GRANTS.

Section 5306(g) of title 49, United States Code, is amended—

(1) by striking the paragraph heading and inserting “SPECIAL RULE FOR FISCAL YEARS 2006 THROUGH 2011 AND THE PERIOD BEGINNING ON OCTOBER 1, 2011, AND ENDING ON JULY 6, 2012.”

(2) in subparagraph (A) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on July 6, 2012.”

(3) in subparagraph (C) by striking “2011 and $5,760,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and $7,600,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

SEC. 301. ALLOCATION OF FUNDS FOR PLANNING AND IDENTIFICATION GRANTS.

Section 5305(g) of title 49, United States Code, is amended by striking “2011 and for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and for the period beginning on October 1, 2011, and ending on July 6, 2012.”
through 2011, and $85,125,000 for the period beginning on October 1, 2011, and ending on June 30, 2012, and inserting “$133,500,000 for each of fiscal years 2009 through 2011, and $125,020,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$164,500,000 for each of fiscal years 2009 through 2011, and $153,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(B) in subparagraph (B) by striking “$16,000,000 for each of fiscal years 2009 through 2011, and $16,167,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$35,340,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(C) in subparagraph (C) by striking “$51,500,000 for each of fiscal years 2009 through 2011, and $50,380,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$70,300,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(D) in subparagraph (D) by striking “$2,660,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “$5,150,000 for each of fiscal years 2009 through 2011, and $5,150,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(E) in subparagraph (E) by striking “$3,500,000 for each of fiscal years 2009 through 2011, and $3,500,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$39,140,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(F) in subparagraph (F) by striking “$133,500,000 for each of fiscal years 2009 through 2011, and $1,266,540,000 for each of fiscal years 2009 through 2011, and $1,249,875,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$353,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(G) in subparagraph (G) by striking “$455,000,000 for each of fiscal years 2009 through 2011, and $455,000,000 for each of fiscal years 2009 through 2011, and $38,625,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$85,125,000 for each of fiscal years 2009 through 2011, and $85,125,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(H) in subparagraph (H) by striking “$133,500,000 for each of fiscal years 2009 through 2011, and $164,500,000 for each of fiscal years 2009 through 2011, and $101,460,000 for the period beginning on October 1, 2011, and ending on July 6, 2012,” and inserting “$353,400,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(I) in subparagraph (I) by striking “$92,500,000 for each of fiscal years 2009 through 2011, and $92,500,000 for each of fiscal years 2009 through 2011, and $738,000,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “$133,500,000 for each of fiscal years 2009 through 2011, and $133,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(J) in subparagraph (J) by striking “$26,900,000 for each of fiscal years 2009 through 2011, and $20,375,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “$92,500,000 for each of fiscal years 2009 through 2011, and $92,500,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(K) in subparagraph (K) by striking “$3,500,000 for each of fiscal years 2009 through 2011, and $2,625,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “$3,500,000 for each of fiscal years 2009 through 2011, and $2,660,000 for the period beginning on October 1, 2011, and ending on July 6, 2012.”

(L) in subparagraph (L) by striking “$22,000,000 for each of fiscal years 2006 through 2011, and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “$22,000,000 for each of fiscal years 2009 through 2011, and $18,750,000 for the period beginning on October 1, 2011, and ending on June 30, 2012.”

(1) in subsection (c)(5) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on July 6, 2012.”

(2) in the second sentence of subsection (d) by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on July 6, 2012.”


SEC. 303. OBLIGATION CEILING.—Section 303(d)(7) of SAFETEA–LU (119 Stat. 1639) is amended to read as follows:

“(5) the Secretary shall allocate, from the Mass Transit Account, $29,281,280 for the period beginning on October 1, 2011, and ending on July 6, 2012, of which not more than $6,354,029,400 shall be from the Mass Transit Account.”

SEC. 304. PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.—Section 3042 of SAFETEA–LU (119 Stat. 1640) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “2011 and the period beginning on October 1, 2011, and ending on June 30, 2012,” and inserting “2011 and the period beginning on October 1, 2011, and ending on July 6, 2012,”;

(3) in subsection (d), by striking paragraph (1), (3), (5), and (8) through (25) of subsection (a).

TITLE IV—HIGHWAY TRUST FUND EXPENDITURE AUTHORITY

SEC. 401. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “July 1, 2012” in subsections (b), (c), (e)(3), and (f)(3) and inserting “July 7, 2012” and;

(2) by striking “Surface Transportation Extension Act of 2012” in subsections (c)(1) and (e)(3) and inserting “Temporary Surface Transportation Extension Act of 2012.”

(b) SPORTS FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking “Surface Transportation Extension Act of 2012” each place it appears in subsection (b)(2) and inserting “Temporary Surface Transportation Extension Act of 2012”;

(2) by striking “July 1, 2012” in subsection (d)(2) and inserting “July 7, 2012.”

(c) LEAKING UNDERGROUND STORAGE TANK FUND.—Paragraph (2) of section 5906 of such Code is amended by striking “July 1, 2012” and inserting “July 7, 2012.”

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2012.
third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize Members for Special Order speeches without prejudice to the possible resumption of legislative business.

PRESIDENT OBAMA'S TOXIC REGULATION REGIME

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. WEST) is recognized for 60 minutes as the designee of the majority leader.

Mr. WEST. Mr. Speaker, I rise today not as the chairman, but as a citizen of the great State of Florida. My fellow Floridians are frustrated with the Federal Government for imposing more and more burdensome regulations that continue to hurt our already struggling State and Nation. The President's policies have failed and are making this economy worse. While the President continues to give speeches on the principles of job growth, his administration continues to pursue job-killing policies that threaten this country's economic recovery. In fact, since President Obama took office, we've seen a 52 percent increase in completed regulations deemed economically significant. These regulations are costing the economy at least $100 million each year.

Mr. Speaker, this is worth repeating because the American people clearly understand: since January 20, 2009, the President has increased by more than 50 percent the regulations costing at least $100 million annually. The President cannot stand on his record of the last 3½ years, so he has regrettably turned to the policy division he created.

We cannot create a fair system for job creators when the Federal Government keeps changing the rules. We can't help the job seeker by punishing the job creator with more government red tape. According to a September 2010 report from the Small Business Administration, total regulatory costs amount to $1.75 trillion annually.

Put another way, this $1.75 trillion of regulatory burden is enough money for businesses to provide 35 million private sector jobs with an average salary of $50,000. According to the same report:

Small businesses which have created 64 percent of all new jobs in the past 15 years face an annual regulatory cost of $10,585 per employee, which is 36 percent higher than the regulatory costs facing large firms.

Yet rather than provide incentives for these businesses to expand and create jobs, the Obama administration continues to impose burdensome layers of red tape that impede private sector investment and destory jobs.

In the last few months, we've heard a lot about fairness from the President, especially when it comes to the so-called rich. Accompanying President Obama's budget for fiscal year 2013 was a simple message to the American people: everyone must shoulder their fair share of the tax burden.

Mr. President, the free market is not about fairness. This is not Little League baseball where everyone gets a trophy. There is nothing fair about the Federal Government telling you what kind of light bulbs you can use to light your home, how many gallons of water you can use to flush your toilet, and which kinds of food your children have to consume.

While the President continues his "Kansas City shuffle" trying to get the American people to look right while he goes left, he continues to try and turn the attention of the American people away from his policies that continue to drag the economy down. The facts speak for themselves. Today, there are more Federal regulations on the books than in any other time in the history of our Nation. The Obama administration has proposed 3,118 regulations with 167 considered economically significant.

In 2011 alone, Mr. Speaker, there were 79,000 new pages printed in the Federal Register. The same year, the Obama administration issued $231.4 billion in regulatory burdens from proposed or final rules.

Today, there are 291,676 unelected Federal regulatory agency employees surrounding the United States Capitol. According to the Financial Services Roundtable, it will take 24,503 employees just to comply with the flood of regulations emanating from the Dodd-Frank banking regulations.

According to a February 15, 2012, Gallup poll, 48 percent of businesses said they were not hiring due to concerns about possible rising health care costs, while 46 percent said they were worried about new government regulations.

A 2010 study by The Heritage Foundation found that an unprecedented 43 major regulations were imposed in fiscal year 2010, with a total economic cost of $265.5 billion, the highest total since at least 1981.

A recent report from The Heritage Foundation also found that during the 3 years of the Obama administration, a total of 106 new major regulations have been imposed at a cost of more than $46 billion annually and nearly $11 billion in our-time implementation costs. This amount is about five times the cost imposed by the prior administration of President George W. Bush.

Mr. Speaker, I think it is essential the American people understand just a few proposed Obama administration regulations that will cost each of us billions of dollars:

Reconsideration of the 2008 Ozone National Ambient Air Quality Standards.
were dwarfed by the new regulations that the administration published just this year. For proposed or final rules, the Obama administration published $231.4 billion in regulatory burdens and 133 million paperwork burden hours. Assuming 40-hour work year, it would take 66,730 employees just to file the Federal paperwork. On average, Mr. Speaker, eliminating the job of a single regulator would grow the American economy by $0.2 million and nearly 100 private sector jobs annually. The reverse is true as well: each million-dollar increase in the regulatory budget costs the economy 420 private sector jobs.

A recent article in The Economist highlighted the increased complexity caused by ObamaCare, citing that “every hour spent treating a patient in America creates at least 30 minutes of paperwork, and often a whole hour.” Next year, the number of Federally mandated illness and injury for which hospitals must claim reimbursement will rise from 18,000 to 140,000.

There are nine codes, Mr. Speaker, relating to injuries caused by parrotss—yes, parrots—and three relating to burns emanating from flaming water skis.

Let’s be real clear at this point of time: The only jobs created by regulations are jobs for regulators and more regulatory oversight. Since 2006, every hour spent in the permitting process and jumping through the regulatory hurdles to open the first facility, the second location was chosen, the environmental impact had to be measured and mitigated for one. In the case of Rybovich, 5 acres of sea grass needed to be replaced. Since there are limited areas where sea grass could be replenished in the vicinity of the company, Rybovich, a private sector company, had to buy an island, construct a wall around it, and plant sea grass. The island alone cost the company $4 million.

Last year, this facility generated $5.5 million in local and State tax revenue. Consider the regulatory hurdles Rybovich had to leap through, the mountains of paperwork in order to get a permit issued, and the burdensome red tape they endured every step of the way.

Mr. Speaker, it is remarkable that any U.S. company chooses to do business on its own shores. To satisfy the environmental regulations and requirements for the first facility, Rybovich was required to inspect and analyze every other possible location in the area to see if there was an alternate site that would have less impact on local sea grass beds.

When the location was chosen, the environmental impact had to be measured and mitigated for one. The facility quickly exceeded all business expectations, attracting commerce from around the country and cementing south Florida’s leadership position in the marine industry.

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Protection Agency has proposed ludicrous standards for Florida’s nitrogen and phosphorus levels for the State’s lakes, rivers, streams, and springs.

Until 2009, the State of Florida was working cooperatively with the EPA to improve the water quality standards. However, in 2009, in an attempt to settle a lawsuit brought by environmental groups, the EPA decided to abandon that cooperative approach, federally preempt our water quality State standards, and impose new criteria on our State.

Like all Floridians, I want clean and safe water. For several years now, Florida has been working to improve its water quality, and in many respects, the State’s efforts have been a model for other States throughout this country.

As Florida Wildlife Commissioner Ron Bergeron explains, “A water standard of 10 parts per billion required by numeric nutrient criteria, is more stringent than rainwater which is 15 parts per billion, and is a quality of water that is humanly impossible to achieve.”

Even the EPA’s own Science Advisory Board has expressed serious concerns about the science used to support the regulation, and the EPA has repeatedly refused to allow a third-party review of the proposal.

But there is no doubt about one thing, Mr. Speaker. This mandate is poisonous to the economy. These regulations are not about whether we want clean water for Florida. These regulations are about how we reach that goal and at what cost.

This EPA mandate, which singles out the State of Florida, will drive up the cost of doing business, double water bills for all Florida families, and will destroy jobs. The Florida Department of Environmental Protection estimates this Federal mandate may force municipal wastewater and storm water utilities to spend as much as $26 billion in capital improvements to upgrade their facilities. This $26 billion will eventually be paid by each Floridian who uses water, and that means every resident.

A study by the University of Florida and the Florida Department of Agriculture and Consumer Services concluded that the EPA’s numeric nutrient criteria regulations would directly cost Florida’s agricultural community roughly $1 billion each year, with additional indirect costs also exceeding $1 billion. This billion dollar cost eventually will be paid by every American who wants to enjoy an orange, a grapefruit, or other produce that comes from Florida, or other produce that comes from any state.

Our already depressed housing market if they’re going to have to pay nearly $1,000 more in their annual water bills for years to come?

The EPA has repeatedly refused to allow any third-party review of the science behind the proposed mandate of numeric nutrient criteria. The EPA has also failed to complete an economic analysis.

In a disturbing article in The New York Times on February 16, 2011, an EPA official has been quoted as saying, “I hope this history when it comes to the Constitution, engaged in actions that had the effect of compelling a bipartisan group of Senators to pull back their budget autonomy bill for the District of Columbia.

First, recognize that the Framers didn’t go to war with American citizens, including citizens who live right in the very city in which we are now meeting, the District of Columbia, only to leave them out of the very franchise and local control that made the Framers commit what, I’m sure, the British believed were acts of treason when they rebelled against England for its refusal to recognize that taxes are a matter of local control. Bear in mind the colonial use of force that continued the residents of this city and that the Framers in every respect showed that they respected the fact that the citizens of this city were included among those who went to war. For example, in the transition period—10 years—as the District of Columbia moved to become the Nation’s Capital—the four Framers of the Constitution from Maryland and from Virginia made sure through legislation that their members lost nothing, in as much as Maryland and Virginia had donated the land to the Nation for our Nation’s Capital. Maryland and Virginia citizens were allowed to vote in their jurisdictions in Maryland and Virginia. They voted, and they were treated in every way like other Americans at that time. In 1802, when full transition to become the Nation’s capital occurred, they lost what they had been promised. They lost their full rights as American citizens. The District got back some of those rights under a Republican President 39 years ago when the District was granted home rule, the right to govern itself, under the Home Rule Act.

Richard Nixon said at the time: I share the chagrin that most Americans feel at the fact that Congress continues to deny self-government to the Nation’s Capital. I would remind the Congress that the Founding Fathers did nothing of the sort. Home rule was taken from the District only after more than 70 years of self-government, and this was done on grounds that were either factually shaky or morally doubtful.

So the Congress returned to the District some measure of home rule in 1973. In returning a good measure of home rule, the Congress nevertheless said to the District that, while it had
authority over its own budget, the budget had to come to the Congress of the United States before it became final.

We are trying, as I speak, to make sure that that budget does not become a vehicle for changing the very principles that the Framers fought for and that every American stands for. This is not a country where you can pay taxes and somebody else can have something to say over how those taxes will be used. That would cause another rebellion. That matter was put to the American people in a recent poll, here is what they said: more than seven in 10 believe that the District of Columbia should control its own budget.

I suppose in America people are saying, Duh, of course. That’s a basic founding principle. Why do you need to tell us that?

We need to tell you that because there are attempts here—and there was an attempt just this week in the Senate—that contradicted the increasing bipartisan consensus for local control by the District of its own local funds, funds that not one Member of this body has had anything to do with raising. So when you put that to the American people, you get a predictable answer: seven in 10 say yes to local control by the District alone of its own local funds.

What does that mean in terms of Democratic control?

Seventy-one percent of Democrats and, by the way, 72 percent of Republicans support it. I’m not surprised at those figures. Seventy-one percent of Democrats—and slightly more—72 percent of Republicans believe that the people who pay taxes and happen to live in their Nation’s Capital should be treated as full American citizens when it comes to how they spend their own local funds.

That principle is not always recognized in this body, and that’s why I’ve come to the floor today, because I do not believe that the failure to recognize this principle comes from malice. I think it comes because there is turnover in the Congress and because people don’t focus on the anti-democratic bills that come before them, so they simply do what they are told to do. They don’t do much analysis of their own about why they may be voting as a Member of Congress to overturn local laws.

Last year, the District of Columbia government was almost shut down three separate times. I don’t think I could find a Member of this body—in fact, I’m sure I can’t—who would say that when the Federal Government is engaged in a Federal fight over Federal spending that the District of Columbia should have to shut down, too; but that was the case because the District of Columbia local budget—its balanced budget (unlike our own—which had been balanced), by the Appropriations Committee, was still here. Because it was still here and for no other reason, the District of Columbia three different times had to prepare for a shutdown of the city government, and had to prepare for the consequences of the possible violation of contracts and other serious consequences through no fault of their own.

It’s worth noting to note that a Senate appropriations bill this year does contain my no-shutdown bill for the District of Columbia, which simply says that the District of Columbia doesn’t shut down if the Federal Government shuts down; of course, if the city is spending that Federal money, that’s okay for the city to do.

When I refer to a bipartisan group of congressional leaders who support budget autonomy, I’m speaking of leaders who have been in the Congress, and have been in the District and have seen what the effects of not treating the District as a full local-controlled jurisdiction have been. In the House today, I am grateful to Chairman DARRELL ISSA, chairman of the committee with some jurisdiction over the District of Columbia, who is a leading proponent of budget autonomy for the District of Columbia, so much so that he has his own bill for budget autonomy, which is very much like my own.

In the Senate, Senator JOE LIEBERMAN and Senator SUSAN COLLINS had a bipartisan bill in committee this week for budget autonomy for the District of Columbia much like Chairman ISSA’s. Budget autonomy has been supported by majority leader ERIC CANTOR. Budget autonomy has been supported by the Republican Governor of the State of Virginia.

When we note what happened in the Senate on the bill, we cannot believe that it came from animus or some sense that the District of Columbia is not a city whose citizens should be treated as other American citizens are treated. That’s why Senator LIEBERMAN introduced a bill, Senator RANDELL PAUL appeared to have proposed any and every amendment that he could think of, amendments that no self-respecting American jurisdiction could possibly abide, not because there is anything inherently wrong with these amendments, but because they violate what the voting majority of taxpayers residents of the District of Columbia have approved as local law.

The Senator did not stay he disagrees with this or that policy and he wants to make sure that the District does this or that thing. He said: I think it’s a good way to call attention to some issues that have national implications. We don’t have control over the States, but we do for D.C.

Oh, really? What control do you have over our local funds? Do you raise a cent of it?

This must be a misunderstanding. Since Senator RANDELL PAUL founded the Tea Party Caucus in the Senate and is the champion of small government and local control there, I choose to believe that this freshman Senator had not yet come to grips with the rather complicated history of the Nation’s capital. If he had, I don’t think he would have put forward an amendment that would require the city to allow conceal-and-carry permits. We may not have a Senate with control over foreign policy in the United States, but that’s not what the people of the District of Columbia, who pay taxes here, have written into their constitutional local laws.

Moreover, public safety is the essence of local control. If you look to the two or three issues that nobody should have anything to say about in another local jurisdiction, surely at the head of the list would be local police power, when that power is consistent with the Constitution.

Then a stream of other amendments came forward from Senator PAUL on abortion, one of them on licensed firearms dealer, one of them having to do with labor organizations D.C. U.S., if the Senator went down a checklist. He virtually said so himself. He said: What national issues can I highlight using the District of Columbia?—as if the city were nothing to do with the 600,000 American citizens who have fought and died in every war, including the war that created the United States of America, of 600,000 citizens who pay the second highest Federal taxes per capita in the United States. That’s 600,000 citizens, one of whom was killed in Afghanistan last month. It means 600,000 Americans who have every right to demand equal citizenship.

Nevertheless, good news, from bipartisan support and from national polls, continues to roll in. The Senate has just passed out of committee the D.C. budget. The most the Senate and the most the House should do is act as a pass-through as long as the Senate budget does not violate the Constitution. Of course, no local budget belongs in the United States Congress. However, D.C. does not yet have budget autonomy. Yet there is nothing, in American principle, for American citizens to say that once you have the local budget through here, you can just do anything you want to do, overturn local laws or restrict funds that Congress had nothing to do with raising.

I met Tea Party people for the first time when they came to Congress. I thought local control was their most basic principle. In fact, Senator RANDELL PAUL would like to get the Federal Government out of issues where the Constitution allows the Federal Government to be. But what about hopping over Federal issues and trying to interfere in the business of a local jurisdiction? That’s against his principles; that’s against everything the Framers stood for.

Polls within the last few months show that the overwhelming majority of Americans believe Congress should pass a D.C. budget without changes. Seventy-eight percent of this majority? Seventy-eight percent of them are Democrats. Once again, Republicans lead the pack at 81 percent.
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This is how the question was framed: “Today, Members of Congress are withholding approval of Washington, D.C.’s local budget unless the city agrees to a series of unrelated provisions on issues ranging from guns to abortion. And you think Congress should or should not interfere in the city’s local affairs and budget in this way?”

If anything, the issue was framed against D.C. Because you can bet your bottom dollar that if this 61 percent of Republican Congress had to vote on a budget, it would be a budget that vastly expanded and empowered D.C., controlled by Democrats. While the D.C. local budget is a very different body with many who, in fact, oppose abortion and oppose any restrictions on guns or gun owners. Yet this is how they responded when asked a basic question, a fundamental question regarding, if it is local money, should a national body in Washington have any right, whatsoever, to impose its will on a local budget?

Congress does lag occasionally behind the American people. This is a big lag. But the lag does not include several leaders of this House and of the Senate.

Senator JOE LIEBERMAN is retiring this year. He has been a champion of equal citizenship for the residents of the District of Columbia, whether it was voting rights or statehood, that budget autonomy. Equal citizenship rights for District of Columbia citizens, in many ways, partially define his service.

Yet the first budget autonomy bill to pass at all in Congress came from Senator SUSAN COLLINS, when democrats were in the minority. That was in 2003. That bill went all the way to the floor and was passed in a Republican Senate. It was the House that did not pass it or D.C. budget autonomy would be law today.

So when I speak of first principles, I think there is great evidence that those first principles resonate in the Senate and resonate in the House. They resonate in the House when Representative ISSA puts forward a budget autonomy bill, it resonates in the House, when Majority Leader CANTOR, in fact, says he supports budget autonomy.

I don’t believe that the average Member even desires the opportunity to use 600,000 American citizens as playthings through a local budget. We joust with one another. We disagree with one another. But I don’t believe when it comes to this serious matter that if we had an opportunity to speak with Members of this body they would give you a justification for a federal body overturning the will of the people of a local jurisdiction.

That is why I say this afternoon that by assuming that disparate treatment of American citizens flies in the face of the very principles that particularly Members of this House have professed from the moment the 112th Congress convened: Get the Federal Government out of our lives, even when the Federal Government has historically been in our lives; get the Federal Government out of any opportunity to get involved in our lives.

Witness the view of Republicans on the Affordable Care Act. Up with local control, and when it comes to local money, hands off. You might imagine that when the District raises $6 billion from local citizens, they wouldn’t want anybody telling them anything about how to spend their local funds. The District spends that money on some matters and in some ways that are different from the way the jurisdictions of my colleagues spend their own money. Isn’t tolerating these differences what is most wonderful about America?

The Framers put together a nation that was very different, that has kept us from going to war with one another over issues by above all separating out local from Federal, meaning if you stay in your yard, we stay in ours. We will only go where matters of national concern are to be found. That was the promise.

I must say, to my colleagues, that’s the promise that’s kept for every American district, except D.C. And that is why I have called Senator RAND PAUL. I have not been able to speak to him yet. I am going to ask to sit down with him. I am going to walk over to the Senate to see if I can have a good conversation with him about the District of Columbia, because I have no reason to believe, given his own short history in the Senate, that he means to do anything but carry out his own originalist principles, his principles of originalism that are different from Federal intervention. Given a conversation, we can at least make some headway on what the District means to our country and how the citizens of this city feel when they are basically kicked around.

We’re powerless to do anything about it. If a bill comes to the floor which keeps us from spending our own money, every Member of this body can vote on that bill except the Member that represents the District of Columbia because, as of yet, the Congress has not, in fact, given the District the voting rights that we have given to the people of Afghanistan and Iraq, with citizens from the District of Columbia among those fighting for their freedom. So I don’t think anybody would blame us for coming forward to ask for what every other American takes for granted.

What is truly gratifying to me, even as I complain about the withdrawal of a budget autonomy bill, which Senator JOE LIEBERMAN and Senator SUSAN COLLINS had worked so hard to perfect, what encourages me is, first, the leadership we have in the House for budget autonomy, the leadership that continues to stand strong with us in the Senate. But most of all, Mr. Speaker, what encourages me is what these two charts tell us about our country, tell us about what the American public believes: It is overwhelming that they overwhelmingly believe—that American citizens have a right when it comes to their own funds raised by them and them alone.

Yes, I take heart in the fact that while there are only small differences between Democrats and Republicans on subject autonomy, those who most favor control of the city’s own budget by its own local citizens are Republicans, who are, it seems to me, only confirming their own principles.

And when it comes to whether or not the Congress, when the D.C. budget comes here, should pass it clean, just as it was when it came, or should in some way use it to profile national issues, you have even greater majorities essentially sending Congress a message that it should pass the D.C. local budget without changes. Seventy-eight percent of Democrats and 81 percent of Americans regard this as something of a truism. My colleagues represent the people included in these massive majorities.

I don’t expect my colleagues to spend a lot of time on the District of Columbia, I ask only that when the budget of a local autonomy body comes here, as I ask some thought behind what you do when you have the vote on that budget and I do not. In a real sense, I ask you to put yourself in my position. I am a Member of the House of Representatives. I have the same standing that all of you have, except I do not have a vote.

I would be so bold as to ask my colleagues to put themselves in my position when they see Members of this House for budget autonomy, the leader of this House for budget autonomy, the leader of this Senate, and ask them what there be some thought behind what you do when you have the vote on that budget and I do not. In a real sense, I ask you to put yourself in my position because I think there would be some genuine empathy with the position in which I find myself, representing 600,000 citizens who have lived up to every obligation of citizenship ever since the founding of the Republic of which they have always been a part, but never with equal citizenship.

I think we can continue to come forward in good faith and in the spirit of understanding and in the hope that, with greater highlighting of the discrepancies between professed principles and how they are occasionally carried out, change will come in a country which is always striving to live up to its own ideals.

I yield back the balance of my time.

[From the Washington Post, June 27, 2012]

RAND PAUL’S SITUATIONAL PRINCIPLE
(By Editorial Board)

Sen. Rand Paul (R-Ky.) came to Washington on the wave of the tea party movement to limit big government. “I think a lot of things could be handled locally . . .
more local the better, and the more common sense the decisions are, rather than having a federal government make those decisions," he said during his 2010 campaign. So how to explain his principles move to give the District autonomy over its own tax dollars by—and this is really rich—injecting the federal government into local affairs.

We should no longer be surprised by congressional hypocrisy when it comes to the nation's capital, but Mr. Paul's willingness to turn his back on his supposed libertarian principles move to give the District autonomy over its own tax dollars by—

### Supreme Court Health Care Decision

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMER) for 30 minutes.

Mr. GOHMER. It’s always an honor to speak in the House of Representatives, a great storied history here, just as the Supreme Court has a great storied history. There’s some moments in time with regard to the United States Supreme Court which show it to have a bastion of self-willed, determined, principled, constitutionally minded Justices. There are other times when the Supreme Court has shown itself to consist of some great judges and some who are more interested in politics, more interested in their friends than they are in doing what was right under the Constitution, even though it was easy enough for them to ration—

alize that, gee, if they did what helped their friends, then obviously that would make it better for the whole country.

I think we get some of that rationalization from this administration. Gee, if they just spent billions or hundreds of billions of dollars at friends, then their friends will do better. And if their friends are doing better, surely the rest of the country would. We have also found that to be true with regard to things like Solyndra and the massive number of other cronies of the administration that have received hundreds of billions of dollars over time and also at a time when this country is sorely hurting from overspending and running up debt.

In fact, today we had a bill regarding transportation and a conference report. I know my friend JOHN Mica from Florida worked exceedingly hard, as had other members of Transportation, trying to reach an agreement with the Senate. It looked like the Senate got the better end of the deal.

But I know these people, I know their hearts, and I know they try to do what is right for America when it comes to Chairman Mica and those who are assisting him.

But, nonetheless, we heard our friends across the aisle over and over today talk about how critically important infrastructure is, how we ought to be spending money, and how just $1 billion added to the transportation budget could really make a tremendous difference. I hearken back to a year-and-a-half ago when the President of the United States, Barack Obama, had told people that if you will give me basically a trillion—whether it’s $800 billion, $900 billion, apparently it looked more like a trillion dollars by the time it was finished—you just hand me over a trillion bucks and we’ll get this economy going. If you don’t give it to me, then it will turn out that we may see as high as 8.5 percent unemployment.

But if you do give it to me, we’ll never see 8.

Of course, he was wrong that we would never see 8 percent unemployment. We’ve gone for many months—I guess that was 3½ years ago now—that he was telling us about his big stimulus. How quickly time flies.

As the transportation proponents were pushing their bill today and talking about the infrastructure, I think many of us believed that was true back in January of 2009, that it would be good. If we’re going to spend money on anything, spend it on the things that we really need to do: bridges, roads, all these things that need construction, need renovation.

So the President sold America largely on his stimulus because we’re going to fix all the infrastructure in America. But the last 3½ years have borne out that the Administration did not spend $800 billion, $900 billion on infrastructure. He spent maybe 6 percent of the largest giveaway in American history. He surpassed the terrible mistake that TARP was—$700 billion. And we haven’t been able to get an exact number, but of the $700 billion, it may be $450 billion—or so—that his administration inherited. So when you get the $800 billion, $900 billion, trillion-dollar stimulus giveaway—porkulus, as some call it—and you combine that with $400 billion, $450 billion, $500 billion that he was able to inherit from the TARP fund, you think maybe a trillion and a trillion-and-a-half dollars he had to give away.

As we hear debate over what difference $1 billion would make, He was talking about a thousand times that for infrastructure. And he spent a tiny fraction on infrastructure, preferring instead to have massive grants and giveaways to programs that were his cronies, his pets, that are now producing no dividends and in fact are increasing further debt.

So we know those things, how wonderful infrastructure would be, and yet we know when we as a Congress provided the TARP fund, massive amounts of money for infrastructure, they diverted it. They did more damage to the country than they did good. And we look at the people that this President has surrounded himself with. He had a Solicitor General named Elena Kagan. The Solicitor General’s job is to assist the White House, assist the administration with potential legislation that may come to litigation, assist them with litigation. As I know from working 30 years ago in the private sector, you can’t advise people about existing litigation and do your job without advising them about the way to avoid future litigation problems that you run into.

So we know that the biggest legislative agenda item for this administration was the complete takeover of health care. And as most thinking people would understand, if you could control all health care, you can pretty well control all people. You get to decide who gets what treatments, who can have a new hip, who can have a new knee, who can have radiation therapy, who can have the surgery. And as one secretary in my hometown pointed out, her mother acquired breast cancer and since the English Government’s wonderful health care system decided how long you had to wait for treatment, how long to find out she had it for sure, didn’t get the surgery in time, didn’t get the treatment in time and she said, My mother died of breast cancer because she lived in England and the government was in charge of health care.

She said I have been found to have cancer since I’ve been here in the U.S., and because the government was not in charge of my health care, I got it diagnosed in time. I got treatment in time.
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I didn’t have to live by any preconceived requirements of the government. So I’m alive because I was in America. My mother is dead because her health care was in England.

Some think the great panacea is government health care. We’ve heard over and over again that this is for the good of the children.

At this point I would be delighted to yield to my friend from Michigan.

Mr. CLARKE of Michigan. I want to thank the gentleman from Texas for yielding me some time.

Mr. Speaker, I’m very honored today to commend the United Way of Southeastern Michigan for its service, and also congratulate the United Way of Southeastern Michigan on its 125th anniversary of outstanding work for our country. I thank the gentleman from Texas for yielding me this time.

Mr. GOHMI. I want to thank the gentleman from Texas.

The United Way exists to serve. And along with those 125 years, more than 125 million dollars have been provided to individuals and organizations who have given their time and effort to helping others.

Mr. CLARKE. I want to thank my friend, Mr. C. LARKE.

It has helped to provide shelter to the homeless, education for little young people and training to the unemployed.

So again, I want to thank the United Way of Southeastern Michigan for its service, and also congratulate the United Way on its 125th anniversary of outstanding work for our country.

I thank the gentleman from Texas for yielding me this time.

Mr. GOHMI. I want to thank the gentleman from Texas. I appreciate my friend, Mr. C. LARKE.

The Obama administration had an agenda item, getting ObamaCare passed. Elena Kagan was Solicitor General, and she continued to be Solicitor General even up until after the time when these first lawsuits were filed against ObamaCare. Now, she gave testimony before the Senate that satisfied them at the time that she was pure as the driven snow and she would in no way be tainted by any executive order.

In what other matters was such action taken? In what other matters was such action taken? In what other matters was such action taken? In what other matters was such action taken?

Mr. CLARKE. I want to thank the gentleman from Texas.

The politics of the White House prevailed. It was pure politics; it was nothing but politics. And anyone who honestly reads this opinion from an entirely objective standpoint will not be able to say this is a beautiful piece of well-reasoned legal logic because it is not. It is a hodgepodge of poorly written, poorly thought-out, poorly pieced-together opinion; and it’s an embarrassment. And one day, history will record that this Court was possessed of four individuals who had political agendas and could not set them aside, and that a Chief Justice, who knew better, decided he would try to make the Court look less than political, and in doing so became very political.

We need answers to these questions.

The third one was:

Did you ever have a conversation with Justice Kagan regarding her recusal from the matters before the Supreme Court related to the Patient Protection and Affordable Care Act? If so, please describe the circumstances and substance of those conversations.

Real easy. Now, we know that this Attorney General has significant recollection problems. He recalled, under penalty of perjury before our Judiciary Committee that he had only learned about Fast and Furious a few weeks, he said, after it was covered.

Within months, we found documentation showing that that was a lie. It had been months before, at a minimum,
that he had learned. Then, when he had that presented to him, he said a few weeks, months, what’s the difference? Highest Justice official in America sees no difference between a few weeks and months.

These questions need to be answered. It’s already embarrassing enough that a Justice hid behind the refusal to answer questions, the avoidance of questions, to be able to sit on this case and participate in one of the worst thought-through and expressed opinions that I’ve read from the U.S. Supreme Court.

And it’s worth looking at some of them. If you go to the opinion itself, first of all, the Supreme Court has to deal with the issue of whether the Supreme Court can consider the case because the Anti-Injunction Act basically, in essence, says: if Congress passes a tax, then the Supreme Court does not have any jurisdiction to consider the case. One case in Federal court until the tax is actually levied and the individual filing suit has actually had it levied on them. Then that individual has standing, can file a lawsuit, and the Supreme Court could decide and determine whether or not the penalty for not buying health care insurance was a penalty or a tax—even though the language in the act clearly said it was a penalty—well, the Court couldn’t go forward. So that was the first thing they had to wrestle with. You see it particularly highlighted from pages 11 through 15.

But it’s worth noting—this is page 11—the Court says: before turning to the merits, we need to be sure we have authority to do so. That’s Justice Roberts, before turning to the merits, we’ve got to be sure we have authority. He said the Anti-Injunction Act provides:

No suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court by any person, whether or not such person is the person against whom such tax was assessed.

Can’t bring the lawsuit, the Supreme Court can’t consider it if it’s a tax, because it won’t be 2014 or so before that happens.

So you look at this decision, page 12, our brilliant Chief Justice—and he really is brilliant, he just compromised it here:

Congress’s decision to label this exactation a “penalty” rather than a “tax” is significant because the Affordable Care Act describes many other exactations it creates as “taxes.”

Because there are taxes. There are, clearly. There’s the medical device tax that ObamaCare adds. All these other taxes, they call themselves taxes. This doesn’t. And Justice Roberts points out, “You call it this.”

Justice Roberts says, and this is page 13 of his opinion:

The Anti-Injunction Act and the Affordable Care Act, however, are creatures of Congress. How they relate to each other is up to Congress and the best evidence of Congress’s intent.

Get that: best evidence of Congress’s intent is the statutory text. That’s why he goes through and says the text calls it a penalty. On page 15, he says:

The Affordable Care Act does not require that the penalty for failing to comply with the individual mandate be termed as the tax for purposes of the Anti-Injunction Act. The Anti-Injunction Act therefore does not apply to this suit, and we may proceed to the merits.

It’s not a tax; it’s a penalty. All right. So, page 15, all this legal reasoning, it’s not a tax, it’s a penalty, best evidence of what it is is what Congress calls it, Congress calls it a penalty, ergo it’s a penalty and we can move on. And now we’re entitled to consider the merits.

Now, he also adds—this is over at page 39:

The joint dissenters argue that we cannot uphold section 5000A as a tax because Congress did not frame it as such.

Now, in fact, the four intellectually honest dissenters have pointed out to the Chief Justice—they called it a penalty. You said the best evidence of what it was was what Congress called it. Congress calls it a penalty, they treat it as a penalty, and that’s the best evidence. So you can’t uphold 5000A as a tax because it was not intended to be one.

If you look, page 39 is where—and the full sentence says: ‘An example may illustrate why labels should not control here.” The Chief Justice in saying these lines. Labels should not control here. He just said, in page 11 through 15, labels should control. Congress puts the label on what they mean it to be: that should control. Now he’s saying labels don’t control here.

He goes on to say, and this is at page 44:

The Affordable Care Act’s requirement that certain individuals pay a financial penalty for not obtaining health insurance may reasonably be characterized as a “tax.”

I called it a penalty so I’d have jurisdiction to write this opinion, now, page 44, I’m calling it a tax. Also on 44 he says:

The statute reads more naturally as a command to buy insurance than as a tax, and I would uphold it as a command if the Constitution allowed it.

Well, that is the point I guess, that is really strange in an opinion because that’s in a paragraph marked Capital D that starts with:

Justice Ginsburg questions the necessity of rejecting the government’s commerce power. You never put that in, you’re not supposed to. In good writing of judicial opinions, you don’t put that in a majority opinion. You don’t attack another co-majority signer, and yet he does that a few times in his majority opinion.

But then to add first person, the first person pronoun “I” and then follow that with a conditional future tense verb “would” uphold it as a command if the Constitution allowed it, why is that there?

That looks like that should have been part of a dissenting opinion, not, for heaven’s sake, the majority opinion by one of the smartest lawyers in the country. He sacrificed not only his intellectual consistency, he sacrificed his intellectual ability to write as one of the best writers we ever had. It’s really tragic.

But the statute reads more naturally as a command to buy insurance, I would have allowed it. It makes no sense there in that context.

One other quote we have down here, it’s found at page 57. He says:

We are confident that Congress would have wanted to preserve the rest of the Act.

He knows that’s not true. He knows that the House version of ObamaCare had the severability clause. And the severability clause, every good lawyer, every very bad lawyer knows, if you want the whole document to be preserved, even if one line is struck out, you better put that Mother Hubbard clause in there so that it’s all protected. You lose one line, you don’t lose the whole document.

And that was in the House version, but the Senate chose to strike it out. They didn’t want it in there to say, if any of these parts get struck down by the Court, it all has to fall. They didn’t want that. They wanted the bill without the severability clause because if anything got struck down, everything had to go. That’s the way they looked at it.

In fact, that debate was even made. If we don’t get this part, we don’t get that part, then there’s no sense even having any of it.

Well, it’s pretty tragic, pretty tragic. But there’s been so much sacrifice.

I’m very grateful to Justice Kennedy, Justice Scalia, Justice Thomas, Justice Alito for maintaining their consistency. The dissent is very well-written, very consistent. They not only didn’t sacrifice their intellectual integrity, they simply did not compromise their writing ability.

It’s a dangerous time, and now we know, because of this Supreme Court decision, talking to my friend, ALLEN WEST this morning, he brought this up. I didn’t know he’d brought it up already. In an interview, he said since we now know that bringing down the cost of government function is a legitimate interest that justifies intrusive legislation, and you can now have a tax on people if they don’t participate, then we know everywhere that concealed guns have been made legal, the crime rates have gone down. When the crime rates go down, the costs go down. So we need a bill that will require everybody in America to buy a gun, and if you don’t, you’ll be taxed.

And this Supreme Court, in their intellectual lack of integrity, will sustain that bill.

With that, I yield back the balance of my time.
MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtise P. Coker, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1335. An Act to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) “An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.”

GLOBAL WARMING AND AMERICAN FREEDOM

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 5, 2011, the Chair recognizes the gentleman from California (Mr. Rohrabacher) for 30 minutes.

Mr. ROHRABACHER. Mr. Speaker, I have a policy in my office that every time a district actually comes to the Capitol, they have a right to see me and talk to me, especially young people. And I have, over the years, seen hundreds and hundreds, maybe thousands of young people from my home district in southern California. And I let them talk to me and ask any questions that they would like to ask.

And I have a question that I always ask them, and I thought it would be interesting for my colleagues and perhaps any of those who are watching C-SPAN or reading this in the CONGRESSIONAL RECORD to know the answer that I get when I ask a question of the young high school students from my district.

Mr. Speaker, when our kids come in to my office and are talking to me, I note that I was actually in high school in southern California 47 years ago. And I always ask the kids, is the air quality cleaner today than when I was going to high school in southern California 47 years ago?

And 90 percent of the students, over the years, whom I’ve asked that question to have had exactly the wrong answer. Their answer is, oh, you were so lucky to live at a time when the air quality in southern California and around the Nation was so good, and it’s so terrible that we have to put up today with air quality that’s killing us.

They’ve been told that the air quality when I was in high school was so much better than it is today, which is 180 degrees wrong. But this is a general attitude among today’s young people because our young people are being lied to. They are intentionally being given misinformation.

Now, their teachers may not be intentionally lying to them, but their teachers maybe are giving information from scientists and other sources that is an exact lie from people who know that, yes, the air quality back when I went to school, and I go into description about how the air quality was so bad at times we couldn’t even go out on the weekends. But even if we do even let us out of the classroom on to the sports field because the air was so bad.

Today that happens maybe once a year or twice a year in southern California. Back then it happened once a week at times during the summer and during the school year.

So our kids have this view that their generation is being poisoned, and they’re willing to accept stringent measures in order to protect the environment that take away a great deal of the opportunity that they should have in their lives in order to correct this horrible problem that they’re told that they’ve got.

Well, when I tell them it’s just the opposite, they’re so surprised. Well, the truth is, our Nation’s environment is no longer the disaster that it was 50 years ago. And 50 years ago we did have a problem. But I remember that when my dad was a Marine down in Quantico, when I was a child I came up here several times and my dad would say, whatever you do, don’t put your finger in the Potomac River or your finger will fall off. Well, it wasn’t quite that bad, but it was really bad.

We’ve made tremendous progress over the years on the Potomac River. I can’t help but notice there are people water-skiing and sailing in the Potomac now.

Well, we don’t live in the same time of 50 years ago. The air today has never been cleaner than at any time in my lifetime. The water has never been cleaner in any time in my lifetime than it is today. And I am hopeful that my children will never have to experience the pollution that was rampant when I was their age.

So, let’s not look and give credit where credit’s due. That progress is, in large part, because of the efforts of the government, well, and the EPA, yes, which came in under President Nixon, and others who have used science to fight for environmental reforms and to improve the quality of life of our people.

And while I am thankful, I also would like to heed the warning that President Eisenhower left with us in his farewell address. And I quote, “that public policy could itself become the captive of a scientific technological elite.”

He was warning us about government-funded research becoming so intertwined with public policy and the creation of regulations it would compromise the integrity of both.

Well, in recent years, we’ve seen political agendas being driven by scientific-sounding claims being used to frighten the general public again and again and again.

An unjustified fear has been used, for example, to ban DDT. I remember when I was a kid, and I used to run through these clouds of DDT—again, when my father was in the military down in North Carolina. Yes, it was killing millions of mosquitoes in North Carolina, but when they banned that DDT, I remember seeing it all over and having to do with the thickness of shells of certain birds. Well, they banned DDT, and because of that we have had millions of deaths due to malaria in Africa. Millions of young African children, because they don’t have a good disease to succumb to a disease like malaria and die because of it. These children are dead—make no mistake about it—because we were frightened into an irrational position on DDT, banning that and thus destroying the lives of millions of children in the Third World.

We’ve seen alarmism with “The Population Bomb.” Do you remember that in 1968? It was a book claiming that increasing populations and decreasing agricultural yield would lead to cannibalism and global warfare over scarce resources by the mid-1970s. Here we are a long way from the 1970s, and I’m afraid Malthus, who 150 years ago started this type of scarism, was wrong, wrong, wrong. Right now, there are a lot of scientists, unfortunately, who are molding themselves after the Malthus mistakes that were made 150 years ago.

Today’s environmental alarmists use fears and, in some cases, deliberate computer models to “prove” that the world is being destroyed one way or the other, quite often, in the ones they’ve been using in the last 10 years, of course, was that the world was being destroyed by manmade carbon emissions. This is proven by their computer models, even though the Earth has seen significantly higher atmospheric carbon levels many times before. Those were not necessarily bad times for this planet, but those computer models were suggesting that we were going to face a catastrophe. In fact, I remember very well the predictions of 10 and 15 years ago that, by now, we would have reached a tipping point in the temperature of the world—that we’d have reached a temperature of about now—and then it would go up 5 to 10 degrees, which is a big jump, but we haven’t seen that big jump.

The alarmists, of course, are not interested in the weather mistakes, and they’re not really interested in solving real problems. They are part of a coalition that wants to change our way of life—that’s their goal—with their computerizations showing that those horrible times are just ahead of us unless we change. The idea isn’t to stop those horrible times, because those horrible times are just a product of what they put into their computers. Of course we all know what “garbage in, garbage out” means. If you put into a computer what you’ve got, you’re going to get out of your computer, but what they have in mind, of
course, and what they want to do is to change the way of life—our life—which requires us to acquire, or better yet, they frighten us into submission.

Make no mistake: manmade global warming, as a theory, is being pushed by people who believe in global government. The goal of the global warming theory, a man who over the years has been given such credit for laying the intellectual foundation and the scientific foundation for the theory of manmade global warming. His name is James Lovelock. James Lovelock, however, has changed his mind. James Lovelock now concedes—and after a longtime dialogue with Burt Rutan, one of the great engineers of our day—has come around to understand that he was actually really honest about things when he was accepting information that bolstered his position, and was rejecting the consideration of other information. He has changed his mind about the real threat that global warming poses to the Earth—not that there wouldn't be any global warming but that it has been totally exaggerated by the scientific community, and that he, himself, played a major role in that exaggeration.

Dr. James Lovelock is in an article, in the Toronto Sun, which is entitled, “Green ‘drivel’ exposed: The godfather of global warming lowers the boom on climate change hysteria,” which is what we have been hearing over these last few years.

Mr. Speaker, I would like to introduce for the RECORD this article that was just recently in the Toronto Sun, and I would like to put this in the RECORD at this point.

(From the Toronto Sun, June 23, 2012)

GREEN ‘DRIVEL’ EXPOSED
THE GODFATHER OF GLOBAL WARMING LOWERS THE BOOM ON CLIMATE CHANGE HYSTERIA
(By Lorrie Goldstein)

Two months ago, James Lovelock, the godfather of global warming, gave a startling interview to smbc.com in which he acknowledged he had been unduly “alarmist” about climate change.

The implications were extraordinary.

Lovelock is a world-renowned scientist and environmentalist whose Gaia theory—that the Earth operates as a single, living organism—has had a profound impact on the development of global warming theory.

Unlocking his own“uncontroversial” theories, who has degrees in political science, Lovelock, until his recent retirement at age 92, was a much-honoured working scientist and academic.

His inventions have been used by NASA, among many other scientific organizations.

Lovelock’s invention of the electron capture detector first enabled scientists to measure CFCs (chlorofluorocarbons) and other pollutants in the atmosphere, leading, in many ways, to the birth of the modern environmental movement.

Having observed that global temperatures since the turn of the millennium have not gone up in the way computer-based climate models predicted, Lovelock acknowledged, “the problem is we don’t know what the climate is doing. We thought we knew 20 years ago.” No, I’ve read a follow-up interview to the UK’s Guardian newspaper in which he describes the attacks on his work and the way he has been treated with contempt.

He responded to attacks on his revised views by noting that, unlike many climate scientists who fear a loss of government funding if they admit error, as a freelance scientist, he’s never been afraid to revise his theories in the face of new evidence. Indeed, that’s how science advances.

Among his observations to the Guardian:

(1) A long-time supporter of nuclear power as a way to lower greenhouse gas emissions, which has made him unpopular with environmentalists, Lovelock has now come out in favour of natural gas. (Lovelock is a major investor, both personal and through the company he founded, Atmospheric Research, which is now operating as a subsidiary of Air Products, a major United Nations program on sustainable energy, made similar arguments last week at a UN environmental conference in Rio de Janeiro, advocating the development of conventional and unconventional natural gas resources as a way to reduce deforestation and save millions of lives in the Third World.)

(2) Lovelock blasted greens for treating global warming like a religion. “It just so happens that the green religion is now the most powerful religious sect in the world. It’s got the power to set the global agenda.”

Lovelock observed. “I don’t think people have noticed that, but it’s got all the sort of terms that religions use . . . . The greens use guilt, the gods use fear. Religious greens are. You can’t win people round by saying they are guilty for putting (carbon dioxide) in the atmosphere. You can only win by saying you are sacredly and sensibly and get Britain to switch to renewable energy.”

(3) Lovelock mocks the idea modern economies can be powered by wind turbines. As he puts it, “so-called ‘sustainable development’ . . . is meaningless drivel . . . We rushed into renewable energy without any thought. The schemes are largely hopeless and unpleasant. I personally can’t stand windmills at any price.”

(4) Finally, about claims “the science is settled” on global warming: “One thing that comes up a lot is the argument that you can never be certain about anything. You never know the truth. You can only approach it and hope to get a bit nearer to it each time. I used to operate towards the truth. You don’t know it.”

For those who are listening or who are reading this specifically in the CONGRESSIONAL RECORD, I would like to quote from that article now. That article reads:

“Having observed that global temperatures since the turn of the millennium have not gone up in the way computer-based climate models predicted, Lovelock acknowledged, ‘the problem is we don’t know what the climate is doing. We thought we knew 20 years ago.’”

The sign of a very intelligent person, really, is to admit the things that he doesn’t know. I mean I’ve always said I’m not the smartest guy on the block, but I know what I don’t know. Thus, when I’m talking to people, I can have an honest discussion with them expand my knowledge. We’ve had too many people claiming that they know it all and that we have to give up our freedom because they know it, and they don’t even have to engage in a debate with us over the details of something like global warming.

Let me know who has heard the words “case closed.” I mean, 3 years ago, that’s what they were saying here. What does that mean? When you hear people in government and when you hear scientists saying, “the case is closed,” well, that must mean there is going to be no further debate on this issue.

I’ve been here as a Member of Congress for 24 years. Before that, I served in the White House for 7 years under President Reagan. I have never seen a time when there was such an effort made to cut off debate on an important issue than has been made on global warming. Never have I heard over and over again people being told to shut up and that the case is closed. Never have I seen so many research projects canceled because they in some way challenged the theory of global warming. Never have I seen so many scientists fired from their positions because they believe that the global warming theory may not be accurate.

So what we need to do is to make sure that we have an honest discussion of the issue, when even some of the promoters—some of the people who have been the strongest advocates, like the individual, the doctor, I just quoted—have changed their positions, if not totally rejected, at least they’ve been open to have said. We really don’t know what we’ve been advocating for these last few years.

Mr. Speaker, I would like to introduce into the RECORD a letter from an esteemed physicist, Gordon Fulks. This is a letter and some communication between this physicist and aerospace pioneer legend Burt Rutan. I would like to put that into the RECORD at this point.

Re Bravo on your courage!

DEAR BURT: I think you deserve much of the credit for helping James Lovelock understand the AGW phenomenon. You patiently explained it to him with math and logic. As with most of us, it took some time to digest the enormity of the necessary shift in perspective. He had to give up a faith in the honesty of government agencies and most of the scientists they are supporting.

For Jim Lovelock the transition appeared to come in two steps. That lessoned the need for a complete about face. He first figured out the Chlorofluorocarbon-Ozone Hole scam by discovering that some scientists were cheating on the data, apparently to further their careers. He probably also knew that the chemists who received the Nobel Prize for their work had overestimated the problem by a large factor. Such a huge step to then realize that climate scientists might be doing the same. But
Lovely, his credit, wanted to be sure and took his time examining the information that you and others sent to him.

My own recognition of what was going on was in the public process. During the “Nuclear Winter” scare about 25 years ago, we revisited Carl Sagan’s original calculations to discover that he had carefully chosen the inputs to produce the result he wanted. When we realized that a highly respected physicist would prostitute himself to support his politics, his stature, and his income, we, in principle, understood all the other scams of the post World War Two era.

From 1946 Nobel Laureate Hermann Joseph Muller’s evidence of a threshold phenomenon in human radiation exposure to Rachel Carson promoting half-truths about DDT, to unfounded scares about Acid Rain, Ozone Depletion, Magnetic Fields, Global Warming, Ocean Acidification, Diesel Particulates, and more, we have been victimized by continuous hysteria that has led to disastrous public policies. Far too many scientists and their fellow travelers have supported a grand bilking of American taxpayers for their own selfish and political interests.

Many thanks for your efforts to convince one very important individual to re-examine the logic and evidence. Now we need to figure out how to avoid falling victim to these scams in the first place. As you know, that must involve fundamental reform of the reward process that funnels vast amounts of money to those who succeed very well on their own.

GORDON J. FULKIS, PHD (PHYSICS), Corbett, Oregon USA.

Now let me read, in part, what that letter says:

During the “Nuclear Winter” scare about 25 years ago, we revisited Carl Sagan’s original calculations to discover that he had carefully chosen the inputs to his climate code to produce the result he wanted. When we realized that a highly respected physicist would prostitute himself to support his politics, his stature and his income, we, in principle, understood all the other scams of the post World War II era.

Whoever looked up to Carl Sagan, and they realized he was cheating on the information and the analysis, they realized that this was so widespread it was something to be concerned about. And I continue:

And so it must be a pretty good part of our atmosphere. We need to make sure that we continue our technological development so that we can have, yes, a clean environment, which I have indicated was a product of the good technology and, yes, the research that came from honest and hardworking scientists and engineers. But an agreement that we negotiate with those who want to sell us something without a contract. But we need to make sure that we don’t back off, because we know there is a group of people in our society, and perhaps around the world, who for some reason believe that back before the days of industrial society, people lived better than they live today. Some of them have tried their best to fight modernism. They have declared war, for example, on the internal combustion engine. This global warming thing, that was the motive here. The internal combustion engine is supposedly putting out carbon dioxide, and carbon dioxide they believe is changing the climate of the planet.

I told you what I have asked young students who come to visit my office. I asked: Is the air better or worse than it was 50 years ago? I even ask Members of Congress and I ask people all the time, the ones who buy into global warming, who are saying they’re advocates of global warming caused by humankind—basically the internal combustion engine—what percentage of the Earth’s atmosphere is carbon dioxide, is CO₂. I hope that everyone who is focusing on these comments now ask themselves honestly what the is, because CO₂ is being blamed for changing the entire climate of the planet. It would be an enormous undertaking to change the climate of the whole planet, so it must be a pretty good part of our atmosphere.

With that question, Members of Congress tell me that they believe it’s 25 percent. Some people say 10 percent. Others say 20 percent. I have never had a Member of Congress come anywhere close to telling me that it really is. It’s not 10 percent or 20 percent. It’s not 5 percent. It’s not 1 percent. It’s less than one-half of one-tenth of 1 percent. Have you got that? It’s not just 1 percent.

It’s less than one-half of one-tenth of 1 percent. Of that, humankind is only responsible for 10 percent of that CO₂. That makes it so minuscule that it would be like putting a string across a football field and believing that was going to create changes in the entire field.

The fact that people are unaware, even at this level, of how small the CO₂ impact is causes them to buy onto these scare tactics. This is a challenge for those of us here because that threatens our freedom. It threatens us and our children in being able to have the opportunities that we had and that we hope that all Americans and all people throughout the world will have.

Let us go back on one thing. I am planning a trip this year across the country, even though the gas prices are pretty high. I’m hopefully going to drive across the country with my children. It’s a wonderful thing. What a wonderful vacation. We’re going to spend weeks doing that. We’re looking forward to that. We’re going to go in an automobile, and it will cost us. The price of gas is up and I’m not a wealthy man, but we do have this opportunity, and it’s a wonderful thing.

But what about 150 years ago? Did people have an opportunity like this? No. What was the biggest challenge that we faced to the health and safety of the people of this country 150 years ago? Or, let’s say just at the beginning of the time that we turned from the 19th to the 20th century. Do you know what it was? It was horse manure. Horse manure and horse urine was enveloping our cities and the water and created health hazards for people. And the flies and the stench and the internal combustion engine came along, and it has been a great factor in providing health for human beings. All over the world we got rid of the mass animal droppings that were a threat to our health.

Also, there is the fact that we couldn’t produce a lot of wealth based on animal strength and we couldn’t go on long trips with our families and we didn’t have a good quality of life, but the internal combustion engine provided that for people of the United States and humankind. There is no doubt that we have needed to improve the efficiency of the internal combustion engine, and we have.

The last century, when we’ll leave with. In southern California, when I was a kid, there was so much pollution—although our young people don’t know about that today. But today, when they think the air is polluted in southern California, we have twice as many cars on the road and we’ve reduced pollution into the 90s. It’s probably 95 percent. This is a tremendous accomplishment. And yes, some of the regulations that we have had from the Federal Government have had this result. We need to accept that. But we need to also accept that it is our technological advances, and it has been not cancelling out technology for fear of...
things like CO₂, which are not a threat to our health. That’s how we have kept America on an upward course, even though we’ve been dragged down scare after scare after scare.

I remember when we had Meryl Streep come to this Congress and testify about Alar in apples. What happened was, for 2 years apple farmers went broke throughout the United States. There were thousands of families who suffered because their product was not being bought because they were afraid of Alar. What happened to that? Alar, I was found 2 years later that it was all a scare. There was nothing to it. The same thing with cranberries. When I was a kid, we couldn’t eat cranberries for Thanksgiving.

The gentleman that I quoted here, that I mentioned, who is the godfather of the global warming theory, James Lovelock, he is also the man who discovered fluoro hydrocarbons, which gave people the analysis of the ozone hole. Well, guess what? The ozone hole, as we have found out—and as it was mentioned in passing there—the ozone hole was overrated as a threat. In fact, it went away, and it’s a natural cycle.

What we have had on this planet is a natural cycle of weather, of temperatures, and that will continue. But what’s happened is, we’ve had people step forward, trying to create hysteria for their own political ends, trying to frighten people into accepting policies they otherwise would never accept.

So today, I’m hoping that as we celebrate the Fourth of July, we, again, reaffirm that we will never give up our liberty. We will never be frightened out of our liberty by foreigners who threaten us with weapons, and we will not be frightened out of our liberty by people who do not believe in the same type of freedom that we believe in but are using scare tactics to create hysteria among our people that are phony scare tactics to try to frighten us into giving up our freedom.

So on this Fourth of July, I hope we all reaffirm that guarantee of our commitment in this Nation to freedom, to opportunity for ordinary people so that ordinary people can live decent lives with liberty and justice, prosperity for all. I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would inform the House that pursuant to House Resolution 711, the Speaker has certified to the United States Attorneys for the District of Columbia the refusal of Eric H. Holder, Jr., to produce certain papers before the Committee on Oversight and Government Reform.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule 1, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o’clock and 34 minutes p.m.), the House stood in recess.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Curtis, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 51. Concurrent resolution providing for a conditional adjournment of the Senate and an adjournment of the House of Representatives.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution:

S. Con. Res. 51
Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns on any legislative day from Friday, June 29, 2012, through Friday, July 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or the respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

MESSAGES FROM THE PRESIDENT

Message in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

EXTENDING LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRY BENEFITS TO SENEGAL—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(1)(B) of the Trade Act of 1974, as amended (the ‘‘1974 Act’’) (19 U.S.C. 2462(f)(1)(B)), I am notifying the Congress of my intent to add the Republic of Senegal (Senegal) to the list of least-developed beneficiary developing countries under the Generalized System of Preferences program. After considering the criteria set forth in section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to Senegal.

BARACK OBAMA,


TERMINATING DESIGNATIONS OF GIBRALTAR AND THE TURKS AND CAICOS ISLANDS AS BENEFICIARY DEVELOPING COUNTRIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the ‘‘1974 Act’’) (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a ‘‘high income’’ country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Gibraltar’s designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Gibraltar’s eligibility for trade benefits under the GSP program will end on January 1, 2014.
In addition, pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Turks and Caicos Islands’ designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Turks and Caicos Islands’ eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.

THE WHITE HOUSE, June 29, 2012.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBURN (at the request of Ms. PILLOSI) for today on account of attending a funeral.

SENIATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker’s table and, under the rule, referred as follows:

S. 1335. An act to amend title 48, United States Code, to provide rights for pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 11, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 5883. To make a technical correction in Public Law 112-108.

H.R. 5890. To correct a technical error in Public Law 112-122.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to Senate Concurrent Resolution 31, 112th Congress, the House stands adjourned until 2 p.m. on Monday, July 9, 2012.

There was no objection.

Accordingly (at 4 o’clock and 12 minutes p.m.), the House adjourned until Monday, July 9, 2012, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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


6724. A letter from the Acting Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation’s final rule — Mutual Insurance Holding Company Treated as Insurance Corporation, transmitting the Commission’s final rule — Ornamental Fishery Off the Southern Atlantic States; Mexico, and South Atlantic; Snapper-Group Fishery Off the Southern Atlantic States; Snapper-Group Management Measures [Docket No.: FWS-R4-ES-2010-0030] (RIN: 1018-AV22) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6735. A letter from the Assistant Regional Director, USFWS; Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department’s final rule — Subsistence Management Regulations for Public Lands in Alaska. [Docket No.: FWS-R9-ES-2010-0030] (RIN: 1018-AV22) received May 25, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BACHUS: Committee on Financial Services. Third Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (Rept. 112-398). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. Semi-Annual Report of the Activity of the House Permanent Select Committee on Intelligence for the 112th Congress (Rept. 112-560). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. Activity Report of the Committee on Energy and Commerce (Rept. 112-561). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judicature. Third Semi-annual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through May 31, 2011 (Rept. 112-662). Referred to the Committee of the Whole House on the state of the Union.
Mr. UPTON: Committee on Energy and Commerce. H.R. 5892. A bill to improve hydro-power, and for other purposes (Rept. 112–563). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Concurrent Resolution 127. Resolution providing for recess of the House pursuant to the call of the Speaker, on June 27, 2012, for the purpose of considering House Concurrent Resolution 127. Reported to the House Calendar.

Mr. BACHUS: Committee on Financial Services. H.R. 4367. A bill to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine (Rept. 112–576). Referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 940. Referred to the Committee on Ways and Means, and referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself and Mr. JONES):

H.R. 6059. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries’ access to home health services under the Medicare Program; to the Committee on Ways and Means, and referred to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself, Mrs. LUMMIS, Mr. PARKE, Mr. GOSAR, Mr. CHAFFETZ, Mr. TOWTEN, Mr. LUIJAN, Mr. MATHEISON, Mr. GARDNER, Ms. DEGETTE, Mr. PERLMUTTER, Mr. COFFMAN of Colorado, and Mr. POLI):

H.R. 6060. An act to amend the Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; to the Committee on Natural Resources.

By Mr. BRECaira (for himself, Mr. LEVIN, Mr. STARK, Ms. PINHERRA of Maine, Mr. BLUMENACER, Mr. GHIJALVA, Mr. GRIJALVA of Arizona, Mr. RAN- GEN, Mr. CROWLEY, Mr. MICHAUD, Mr. WELCH, Mr. MCDERMOTT, Mr. THOMPSON of California, Mr. DOGGERTY, Mr. KIND of Wisconsin, Mr. LEWIS of Georgia, and Ms. DELAURAR):

H.R. 6061. A bill to amend the Social Security Act to ensure the continuation of services under the Workforce Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program; to the Committee on Ways and Means.

By Mr. MARINO (for himself, Mr. SMITH of Texas, Mr. CONYERS, Mr. COBLE, Mr. SCOTT of Virginia, Mr. GALLAGHER, Mr. HANSHAW, Mr. KING of Iowa, and Ms. WASSERMAN SCHULTZ):

H.R. 6062. A bill to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. WITTMAN, Mr. GALLAGHER, Mr. HANSHAW, Mr. KING of Iowa, and Ms. WASSERMAN SCHULTZ):

H.R. 6063. A bill to provide increased funding for the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2017; to the Committee on the Judiciary.

By Mr. MICA:

Mr. CHABOT, Mr. PIERLUISI, Mr. COLE, Mr. MORGAN of Florida, Mr. CONNOLLY of Virginia, Mr. RIOVELL, Mr. PLATTS, Mr. MICHAUD, Ms. ROS-LEHTINEN, Mr. BUELL, Mr. HULT, Mr. BASS of Florida, Mr. VANDERHIDEN, Mr. LONG, Mr. SCOTT of Virginia, Mr. WITTMAN, Mr. KOLBE, Mr. GARDNER, Mr. TITUS of California, Mr. CROWLEY, Mr. MCCAUL, Mrs. SCHMIDT, Mr. DUNCAN of South Carolina, Mr. TURNER of New York, and Mr. BILIKARIS):

H.R. 6064. A bill to enhance the security of the Western Hemisphere and bolster regional capacity and cooperation to counter current and emerging threats, to promote cooperation in the Western Hemisphere to prevent the proliferation of nuclear, chemical, and biological weapons, to facilitate adherence to agreements regarding nuclear nonproliferation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, Energy and Commerce, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself, Mr. WITTMAN, Mr. CHABOT, Mr. BUELL, Mr. HULT, Mr. BASS of Florida, Mr. VANDERHIDEN, Mr. LONG, Mr. SCOTT of Virginia, Mr. WITTMAN, Mr. KOLBE, Mr. GARDNER, Mr. TITUS of California, Mr. CROWLEY, Mr. MCCAUL, Mrs. SCHMIDT, Mr. DUNCAN of South Carolina, Mr. TURNER of New York, and Mr. BILIKARIS):

H.R. 6065. A bill to provide for continued conservation efforts in the Chesapeake Bay watershed; to the Committee on Agriculture.

By Mr. BARLETTA:

H.R. 6068. A bill to provide protection for certain Federal employees with respect to the implementation of the National Instant Criminal Background Memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to this country as children; to the Committee on Homeland Security.
By Mr. BARLETTA (for himself, Mr. SCHWEIKERT, Mr. MURPHY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. BURTON of Indiana, Mr. PAYNE of Florida, Mr. LANCE, Mr. KELLY, and Mr. MARINO): H. Res. 719. A resolution expressing the sense of the House of Representatives regarding the specific powers granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

H. Res. 720. A resolution recognizing the 150th anniversary of the Rock Island Arsenal, and for other purposes; to the Committee on Veterans’ Affairs.

H. Res. 721. A resolution expressing the sense of the House of Representatives that bolstering literacy among African-American and Hispanic men is an urgent national priority; to the Committee on Education and the Workforce.

H. Res. 722. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

H. Res. 723. A resolution expressing the sense of the House of Representatives regarding the classification of Dr. Shakil Afridi as a dignified burial, and for other purposes; to the Committee on Armed Services.

H. Res. 724. A resolution expressing the sense of the House of Representatives regarding the specific powers granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

H. Res. 725. A resolution expressing support for the children of fallen United States service members who are not authorized to be employed in the Federal Government, and for other purposes; to the Committee on Small Business.

H. Res. 726. A bill to amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 2, as determined by the Bureau of the Census; to the Committee on Education and the Workforce.

H. Res. 727. A resolution designating the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 728. A bill to amend the Fair Labor Standards Act to provide for higher goals for procuring commodities and services from small business concerns, and for other purposes; to the Committee on Small Business.

H. Res. 729. A joint resolution proposing an amendment to the Constitution of the United States relative to constraining provisions in Federal law that have been enacted pursuant to the power of Congress to lay and collect taxes; to the Committee on the Judiciary.

H. Res. 730. A bill to amend the Small Business Act to provide for higher goals for procuring small business commodities, and for other purposes; to the Committee on Small Business.

H. Res. 731. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 732. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 733. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 734. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 735. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 736. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 737. A joint resolution proposing an amendment to the Constitution of the United States relative to constraining provisions in Federal law that have been enacted pursuant to the power of Congress to lay and collect taxes; to the Committee on the Judiciary.

H. Res. 738. A bill to amend the Fair Labor Standards Act to provide for higher goals for procuring small business commodities, and for other purposes; to the Committee on Small Business.

H. Res. 739. A bill to designate the Rachel Carson Nature Trail, and for other purposes; to the Committee on Natural Resources.

H. Res. 740. A joint resolution proposing an amendment to the Constitution of the United States relative to constraining provisions in Federal law that have been enacted pursuant to the power of Congress to lay and collect taxes; to the Committee on the Judiciary.
Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3.

By Mr. BILIRAKIS:

H.R. 6073.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide for the common defense; to regulate the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. BILIRAKIS:

H.R. 6074.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress ‘to lay and collect Taxes, Duties, Imposts and Excises as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. BUEKERLE:

H.R. 6075.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. AL GREEN of Texas:

H.R. 6076.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this legislation can be found in:

Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

Constitutional analysis is a rigorous discipline which goes far beyond the text of the Constitution, and requires knowledge of case law, history, and the tools of constitutional interpretation. While the scope of Congress’ powers is an appropriate matter for House debate, the listing of specific textual authorities for routine Congressional legislation is an appropriate matter for House interpretation. While the scope of Congress’ law, history, and the tools of constitutional analysis pursuant to the following:

H.R. 6077.

Congress has the power to enact this legislation pursuant to the following:

clause 2 of section 3 of article IV of the Constitution.

By Mr. PETERS:

H.R. 6078.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. QUAYLE:

H.R. 6079.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution.

ADDITIONAL SPONSORS

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

H.R. 21: Mr. Turner of Ohio.

H.R. 178: Mr. Himes.
H. Res. 695: Mr. Austin Scott of Georgia.
H. Res. 701: Mr. Long.
H. Res. 702: Mr. Long.
H. Res. 704: Mr. Ellison and Mr. Critz.

H. Res. 705: Mr. Grimm, Mr. Turner of New York, Mr. Guthrie, Mr. Lipinski, and Mr. Conyers.
H. Res. 709: Mr. Capuano.

H. Res. 716: Mr. Welch, Mr. Akin, Mr. Harper, Mrs. McMorris Rodgers, Mr. Turner of New York, Mrs. Adams, Mr. Basker and Mr. Turner of Ohio.
The Senate met at 10 a.m. and was called to order by the Honorable Christopher A. Coons, a Senator from the State of Delaware.

Pledge of Allegiance

The Honorable Christopher A. Coons led the Pledge of Allegiance, as follows:

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

Amen.

Appointment of Acting President Pro Tempore

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Christopher A. Coons, a Senator from the State of Delaware, to perform the duties of the Chair.

Daniel K. Inouye, President pro tempore.

Recognized of the Majority Leader

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

Small Business Jobs and Tax Relief Act—Motion to Proceed

Mr. REID. Mr. President, I move to proceed to Calendar No. 341, S. 2237.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 341, S. 2237, a bill to provide a temporary income tax credit for increased payroll and bonus depreciation for an additional year, and for other purposes.

Schedule

Mr. REID. Mr. President, I know Senators are anxious as to what is going to happen here today. The Republican leader and I have been in close contact the last several days. We are fortunate that we are now in a position to complete work today. We should be able to do it quickly. It all depends on the cooperation of Senators.

We actually know the House is planning to vote around 12:30 today. They could do it more quickly. They could do it as late as 1 o'clock. We have the ability, now that the papers have been filed over in the House, to act before they do, as we have done before. So we will have to see how the morning moves on.

We are working on a consent to have votes in relation to the transportation conference report this morning. I know Senators have called me and, I am sure, the Republican leader on a number of occasions. As soon as we have something firmed up, we will let everyone know.

Health Care Decision

Mr. REID. Mr. President, yesterday the U.S. Supreme Court reaffirmed that no family should live one illness or one accident away from bankruptcy. The Court decision is not a victory for Democrats or President Obama, it is a true victory for the American people. Let me give you a few reasons why that is the case, and just a few.

Since the act was signed by President Obama, more than 6 million young people have signed up for their parents' health plan. Why is that important? As most people know—in the Senate, at least—I am from Searchlight, NV. It is a very small community. Someone I care a great deal about was the assistant postmistress there. Her husband has been around town. They have been together for many years. They have a boy named Jeff. I can remember, when we first had our home in Searchlight, he would help us as a young boy, climbing up into a Joshua tree and putting up Christmas tree lights.

Well, he has grown past that. He was in college and doing quite well. He started getting sick. He had just turned 23. As embarrassing as it was, he had to go to a doctor to find out what was wrong. He had testicular cancer. That happened a matter of weeks after he was no longer on the insurance plan of his parents. They had no money. They were desperate to help their boy, and they did everything they could to help him.

He had two or three surgeries. His life was saved. It really put a dent in what limited savings they had. She worked part time in the post office. He had worked down at the Mohave generating facility, which closed. So they had limited means. It was very difficult on what savings they had been able to accumulate.

That will not happen anymore. He would have been able to complete college because the magic age is not 22 anymore, it is 27. So that is one thing, and 6 million young Americans have taken advantage of that. They will not have to have the problems Jeff Hill had. He is doing OK now. He recently
married. But it was a struggle for a long time, physically and emotionally. Because children can now stay on their parents’ insurance until they are 26, no young person will have to defer his or her dreams to take a job that offers insurance.

Since health reform took effect, 5 million seniors have already saved about $600 each on prescription drugs. The doughnut hole is being filled. May be people watching this presentation here today do not know what the doughnut hole is, but every senior citizen knows what it is because it costs them lots of money.

Because of this law now no longer being debateable as far as whether it is going to stand—it is the law of the country—millions have gotten free wellness checks and cancer screenings. They could never have done that before. Millions—free wellness checks and cancer screenings. That means millions of seniors have more money in their food, gas, and electric bills. Frankly, a lot of them would not have spent that money anyway; they would have just worried about whether they had cancer or whether they should wait a while to go see the doctor, the annual physical, which was way overdue. It means millions of seniors, if, in fact, they are spending for this wellness check, will not have to anymore, and they can use this money for food, gas, and electric bills.

Hundreds of thousands of businesses already offer their employees health insurance using tax credits. They are doing the right thing.

Since Congress passed the law, insurance companies can no longer put profits ahead of people. It is no secret that the insurance companies have been lobbying for a long time. Now 17, 18 years ago, they lobbied against the Clinton health care plan. Very effective, “Harry and Louise” ads defeated that legislation. They spent millions of dollars. They tried to defeat this legislation, and they have been lobbying hard. I do not know how they expected to affect the Supreme Court, but maybe they have ways none of us understand. I think they wasted their money.

In the future, insurance companies will no longer be able to put profits ahead of people. They can no longer discriminate against children with pre-existing conditions.

I served in Congress with a man named James Bilbray, and we have been friends since I was going to law school back here—Jimmy Bilbray. He has had a wonderful career in politics in Nevada. But he and I as young men knew what was wrong. He had a diabetic coma. This little baby had diabetes. Kevin lived to be about 20 years old. He had a diabetic reaction when he was taking a shower, fell over the stop on the bathtub where the shower was and drowned—it killed him. He died. Kevin Bilbray. He had diabetes.

Of course, getting insurance was always a problem for that family. No longer. Not like the Bilbrays’, like little Kevin, has diabetes, they will not have to worry about, can I get insurance? And not only will it apply in the future—it applies right now to people under age 18, but in the future everybody who has a preexisting disability, will be entitled to insurance. They cannot be denied because of a pre-existing disability.

It is not only diabetes, it is heart defects. I know he never talks about this, but I know about it. Senator Durbin had a child who from the time she was a baby had a heart defect. She was sick her whole life. Dick and Loretta lost their girl a couple of years ago. She was 40 years old, thereabouts. Her whole life, she had a heart defect. In the future, people like that will be able to get insurance. They cannot be denied.

Right over in the LBJ Room yesterday morning, at my “Welcome to Washington,” there were a number of stories. The granddaughter of someone with whom my oldest brother went to school—Teddy Vasquez’s—grandchild—was there. Why? Because she was there representing her brother, who has cystic fibrosis.

I do not know if the Presiding Officer has ever before been around anyone with cystic fibrosis, but, as I explained to them over there yesterday morning, one of my son’s coaches had a son who had cystic fibrosis. They would have to beat on his chest. They had this process to try to loosen the stuff that accumulates in the lungs because of this disease. Kids used to not live very long with this. We are doing a lot better now. We have some medicines. But in the future, anyone with cystic fibrosis will not be denied insurance because of this dread disease. Now, if you are under 18, you cannot be denied insurance because you have this dread disease.

Insurance companies can no longer raise your rates for no reason. How many times have we heard stories about insurance companies raising rates for no reason other than they wanted to? And there was no way to stop it. They could not. You do not get sick, you do that. They did that. They can no longer do that. That is now against the law of this country.

Millions of Americans are already seeing the benefit of this law, and soon 25 million more who cannot afford health in insurance will have access to reasonably priced insurance and quality care. Here is how it works. Each State will set up its own health insurance marketplace called an exchange, which will offer a menu of private insurance plans from which people can choose.

The Presiding Officer is a relatively new Senator here. I have been in Congress now for a long time. Every year, we get a menu of options, like all Federal employees. Senators do not get treated any differently than any other Federal employees. We get a number of options as to what we want to buy, the prices of one up here or down there. That is, we have a choice. What we want is, we want everybody in America, something just like the millions of Federal employees have. That is what we will have.

We will offer a menu of private insurance plans from which people can choose. We will offer a menu of private insurance plans from which people can choose. They can no longer do that. That is what we want. We want everyone to be able to discriminate against any American with a pre-existing health condition, just as I have talked about. They will not be able to deny you insurance because you are sick. They will not be able to charge you more just because you are a woman. That is a fact. They will not be able to do it anymore or because you do not already have insurance. If you cannot afford the premiums, you will get a tax credit to help pay for them.

But what if you are one of the 250 million Americans who already have insurance? Nothing will change—nothing. Nothing will change except you might have to pay a little more. If you lose your job, you will lose your insurance. Nothing will change except that if you get cancer or have a stroke, your insurance company will not be able to deny you lifesaving care because you have reached some arbitrary lifetime cap.

These are not theoretical. A man in Las Vegas was a car racer. He was not racing a car, but somebody hurt him. He became a paraplegic. He got along pretty well. He needed a lot of care. He arrived at some lifetime cap. He had an insurance policy. He had his own insurance. They cannot do that anymore. That provision on this lifetime cap will help untold hundreds of thousands of people.

Nothing will change, except when one gets a checkup and preventive will be free—a provision that has already helped 54 million Americans with private insurance.

You will be able to keep your plan and keep your doctor. But now you— not the insurance company—will be in control.

By August, almost 13 million people will get a rebate check from their insurance company because it spent too much on administrative costs and not enough on health care. They can’t any longer put all the profits into these multimillion dollar bonuses and salaries people got. They cannot do that; 80 percent of what they get has to be put into helping people get well. It spent too much on administrative costs and not enough on health care. They can’t any longer put all the profits into these multimillion dollar bonuses and salaries people got. They cannot do that; 80 percent of what they get has to be put into helping people get well.

It is very important that we explain to people what is in this bill. Are these things people want to take away? I don’t think so. They can yell and scream about ObamaCare but explain these provisions. This money will come back in August. I was listening to public radio this morning, and they interviewed someone who ran...
an insurance exchange, I think they called it. He was waiting by the phone for this decision to come out yesterday. He was so happy because CNN and FOX announced the case had been overruled. He was so happy. But when he learned it was actually still in effect, he got very sad. Why? He said: We will not be able to pay our salaries as much as we had.

He was paying a lot for salaries for the bosses and not enough money into taking care of people.

The Affordable Care Act is already helping millions of Americans—seniors on Medicare, children with heart conditions, and students following their dreams.

In the coming months, millions more will benefit from this law. That doesn’t mean the law is perfect. We all know that. We are willing to work next year, and if there are problems to work out, we will have another chance with our colleagues to do that.

But now the Supreme Court has spoken; it is time to renew our focus on the most pressing challenge facing America: the high unemployment rate we have. The American economy is struggling, and Congress cannot afford to waste time refighting old battles.

We need to work together to put Americans back to work.

As a side note, these people who talk about repeal, it would cause the loss of 400,000 jobs. If we look at all the job statistics in the past year, some of the most significant growth is taking place in health care. I don’t think we want to lose 400,000 jobs right off the bat.

Thanks to cooperation on both sides, I am glad to say the Senate will vote sometime today on the Transportation bill conference report. It is a wonderful piece of legislation that includes student loans and the problems we have had with flood insurance. These things will be completed fairly early today.

The Flood Insurance Program being extended will allow millions of home closings to go forward at a time when the real estate market is beginning to rebound. Preventing interest rates from doubling on 7 million students was a major priority for all of us.

Passing the 2-year, 3-month Transportation bill will create or save 2.8 million American jobs—many of them in the hard-hit construction industry. It will also restore millions of miles of crumbling roadways, railroads, and bridges. It is very important. It streamlines the process and gets rid of a lot of the ability for entities to stall the construction of these much needed roads.

I had an experience similar to this in Nevada. That is why it is important to Senators Boxer and Inhofe.

That has been a very productive week. It has been a fruitful session that we have had. We have passed a bipartisan farm bill and have taken a hard look at how we are going to make the Postal Service better. The farm bill was very difficult and took a long time to get done.

I am optimistic the Senate will remain in the spirit of cooperation during the next work period, when we consider a number of other important job creation measures and other things we need to do.

I hope my colleagues have a constructive week at home. We have a lot of work to do, and I understand that. I hope everybody is happy, and I certainly extend my recognition to the State of Colorado, which has had devastating fires, and the West is having real problems. They have about 200 fires burning as we speak. Eleven of them were started by Lightning. To make sure we give the firefighting people the resources to do this, I was happy, within the past month, to be part of a program to advance the purchase of these tankers to fight these fires. We were able to do that.

When we come back to work in 10 days or so, everybody has to understand we have a lot to do to ensure this country’s economic future. I look forward to taking up the challenge together.

PILOT’S BILL OF RIGHTS

Mr. REID. Mr. President, I ask unanimous consent that the bill be discharged from further consideration of S. 1335 and the Senate now proceed to that matter.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered. The clerk will report the bill by title. The legislative clerk read as follows:

A bill (S. 1335) to provide rights for pilots, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

PILOT’S BILL OF RIGHTS

Mr. ROCKEFELLER. Mr. President, S. 1335, the Pilot’s Bill of Rights, takes several steps to protect the rights of pilots, including modifications to the appeal process, and improvements to the Federal Aviation Administration’s Notice to Airman System and medical certification process.

Most importantly, it preserves the FAA’s authority to take actions to maintain the safety of the air transportation system, and we want to be clear about the Congressional intent regarding one particular section of the bill.

Three provisions of the bill eliminate language in current statute governing the National Transportation Safety Board’s review of FAA orders that deny, amend, modify, suspend, or revoke an airman’s certificate. Specifically, language in current statute governing the Board’s (NTSB) adjudication of appeals, will apply prin-

el agencies. Thus, it is the intention of the Senate to prevent the NTSB from applying the principles of judicial deference in adjudicating Federal Aviation Administration cases.

The purpose of these changes is simply to make the statute consistent with the laws governing all other Federal agencies. Thus, it is the intention of the Senate that the NTSB, in reviewing FAA cases, will apply principles of judicial deference to the interpretations of laws, regulations, and policies that the Administrator carries out in accordance with the Supreme Court’s ruling in Martin v. OSHRC, 49 U.S. 114 (1991).

Mr. INHOFE. Mr. President, I concur.

Mr. REID. Mr. President, I ask unanimous consent that the Hutchison-Inhofe amendment at the desk be agreed to; that the bill, as amended, be read the third time and passed; that the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the Record.

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

The amendment (No. 2489) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pilot’s Bill of Rights”.

SEC. 2. FEDERAL AVIATION ADMINISTRATION ENFORCEMENT PROCEEDINGS AND ELIMINATION OF DEFERENCE.

(a) IN GENERAL.—Any proceeding conducted under subparagraph (C) or (D) of paragraph (2) of title 49, Code of Federal Regulations, relating to denial, amendment, modification, suspension, or revocation of an airman certificate that would be considered prac-


(b) ACCESS TO INFORMATION.—(1) IN GENERAL.—Except as provided under paragraph (3), the Administrator of the Federal Aviation Administration referred to in this section as the “Administrator”) shall provide timely, written notification to an individual who is the subject of an investiga-

tion relating to the approval, denial, suspension, or revocation of an airman certificate, and any request for airmen certificate under chapter 447 of title 49, United States Code.

(2) INFORMATION REQUIRED.—The notification required under paragraph (1) shall inform the individual—

(A) of the nature of the investigation;

(B) that an oral or written response to a Letter of Investigation from the Administrator is not required;

(C) that no action or adverse inference can be taken against the individual for declining to respond to a Letter of Investigation from the Administrator;

(D) that any response to a Letter of Investigation from the Administrator or to an in-

quiry made by a representative of the Ad-

ministrator by the individual may be used as evidence against the individual;
(E) that the releasable portions of the Administrator's investigatory report will be available to the individual; and

(F) that the individual is entitled to access or obtain any air traffic data described in paragraph (4).

(3) EXCEPTION.—The Administrator may delay timely notification under paragraph (1) if the Administrator determines that such notification may threaten the integrity of the investigation.

(4) ACCESS TO AIR TRAFFIC DATA.—

(A) IN GENERAL.—The Administrator shall provide an individual described in paragraph (1) with timely access to any air traffic data in the possession of the Federal Aviation Administration that would facilitate the individual’s ability to productively participate in a proceeding relating to an investigation described in such paragraph.

(B) AIR TRAFFIC DATA DEFINED.—As used in subparagraph (A), the term “air traffic data includes:

(1) relevant air traffic communication tapes;

(ii) radar information;

(iii) air traffic controller statements;

(iv) flight data;

(v) investigative reports; and

(vi) any other air traffic or flight data in the possession of the Federal Aviation Administration's possession that would facilitate the individual’s ability to productively participate in the proceeding.

(C) GOVERNMENT CONTRACTOR AIR TRAFFIC DATA.—

(i) IN GENERAL.—Any individual described in paragraph (1) is entitled to obtain any air traffic data that would facilitate the individual’s ability to productively participate in a proceeding relating to an investigation described in such paragraph.

(ii) REQUIRED INFORMATION FROM INDIVIDUAL.—The individual may obtain the information described in clause (i) by submitting a request to the Administrator that—

(I) describes the facility at which such information is located; and

(ii) identifies the date on which such information was generated.

(iii) PROVISION OF INFORMATION TO INDIVIDUAL.—If the Administrator receives a request under this subparagraph, the Administrator shall—

(I) request the contractor to provide the requested information; and

(II) upon receiving such information, transmitting the information to the requesting individual in a timely manner.

(5) TIMING.—Except when the Administrator determines that an emergency exists under section 4709(c)(2) or 46105(c), the Administrator may not provide an individual described in paragraph (1) with access to any air traffic data during the 30-day period beginning on the date on which the air traffic data required under paragraph (4) is made available to the individual.

(c) AMENDMENTS TO TITLE 49.—

(1) AIRMAN CERTIFICATES.—Section 4703(d)(2) of title 49, United States Code, is amended by striking “but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law”.

(2) AMENDING ROUTES.—Section 4709(d)(3) of such title is amended by striking “but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out of

written agency policy guidance available to the public related to the imposition under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law”.

(d) APPEAL FROM CERTIFICATE ACTIONS.—

(1) IN GENERAL.—In general by the National Transportation Safety Board holding an order or a final decision by the Administrator denying an airman certificate under section 4709(d) of title 49, United States Code, or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 4709 of such title, an individual substantially affected by an order of the Board may, at the individual's election, file an appeal in the United States district court in which the individual's proceeding is pending or in which the proceeding in question occurred, or in the United States District Court for the District of Columbia. If the individual is substantially affected by an order of the Board not to file an appeal in a United States district court, the individual may file an appeal in an appropriate United States court of appeals.

(2) EMERGENCY ORDER PENDING JUDICIAL REVIEW.—Subsequent to a decision by the Board to uphold an Administrator’s emergency order of revocation under section 4709(c)(2) of title 49, United States Code, and absent a stay of the order of the Board, the emergency order of amendment, modification, suspension, or revocation of a certificate shall remain in effect, pending the exhaustion of an appeal to a Federal district court as provided in this Act.

(e) STANDARD OF REVIEW.—

(1) IN GENERAL.—An appeal filed under subsection (d) in a United States district court, the district court shall give full independent review of a denial, suspension, or revocation of a certificate by an Administrator, including substantive independent and expedited review of any decision by the Administrator to make such order effective immediately.

(2) EVIDENCE.—A United States district court's review under paragraph (1) shall include in evidence any record of the proceeding before the Administrator and any record of the proceeding before the National Transportation Safety Board, including hearing testimony, transcripts, exhibits, depositions, and briefs submitted by the parties.

SEC. 4. MEDICAL CERTIFICATION.

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall initiate an assessment of the Federal Aviation Administration’s medical certification process and the associated medical standards and forms.

(b) REPORT.—The Comptroller General shall submit a report to Congress on the assessment required under paragraph (1) that examines—

(A) revisions to the medical application form that would provide greater clarity and guidance to applicants;

(B) the alignment of medical certification policies with present-day medical judgment and practices, as applied to an individual’s medically relevant circumstances; and

(C) steps that could be taken to promote the public’s understanding of the medical requirements that determine an airman’s medical certificate eligibility.

(c) GOALS OF THE FEDERAL AVIATION ADMINISTRATION’S MEDICAL CERTIFICATION PROCESS.—The goals of the Federal Aviation Administration’s medical certification process are—

(1) to provide questions in the medical application form that—

(A) are appropriate without being overly broad;

(B) are subject to a minimum amount of misinterpretation and mistaken responses;

(C) allow for consistent treatment and responses during the medical application process; and

(D) avoid unnecessary allegations that an individual has intentionally falsified answers on the application.

(2) to provide questions that elicit information that is relevant to making a determination of an individual’s medical qualifications that aligns with present-day medical judgment and practices; and

(3) to provide medical standards greater meaning by ensuring the information requested aligns with present-day medical judgment and practices.

(d) TO APPLY FILTERS SO THAT PILOTS CAN PRIORITIZE CRITICAL FLIGHT SAFETY INFORMATION FROM OTHER AIRSPACE SYSTEM INFORMATION.

(e) GOALS OF PROGRAM.—The goals of the NOTAM Improvement Program are—

(1) to decrease the overwhelming volume of NOTAMs an airman receives when retrieving airman information prior to a flight in the national airspace system;

(2) to make the NOTAMs more specific and relevant to the airman’s route and in a format that is more useable to the airman; and

(3) to provide a full set of NOTAM results in addition to special notification requested by airman.

(f) TO PROVIDE A DOCUMENT THAT IS EASILY SEARCHABLE.

(g) TO PROVIDE A FILTERING MECHANISM SIMILAR TO THAT PROVIDED BY THE DEPARTMENT OF DEFENSE NOTICES TO AIRMEN.

(h) ADVICE FROM PRIVATE SECTOR GROUPS.—The Administrator shall establish a NOTAM Improvement Panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, to advise the Administrator in carrying out the goals of the NOTAM Improvement Program under this section.

(i) PHASE-IN AND COMPLETION.—The improvements required by this Act shall be phased in as quickly as practicable and shall be completed not later than the date that is 1 year after the date of the enactment of this Act.
we have reached will ensure that col-
lege students who are already facing
economies challenges in the Obama
ominy will not be paying higher in-
terest rates next month.

Students can’t wait for the President
to get the two partisan tracks and au-
tomatically work with Congress to prevent
student loan interest rates from rising
this year. So while the President con-
tinues to ignore the bipartisan pro-
sals sent more than 3 weeks ago,
Senate Democrats dropped their de-
mands and instead worked with Repub-
licals to find solu-
tions.

It is nice to finally see the Senate ac-
tually work as the Senate used to. It
proves that if this body ignores the
campaign attacks from the President
and if our Democratic friends stop
pushing job-killing tax hikes, we can
actually get a lot done around here. I,
once again, thank my colleagues for
their hard work on these important
measures.

HEALTH CARE DECISION

Mr. MCCONNELL. Mr. President, the
most important issue brought to the
front page in the last 2 days is the
state of the new ObamaCare law.

Two and a half years ago, President
Obama teamed up with Democrats
right here in Congress to pass a health
care bill they knew most Americans
didn’t want. Americans have been very
clear about what they thought of this
bill. So Democrats settled on a deeply
dishonest sales pitch aimed at con-
vincing them otherwise.

Nearly every day since then, the
promises that formed the very heart of
that sales pitch have been exposed for
the false promises they were.

Americans were promised lower
health care costs. But, of course, they
are going up. Americans were promised
lower premiums, and they are going up.
Seniors were promised Medicare would
be preserved. The law actually made
them pay for a new entitlement instead.

We promised it would create jobs; CBO pre-
dicts it will lead to 800,000 fewer jobs
because of ObamaCare. People were
promised they could keep the plans
they liked; millions have now learned
they cannot.

For 2 years, the list of broken prom-
ises has grown longer and longer and
longer.

But yesterday morning, we got pow-
derful confirmation of what many have
been the biggest deception of all. For
years, the President and his Demo-
cratic allies in Congress have sworn up
the tax—largely on the middle class. This
was the central claim: Failing to buy
health insurance did not result in a
tax. That is just one more reason this law
needs to be repealed in its entirety. With
every passing day we learn something
new about this terrible law. Not only
does it make the problems in our
Mr. President, one of the goals of the Affordable Care Act but could challenge the constitutionality of the Medicaid expansion. However, the penalty is not a tax for purposes of the Anti-Injunction Act, which prohibits the government from imposing a financial penalty on people for not complying with the mandate. The federal government does have the power to impose a financial penalty on people for not paying the debt. However, the federal government has no authority to impose a financial penalty on people for not paying the debt. That's because the penalty is actually a tax under Congress' constitutional taxing authority. However, the penalty is not a tax for purposes of the Anti-Injunction Act, which would preclude the court from considering the legality until someone actually pays it. Obviously, Mr. President, these dilemmas require some exploration. It is worth noting that Bob Robb's—this is a good example of legal legereomain—comes into play. Bob robb's—this is a good example of legal legereomain—comes into play.

If Congress has no authority to require people to do something such as purchase health insurance, how can it penalize them for not doing it? And how can money owed exclusively because of failing to comply with an unconstitutional mandate be regarded as a tax and not a penalty?

He goes on to say: ‘The purpose of the constitutional taxing power is to raise the money to operate the government. The clause reads: “Congress shall have the power to lay and collect taxes . . . to pay the debts and provide for the common defense and general welfare of the United States.”

The purpose of the penalty for not buying health insurance is to force the uninsured to purchase health insurance. The government would prefer not to get any money from it at all. The purpose is to compel compliance with the mandate that Roberts says the government has no power to impose. There is nothing in the Constitution that can remotely be construed as giving Congress the power to tax people not to raise revenue but to punish them for failing to do what Congress would like them to do. This restriction of federal authority may have greater ramifications than the court's limiting of the Commerce Clause. One can imagine challenges to federal conditions on everything from the environment, education, or transportation. It will be up to the States to determine if they will cover the poorest of the poor. The Federal Government cannot guarantee coverage. So now people who have jobs will have to purchase insurance under the mandates. People without an income, people who are below poverty, are dependent upon the State in which they reside. I know some people will believe the choice is perfunctory, that Medicaid expansion will move forward because the Federal Government has offered to pay for more than 90 percent of the expansion. But if you were a State, would you really trust a promise from a Federal Government that is $15 trillion in debt? If you would, you would, Mr. President, you would assume for a second all States will expand or not at all. No one should assume for a second all States will expand to cover as much as was mandated under the Affordable Care Act. Of course, one might think people below poverty should still get health care through tax credits, but the people who wrote this bill made people below poverty ineligible for tax credits. That is right—ineligible. It is all or nothing for the poor with Medicaid. With today's ruling, the answer is, nothing.

On December 15, 2011, I said on the Senate floor that the expansion of Medicaid and the coverage of poor people was in jeopardy because “the White House and the Democratic majority put their partisan goals ahead of collaboration with Republicans and States to build legitimate public policy.” Today, that is the outcome. When people with income, people with jobs in the expansion to purchase health insurance and face a tax penalty if they do not, while the poorest people in society, those without a job or without income have a guarantee of nothing, I think victory lags are premature. After this decision, a person in a family with no income would be guaranteed nothing. When people below poverty, the people who can least afford coverage or the consequence of not having coverage are left with nothing, it sounds like failure to me.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, regarding yesterday’s Supreme Court decision, there have been a variety of very interesting editorials, op-ed pieces, and blogs—many of them erudite and very useful for the analysis of the Court’s opinion. Of course, it will take a long time before us to know how all of this will work out over time. I thought I might refer to a couple of these opinions and op-ed’s and put them in the RECORD for people to see what a sampling might look like so they can more thoroughly analyze the opinion and then pose a question at the end. I start with one of my friends, and I think one of the best columnists, even nationally, that I know. He writes for The Arizona Republic. His name is Bob Robb; and he writes in his column on June 29:

Roberts’ decision controlled the outcome, even though it was fully joined by no other justice. Here’s what he concluded:

The federal government has no power under the Constitution’s Commerce Clause to require individuals to purchase health insurance, as Obamacare does. However, the federal government does have the power to impose a financial penalty on people for not complying with the mandate. The federal government has the power to impose a financial penalty on people for not complying with the mandate. That’s because the penalty is actually a tax under Congress’ constitutional taxing authority. However, the penalty is not a tax for purposes of the Anti-Injunction Act, which would preclude the court from considering the legality until someone actually pays it.

Obviously, Mr. President, these dilemmas require some exploration. It is worth noting that Bob Robb’s—this is a good example of where the phrase of “legal legereomain” comes into play.

Bob robb continues: If Congress has no authority to require people to do something such as purchase health insurance, how can it penalize them for not doing it? And how can money owed exclusively because of failing to comply with an unconstitutional mandate be regarded as a tax and not a penalty?
And Robb concludes:

If Congress cannot do something directly, it shouldn’t be able to do it indirectly through taxation.

Mr. President, this raises a very important question. If the taxing power can be really institute mandates such as Obamacare are constitutional, what limits are there on such taxing power? I believe this may be one of the most important unanswered questions in Justice Roberts’ opinion.

Once more to the circle, in effect, was by a writer named Joshua Hawley in the Daily Caller in his column entitled “What’s behind Roberts’ surprising decision?” I note that Hawley comes to this with some credentials, being described as a former law clerk to Chief Justice Roberts as well as an associate law professor at the University of Missouri. In effect, as I read Hawley’s piece, he said Justice Roberts actually constrained Congress’s power dramatically by, first of all, drawing a clear line on the reasonable and proper extension of the commerce clause power. But he also said the taxing authority Roberts uses to justify Congress’s action in Obamacare is actually very limited.

In fact, he says that Roberts attempted to make this case sui generis—that is the Latin phrase for “one of a kind”—and that only in this particular case would the taxing authority be permissible used for Congress to require the people to do something.

I hope Hawley’s analysis is correct. I am not so sure it is. Roberts’ opinion certainly will make it more politically difficult for Congress to pass things that extend its authority because it will have to be clothed in the cloak of a tax, and Congress doesn’t generally like to pass new taxes on people. But Congress and the lawyers who advise us are pretty clever about phrasing legislation in such a way that it would meet constitutional challenges.

Now that we have a new example of a power that we might exercise—namely, this expanded taxing power—I suspect we will see efforts in the future to clothe our legislation under the guise of that taxing power. If so, the constraints in Chief Justice Roberts’ opinion would be no constraints at all.

There is an old saying that hard cases make bad law. I don’t know that this was all that hard of a case, but it clearly wasn’t a clear cut line on the reasonable and proper extension of the commerce clause power. But it was an important and something more important. It was a significant decision for the Supreme Court. And how can money owed exclusively because of failing to comply with an unconstitutional mandate be regarded as a tax and not a penalty?

The purpose of the constitutional taxing power is to raise the money to operate the government. The clause reads: “Congress shall have the power to lay and collect taxes . . . to pay the debts and provide for the common defense and general welfare of the United States.”

The purpose of the penalty for not buying health insurance, however, isn’t to raise revenue. The government would prefer not to get any money from it at all. The purpose is to compel compliance with the mandate that Roberts says the government has no power to impose. There is nothing in the Constitution that can remotely be construed as giving Congress the power to tax people, not to raise revenue but to punish them for failing to do what Congress would like them to do.

If Congress cannot do something directly, it shouldn’t be able to do it indirectly through taxation.

Congress, unlike Roberts, understood that there was no such a tax. The law repeatedly calls the money owed for failing to comply with the individual mandate a penalty.

Roberts says that what Congress calls it isn’t dispositive regarding whether it is a tax under the Constitution. But it is dispositive for purposes of the Anti-Injunction Act.

The Anti-Injunction Act prevents those who are subject to federal taxes from challenging their legality until after they have been paid. If the penalty is a tax, then no one could challenge its legality until after someone pays it, which won’t happen until 2014. The case wouldn’t properly have been before the court. So, Roberts declared that the money owed for failing to comply with the individual mandate is a tax for purposes of the Constitution because he says so. But it’s a penalty for purposes of the Anti-Injunction Act because Congress says so.

Robb concludes: "FALSE PREMISE LETS ‘OBAMACARE’ GO ON"
penalty imposed for violation of the law was so trivial as to be in effect a tax. We have never held that any exaction imposed for violation of the law is an exercise of Congress' taxing power. Even when the statute calls it a tax, much less when (as here) the statute repeatedly calls it a penalty. When an act "adopt[s] the criteria of wrongdoing and imposes monetary penalty as the "principal consequence on those who transgress its standard," it creates a regulatory penalty, not a tax.

So the question is, quite simply, whether the exaction here is imposed for violation of the law. It unquestionably is. The minimum-coverage provision states that, with two exceptions, an individual who, after 2014, is not covered under minimum essential coverage (emphasis added). It commands that every "applicable . . . individual shall . . . ensure that the individual . . . is covered under minimum essential coverage." (emphasis added). And the immediately following provision states that, "[i]f . . . an applicable individual . . . fails to meet the requirement of subsection (a) . . . there is hereby imposed . . . a penalty." (emphasis added). And several of Congress' legislative "findings" with regard to §5000A confirm that it sets forth a legal requirement and not a regulatory power, not mere taxing power. . . .

We have never classified as a tax an exaction imposed for violation of the law, and so too, we have never defined as a tax an exaction described in the legislation itself as a penalty. To be sure, we have sometimes treated as a tax a statutory exaction (imposed for something other than a violation of law) which bore an agnostic label that does not entail the significant constitutional consequences of a penalty—such as "license" or "surcharge." But every exaction that Congress has treated as a tax an exaction which faces up to the critical difference between a tax and a penalty, and explicitly denominates the exaction a "penalty." Eighteen times in §5000A itself and elsewhere throughout the Act, Congress called the exaction in §5000A(b) a "penalty." Judicial tax-writing is particularly troubling. Taxes have never been popular, see, e.g., Stamp Act of 1765, and in part for that reason, the Constitution requires tax increases to be enacted in the House of Representatives. That is to say, they must originate in the legislative body most accountable to the people. Congress' constitutional power to tax and regulate existing activity; it compels people to undertake an activity—namely, buying insurance—that it doesn't regulate existing activity; it compels people to undertake an activity—namely, buying insurance—that Congress then regulates under the Internal Revenue Code. This stretches the Commerce Clause beyond the breaking point.

The chief even reverted to the widely decried broccoli argument: If the federal government can make you buy broccoli, it can make you eat vegetables. The government's logic, Roberts wrote, "authorizes Congress to use its commerce power to compel citizens to act as the Government would have them act. That is not the country the Framers of our Constitution envisioned." Then he upheld the constitutionality of the individual mandate with something for everyone. The mandate is constitutional, Roberts said, because Congress could have avoided the constitutional problem in many other ways.

The law as written also cuts off all federal Medicaid funds for states that decline to expand the program in the ways the lawmakers sought. A majority of the Court, including Chief Justice Roberts, found this cut-off unconstitutionally coercive on the states. The Court's solution was to invalidate the law without the Medicaid expansion, but to rule that only the extra federal funds devoted to the expansion could be cut off. As the dissenters rightly point out, this solution reopens the Medicaid debate over the bill. Never mind that the law itself never defines it as a tax and includes the mandate (and its penalty) in a different title of the act from the revenue provisions. "To say that the Individual Mandate merely imposes a tax is not to interpret the statute, but to rewrite it," the justices from the Roberts opinion write. The chief was willing to take out his rewrite pen to avoid striking down the mandate. He did not want to upset the law. It is conceivable that Obamacare without the Medicaid expansion. He considers it, too, an offense against the constitutional order. Wherever exactly the line for impermissible coercion of the states would be, he noted, "this statute is surely beyond it." Roberts gets points for cleverness. He set clear constitutional boundaries without striking down the law with the critics of Obamacare without enraging its supporters. He came up with the only possible decision that wouldn't subject his court to a constitutional challenge. The majority opinion and law-school deans everywhere. All the op-eds that had been drafted trash the legitimacy of the court have been filed away for now. As chief justice, Roberts has competing priorities, of course. But it's not his job to rewrite laws under the guise of judicial restraint. Obamacare, the umpire struck out.

Chief Justice Roberts' Folly

(By the Editors)

In today's deeply disappointing decision on Obamacare, a majority of the Supreme Court actually got the Constitution mostly right. The Commerce Clause—the part of the Constitution that grants Congress the authority to regulate commerce among the states—clearly authorized it to force Americans to buy health insurance. The Court, by a 5-4 margin, refused to join all the augury legal experts who insisted that the mandate, as passed by Congress, was not constitutionally constitutional, any because it is merely an application of the taxing authority. Rarely has the maxim that the power to tax is the power to destroy been so apt, a portion of liberty being the direct object in this case.

What the Court has done is not so much to declare the mandate constitutional as to declare that it is not mandating at all, any no more than the mortgage-interest deduction in the tax code is a mandate to buy a house. Congress would almost surely have been wiser to avoid this unconstitutional option. The law, which might have passed Congress had it not been for the tsunami of criticism that forestalled the mandate, was sneered at by the legal establishment and pronounced preposterous by the likes of Nancy Pelosi. The legal experts who insisted that the mandate (and its penalty) in a different title of the act from the revenue provisions. "To say that the Individual Mandate merely imposes a tax is not to interpret the statute, but to rewrite it," the justices from the Roberts opinion write. The chief was willing to take out his rewrite pen to avoid striking down the mandate. He did not want to upset the law. It is conceivable that Obamacare without the Medicaid expansion. He considers it, too, an offense against the constitutional order. Wherever exactly the line for impermissible coercion of the states would be, he noted, "this statute is surely beyond it." Roberts gets points for cleverness. He set clear constitutional boundaries without striking down the law with the critics of Obamacare without enraging its supporters. He came up with the only possible decision that wouldn't subject his court to a constitutional challenge. The majority opinion and law-school deans everywhere. All the op-eds that had been drafted trash the legitimacy of the court have been filed away for now. As chief justice, Roberts has competing priorities, of course. But it's not his job to rewrite laws under the guise of judicial restraint. Obamacare, the umpire struck out.
The dissent acknowledges that if an ambiguous law can be read in a way that renders it constitutional, it should be. It distinguishes, though, between construing a law charitably and reading it. The flaw is what Chief Justice John Roberts has done. If Roberts believes that this tactic avoids damage to the Constitution because it does not stretch the law, he is mistaken. The Constitution does not give the Court the power to rewrite statutes, and Roberts and his colleagues have not ascribed that power to it. Though the Court has been rendered less constitutionally noxious, the Court has rendered itself more so. Chief Justice Roberts cannot justly take pride in this magnum opus.

The Court has failed to do its duty. Conservatives should not follow its example—which is what they would do if they now gave up the fight against Obamacare. The law, as rewritten by judges, remains inimical with the country’s tradition of limited government, the future strength of our health-care system, and the nation’s solvency. We are not among those who are convinced that we will be stuck with it forever if the next election goes wrong. The law is also poorly constructed. We think it may well unravel even if put fully into effect. But we would prefer not to take the risk.

It now falls to the Republicans, and especially to Mitt Romney, to make the case for the repeal of the law and for its replacement by something more in keeping with the health-care policies that preceded it. Instead of trusting experts to use the federal government’s purchasing power to drive efficiency throughout the health-care system, in Washington establish a cartel for the insurance industry, they should give individuals tax credits and the ability to purchase insurance across state lines. Instead of further centralizing the health-care system, in short, they should give individuals more control over their insurance.

Opponents should take heart: The law remains unpopular. Let the president and his partisans ring their bells today, and let us see if we know for a fact, because they have given a single example of any such scheme—which meet all these criteria would they be valid and, if on other ground and the court is supposed to conclude that the mandate is a legal requirement under the Constitution’s structure. The danger this case held for the court from the beginning is that by holding unconstitutional—would—that it would draw the institution into an acute confrontation with the executive branch in the middle of an election year, and that is why it has been said to be inching in the thick of a policy debate where they have no genuine expertise. The chief justice’s opinion contains a sort of maneuver, an effort to avoid these evils while simultaneously blocking the federal government’s attempted power grab.

Consider: Roberts begins with the Commerce Clause question, where the Obama administration placed nearly all the weight of its argument. According to the administration, the Commerce Clause permits Congress to regulate any behavior (or non-behavior) that has some incidental effect on commerce. Roberts rejects that contention root and branch (in the words of one Supreme Court’s modern Commerce Clause jurisprudence, he announces a clear and decisive limit to what the federal government may do under Congress’s commerce power. It may regulate only actual economic activity, and then only if the activity has a substantial effect on interstate commerce. It may not regulate a mere potential for the stream of commerce in the first place.

Had this been the sum and substance of the opinion, liberals would have bewailed it as the final judgment of the feared constitutional apocalypse they feared. But of course it is not the end: Roberts goes on to the administration’s secondary argument. Yet by placing the Commerce Clause at the center of his discussion unambiguously that the individual mandate cannot survive on commerce grounds, Roberts makes the Commerce Clause holding necessary to the final judgment. That means the limits on the commerce authority he announced (and with which the four dissenting justices agree) will control in future cases.

This is a significant, even major, development, but one that is largely concealed by the opinion’s ultimate judgment. Yet even that judgment turns out to be rather less a victory for the government than it first seems.

The key move in Roberts’ opinion is his conclusion that the individual mandate is actually a sort of tax, and therefore constitutional by virtue of Congress’ unquestioned power to tax. That allows the mandate to stand, yes—but effectively makes the mandate sui generis, and thereby denies the government a new source of regulatory power.

This is why: Roberts does not say that the government may now regulate anything it likes by calling the regulation a tax. He says instead that this judgment is in these circumstances—that is, in light of the fact that it would be unconstitutional on any other ground and the court is supposed to avoid its circularity if it can—and on these grounds; because it is administered by the IRS through the tax code and operates in many respects like a normal tax. Only if future regulatory schemes can meet all these criteria would they be valid under the taxing power. Yet Roberts does not give a single example of any such scheme—and it is not clear that he has told us repeatedly, that members of Congress would never have voted for this regulation if they had believed it was a tax.

Making the mandate a tax has at least one other effect. It makes repeal easier. Now that the mandate has been deemed taxation, it can likely be jettisoned through use of the reconciliation process—meaning the Senate will need to muster only a bare majority for repeal, not 60 votes.

No, if the mandate to a tax, then, Roberts limits the ability of the government to do the same sort of thing in the future and under the limits of the law, all while allowing the law to stand. And because it does stand, the court is spared a nasty turn at center stage in the November elections.

Whether the chief justice's stragam actu-
ally works is a different question. Suffice it to say, I have my doubts. The text and structure of the law seem overwhelming to in-
dicate that the mandate is a legal require-
ment—namely, to buy insurance—ensured with a fine. The mandate does not qualify as a tax under that Supreme Court’s settled rules for identifying taxes, and both the text of the law and those who wrote it said it was not.

But then, Roberts’ aim may be less to apply tax doctrine than to shift the law’s fate from the court to the voters. At the begin-
ing of his opinion, the chief justice notes that “[u]nder the Constitution, that question is not considered whether the Act embodies sound policies. That judgment is entrusted to the Nation’s elected leaders.” He repeats this position at the opinion’s close, but with a subtle variation. “[T]he Court does not express any opinion on the wisdom of the Affordable Care Act, he writes, for “[u]nder the Constitution, that question is committed to the people.” Could it be that the chief justice is asking the people to render a verdict on the leaders who wrote the law in the first place? In all events, they should take him up on it.

Mr. KYL. Mr. President, I also refer people to an excellent piece in the Wall Street Journal, “A Triumph and Tragedy of the Law,” by the late David Rivkin, Jr., and Lee Casey, both fine lawyers who frequently opine on matters of this sort.

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

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

The legislative clerk proceeded to call the roll.

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

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

125th ANNIVERSARY OF THE UNITED WAY OF WEST VIRGINIA

Mr. MANCHIN. Mr. President, to lighten the mood a little bit today, I rise to recognize West Virginia’s United Way as this special organization celebrates its 125th anniversary.

The United Way was founded in 1887 by community leaders in Denver, CO. The renowned organization originated through a group of individuals who came together with the drive to improve community conditions. Since then, the organization has grown to 1,800 community-based United Ways in 41 countries and remains the world’s largest privately supported nonprofit, raising nearly $5 billion annually.

The little State of West Virginia, United Way has touched the lives of so many. United Way volunteers have clocked thousands of hours of community service through health services,
senior assistance programs, student tutoring, nutrition sites, job skills training, and financial literacy services.

United Way has enthusiastically embraced local institutions throughout our State. This wonderful organization has provided for at-risk teens at residential treatment centers, such as the Daymark around Kanawha Valley. It has supported comprehensive medical and health services at establishments such as the West Virginia Chapter of the Alzheimer’s Association, West Virginia Health Right, Cabell Huntington Children’s Hospital, Thomas Memorial Hospital, and the Putnam County Dental Health Council. United Way has supported family counseling at the Kanawha Valley Fellowship Home and at Family Counseling Connection. It has also benefited emergency assistance facilities, such as the Boone County Community Organization and Madison Baptist Church, Mountain Mission, and Nitro-St. Alban’s Care and Share.

In 2011 alone, 68,337 individuals were served by United Way-supported programs in West Virginia alone. More than 13,162 children and youth benefited from the services of United Way partner agencies, and more than 26,997 people received financial assistance from a United Way partner agency. In addition, nearly 28,000 people received health-related assistance from a United Way partner agency.

I have always been an avid supporter of United Way and their community service efforts. My wife Gayle also served as chairwoman of Marion County’s United Way. I applaud the organization’s ability to inspire members in their communities to work together and improve all aspects of their neighborhoods.

United Way has so many laudable goals. The organization is working to promote a healthier society by working with families to develop healthy lifestyles. Parents need to help their children struggle in tough economic times. United Way has worked with families to help them achieve financial stability. For example, United Way launched the Financial Stability Partnership, which aims to halve the approximately 40 million Americans who are working in low-paying jobs without basic health benefits. United Way has also targeted key areas of education, addressing problems such as the student dropout rate and preparing children for lessons at an early age.

United Way also has identified community health care needs and focuses efforts on changing health policies and practices for Americans of all ages. About 47 million Americans don’t have health care coverage, and more than 80 percent are working families. The organization tackles tough health problems, such as health insurance coverage, along with the obesity epidemic and prescription drug abuse. These are tough issues that oftentimes have no easy solutions.

I applaud United Way and all of its staff members, its volunteers, and community leaders for their efforts to improve the quality of life in all of our communities. Today the United Way has every reason to celebrate its success as they face this impressive milestone. I once again congratulate their achievements, and I look forward to the organization will accomplish in the next 125 years and beyond.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The time is 1:30 p.m. Mr. INHOFE.

Mr. INHOFE. Mr. President, before the Senator from West Virginia leaves, I would like to publicly thank him for all his support in something that just happened a few minutes ago; that is, passage of the Pilot’s Bill of Rights.

Several—certainly Senator Begich—have been working hard, including Senator Pryor and Senator Manchin, as well as many on the Republican side. But it is a reality now.

This is kind of a strange day for me because I have been working on two bills for 1½ years, and both will become a reality on the same day: the highway bill that everyone knows about and then the Pilot’s Bill of Rights that only pilots know about.

I have been a pilot for 55 years, and I get the calls and complaints that come in. But pilots are really the only ones in our society who are denied access to justice like every other citizen has, and they do not know about it. I just want to say to my friend that I very much appreciate his support in making this a reality.

Mr. MANCHIN. Mr. President, if I may say I appreciate the leadership of my good friend from Oklahoma and his unwavering support in bringing this to all of our attention. I have been a pilot for not quite 55 years, but 45 years, and I understand completely. Senator Inhofe brought it to the attention of all of us, and I appreciate that. His steadfast leadership in support of this action and also his ability to work across the aisle with those on our side of the aisle, Democrats, I appreciate so much.

I know Senator Boxer feels very compelled about this and the Senator’s leadership in working with her on the Transportation bill and both of them bringing that to the forefront for all of us. We are all going to benefit from that.

I thank the Senator and look forward to continuing to work with him.

Mr. INHOFE. I appreciate the comments of the Senator from West Virginia.

Mr. President, I will make a couple comments and be more detailed later. I know a lot of people will want to talk about the bill that will most likely pass today in both the House and the Senate.

A lot of people are not aware of the fact that a general aviation pilot doesn’t have the same access to remedies as everybody else does. What makes this a little bit more compelling to do something about is that if you are not a pilot, you may not appreciate the fact that a lot of them are single-issue people.

I had an experience where my license was in jeopardy for something that we found out and I didn’t think about. These complaints I have had over the years about abusive treatment by some of the enforcement people, and I never appreciated it until it happened to me.

I saw more people in the FAA who do a great job. They are very conscientious. These are career people. The problem is that every once in a while you have someone in the field with enforcement powers who just can’t handle that kind of power.

I was mayor of Tulsa for several years a number of years back. We had a great police force, but every now and then you had someone on the force who couldn’t handle the power. They would abuse that power, and you would have to get them out. And that is what this is all about—you hear from these people when abuses take place.

So what we have done is we have corrected that. We have a system set up in this legislation that if someone is accused or cited for doing something that was wrong or that might be a violation of one of the FARs, that person will now have access to the evidence that would be used against that person.

People might say: Well, wasn’t that happening anyway? No, it was not. When this happened to me, I can remember very well—and I say to the Presiding Officer because we are very close and he knows I have been active in aviation for a long time—one year ago in October, I went to land at one of the southernmost airports in America, in South Texas, one at which I have landed more than 200 times. I know every square foot of it. It is a noncontrolled field.

When I came in—there is a thing called NOTEM, Notice to Airmen. You are supposed to and you should find out what the NOTEMs are on the runway you will be landing on so if there is work on the runway—any towers going up, construction going on—you will know that in advance. That is your obligation.

The problem is there has never been a central location where that can be found. In this case there was no NOTEM that had been published. There I flew with the controller in the valley down there who has actually cleared me to land. Here I am, a United States Senator. It took me 4 months to get the voice recorder and I never did find out, early on, what the evidence was against me. It turned out fine, but nevertheless 4 months to get a voice recording that you were cleared to land, that is unreasonable.

I see my friend from Indiana is on the floor. I do not want to take any more time on this, but on the NOTEM situation we will have a central location for that.

The other problem we are having right now is medical certification. I
have case after case. In fact, at the AOPA, Aircraft Owners and Pilots Association—we are talking about 400,000 pilots out there—they have as their No. 1 concern the lack of consistency and uniformity in medical certification. A person could be a pilot and have a condition, like a night heart attack or something, temporarily lose his license, then go back and have it reinstated. However, if he lives in another town, has a different doctor, that may not happen. So we have people out there who could lose their licenses. We are going to have a panel set up that is going to include the general aviation, include the medical community, and try to get uniformity. So those are three of the reforms we have in this legislation.

I yield the floor. I will be talking about that later and also talking about the upcoming highway bill. I want to remind people, my good conservative friends, people who are trying to say this is not a conservative bill—it is. The worst thing we can do is continue to operate our roadbuilding and our construction in this country on extensions. When you do an extension you lose about 30 percent of the money. Obviously, the conservative position is to do this.

We have reforms, incredible reforms, enhancement reforms. We will be talking about that during the course of the day.

I yield the floor. The ACTING PRESIDENT pro tempore. The Senator from Indiana. ORDER OF PROCEDURE

Mr. COATS. Mr. President, can I ask what the procedure is regarding time?

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent that I be allowed to have 20 minutes following my friend from Indiana.

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

SURFACE TRANSPORTATION

Mr. COATS. Mr. President, I rise here today to express my deep concern with this transportation conference report; in particular, about a provision that was slipped into the transportation conference report literally in the dark of night earlier this week.

This provision, which I will describe, could have a devastating effect on my State as well as the State of Illinois. The Greater Chicago metropolitan region—which is, whether it is northwest Indiana or northeast Illinois—is a region that works together. It is part of the expanded metropolitan area. A critical part of this is a waterway, which allows goods to be transferred up and down all the way to the delta and the Mississippi and all the way out to the St. Lawrence Seaway. It is the middle-west access to commerce that centers around the Chicago-northwest Indiana area.

This provision, which was slipped in without debate, without consideration—it did not appear in the Senate bill, the transportation bill, and it did not appear in the House transportation bill and therefore is a blatant violation of rule XXVIII, which simply states you cannot do this kind of thing—but it was done anyway. I will at the proper point here raise an objection to that in a procedural way.

Let me first talk, if I could, about the way in which we do business around here. Throughout my campaign in 2010 to return to the Senate, I continued heard from people as to how frustrated they were with the process we use. We have come home and people say why did you vote against that? You say I voted against that because it included this over here which was not relevant to it, and even though I liked the rest of the bill I did not like this part. And vice versa. I voted for something I did not like because it included that over here. It is so confusing the way you mix the whole thing together.

That is exactly what is happening here today. We have taken a transportation bill, which was adeptly led by the Senator from California and the Senator from Oklahoma, they did a marvelous job putting a transportation package together, and now it is merged with two other major provisions. So we get one vote on this. People say: I have a real problem with the loan bill or I have a real problem with the flood insurance bill, but I wanted to vote for the transportation bill. Now I am stuck in the position of having to vote yes on the whole thing, except what I have a problem with, another bill over here, or no, even though I want parts of the other bills to pass.

Then we go home and explain this to the people we represent and they say: Why can’t you guys and ladies take up one of the bills or vote no, come home, defend your vote, but we at least know where you stand? Instead of this gobbledygook, throw everything in one big pot and vote yes or vote no. The way we package bills here, it is no wonder people are skeptical. It is no wonder our approval rating is where it is. This gobbledygook, so-called magic dust that we use around here to obscure what we stand for and stand against, is very frustrating for the American people. I can’t tell you how frustrating it is for me when I go home and talk to them and try to explain certain votes and procedures. They say be straight up, be transparent. Pick out something; you are either for it or against it. We will evaluate whether we want to support you or not support you in the next election on the basis of your voting, but when you cloud over the whole thing we do not know what is going on. That is one thing.

Second, we have a problem here, a major problem with our debt. We have known that. We spent the first 6 months of 2011 trying to come up with a long-term solution which would restructure some of our spending and put a lid on some of our spending. Finally, by August of 2011, Congress reached an agreement called the Budget Control Act which basically put caps on how much we would spend, trying to hold down this plunge into debt.

By the way, just before I came over here I checked the debt clock which I have on my Web site. The numbers of course turn faster than you can write them down because that is how fast we are spending. It was as of probably minutes or so ago, our national debt stood at $15 trillion, nearly $16 trillion.

None of us can comprehend what $1 trillion is. It is impossible. There have been billions, in which you stack dollars on top of each other you can go to the Moon and back and so forth—but I think it is important that we understand the gravity of our situation in terms of our plunge into debt and what impact it is going to have on the future for this country and what a debt burden it is going to be on future generations now getting ever closer to—$15,835,594,616,879 was what our debt was. That is 14 digits; 15,835,594,616,879.

We took a little bit of a step in August, a mini step in August, saying we are going to cap this spending so we do not spend more than that going forward. That will at least slow down the rate of plunging into debt. It does not bring into reality some of our spending and put a lid on some of our spending. Finally, by August of 2011, Congress reached an agreement called the Budget Control Act which basically put caps on how much we would spend, trying to hold down this plunge into debt.

What have we done since? What we have done is bring a number of bills to this floor, all of which continue to spend beyond our means. I did not vote for the Budget Control Act because I had a lot of skepticism about it. First of all, I felt it was woefully short of what we needed and, second, I believe that, having served here before and seen how this process works, I thought we were going to waive points of order time after time.

We congratulate each other by voting for spending controls. “This is an important step to dealing with our budget crisis. We have committed now not to spend more than the budget we deemed and did not do.”

The postal reform bill violated budget rules; the student loan interest rate extension, it looks as though we have the score now, and we are going to violate agreed to rules; the Senate version that went over the transportation bill violated budget rules; the payroll tax extension and the Violence Against Women Act—all violated what
we promised we would do. And we won-
der why the American people are skep-
tical? We wonder why our approval rat-
ing is in the low double digits? I mean really low, almost into single digits—
who people are frustrated and upset with us? Because we tell them we have made a
be responsible and virtually every bill we
bring up here is irresponsible and we
we what we had agreed to do. We
out about this later.

Another problem you
unnamed, no process, slipped in a pro-
thing and there it is. Usually we find
problem, and I am committed to
essical? We wonder why our approval rat-
ging in the low double digits? I mean
ole, as to which solution was best
going forward with this.

A number of steps have already been
taken by the Corps of Engineers. In
2002, the Army Corps of Engineers in-
stalled the first of a series of electric
barriers along the lower reach of the
Chicago area, in a significant way. That
was part of the Senate Energy and
Water Appropriations bill.

In the dark of the night, during the
conference deliberations, another pro-
vision by Senators looking out for
the economic interests of their State.
And by the way, the economic interests
of this country—because what was
dropped in, in the middle of the night,
is something that could potentially
cost our Government and therefore
cost our taxpayers hundreds of billions
of dollars.

We were fortunate enough to have
discovered that because bringing those
bills to the floor was delayed and we
had time to dig into it and all of a sud-
den find out that this was done. What
is egregious here is that this is not a
partisan issue. We all know the House
is controlled by my party, I don’t know
who put this in. I don’t know exactly
the motives as to why they put this in.
But here it is, a dark-of-the-night slip
it into the bill and overturn something
that was processed through the appro-
priations committee, deliberated, dis-
cussed and voted on.

So what are the consequences of all
that? What does this have to do with
what I am talking about here? It
sounds minuscule. We are talking about
Asian carp. Why is the Senator
from Indiana talking about Asian carp
and hundreds and billions of dollars of
costs? Let me tell you why. Asian carp
is a generic term for four species of
nonnative fish: grass, bighead, black,
and silverhead carp. These fish were in-
troduced to the United States in the
1970s to assist agricultural interests in
the southern States.

At some point—probably through
flooding—the carp escaped into the
Mississippi River system, and they
have since spread throughout the
whole watershed. They are voracious
eaters, which make them beneficial, and
we can see why they were im-
ported. They were beneficial for con-
trolled agricultural settings, fish
farmers and anglers. They are a fa-
tastic and indicate serious ecological
challenges when com-
peting for food with native species.

I agree wholeheartedly that the
spread of Asian carp throughout the
Mississippi River is the most serious
and serious ecological problem.

According to the Corps of En-
gineers is undergoing an extensive
study to go forward, allow an economic
assessment of the various options
and Senator D URBIN from Ohio. We
worked out a compromise agreement in
terms of how we should go forward
with this.

One is the egregious procedures
that continue to give the public such a
negative slant on how we do business—
this bundling of bills, where we are
forced to vote yes or no on the whole
bundling, up or down, and we can’t let
our yes stand for one purposeful inter-
est or another or a no stand due to bun-
dling; second, we need to address these
midnight procedures, this issue of “slip
in there,”” without going through the
regular process. This body of Congress,
the House and the Senate needed to
return to regular process, where we
bring an idea forward, it is worked
through the committee, it is trans-
parent to all who are looking at it, we
give our yea or nay, and we move it
through the system, rather than sim-
ply changing things in the dark of the
night at the last minute, where we
have no opportunity to amend it and
no opportunity to address it.

As we go forward with this, I am
giving the object of rule
XXVIII. I don’t know how it will all
turn out, but I hope my colleagues will
understand this is more than some-
thing that just affects Indiana, Illinois,
and the Great Lakes. This is something that affects the way we do business here. If we cannot enforce these rules, we will continue to follow these practices the American people have come to absolutely hate and think they have a dysfunctional Congress. We deserve better. Before the Senator from Indiana leaves the floor, I wish for him to know I listened very carefully and I know his concern. I have spoken with Senator Durbin about it, and I hope we can work together. I do want to say this process where sometimes bills are put together is frustrating to everybody, and we do need to take a look at the way we do things. However, I do have some measure of sympathy for the leadership around here because it takes so long to get any one piece done.

So I do agree. I don’t like the fact that we cast one vote and there are three subjects. It is very difficult for the people at home to understand it. I also want to say to my friend—before I yield the balance of my time to Senator Sanders—to feel proud of the way we put together the Transportation bill. I think in that case, which is a huge policy bill, it was transparent and that what my friend complained about was something we put in by the other body and said it is a must have.

The truth is, up to that point, everything we have done was very much in the open, and I am very sorry my friend feels so negatively toward what we are about to do because in his State it is tens of thousands of jobs in my State it is hundreds of thousands of jobs. It is thousands of businesses. It is going to mean a boost to this economy and a boost to the private sector. I wish the Senator from Vermont well. I understand his frustration, and I will do everything I can to help him on this issue.

Mr. COATS. If the Senator would yield, I appreciate very much her saying that. I did commend, and I will again, the work the Senator from California and Senator Inhofe have done in bringing this bill forward in the right way. I know my friend is as sorry as I am that someone in the other body decided to violate the rule, injecting into all the hard work that has been done. I regret that, but I hope in the future we can avoid this.

I thank the Senator for her good words.

Mrs. BOXER. I definitely share the frustration. At this time, I would like to yield 3 minutes of my time to Senator Sanders.

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

The Senator from Vermont.

Mr. SANDERS. Mr. President, I thank the Chair for yielding. As a member of the Transportation Committee, I would like to congratulate Senator Boxer for her extraordinary efforts in pushing this bill forward. This is an enormously important bill that took a lot of hard work, and I commend her for the work she and her staff have done. Senator Inhofe and I have very little in common politically, but I am grateful to him and his staff for coming together on this issue and doing something that is extremely important and doing it in a bipartisan way.

Anyone who drives in the State of Vermont or, for that matter, drives around America, understands, to a significant degree, our infrastructure is collapsing. In Vermont, we have dozens and dozens of bridges that are in need of repair, we have many miles of roads that need repair. Our public transit system needs help. What this bill is about is a start toward rebuilding our crumbling infrastructure, our roads, our bridges, our public transit and, in the process, putting a significant number of people back to work.

It is estimated this bill will save more than 1.8 million jobs nationwide in each of the next 3 years, and it will create millions of dollars through an expanded infrastructure financing program. What that means in the State of Vermont are thousands and thousands of decent-paying construction and other types of jobs we sorely need. So this bill is an excellent start. Does it go as far as it should? No, it does not. Compared to China, compared to Europe, our investments in infrastructure are minimal. When we invest in infrastructure, we make our country more productive, we put people back to work, and we make ourselves more internationally competitive. So I just want to say this is an important step forward, but we have more to do.

Today, we are focused on roads, bridges, public transit—very important—but that is not the entire infrastructure. We have to pick up the issue on rail. We are falling further and further behind China, Japan, and Europe in terms of high-speed rail. We have to invest in rail and there are great jobs in doing that. We have to invest in our water systems and in our wastewater plants. We of jobs, make sure every community in America has high-quality broadband as well as cell phone service. That is what infrastructure is about. We have not invested anywhere near the degree we should, and now is the time to get started.

So this bill, which focuses on roads, on bridges, and public transit is an important step forward, and I wish to congratulate Senator Boxer and her staff, Senator Inhofe and his staff for their important work.

With that, I would yield the floor.

Mrs. BOXER. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. Senator Boxer has 3 minutes.

The Senator from California.

Mrs. BOXER. Mr. President, I wish to thank my friend, Senator Sanders. He is a very active member of the Environmental and Public Works Committee. He is focused on jobs, jobs, jobs. He has looked at the green job sector. He has looked at the effect of what we do on the construction industry. I am ever so grateful to him. He has brought this bill forward in the right way, and I hope we can work together. I do agree. I don’t like the fact that we cast one vote and there are three subjects. It is very difficult for the people at home to understand it. I also want to say to my friend—before I yield the balance of my time to Senator Sanders—to feel proud of the way we put together the Transportation bill. I think in that case, which is a huge policy bill, it was transparent and that what my friend complained about was something we sorely need. So this bill is an excellent start. Does it go as far as it should? No, it does not. Compared to China, compared to Europe, our investments in infrastructure are minimal. When we invest in infrastructure, we make our country more productive, we put people back to work, and we make ourselves more internationally competitive. So I just want to say this is an important step forward, but we have more to do.

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speeded up from 15 years to 8 years without giving up the health and safety laws people deserve. We have not done away with any environmental law; we have just put deadlines in the law. We have put milestones in the law, and we will stay with the States if people have a problem, let us know the problem and get on with it. If there is anything new—a new factor—we will look at that, but we cannot sit around and wait an average of 13, 12, 14, 15 years to get a project done.

There are no riders in this bill. There are no environmental riders in this bill. I think that sends a good message to the public that we are focused on transportation. These other issues are going to be addressed, but they don’t have to be addressed on this bill and become a target of a veto or a standoff between the parties.

What did we do on bike paths? We have a lot of controversy. People are so upset with the Department of Transportation for alternative transportation routes, or bike paths, called safe routes to school, called pedestrian walkways. No, we saved the same level of funding, the same procreative funding, but we gave more flexibility to the 50 percent of the States with their 50 percent share so if they have another pressing need they can use it for something else. Frankly, if the grassroots people at home are not happy, they can let the State know that. For the first time, the other 50 percent goes to the local people. This is very important.

We also have the RESTORE Act. This means those Gulf States that got hit so hard from the BP spill will let BP get the money to restore their areas. If they had economic damage, environmental damage, this will help. The money will come from the court settlement, and BP will then make those funds available. So it does not help the deficit.

So we have a bill that doesn’t add to the deficit. We have a bill that will boost this economy. We have a bill that is supported by conservatives and liberals, and moderate. I think it is a great day. I am sorry there are a few issues that got added on that are disappointing to certain colleagues. Believe me, I want to work with them to help resolve those problems. But I have to tell my colleagues, when we write a bill of this scope, of this nature, we are going to have some of these issues. We will work on them.

For my remaining time—how much time do we have left?

The ACTING PRESIDENT pro tempore. The Senator has 7 minutes remaining.

Mrs. BOXER. I wish to discuss the Supreme Court ruling. In a very fascinating ruling, the Chief Justice decided that the Affordable Care Act is constitutional. I am not going to spend a lot of time discussing why he said it and why they decided it. What I am going to talk about is what will happen if the Republicans have their way and this law is repealed.

I want the American people to know—and I say this with no animos-
as we did on the Transportation bill. I believe this is a good moment for this Senate today. I hope we can get our work done, and then we can actually celebrate something before we start battling over health care.

Let’s get back to the construction sector: We need you to rebuild those broken roads, those broken bridges. We need you to make sure we get those transit systems up and running. Then, I honestly believe, the rest of these problems we will take up one at a time.

Thank you very much, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. I ask unanimous consent to speak as in morning business.

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

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS BRAD THOMAS, LIEUTENANT RYAN DAVIS RAWL, AND SERGEANT JOHN “J.D.” MACEDOR, II

Mr. GRAHAM. Mr. President, I rise to pay tribute to three fallen National Guard members from South Carolina who were killed in Afghanistan on June 20, 2012, in Khost Province. They were members of the 133rd Military Police Company who were serving on this duty. There are now 16 members of the South Carolina National Guard who have died in combat in Iraq and Afghanistan since 2003.

With the July 4 weekend coming up, we are preceding one of our biggest holidays in America, and people rightfully will take some time off. I hope, to enjoy their families and friends and get away from work and have some family time. It marks a special event in our Nation’s history: The founding of our Nation through a declaration of independence that was not just words but resulted in men and women fighting to achieve our independence.

Here we are a couple hundred years later and we are still fighting. My belief is, as to the radical Islamists who would kill us all if they could, it is better to fight them over there so we do not have to fight them here.

Afghanistan was the place the Taliban took over after the Russians left and invited al-Qaeda into the country, with bin Laden as their honored guest. He had sanctuary there and was allowed to move around at will. He had sanctuary in Pakistan and was allowed to plan the attacks on September 11.

We have had a big argument about health care and about transportation, and that is great—democracy in action. What is the right decision for the Court to have in the health care case? Is this a good transportation bill? I appreciate in a bipartisan fashion trying to find a solution.

But I just wanted to take a few minutes before going to the holiday weekend and remind us of one thing we do have in common: Our freedom depends on people willing to fight for it, and the one thing about this war—whether you agree with the war in Afghanistan or not—virtually every American, regardless of political persuasion, has someone in their family in the military. They left behind young children, but they will never be forgotten.

May God grant them eternal rest and peace. May God bless and provide understanding and healing to the families left behind. And may, as Americans, we never forget that our freedom is dependent upon a few of us being willing to go to faraway places, with strange sounding names, and risk never coming back.

Mr. MCCAIN. Mr. President, if the Senator will yield, first of all, I thank the Senator for his eloquent statement on behalf of those who have served and sacrificed.

Since we will all be spread around at different places over the Fourth of July and celebrating our independence, I think these are very appropriate and moving words.

I am reminded of the saying at the battlefield, written:

They shall grow not old, as we that are left grow old.

Age shall not weary them, nor the years condemn.

At the going down of the sun and in the morning

We will remember them.

Mr. President, I ask unanimous consent for a brief colloquy with the Senator from South Carolina.

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

SEQUESTRATION

Mr. MCCAIN. Mr. President, we are also facing another crisis as far as the military is concerned; that is, the looming prospect of sequestration. The Secretary of Defense has stated that sequestration would have a “devastating impact” on our national security. We are talking about layoffs, and some estimates are of as many as 1 million workers in the defense industry. We are looking at unknown effects of the strategic thinking that goes on as we plan to defend our Nation’s security—for example, our shift in emphasis from Europe to Asia Pacific, which requires significant air and naval assets amongst other things.

I would ask my colleague—I am not sure the American people are fully aware of the effects of something that is supposed to take effect, as I understand it, at the beginning of the next fiscal year, which would be the beginning of October 2013. Is that a correct statement? Is it true, actually, that we would ask our colleague?

Mr. GRAHAM. Yes, it is.

Mr. MCCAIN. So we are asking the Defense Department to plan on what about this war, we all appreciate those who fight it, and we all suffer and mourn for those who lose their lives in this cause.

I believe this is a just cause. I believe these men who joined the military voluntarily and left their families to go to Afghanistan were doing in the most noble tradition of the country—that they were trying to make our families safer, my family safer, and they died in the service of their country. And that is a life well lived. They died far too soon. They left behind young children, but they will never be forgotten.

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

Mr. GRAHAM. Without objection, it is so ordered.
Mr. KYL. Mr. President, might I ask my colleague to yield, if I could add one other question to his very important question for my colleague from South Carolina.

I have a recollection that during one of the hearings the Senator from South Carolina specifically asked the Secretary of Defense what the consequence would be, and I recall he had a very dramatic response. I wonder if the Senator might share that with us as well.

Mr. GRAHAM. Well, one, I hope my colleagues will stay around for a minute or two because this is an important topic to be talking about.

Let me put this in the perspective of what we are trying to do and what we are trying to avoid. We are about $16 trillion in debt. There is probably no stronger supporters in the Congress than Mr. KYL and John McCain.

The Senator just spoke of war. John McCain has seen his fair share of war. I think he understands as well as anybody in this body—probably better than anybody in this body—who has been in the military is no fan of war. But the goal sometimes is to make sure those who are asked to fight a particular war can fight it quickly, overwhelmingly, win, and come home.

What we are doing is trying to get out of debt. The three of us are pretty big defense hawks, but we have all agreed the Pentagon has to reduce their spending too. I think all of us—particularly Senator McCaffrey—believe there is a lot of waste in the Pentagon and that we could achieve $50 billion in savings by re-forming the way the Pentagon does business and, quite frankly, do more with less. So count us all in—the three of us—for reducing defense spending to help get us out of debt.

But here we are all upset. The supercommittee that was formed by the Budget Control Act had a mission of cutting $1.2 trillion over a decade to help get us out of debt. That is a pretty small number given what we are going to spend over the next 10 years. But the committee—Republicans and Democrats—could not find common ground as to how to cut $1.2 trillion over the next decade. There was a penalty provision in the law, and it said that if the supercommittee did not succeed in their mission, we would cut $1.2 trillion over the next decade as follows: $600 billion out of the Defense Department, $600 billion out of the rest of the government.

If that was the case, then we will have cut $1 trillion out of the Defense Department over the next decade, blindly, across the board. Every account gets affected.

What did Secretary Panetta say? He said: Sign me up for $450 billion. I think we can get there. We will lose some capability, but we will be OK as a nation. We could fight Iran and win if we had to.

Then I asked him: What if we did $1 trillion over the next decade—if we overdouble what you are trying to cut? He said: We would be shooting ourselves in the head as a nation. We would not have the ability to go in and take out the nuclear program in Iran because the weapons we need we could not maintain and afford.

When it comes to personnel costs, we are reducing the Army by 80,000 people under the $45 billion plan. If we do sequestration, I say to Senator McCain, we are taking another 100,000 people out of the Army. Under sequestration, the Navy would be down to a little over 200 ships. We would have the smallest Navy since 1915, the smallest Air Force in the history of the country, and the Army would go back to 1940 levels.

To my colleagues, do you believe the world has gotten that much safer that we can do a lot less than we did in 1915, given the threats we are facing from Iran, China, North Korea? Do you think now is a good time for the country to basically disarm, given the threats we face from radical terrorism throughout the world?

So here is what we are going to do, and our congressional leaders need to be on notice. About 1 million people would lose their jobs if we put these cuts in place, and we would destroy the infrastructure base that provides good jobs to the economy and keeps us free and safe by giving our people technology better than the enemy has.

The three National Guardsmen were killed in June in Afghanistan. We have improved the National Guard. But when we first started this war, National Guard units were leaving to go to the fight with inferior equipment. They did not have armor. So if we do sequestration on top of what we are already trying to cut in the Defense Department, we will destroy the finest military in the history of the world at a time we need it the most.

This is a body known for doing some pretty dumb things, but that would be the prize. So what Senators McCain, KYL, and myself are trying to do is avoid sequestration before the first of the year so our defense people can plan. If we do not set this aside before the election, that is political malpractice. I thank Senator McCain and Senator KYL for their leadership.

Mr. McCaffrey. I wish to add—I note the presence of the Senator from New Hampshire who has also played a very key role in leadership role working with the mayors of every city in America, who have issued a resolution about their concern about this issue.

I wish also to state to my friends and colleagues that I know the chairman of the United States Armed Forces with whom I have had the opportunity of working for 25 years, the Senator from Michigan, also shares our concern.

I hope we could at least get some of us together who have been involved with these issues of national security for so many years on both sides of the aisle, that we could reach some kind of an agreement. I know additional sacrifices have to be made when we are facing a $16 trillion deficit. But to take the overwhelming majority—well over 50 percent of these reductions—out of what is about, I believe, 12 percent of our spending is obviously not appropriate.

One other point. If the President of the United States shares the concern that the Secretary of Defense shares—catastrophic, impossible to plan on, so draconian that it would cripple our ability to defend this Nation; all of those are statements which the Secretary of Defense has made—I would argue that it would be appropriate, and I would sincerely ask that perhaps the President of the United States also be involved and members of his administration or charter members of the administration to sit down with us to see how we could reach reasonable common ground.

So far the executive branch has not been involved in these efforts, with the exception of the Secretary of Defense, who has told us in the most graphic terms the devastating consequences. Again, I want to point out to my colleagues: You have to plan, especially in national defense, what weapons you are going to procure, the number of people you are going to maintain in the military, what those missions are going to be.

All of those right now, if held in abeyance in the Pentagon as far as planning is concerned, cannot have a
great deal of validity if we are staring at sequestration and these draconian reductions.

Mr. GRAHAM. Would the Senator yield?

Mr. MCCAIN. Yes. And I know our most eloquent member has arrived on the floor, not to mention other attributes we are lacking.

Mr. GRAHAM. I would like all three Senators to comment on this proposition. You have just challenged the President, who is the Commander in Chief, by the way, to fix the problem that your Secretary of Defense has said would be most devastating to our ability to defend ourselves. He said it would be catastrophic, it would be draconian, there is no way to plan for it, we would be shooting ourselves in the head. Mr. President, you are the Commander in Chief. When your Secretary of Defense and every general under your command is telling you and the Congress, you need to fix this before it gets any worse, are you going to disregard us, as Republicans and Democrats, to answer the call of the Secretary of Defense? You are the Commander in Chief, my friend. It is your job to make sure our military has what it needs to go fight and protect our Nation.

But that is not enough. It is also our job as Members of Congress to take care of those who serve. So to our Republican and Democratic leader: Why do you not convene a group of Senators, whether it includes us or not is immaterial, on both sides of the aisle, on both sides of the Capitol, to sit down and work this out so we can avoid the sequester.

I ask Senator MCCAIN, do you think that is a good idea?

Mr. MCCAIN. I know it is the only way we are going to solve this. I ask unanimous consent that the Senator from New Hampshire be included. I know the Senator from Tennessee, our friend Senator CORKER, is waiting. But I know the Senator from New Hampshire is a member of the Senate Armed Services Committee. I think the rest of us are going to sit on the sidelines and let this matter be taken up in lame duck when it becomes a nightmare for the country, you can forget it. So we are challenging our leaders and the President to get a group together to fix this.

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I ask Senator CORKER, do you think that is a good idea?

Mr. CORKER. Mr. President, I think Senator CORKER from Tennessee was on the floor before me. I do not know if we are going back and forth or how long he expects to speak. I wish to yield to him to see what his plans are.

The PRESIDENT OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senator from Tennessee. I am going to speak for about 2½ to 3 minutes if that is okay.

Mr. DURBIN. Mr. President, I would be happy to yield to the Senator from Tennessee. I ask unanimous consent that I follow him.

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

BUDGET CONTROL ACT

Mr. CORKER. Mr. President, I appreciate the comments of my friends from New Hampshire and Arizona and South Carolina regarding the sequestration. I will say the reason we are in this sequestration mode is that six Republicans and six Democrats could not figure out a way, over a 10-year period, to cut $1.2 trillion in spending out of $45 trillion that is going to be spent by the Federal Government during that period of time. So I do hope there is a way to resolve that. But I am here to speak about something related, but in some ways very different.

Today we are getting ready to vote on some legislation dealing with flood insurance, dealing with student lending, dealing with highways. And these are all very popular programs.

What people who are listening, who may be paying attention to what the Senate is doing today, what they may not know is that for the third time, in a bipartisan way, this body is getting ready to spend more money than was deemed by the budget that was ultimately created by the Budget Control Act last year when the country almost shut down trying to save a mere $900 billion over the next 10 years. So a vote today for this piece of legislation is basically a vote to say the Senate cannot be entrusted to carry out what it laid out last August to keep us from spending that money.

I know there are going to be some budget points of order that will be brought forth at some point later today.
I want to say as one Senator from Tennessee, it continues to be unbelievable to me that this body does not have the courage, does not have the will, does not have the discipline to even live within a very modest budget that was laid out last August. Today I am certainly going to pass legislation that spends billions of dollars more than we agreed to in the Budget Control Act and especially the deemed budget that came after that, the deemed budget that was put in place as a result of the last August budget. I would say all those who vote for this today are basically saying we do not have the discipline to live within our means. The problems our Nation faces fiscally are only going to get worse. I think this is a very sad day for our country if that, in fact, is what happens within the next 2 or 3 hours on the Senate floor. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

SEQUESTRATION

Mr. DURBIN. Mr. President, I thank the Senator from Tennessee for his comments. I share his concern about our deficit. I was a member of the Simpson-Bowles Commission. I voted for the commission report, bipartisan effort to reduce the deficit by $4 trillion over 10 years. I think we set in place a description, maybe a guidepost for how we can do this.

I want to express to him that we need to take care in the money that we spend now which will add to the deficit, though I have to say my understanding is this transportation bill is paid for. There are revenue sources that are part of this. I know the student loan continued decrease in interest rates to 3.4 percent for student loans is paid for. I believe the changes within the Flood Insurance Program, which is part of this package as well, the Republican leader at this morning, reform in that program will move it closer to sustainability and solvency. It is not where it needs to be, but it is moving closer.

But I want to address, if I can, for a minute what has been a topic on the floor this morning about the planned cuts in the Department of Defense. Let me say at the outset what we all agree upon. No. 1, we never, ever want to shortchange America’s security, never shortchange our men and women in uniform.

A nephew of mine who serves as a doorman in the gallery recently returned from 1 year in Afghanistan. We were sending packages and were worried about Michael every day. He got home safely. That is happening over and over across America. I wanted my nephew to have all he needed to come home safely. I think everybody feels the same when it comes to the Department of Defense.

Let us get real and look at this deficit debate. Allow me to put it into perspective for a moment. The last time we balanced the Federal budget was not in the 19th century, it was about 11 years ago. It was a time when William Jefferson Clinton was President, and for 3 years we had a balanced budget under a Democratic President—3 years. When we reach a balanced budget, if you said, What will you have in terms of spending and revenue?—they are the same—here is what we found: Revenue and spending both equaled 19.5 percent of America’s gross domestic product. The gross domestic product is the sum total of the goods and services produced in America every year. It changes and grows. The last year we were in balance, taxes equaled 19.5 percent of our GDP and Federal spending equaled 19.5 percent. We had a balanced budget.

Now we are in deep water. We saw the accumulated debt of the United States more than double under President George W. Bush, and it continues to grow, because of the recession, under this President. Our annual deficits are 0.5 trillion and are unsustainable. We borrow 40 cents for every dollar we spend, whether we are buying military equipment or paying for food stamps. That is unsustainable.

But now that we know there was a time when the balance of the deficit was $500 billion, it is fair to say: What happened to spending since this budget was in balance? If you do it in constant dollars so there is no monkeying around with numbers, here is what happened since we were last in balance: Defense spending. What has happened to that since we were last in balance? Since we were last in balance, the spending on entitlement programs has gone up 30 percent. Why? The baby boomers have arrived; 10,000 people a day reach the age of 65. They paid into Social Security and Medicare their whole life, and they show up now and say: It is our turn. Because of that, entitlement spending has gone up.

What about spending for entitlement programs—Medicare, Medicaid, programs such as those—and veterans’ care? What has happened to that since we were last in balance? Since we were last in balance, the spending on entitlement programs has gone up 30 percent. Why? The baby boomers have arrived; 10,000 people a day reach the age of 65. They paid into Social Security and Medicare their whole life, and they show up now and say: It is our turn. Because of that, entitlement spending has gone up.

Let’s look at the third part of the budget, which was addressed by my Republican colleague this morning, defense spending. What has happened to defense spending since the budget was in balance? Domestic discretionary flat; entitlements 30 percent. As of this year’s budget, defense spending will have risen 73 percent since the budget was last in balance.

We created a supercommittee, and Senator KERRY of Massachusetts, who is here, was a member. They said: Let’s find ways to reduce the deficit by $1.2 trillion over 10 years. They tried. I am sure Senator Kerry will speak to that effort. At the end of the day, they could not reach a bipartisan agreement on how it would be done. The law we passed said: If you cannot reach agreement, we are going to do it automatically. We are going to take $500 billion out of defense and $500 billion out of nondefense spending. That is what this is about. People are coming to the floor and saying that we cannot take another $500 billion out of defense spending.

I will tell you that I think that is a lot to be taken out in light of what we have already anticipated we are going to reduce in spending. I think it will total another $500 billion. I reject the notion that that $500 billion, if it is taken out of domestic discretionary, won’t have equally horrible results.

So I say to my friends on the other side of the aisle, when you had a chance in the supercommittee to deal with spending cuts of a lesser amount or deal with revenue, closing tax loopholes, you walked away from it. Now you are complaining that we may end up with defense sequestration.

Incidentally, if the sequestration number went through—the additional $500 billion in cuts over the next 10 years—it would bring the amount of money we spend on defense to the same percentage of our GDP. That was when the budget was in balance.

So my friends who are speaking for national defense, I join you, but I also speak for investments in America when it comes to education, innovation, and infrastructure. That will help our economy grow. And sequestration on the domestic side is unacceptable, from this Senator’s point of view, as well.

We clearly need to get beyond this and talk about an honest answer to reducing the deficit. An honest answer, going back to Simpson-Bowles, puts everything on the table—everything. To my friends on the other side, I say that it puts revenue on the table, and it must. It puts entitlement programs and spending cuts on the table, and it must. That is the only honest way to address this issue. To pick it off and say that we are going to take the one area that has grown in spending by 73 percent and ignore it and then have them say that we don’t touch revenue leaves two possibilities: If we are going to do anything about the deficit—deeper cuts in programs such as student loans, medical research, transportation—all of the different things that don’t fit into the Department of Defense. The spending in those areas since we were last in balance has been flat, with no increase.

What about spending for entitlement programs—Medicare, Medicaid, programs such as those—and veterans’ care? What has happened to that since we were last in balance? Since we were last in balance, the spending on entitlement programs has gone up 30 percent. Why? The baby boomers have arrived; 10,000 people a day reach the age of 65. They paid into Social Security and Medicare their whole life, and they show up now and say: It is our turn. Because of that, entitlement spending has gone up.

I urge my colleagues on both sides to take this pain that we are facing December 31 and turn it into an opportunity to work on a bipartisan basis to reduce this deficit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

SURFACE TRANSPORTATION

Mr. LEE. Mr. President, I stand to raise a concern I have regarding the conference committee report to accompany H.R. 4348.
Pursuant to paragraph 9 of rule XXVIII of the Standing Rules of the Senate, we are supposed to have adequate notice of a report like this before we have the opportunity to vote on it. The rule states:

It shall not be in order to vote on the adoption of a report of a committee of conference unless such report has been available to Members and to the general public for at least 48 hours before such vote.

The current version of the committee report was filed, let us understand it, at 8:07 p.m. last night. It is not even close to the 48 hours required notice.

What we have, ultimately, when we look at this, is the fact that we have a highway bill that was sent to conference, but it came back from closed-door negotiations with a student loan bill and also with a flood insurance bill attached to it. We were neither given the chance to debate nor to amend these provisions before they came to the floor. Now we are approaching a vote on that.

We did not provide our fellow Senators or the American people with an adequate opportunity to read the 596-page conference report, which is required by our own rule. This is somewhat reminiscent of a statement made a few years ago by then-Speaker of the House NANCY PELOSI when, speaking to Members of her body regarding the passage of the Affordable Care Act, she said:

'...I am speaking to Members of her body regarding the passage of the Affordable Care Act...I passed two Senators in the hallway who are trying to get something out of this bill that affects their States, which they found out about just minutes ago. Nobody would have known about it if they had not found out about it."

There are three bills in question here: transportation, student loans—on the student loan bill, originally we had loans at 6 percent, and it was somehow bringing in money to the Treasury. We were using that money to pay for ObamaCare. Now it is at 3 percent, and that means they are going to pay for ObamaCare? We have a shell game up here. We say one thing will pay for it, and now this will pay for it—the money disappears.

Now they are saying they are going to pay for this by taking money out of pensions. Raise your hand if you think it is a good idea to underfund pensions more. Over half of the pensions in this country are technically insolvent because they don’t have enough money to pay for them. Do you have the idea to have less money go into workers’ pensions to pay for a student loan program?

I have a bill in Congress that says we should read the bill before we pass it. We should wait 1 day for each 20 pages, to be given 48 hours to read 600-page bills. At the very least, we ought to adhere to our own rules. They say it should be posted online at least 48 hours. Forty-eight hours is still a challenge to find out everything in here. Do you know how long the Federal Register is? 55,000 pages, which is added to annually. When you read this, you have to refer to the Federal Register, which is hundreds of thousands of pages, to find out what they stuck in this bill in the dead of night. This isn’t the way we should operate.

The American people want to know why do we say the government is not going to do something for 3 days. What were they doing the previous 3 months? They have not produced a budget in 3 years. That is against the rules. The rules of the Senate say you must produce a budget, and they didn’t do it for 3 years. When we presented them with a budget that we wrote for them, nobody voted for it, and zero on the other side voted for their own President’s budget.

How are we going to compromise if they are not showing up for work? How are we going to get anything done if they don’t obey their own rules? I will raise a point of order in the next hour that says that we have broken the rules of the Senate, and I will ask them to vote on it. I fully expect that the Parliamentary will rule in our favor, and we will see. The other side will simply close their eyes to the rules, and they won’t care what the Parliamentary says, and they will overturn this by saying: We are the majority, and we deem it so. We are the majority, and we don’t care what is in the bill, we have taken time to read the bill; we just deem it so.

I think this is why the American people are unhappy with what is going on here. I object strenuously, I will vote against this, and I will raise a point of order that says we should read the bill before we pass it.

Mr. PAUL. Mr. President, I thank Senator PAUL for raising these issues. We are mismanaging the American people’s money. It is good to see Senator LEE, who just spoke, and Senator PAUL, both new Members of the Senate, who have brought to the American people and made commitments that they are going to work to try to improve the process here. I celebrate their activity, their vigor, and their determination, and a lot of others feel the same way in our body. Shortly we will be moving a cobbled-together bill. An attempt will be made to accomplish this. I expect budget points of order and another point of order to be raised.

We have to share some thoughts about how it is we do business and some of the efforts that are not legitimate as we go about our business and are dangerous to the financial health of America.

Let’s take what we call the LUST fund. I know it is an odd name. The true name of it is the leaking underground storage tank fund. People who have them have to pay fees, and it goes into a fund. The idea of the fund is to be available when cleanups needed to be done. Companies have gone bankrupt and there is no money, this fund will pay to clean up the waste. Maybe it makes sense. It has been operating for quite a number of years. It has run up a surplus. That surplus is in the LUST trust fund—leaking underground storage tank fund—and where does it go? What do you do with that money?

The Treasury of the United States is spending more money every year than the government. This year we will spend approximately $3.7 trillion. We take in about $2.4 trillion, and we have a $1,300 billion deficit. That is how much we are spending. We spend around $3.7 trillion and are taking in about $2.4 trillion, and we have about a $1.3 trillion deficit this year—the fourth consecutive year that we have had almost a $1,000 billion deficit. We will have a big one again next year because we are systematically overspending.

Let’s take a company fund—it has some real money in it, a number of billions of dollars—and what happens to it. Well, when the government spends more money than it takes in, it takes the money from the LUST fund. Well, how does it get it? It borrows it. So there is actually a debt instrument from the United States Treasury to the trustees or the holders or managers of the LUST trust fund, and they have loaned the money. They do not need it today, so they loan it to the government who can and has been spent.

The assets in the LUST fund are nothing more than debt instruments...
from the U.S. Treasury. But on the books, it appears this LUST fund has assets. I guess in a sense it does. It has U.S. Treasury notes. So the people looking around to spend money and to try to meet the demands of our constituencies—to build highways in this case—decided they could take that money.

And you know something, it does not score as an expenditure in that fashion. It is an odd way this is done. It is seen as if they have the money and can care and spend. But where does the money come from? The money is not in the fund, remember? The fund holds Treasury bills. But the highway trust fund doesn’t want Treasury bills, it wants money that can be spent. So what happens is the U.S. Treasury, which has been borrowing money from another government agency and giving a debt instrument in return, has to come up with the money now. It is going to be spent. It is going to be taken out of the trust fund. Do they do it? They do it? They convert an internal debt to an external debt.

The only thing they will do is borrow more money. So it will be this many billions of dollars more than $1.2 trillion fund. So where do we have. The debt is converted to a public debt, and somebody in China or in Japan or in New York will loan money to the government and they will use that money to pay the highway trust fund with it. You familiar that? This allows the money to be double counted. And that is actually what happened with President Obama’s health care bill. That $400 billion was funded this way. Social Security still has a surplus. Although it has been drawn down, it still has a surplus in its account—or Medicare does. So the Medicare trustees raise Medicare taxes, they cut Medicare benefits, and they save $400 billion. And that would be money of the U.S. Treasury. It is their money. But what happened with it? Under the conventions of accounting, the money was available to be spent by the U.S. Treasury, and the U.S. Treasury then would spend it on the new health care bill.

The Congressional Budget Office Director, Mr. Elmendorf, wrote me a letter the night before the bill passed—Christmas Eve—and he said this is double counting the money. You can’t simultaneously benefit Medicare and fund a new health care program, although the conventions of accounting might suggest otherwise. So the real smart financiers, what did they do? They figured out how to use the conventions of accounting in a way that obscured the fact they didn’t have the $400 billion and that it was, in truth, borrowed money.

Mr. President, I see my colleagues on the floor, and we are serving.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I just have a couple of comments to make for clarification purposes.

First of all, I don’t think anyone is going to question my conservative credentials over the years I have been here. I have been really offended by a lot of the things that happened structurally in this institution, over in the House, but so far as this bill is concerned, let me clarify a couple of things.

It sounds good to stand up here and say we have only had a matter of minutes to look at something that is 500 pages. We have had this bill for a long time—for several days. We have had it and gone over everything. On the bill we sent from the House, it is essentially the same thing.

I didn’t agree when they added the two provisions on student loan and flood insurance. I didn’t agree with those provisions, but I don’t think they should have been on here. Nonetheless, we didn’t have any control in this body over that. But as far as the provisions of the bill are concerned, these provisions we have seen. And I think that this has been there when we have talked about the great reforms, and I have commented several times that I thought one of the problems was we did too good a job because we had too many reforms. But when it got over to the House, where they are inclined to have more reforms there, they had to start from a base where we had done a good job. Streamlining and enhancements and all are in it.

The only thing I can say, from a conservative perspective, is we have seen this bill. We have lived with this bill, not just hours but for days, and actually for weeks, the basic provisions of the bill. But what we have to realize is, is there is an alternative to what we are doing here today, and that alternative—and the only alternative—is to go back to extensions.

If we go back to extensions, a couple of things happen. No. 1, we don’t have any of the reforms we have in the bill; No. 2, we throw away about 30 percent of the money.

Mr. REID. So again, people have had since March to read this bill and to get up to speed a little bit, don’t you think?

Mr. INHOFE. I answer in the affirmative.

Mrs. BOXER. Mr. President, would my friend yield for 1 minute? I want to correct the RECORD.

There are a few changes, there is no question. We have sped up project delivery, as my friend knows. We gave a little more flexibility to the States in terms of the TE program. So a few things were changed. But my friends are right, primarily, this is a similar bill. It takes the money and we say we are going to spend the same thing, plus inflation. And it is true these bills have been out here for a long time. Actually, they passed our committee, I say to Senator INHOFE, in November of last year.

Mr. INHOFE. I respond, yes, that is correct. That is accurate.

I think that is very important too because we have been talking about this bill for a long period of time. We actually started trying to get a highway reauthorization bill way back in 2009, when the old bill from 2005 expired.

But the problem is—and I want to get back to where I was—there is an alternative to this bill. If we defeat this bill, we go back to extensions. If we go back to extensions, first of all, we are losing about 30 percent of the money off the top. Everybody knows that. Secondly, we don’t get these reforms. If people are concerned out there—conservatives—that they want to defeat this and go back to extensions, they are not going to have reform with the enhancements. Right now the law requires 10 percent, depending on how we want to put it, in total funding or 2 percent of surface transportation. That has to be spent on transportation enhancements.

My good friend, the chairman of the committee, Senator BOXER, and I disagree on enhancements. She likes them; I don’t. I want money to be spent on concrete, on roads and bridges. This is what I think we should be doing. But that is a disagreement we had and so we had a compromise where she can have—and anyone can have—what they want. It is an oversimplification, but it means, yes, this money is going to be put into something. It can be enhancements. In my State of Oklahoma, it is not going to be in enhancements, it is going to be paying for some of the unfunded mandates. It will be paying for things we have to do in terms of the environment and things that are required. So we have solved that problem. If we don’t pass this bill, we go right back and it will have to go to enhancements.

On streamlining, all the streamlining is in this in terms of environmental streamlining. Talk to any of the road contractors out there and they will tell you about the waste of money and the number of miles of roads they can’t do
because of some of these requirements—these environmental requirements. We have streamlined those requirements. If we don’t pass this bill, we will go back to extensions and the same thing applies—we are going to lose all of those opportunities. So not only will it cost more, we will not get the streamlining.

I am very proud of a group that has always supported me, the American Conservative Union. Is there anyone around here who doesn’t think the American Conservative Union isn’t conservative? I made this a part of a speech yesterday, an editorial by Al Cardenas, the chairman of the American Conservative Union. It is an op-ed piece he wrote. But let me read now two short paragraphs from this op-ed piece from the American Conservative Union:

Article One, Section Eight of the Constitution specifically lists interstate road-building as one of the delineated powers and responsibilities vested in the federal Government. In Federalist Paper #42, James Madison makes an easy case for the federal government incurring a healthy infrastructure, by stating “Nothing which tends to facilitate the intercourse between states, can be deemed unworthy of the public care.”

And the article goes on to say—and, remember, this is the American Conservative Union.

Perhaps most importantly, those of us who believe in constitutional conservatism understand that unlike all the things the federal Government do to squander our money on, transportation spending is at the core of what constitutes legitimate spending.

That is from the American Conservative Union. I wanted people to understand that the conservative approach. We get more for the money being spent, it has all the streamlining in it, and it is our constitutional responsibility. This is what we are supposed to do. There are only two ways to do one way is to pass this bill and the other is to operate under extensions, and I think it is very important for people to understand that.

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

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. 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.

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

Mr. MCCONNELL. 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. MccONNELL. Mr. President, on behalf of Senator Paul, I raise a point of order that the conference report on H.R. 4348 has not been publicly available for 48 hours as required by rule XXVIII, paragraph 9.

The PRESIDING OFFICER. The majority leader wishes to speak.

Mr. REID. Mr. President, I move to waive paragraph 9 of rule XXVIII with respect to the conference report to accompany H.R. 4348.

The PRESIDING OFFICER. The question is on agreeing to the motion. Mr. Reid. 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 legislative clerk called the roll.

Mr. MccONNELL. Mr. President, I move to waive paragraph 9 of rule XXVIII with respect to the conference report to accompany H.R. 4348.

The PRESIDING OFFICER. The question is on agreeing to the motion. Mr. Reid. 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 legislative clerk called the roll.

Mr. MccONNELL. Mr. President, I announce that the Senator from Colorado (Mr. Bennet), the Senator from Hawaii (Mr. Inouye), and the Senator from Colorado (Mr. Udall) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. Alexander), the Senator from Oklahoma (Mr. Coburn), and the two Senators from Illinois (Mr. Kirk).

Further, if present and voting, the Senator from Tennessee (Mr. Alexander) would have voted “nay.”

The yeas and nays resulted—yeas 72, nays 22, as follows:

[Read Roll Call Vote No. 189 Leg.]

YEAS—72

Akaka    Garamendi    Merkley
Barrasso  Graham    Mikulski
Baucus    Hagans    Manchin
Begich    Harkin    Murray
Bingaman  Heller    Nelson (NE)
Boumediene  Hollings    Nelson (FL)
Bunning  Hutchison    Pryor
Boozman  Inhofe    Reed
Boxer    Inouye    Reid
Brown (MA)   Johnson    Rockefeller
Brown (OH)    Johnson (SD)    Sanders
Burr    Kaine    Schumers
Cardin    Kohl    Shelby
Casey    Landrieu    Stabenow
Chambliss  Leahy    Tester
Cochran    Collins    Thune
Conrad    Lieberman    Vitter
Coons    Lugar    Warner
Durbin    Manchin    Webb
Enzi    McCaskill    Whitehouse
Feinstein  McCollan    Wicker
Franken  Menendez    Wyden

NAYS—22

Ayotte    Hatch    Risch
Burr    Johnson (WI)    Roberts
Coats    Kaine    Rubio
Corker    Lee    Sensenig
Corayn    McCain    Snowe
Crapo    Moran    Toomey
DoMInt    Paul   
Grassley    Portman    

NOT VOTING—6

Alexander    Coburn    Kirk
Benning    Inouye    Udall (CO)

The PRESIDING OFFICER. On this vote the yeas are 72, the nays are 22. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

The majority leader is recognized.

Mr. REID. Senator Coats wishes to speak.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I would like to raise the point of order that section 1538 of the conference report to accompany H.R. 4348 violates rule XXVIII as it is a matter not committed by either House.

This is not a partisan issue. The Senator from Illinois, Mr. Durbin, the Senator from Ohio, Mr. Brown, the Senator from Illinois, Mr. Kirk, and I reached an agreement on how to deal with this issue. Yet during this conference work that was proceeding in the dark of the night—

The PRESIDING OFFICER. The point of order is not debatable.

Mr. COATS. Mr. President, I am not debating it. I am explaining it.

Mr. REID. Mr. President, I move to waive all scope of conference points of order on rule XXVIII.

The PRESIDING OFFICER. Are there further points of order?

Mr. COATS. Mr. President, I ask for a recorded vote.

The PRESIDING OFFICER. If there are no further points of order on rule XXVIII, the yeas and nays have been added for on the motion to waive.

Is there a sufficient second?

There appears to be a sufficient second.

Further, if present and voting, the Senator from Tennessee (Mr. Alexander) would have voted “nay.”
The years and nays were ordered.

The PRESIDING OFFICER. There is now 2 minutes of debate on the waiver. The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I jumped the queue. This gives me a chance to explain it twice. Let me say there was a bipartisan agreement that was reached on this. I will not name names, but after it went over to the House, somebody dropped something in the middle of the night to change this whole process.

The issue is not just so-called Asian carp; the issue is that if this language is allowed to proceed, we will be authorizing over $100 billion of potential spending to address this without any review by the Congress. All we ask for in our agreement was a simple opportunity to review the study by the Corps of Engineers so we can make a decision based on all the facts, which included over $100 billion of authorized spending. That is why I urge my colleagues to oppose any effort to waive this rule.

Mr. LEVIN. Mr. President, the provision in question simply accelerates a study of invasive species such as the destructive Asian carp, a study essential I think to protecting our Great Lakes, a resource that is vital to the health, safety, and livelihoods of millions of Americans.

The study was included in the Water Resources Development Act of 2007 that authorized the Army Corps of Engineers to conduct a feasibility study to prevent the spread of aquatic nuisance species between the Great Lakes and Mississippi River basins.

Since that time, Congress has provided over $13 million to the Corps to conduct this study. The Corps maintains that the study cannot be completed until the end of 2015.

The provision included in the conference agreement before us today would accelerate this study and require its completion within 18 months.

We should not minimize the threat of the destructive Asian carp entering the Great Lakes.

If Asian carp got into the Great Lakes, they would not only pose a very serious threat to the environment but would have a devastating effect on thousands of local jobs and a $7 billion fishing industry.

Accelerating this study would put us on a path toward protecting one of our Nation’s greatest treasures and the thousands of jobs that depend on it.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I know everyone is anxious to finish. I am too. This is a massive bill. It is so good for our country. This bill includes student loans, flood insurance, and 2.8 million jobs. There are a lot of disappointments. I have a few in this bill that I would be happy to share with someone at the right time. We must waive this. This is one of the great accomplishments of this Congress. Please, everyone, vote to waive this.

The PRESIDING OFFICER. The yeas and nays were previously ordered.

The question is on agreeing to the motion.

The clerk will call the roll.

The yeas and nays resulted—yeas 66, nays 28, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—66


NAYS—28


The PRESIDING OFFICER. On this vote, the years are 66 and the nays are 28. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to, and the point of order falls.

The Senator from Tennessee.

Mr. CORNER. Mr. President, the pending measure, the conference report to accompany H.R. 4348, would exceed the aggregate level of budget authority and outlays for fiscal year 2012, as set out in the most recent budget resolution deemed by the Budget Control Act of 2011.

Mr. CORNYN. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. Would the Senate please be in order.

Mr. CORNER. Therefore, I raise a point of order under section ___.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I cannot hear the Senator from Tennessee.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Tennessee.

Mr. CORNER. Therefore, I raise a point of order under section 311(a)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable budget resolution for purposes of the pending conference report, and I ask for the yeas and nays.

However, I ask unanimous consent that the letter from CBO be printed in the RECORD at this point, which indicates that not only is everything paid for in this bill, it reduces the debt.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:


Dear Mr. Chairman: The Congressional Budget Office has reviewed the conference report to accompany H.R. 4348, Mr. President, and is available on the Web site of the House Committee on Rules on June 28, 2012.

CBO estimates that enacting H.R. 4348 would affect the budget (see Table 1) would:

Reauthorize, through fiscal year 2014, the surface transportation programs administers by the Federal-Aid Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, the Federal Motor Carrier Safety Administration, and certain programs administered by the Pipelines and Hazardous Materials Administration.

Establish the Gulf Coast Restoration Trust Fund and require that 80 percent of any administrative and civil penalties paid to the federal government under the Clean Water Act connection with the April 2010 explosion at the Deepwater Horizon facility in the Gulf of Mexico be deposited into that trust fund and made available to be spent;

Change the interest rate that pension plans use to measure their liabilities, increase pension premium rates for both variably and flat rate premiums paid to the Pension Benefit Guaranty Corporation, and establish a cap on the variable rate premium;

Provide payments to certain states by reauthorizing the Securing Rural Schools and Payments In Lieu of Taxes programs;

Allow eligible federal employees to enter into a phased retirement, during which they continue to work part time while drawing a partial salary and a partial civil service retirement annuity;

The record will be in order.
Reduce the additional Medicaid payments to Louisiana that it would receive based on prior declarations of federal disasters; 
Repeal a requirement that the Department of Transportation reimburse the difference in cost between shipping foreign food aid on a U.S.-flag ship and a foreign-flag ship; 
Reduce mandatory payments to states that have completed certain reclamation projects on land formerly used for mining; 
Reauthorize the National Flood Insurance Program through 2017 and increase premiums for some subsidized policies; 
Retain an interest rate of 3.4 percent on all new subsidized student loans until June 30, 2013, and change the interest the federal government pays on behalf of some borrowers who are attending school; and 
Raise additional revenue by increasing the ability of businesses with excess assets in their pension funds to use them for retiree health and life insurance benefits, and by deeming businesses that make roll-your-own machines available for consumer use as tobacco manufacturers.

CBO estimates that implementing the legislation would yield discretionary spending of $95.9 billion over the 2013-2017 period (see Table 2); such spending would be subject to future appropriation actions. Of that amount, the spending on transportation programs would total $94.3 billion, which reflects estimated obligation levels for 2013 and 2014 that are approximately equal to the obligation levels for 2012, adjusted for inflation.

In addition, CBO estimates that implementing provisions of the conference report for the remainder of 2012, 2013, and 2014 would result in an end-of-year balance in 2014 of approximately $4 billion in the Highway Trust Fund and about $1 billion in the transit account of the Highway Trust Fund. Table 3 provides a projection of future spending, revenues, and remaining balances in the Highway Trust Fund over the next 10 years. I hope this information is useful to you. If you need additional details, we will be pleased to provide them. The staff contact is Sarah Puro, who can be reached at 226-2860.

Sincerely,

DOUGLAS W. ELMDURED,
Director.

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### TABLE 1—ESTIMATE OF THE EFFECTS ON DIRECT SPENDING AND REVENUES OF THE CONFERENCE REPORT FOR H.R. 4348, MAP-21, AS POSTED ON THE WEB SITE OF THE HOUSE COMMITTEE ON RULES ON JUNE 28, 2012

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<td><strong>CHANGES IN REVENUES</strong></td>
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*H.R. 4348 would provide $12.4 billion in contract authority (a mandatory form of budget authority) for the last quarter of fiscal year 2012, $51.0 billion for fiscal year 2013, and $50.1 billion for fiscal year 2014. CBO estimates. Consistent with the rules in the Balanced Budget and Emergency Deficit Control Act for constructing its baseline for future contract authority for transportation programs, CBO assumes that the contract authority for years after 2014 would be equal to the amount provided for 2014, the last year of the authorization. 

CBO expects that most of the outlays from contract authority (a mandatory form of budget authority) for surface transportation programs will continue to be controlled by obligation limitations enacted in future appropriation acts. Those expenditures are displayed in Table 2.

The proposed amendment would raise premiums for certain subsidized flood insurance policies, increasing net income to the National Flood Insurance Program by $2.7 billion. However, because many policies would continue to be subsidized and the program would continue to face significant interest costs from its prior and future borrowing, CBO expects that additional receipts collected under this legislation would be spent to cover future program shortfalls, resulting in no net effect on the budget over the 11-year period.

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**Note:**

Sources: Congressional Budget Office and the staff of the Joint Committee on Taxation. Note: FMAP = Federal Medical Assistance Percentages; * = between $500,000 and $0. Amounts may not sum to totals because of rounding.

---

**Table 2—Estimated Outlays and Estimated Budget Authority for H.R. 4348, MAP-21, by Fiscal Year—2012-2012**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Estimated Outlays</th>
<th>Estimated Budget Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$5,110</td>
<td>$5,110</td>
</tr>
<tr>
<td>2013</td>
<td>$5,110</td>
<td>$5,110</td>
</tr>
<tr>
<td>2014</td>
<td>$5,110</td>
<td>$5,110</td>
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<tr>
<td>2015</td>
<td>$5,110</td>
<td>$5,110</td>
</tr>
<tr>
<td>2016</td>
<td>$5,110</td>
<td>$5,110</td>
</tr>
<tr>
<td>2017</td>
<td>$5,110</td>
<td>$5,110</td>
</tr>
<tr>
<td>2018</td>
<td>$5,110</td>
<td>$5,110</td>
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<tr>
<td>2019</td>
<td>$5,110</td>
<td>$5,110</td>
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<tr>
<td>2020</td>
<td>$5,110</td>
<td>$5,110</td>
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<tr>
<td>2021</td>
<td>$5,110</td>
<td>$5,110</td>
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<tr>
<td>2022</td>
<td>$5,110</td>
<td>$5,110</td>
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<tr>
<td>2023</td>
<td>$5,110</td>
<td>$5,110</td>
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</tbody>
</table>

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**Table 3—Projected Changes in Deficit ($ inbillions)**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Projected Changes in Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$1 billion in the transit account of the Highway Trust Fund and about $1 billion in the transit account of the Highway Trust Fund.</td>
</tr>
<tr>
<td>2013</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2014</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2015</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2016</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2017</td>
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<td>2018</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2019</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2020</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2021</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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<td>2022</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
</tr>
<tr>
<td>2023</td>
<td>$1 billion in the transit account of the Highway Trust Fund.</td>
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</tbody>
</table>
TABLE 2—CHANGES IN SPENDING SUBJECT TO APPROPRIATION UNDER THE CONFERENCE REPORT FOR H.R. 4348, MAP-21, AS POSTED ON THE RULES COMMITTEE WEB SITE ON JUNE 28, 2012

<table>
<thead>
<tr>
<th>By Fiscal Year, in Millions of Dollars</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2013−2017</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</th>
<th>Spending from the Highway Trust Fund: Estimated Obligation Limitation</th>
<th>Estimated Outlays</th>
<th>Other Authorized Transportation Programs: Estimated Authorization Level</th>
<th>Estimated Outlays</th>
<th>Non-Transportation Programs: Estimated Authorization Level</th>
<th>Estimated Outlays</th>
<th>Total Change</th>
<th>Estimated Budgetary Resources</th>
<th>Estimated Outlays</th>
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<td>12,318</td>
<td>31,794</td>
<td>27,318</td>
<td>12,134</td>
<td>6,780</td>
<td>90,344</td>
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<td></td>
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<td>2,198</td>
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<td></td>
<td>379</td>
<td>1,011</td>
<td>1,168</td>
<td>817</td>
<td>618</td>
<td>3,993</td>
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<tr>
<td></td>
<td>438</td>
<td>437</td>
<td>437</td>
<td>437</td>
<td>2,186</td>
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<td>345</td>
<td>1,528</td>
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<td></td>
<td>52,544</td>
<td>52,718</td>
<td>437</td>
<td>437</td>
<td>106,593</td>
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<td>12,777</td>
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<td>28,823</td>
<td>13,382</td>
<td>7,833</td>
<td>95,865</td>
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Note: Components may not sum to totals because of rounding.

- Estimated discretionary outlays reflect use of funds from the contract authority provided by the legislation under the obligation limitations specified or estimated by CBO.
- Outlays stemming from any additional contract authority that would be provided for years after 2014 would be attributable to future legislation.
- Under current law, CBO estimates that spending from the Highway Trust Fund would be about $48 billion in 2012. (See Table 3 for estimates of total outlays from the Highway Trust Fund in 2013 and subsequent years.)
- H.R. 4348 would authorize the appropriation of $440 million a year over the 2013–2017 period for a national flood mapping program and flood mitigation assistance. The legislation also would lower future federal employer retirement contributions. These contributions are contingent on future appropriation actions.
- Employer contributions are intragovernmental transactions that do not affect the deficit; positive numbers indicate a decrease in receipts.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The yeas and nays are ordered.

The Senator from Tennessee is recognized.

Mr. CORKER. Mr. President, if I could have everybody’s attention, according to CBO, this is paid for the old way, where we spend all the money in a year or two and then it is paid for over 10.

This body came together last August in a bipartisan way to put in place the Budget Control Act, and this bill violates the deemed budget by $2.5 billion. This will be the third time we violate the Budget Control Act deemed budget. For all of those people who are meeting in the evenings, meeting in groups in rooms trying to solve our Nation’s fiscal issues, a vote to waive this motion says we don’t have the discipline, the courage, or the will to do what we told the American people we do want to try to get our fiscal house in order. I urge my colleagues to vote against this motion to waive right now.

Thank you, Mr. President. The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the Congressional Budget Office is a non-partisan body that determines what spending is for the Congress, and they have determined that this bill is paid for and it reduces the debt.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Ms. SNOWE (when her name was called). Present.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Mr. INOUYE), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “nay.”

The yeas and nays resulted—yeas 63, nays 30, as follows:

[Roll Call Vote No. 171 Leg.]

YEAS—63

Akaka  Hagan  Murkowski
Baucus  Harkin  Murray
Begich  Heiner  Nelson (NE)
Bingaman  Hoeven  Nelson (FL)
Binkema  Inhofe  Perry
Boxer  Johanns  Reed
Brown (MA)  Johnson (SD)  Reid
Brown (OH)  Kerry  Rockefeller
Cantwell  Kobeluchar  Sanders
Cardin  Kohl  Schumer
Carper  Landrieu  Shelby
Casey  Lautenberg  Shabazz
Conrad  Leahy  Snowe
Conrad  Levin  Tester
Collins  Lieberman  Udall (NM)
Cochran  Logar  Vitter
Coons  Manchin  Warner
Durbin  McCaskill  Webb
Franken  Menendez  Whitehouse
Gillibrand  Merkley  Wicker
Mikulski  Mikulski  Wyden

NAYS—30

Arotete  Chambliss  Crapo
Barasso  Coats  DeMint
Benner  Corker  Enzi
Burr  Cornyn  Graham

S4754  CONGRESSIONAL RECORD — SENATE  June 29, 2012
Sand deserts are often featured in films as locations for conflict, but the reality is that they are home to a diverse array of life. From the sand dunes to the surrounding vegetation, the desert ecosystem is rich and complex. This presentation will delve into the ecological aspects of desert life, exploring the adaptations of plants and animals that enable them to survive in this harsh environment. It will cover topics such as water conservation, plant adaptations, and the role of predators in the desert food web. Through a combination of scientific research and field observations, we will gain a deeper understanding of the resilience and beauty of desert ecosystems.
and local communities that regardless of their investments in flood protection, it is simply not good enough. That is not the message we should be sending when this country needs to invest more in flood control infrastructure, not when homeowners are struggling to pay premiums on water that would not be housing starts are near all time lows, and not when our economy is still struggling to get back on track.

I was not alone in my opposition to the residual risk provision. I received letters from officials across the State—Oceanside, Long Beach, Lake-wood, Los Angeles, Santa Maria, Stockton, Sacramento, Yuba City, Del Norte, Sutter, Yolo, and Butte Counties were opposed, as well as San Joaquin County. This was not a regional issue. The letters came in from southern California, the central coast, northern California and the Central Valley.

In San Joaquin County, in the middle of nowhere, the provision would have meant 286,000 additional residents had to purchase flood insurance. This is a county where 1 in every 194 homes is in foreclosure—3.3 times the national average. At even $1 a day, this additional expense jeopardize the county’s already shaky housing market.

The purchase requirement would have covered most of the city of Stockton, with a population of nearly 300,000. This would have further devastated a city that suffered the second highest foreclosure rate in the Nation last year.

In Palo Alto, this provision would have required another 5,500 homeowners to buy insurance. In Sutter County, an estimated 28,000 of the 34,308 parcels would have been affected. That is 81.6 percent of all parcels in the county.

In Butte County, 14,000 parcels would have been affected.

In Los Angeles County, supervisors Mark Ridley Thomas and Don Knabe tell me that at least 200,000 properties and 800,000 residents would have been impacted. These homeowners are currently protected by 130 miles of levees and 18 dams in L.A. County.

Many of the affected homeowners live along the Los Angeles River, which isn’t really a river at all—it is a concrete channel. And it is very hard to imagine a flood ever occurring there. More than $200 million has been invested to minimize the risk.

The federally authorized Los Angeles County Drainage Area Project reinforced levees along the Los Angeles River to protect against floods well beyond a 100-year event. Local taxpayers contributed $55 million to complete this project; Federal contributions totaled another $155 million. This investment was made so that residents could avoid $32 million in yearly flood insurance premiums. With the inclusion of the residual risk provision across the owners in the area would have once again had to pay flood insurance bills every year.

I appreciate the efforts of Senators COCHRAN and the chairman and ranking member to address this problem, but changes they made to the original draft did not go far enough. Even with their changes, the provision could have further depressed home prices by driving up insurance costs in many areas.

Let me be clear: This policy wasn’t proposed because homeowners lived behind unsafe levees. These were safe levees that meet Federal standards. Some believe this provision was added to the conference report to address solvency of the program. By bringing in new, low-risk properties, it is true that the fiscal health of the Flood Insurance Program would have improved. But I, for one, oppose propping up the Flood Insurance Program on the backs of constituents who played by the rules.

If the goal is to ensure that people are informed about the risks they face, I continue to be willing to work with my colleagues to accomplish that. In fact, California already has a model for achieving that very goal.

The bottom line is this: Even with the changes made to the residual risk provision, the bill would have still required homeowners and businesses to purchase mandatory flood insurance. Candidly, I was shocked that we even considered adding this provision without a full floor debate because it was not a trivial extension. The bill would have imposed substantial new costs to nearly 1 million homeowners in California alone.

Again, I thank my colleagues on the conference committee for removing this provision. This conference report was not the time or place for it to be considered.

Now, with the 5-year reauthorization of the National Flood Insurance Program in place, we will be taking an important step to stabilize our housing market, and a very, very, very responsible steps to put the program back on the path to fiscal solvency.

I commend my colleagues for putting together this package of bills. I know they had a tremendous challenge, and I think they have done an exceptional job.

Mr. BAUCUS. Mr. President, I would like to turn to discussing the vital contributions of staff who worked on this bill. We are very fortunate in the Senate to be able to rely on the expertise and the support of so many talented and dedicated staffers whose efforts enabled us to finalize this conference report.

This bill turned out to be unique because it contained so many different issues. In addition to the ones I have already mentioned, my staff also had to work on pension matters, flood insurance, Federal trust funds, labor, and a range of other issues. All of this combined to make this a very complicated bill.

Accordingly, I want to take this opportunity to publicly and professionally thank the following staffers for guiding this bill through markups in different Senate committees, negotiating with counterparts from the House of Representatives, and getting us over the finish line with a conference report that provides the American people with the good policies included in the bill:

There was Tom Lynch, who worked on both the Environment and Public Works Committee’s portion of the bill and the Finance Committee’s portion.

Tax Counsel Ryan Abraham, whose work along with Tom Lynch on the highway trust fund was key to being able to fund highways and transit projects under the bill.

Tom, Ryan, and Lily Batchelder, chief tax counsel and head of Finance Committee’s tax team, held more than 20 staff meetings with Democrats and Republicans before our Finance Committee markup.

Mark Hybner, who was critical to refining the Indian Reservation Roads Program; and not when our economy is still struggling to pay their mortgages, not when homeowners are struggling to pay their changes; not when our economy is still struggling to pay their changes, not when our economy is still struggling to pay their changes, not when our economy is still struggling to pay their changes.
Mark, James O’Keefe, Murphie Barrett, Kyle Miller, Dmitri Karaktos, and Alex Renjel from Senator INHOFE’s staff; Charles Brittingham with Senator VITTER; Tyler Rushforth with Senator Reid; Ellen Doneski, James Reid, Ian Jefferies, Rich Swayze, Richard Russell, Edward Bedard, Brian Gafford, Commerce Committee; and Chris Campbell, Mark Prater, Jim Lyons, Nick Wyatt, and Preston Rutledge from the Finance Committee.

Without the individual and collective contributions of each one of these people I have mentioned, we would not have pulled this off. For them and their efforts to help support American jobs, all of us should be very grateful.

Mr. LEVIN. Mr. President, the bill before us today takes several important steps in several policy areas to move our Nation forward. It prevents a pending student loan interest rate hike that would make college less affordable for American students and their families. It also contains important investments in our roads, bridges, and other transportation infrastructure, investments that will put Americans to work today and make our economy more competitive for years to come. It reauthorizes the Flood Insurance Program that provides security to millions of Americans, while making the program more efficient and more fair to States such as Michigan that for too long have paid more premium than they receive in benefits. This legislation also includes a recommendation for implementing preventative measures. Accelerating this study will put us on a better track to protect our $7 billion Great Lakes fishery that supports thousands of jobs.

The conference agreement includes a provision regarding harbor maintenance that is based on an amendment to the Senate Transportation bill. This is the first time we have addressed harbor maintenance in a transportation bill, and including this language will help elevate an important issue and strengthen momentum to use trust fund receipts for harbor maintenance. I am disappointed, however, that the provision in the conference agreement does not include the strong enforcement language I urged conference to include that would ensure that appropriators actually include funding for harbor maintenance that is collected for this purpose.

National infrastructure is a vital link in the transportation system, one our economy depends upon. Maintaining our harbors and ports is vital to our economic competitiveness. I will continue to work to ensure that we provide sufficient Federal funds to properly maintain our harbors.

The conference agreement also extends for 1 year mandatory PILT funding, or payments in lieu of taxes, that will provide about $4 million to Michigan State for use in programs to help state and local governments preserve their lands.

Investing in transportation infrastructure creates jobs and improves our competition. We need to create more than 35,000 jobs for every $1 billion in Federal funds we spend on transportation infrastructure. The bill will create or preserve an estimated 3 million jobs nationwide. In Michigan, the bill will provide more than $2 billion over the next 2 years for road projects and another $261 million over the next 2 years for Michigan transit projects. Funding transportation infrastructure improvements at robust levels is one of the most obvious things we can do to help buoy the U.S. economy.

The conference report extends Federal surface transportation programs at current levels, with a small adjustment for inflation, through September 2014. Given the difficult budget climate, this has to be viewed as a victory. Our State transportation agencies need to be able to do long-term planning. This bill helps that cause and is surely better than the short-term extension that has been living under.

Given the negative budget climate and the difficulty we had finding the revenue to offset the highway trust fund shortfall, a 2-year bill is what is possible, although I would have preferred a longer term.

I am pleased the agreement includes a provision that would direct the Corps of Engineers to accelerate its feasibility study of preventing the interbasin transfer of aquatic invasive species, such as the destructive Asian carp, between the Mississippi River and the Great Lakes basins. While the Corps is planning to produce an interim report at the end of 2013, this provision would require a full feasibility study and include a recommendation for implementing preventative measures. Accelerating this study will put us on a better track to protect our $7 billion Great Lakes fishery that supports thousands of jobs.

The conference report also includes a provision regarding harbor maintenance that is based on an amendment to the Senate Transportation bill. This is the first time we have addressed harbor maintenance in a transportation bill, and including this language will help elevate an important issue and strengthen momentum to use trust fund receipts for harbor maintenance. I am disappointed, however, that the provision in the conference agreement does not include the strong enforcement language I urged conference to include that would ensure that appropriators actually include funding for harbor maintenance that is collected for this purpose.

National infrastructure is a vital link in the transportation system, one our economy depends upon. Maintaining our harbors and ports is vital to our economic competitiveness. I will continue to work to ensure that we provide sufficient Federal funds to properly maintain our harbors.

The conference agreement also extends for 1 year mandatory PILT funding, or payments in lieu of taxes, that will provide about $4 million to Michigan local governments to help offset losses in property taxes from non-taxable Federal lands within their boundaries. These payments can help support a variety of infrastructure and educational needs. I had urged conference to include this provision in the bill, and I am pleased it was included in the final agreement.

The conference report should provide some much needed equity to Michigan and other States through a 5-year reauthorization of the National Flood Insurance Program. Michigan residents have paid more than six times more in premiums than they have received in payouts from the National Flood Insurance Program. We must correct this disparity, and the conference report takes some steps to do so in requiring that premiums be more reflective of the true risk of flooding.

This conference report will phase out subsidies for repetitive-loss properties that continue to be rebuilt in high-risk areas. It will also phase out subsidized rates for vacation homes and businesses located in high-risk areas, many of which have received subsidized rates for more than 30 years.

This bill will clarify the law to allow property owners to purchase flood insurance from a private insurer, rather than the Federal Government, if they so choose. This means private companies can compete with FEMA to offer consumers a better price.

Finally, I am very disappointed that the conference report removes an offshore tax provision that I authored with Senator CONRAD to fight against tax evasion, which robs billions of sorely needed dollars from our Treasury each year.

The legislation before us today does not include everything I had hoped for or supported, but it is necessary, and we should pass it without further delay.

Mr. HATCH. Mr. President, at the first public meeting of the conference committee charged with producing transportation reauthorization legislation, I laid out a series of basic principles that I think should guide our efforts. One of the key principles was that Congress has yet again missed an opportunity to fight offshore tax evasion, which robs billions of sorely needed dollars from our Treasury each year.

The legislation before us today does not include everything I had hoped for or supported, but it is necessary, and we should pass it without further delay.
I think the supposed consensus the conference committee product represents can best be summed up by the Margaret Thatcher quote I cited at the Finance Committee markup of a revenue title held on February 7. "The consensus seems to be the process of abandoning all beliefs, principles, values and policies in search of something in which no one believes, but to which no one objects the process of avoiding the very issues that have to be solved, merely because you cannot get agreement on the way ahead . . ."

Well I object. The taxpayers of this country deserve better than this legislation, and I will be voting against it.

Mr. LAUTENBERG. Mr. President, I rise today to oppose to the flood insurance language that is included in the conference report to accompany H.R. 4348, which the Senate will consider today.

The Senate had been debating a stand-alone bill to reform the National Flood Insurance Program for several days, but we were prevented from voting on amendments to the bill and ultimately passing the legislation. Since agreement on a process for considering flood insurance amendments was blocked, we are now forced into an up-or-down vote on a conference report that contains provisions that will save or create millions of jobs in the transportation sector and keep Federal student loan rates from doubling. I will support the conference report because of those provisions, but I oppose the flood insurance portions.

Last September, I saw firsthand how Hurricane Irene’s floods devastated communities in my State of New Jersey. President Obama and I toured the wreckage together. It was heartbreaking. We saw families with their belongings on their front lawns, and much of their homes destroyed. Unfortunately, Hurricane Irene was not the only storm to cause major flooding in New Jersey recently. In just the last 3 years, FEMA has declared five federal disasters that caused major flooding in New Jersey. For many of the people who have been hit by these floods, their homes are all they have. Many of them have owned their homes for generations. They have raised their children and built their lives in them. For these homeowners, it would be wrong to turn our backs on them. But I am afraid the flood insurance language in the conference report could do exactly that.

The flood insurance language we are considering will require major insurance premium increases for people living in certain homes built before FEMA’s flood maps were finalized. For years, families who bought homes built before floods maps were available paid lower rates for their flood insurance. We did that because we recognized it would be wrong to charge extremely high premiums to people who did not know their flood risk when they purchased their home. But the flood insurance reform proposals on the table would bring the hammer down on those families. Most families affected by the change would see their premiums double. Some may even see their premiums increase five-fold. In New Jersey, we know of families in over 1,800 homes that would see their premiums increase from $395 to $1,975. Residents in other States, including Louisiana, Texas, New York, Pennsylvania, and Florida, would also face these dramatic rate hikes.

To address some of these concerns, I introduced two amendments on flood insurance this week. One would have prevented premium increases for primary residences built prior to 1974, and the other would have allowed the increases to occur for some homeowners, but provided for a hardship exemption from premium increases for families that cannot afford the higher rates. Let’s remember, many of these homeowners rely on fixed incomes, are retired, and have budgeted with the expectation that they would stay steady. We should not change the rules in the middle of the game when homeowners have played by those rules from day one. Many of these families simply do not have the means to raise more money if rates increase.

I also cosponsored an amendment from Senator sophomore to eliminate a requirement in the stand-alone bill that owners of homes behind dams and levees obtain flood insurance. I am pleased that the language in the conference report does not include that requirement.

Flood insurance reform will have real implications for millions of people throughout the United States, including in my home State of New Jersey. Changes to the National Flood Insurance Program should not be taken lightly, and deserve to be debated and amended on the Senate floor. I am disappointed my Republican colleagues have chosen to put important flood insurance amendments this week, and I oppose including flood insurance reform in the legislative package we are considering today.

The PRESIDING OFFICER. Under the previous order, the question is agreeing to on the conference report to accompany H.R. 4348. Ms. MIKULSKI. Mr. President, I rise in support of the transportation conference report. This legislation will establish for the first time Federal safety standards for rail systems.

My promises made are promises kept. After the deadly DC Metro crash on June 22, 2009, I promised two things to the workers at Metro and my constituents who ride Metro. One, I would deliver the $150 million in dedicated funding for Metro’s capital improvements in the annual Transportation appropriations bill. I have done this every year. Two: pass legislation giving the U.S. Department of Transportation authority to establish Federal safety standards for rail systems across the country. Today, this legislation delivers on that promise.

We always say a grateful nation will never forget. Then we pound our chests, hold hearings, and nothing is ever done. Well, not this time and not this Senator. Immediately following the Metro crash, I was the first to introduce a bill, the National Metro safety, which would set new Federal safety standards. My bill required the U.S. Department of Transportation to work with the National Transportation Safety Board to implement their most wanted safety recommendations: crashworthiness standards, emergency entry and evacuation design standards, and data event recorders for rail cars; and hours-of-service regulations for train operators.

Now, 3 years later, Congress has finally acted. This highway bill includes similar language to my transit safety bill. It requires the Secretary of the U.S. Department of Transportation to create and implement safety standards and a safety training program. The Secretary must also consider the recommendations of the National Transportation Safety Board when establishing the safety performance standards for railcars.

This bill before us today also requires transit authorities to complete comprehensive safety plans and States to have a safety oversight program approved by the U.S. Department of Transportation. The Secretary must certify that these oversight programs are meeting the safety standards each year. If a State oversight agency is not doing its job, the Secretary can withhold Federal funding or require that 100 percent of funding be used to fix the metro system’s problems.

In addition, the U.S. Department of Transportation has the power to conduct inspections, investigations, and audits of transit system railcars, facilities, and operations. It can also investigate incidents and provide corrective guidance. The Secretary has the authority to issue a subpoena when investigating an accident as well as require additional reporting and recordkeeping.

Every weekday more than 7 million people board railcars. Now they can breathe a bit easier knowing their metro will soon have Federal safety standards just like commercial buses, airplanes, and commuter rail systems. I want to thank Senators Tram Johnson and Ben Nelson also for working with me on this important safety issue.

Mr. JOHNSON of South Dakota. Mr. President, today I wish to speak in support of the surface transportation conference report. As chairman of the Senate Appropriations, Housing and Urban Affairs Committee, which is responsible for authorizing the public transportation portion of the bill, I was proud to serve as one of the conferees.

After intense and exhaustive negotiations, the conference committee reached an agreement on a bill that will benefit every American. In my home State of South Dakota alone,
this bill will support 10,000 jobs and across the country it will support nearly 3 million jobs. It will improve rural transit service and make our Nation’s highways safer and more efficient. I am relieved that we will not let another construction season go by without certainty of Federal funding.

From the start, the Banking Committee worked in a bipartisan fashion on the transit reauthorization which is why we were able to pass our portion of this bill out of committee by a unanimous voice vote. I am happy to say that most of our committee-passed bill is still intact in the final product we have before us today.

This conference report will increase funding for public transportation through the end of fiscal year 2014 and deliver critical investments in the Nation’s aging transit infrastructure.

In addition, the bill will institute much needed reforms such as speeding the construction of public transportation. This bill also includes transit safety provisions that have been stalled for 3 years.

Finally, our bill increases formula funding for all types of transit: additional urban and rural formula funds, new money for tribal transit. Our Nation’s transit systems need more than $77 billion to address backlogged repairs. This bill can’t address all of those needs, but it can ensure that our transit systems don’t fall further behind.

Americans make 35 million trips on public transportation every weekday. Many of these trips are in our cities, but in places like South Dakota, rural transit service connects seniors with their doctors and helps our workers travel long distances to get to jobs. Everyone benefits from public transportation, and this is a bill the American people deserve.

This bill wouldn’t have been possible without the hard work and determination of more than people than I can name today. However, there are a few in particular that I must single out.

We would not be at the finish line today if we didn’t have Senator BOXER without the hard work and determination of everyone benefits from public transportation and our workers.

The flood insurance bill didn’t just come together in one night. It came together in countless late nights worked by staff over the last year. So I want to take this opportunity to thank my staff—Beth Cooper, Brett Wright MacDonald and James Ollenberger from the Office of Legislative Counsel.

Lastly, I am pleased that the conference report includes a provision to avert a catastrophic interest rate hike on student loans. If Congress had failed to act, over 7 million students, including an estimated 31,000 undergraduates in South Dakota, would have seen their interest rates double.

Earlier this month, I talked with students at Southeast Technical Institute in Sioux Falls. They told me a rate hike would make it harder for them to complete their schooling and would likely deter countless students from pursuing their higher education goals.

At a time when too many students are graduating with enormous debt loads, we should not make it more difficult for students to finance their education and manage their debt. I am glad we have reached an agreement that prevents the rate hike from taking effect. This is an important victory for students across South Dakota and throughout our country.

In passing this conference report we will send a clear message that it is still possible to work across the aisle and pass commonsense bipartisan legislation in the interest of the American people. I urge my colleagues to support this bill and I yield the floor.

Mr. REID. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on adoption of the conference report.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Ms. SNOWE (when her name was called). Present.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Mr. INOUYE), and the Senator from Colorado (Mr. ULLRHAN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), and the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 74, nays 19, as follows:

(Rollcall Vote No. 172 Leg.)

YEAS—74

Akaka
Baucus
Begich
Bingaman
Bunning
Bunni
Boxer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Casey
Chambliss
Collins
Conrad
Coons
Durbin
Feinstein
Franken
Gillibrand
Grassley
Hagans
Harkin
Heller
Hoeven
Hutchison
Inhofe
Isakson
Johnson (SD)
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lugar
Manchin
McCaskill
McConnell
Menendez
Merkley
Merkley
Mikulski

NAYS—19

Ackroyd
Larson
Coates
Corker
Cornyn
Crapo
DeMint

ANSWERED ‘‘PRESENT’’—1

Snowe

NOT VOTING—6

Alexander
Baucus
Inouye

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this conference report, the conference report is agreed to.
The title was amended so as to read: "An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes."

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mrs. BOXER. Mr. President, I move to reconsider the vote and lay that motion upon the table.

The motion to lay upon the table was agreed to.

VOTE EXPLANATION

Mr. BENNET. Mr. President, I want the record to reflect that I would have voted in favor of H.R. 4348, but I went home to Colorado to be with my constituents, many of whom have lost their homes and are facing severe challenges. And I know that fires continue to rage across the State.

By finally reauthorizing our transportation programs for over 2 years, we will provide some measure of certainty for States, municipalities, and businesses across the country urgently in need of more than just a 2-month extension. The bill includes resources, modeled on legislation that I introduced with Senator MARK WARNER, for transit-oriented development competitive grants to help local communities work with private investors to promote long-term transit planning, and the legislation also contains a common-sense modification to the rural transit formula for which I advocated. These provisions will benefit transit agencies across my State as they provide quality service to Coloradans. The bill also maintains continued funding for the Payment in Lieu of Taxes (PILT) Program and Secure Rural Schools and Community Self-Determination (SRS) Act. These programs are lifelines for financially strapped rural counties and local businesses.

Of course this is not a perfect bill. I am disappointed that the conference committee supported the Senate television funding the Land and Water Conservation Fund, a program that has been vital to preserving Colorado’s western heritage. And I would have liked to see a longer reauthorization, with structural reforms to the highway trust fund to ensure that we can continue to finance improvements to our public infrastructure and leave more—not less—for the next generation. That said, I commend my colleagues for all their hard work getting this bill across the line.

I am also pleased that this legislation will prevent loan rates from doubling and averts an increase that would have put the dream of a college degree further out of reach for thousands of Colorado students, and increased an already crushing debt burden on the middle class.

Mrs. BOXER. Mr. President, it has been a very long and winding road to get to this place. I am overwhelmed with the amazing vote we just had—the margin of success, the fact that this is the product that is not only bipartisan but bicameral. I understand that the House vote was equally lopsided in favor of the passage. I think it sends a tremendous signal to the people of America, and that is that we can work together. Do not give up hope. When it comes to the well-being of our people, we must get together.

I know the President must be smiling broadly because he has stated over and over how important it has been for us to pass a highway bill and to pass a reduction in student loan interest rate bill in order to help our people.

I have included a list of who kept me going and so many others—and I am going to name the various chairmen whom I worked with here and over on the House side and staff—what really kept us all going is the fact that this legislation and the transportation sector has been hit in this recession. The housing crisis started this recession. It has not gotten better. It is slowly coming around, but new construction is going to take a while before any of the inventories are back in their appropriate place. What is going to help us? We could fill 10 Super Bowl stadiums with unemployed construction workers. We are looking at well over 1 million construction workers who are unemployed. Well, this was the answer.

The transportation sector is hurting. The construction sector is hurting. And today we have sent a message, a powerful message that for 2 years and 3 months we have funded a good bill that is going to employ up to 3 million workers and help thousands of businesses, and it is all in the private sector, the things that need to be done.

We know we have 70,000 bridges that are deficient. We know we have 50 percent of our roads that are deficient. We know we have transit systems that need capital improvements. We know we have bike paths that need fixing and pedestrian walkways that need fixing. All of this has been worked on in this legislation. Are there things in this package that I do not like? Absolutely. Are there things in this package my Republican counterparts do not like? Absolutely. We had to give. We had to take. We struggled.

I am going to read into the Record the names of these staffers. This is an unbelievable list. I am going to do it quickly. I am going to say to these staffers from the various committees that they knew how important their work was.

If we didn’t succeed, there would be no more money in the highway trust fund, and all of the repairs on our roads would stop and the repairs on our bridges because everybody out there, since President Dwight Eisenhower was President, depends on the Federal share.

We cannot have a strong economy with all the stress and strain. Here are the names. I am not reading Democrats and then Republicans; I am reading the bipartisan list of staffers: Bettina Poirier, Ruth VanMark, David Napolitano, James O’Keefe, Andrew Doehrmann, Murphie Barrett, Tyler Richey, Kyle Alicy, Jason Albritton, Grant Cope, Mike Burke, Tom Lynch, Mark Hybner, Charles Brittingham, Alex Renjel, and Dimitri Karakitsos.

I also thank the leadership staff. When things were looking glum, there they were. They are David Krone, Bill Dauster, and Bob Herbert.

Here are the staff directors of the key committees who worked on this—remember, this was a four-committee package including EPA, Banking, Commerce, and Finance. I thank Russ Sullivan, Dwight Fettig, Ellen Doneski and their extraordinary staff. They include Ryan Abrahams with the Finance Committee; Ian Jefferies, David Lamb, and Anna Laliberte with the Commerce Committee; and Homer Carlisle with the Banking Committee.

I also want to thank the Senate legislative counsel, Rachelle Celebrezze and Gary Endicott, whom I drove crazy yesterday by telling them to please produce the paper.

This staff loved their work so much that I thought they would never end it. I had to beg them: Please finish because there will always be something more you can do. You can always find something better or put a comma in a different place. They wanted to make it as perfect as they could. There was a time when we just had to say, OK, we are done. They got it done. I am very moved of their dedication.

I know my staff at EPW—for 3 days, the staff members, whose names I read—if they got 4 or 5 hours of sleep, they got a lot. They are running on empty right now. I tell them that their names will forever be in this record, and people they don’t know will flourish because of their work when we start hiring people to do this infrastructure work.

Thank my dear colleagues, JAY ROCKEFELLER, MAX BAUCUS, and TIM JOHNSON. No way could I have done it without them. I also pay tribute to MARY LANDRIEU, who is on the Senate floor today. Senator LANDRIEU and her State have gone through so many traumas—hurricane and all of the attendant problems, and the BP oil spill, which did so much terrible damage to her State and the other Gulf States—environmental damage, commercial damage, broken hearts, broken spirit.

Let me tell you, you never break MARY LANDRIEU’s spirit. She teamed up with Senator VITTER, and they wrote
the RESTORE Act. Then she went to all of the other colleagues of the gulf cost and said: You have to help me. They put together a great package. What it means—without going into detail; she will do that—is that when the court decisions come down and the funds go to the Federal Government, for all the violations of law that took place with the BP spill, 80 percent of the funds will be directed to the very people who got hurt.

Senator LANDRIEU, it is an honor and a privilege to work with you. You have been a model of a Senator who never ever stops fighting. I am so grateful I was able to step to the plate and help you. I will add more names of colleagues, but I don’t have time at this point. Others want to speak. This is a great moment. The bill we passed is a good bill. It is going to speed up project delivery without waiving any environmental laws that we keep the protections. We will give a little more flexibility to the States on the alternative transportation routes. But, believe me, we also add a new piece that gives more power to the local people to decide on these projects. I am so pleased. It was a tremendous victory. As Senator BOXER, as well. She came here as a fighter. Her name “BOXER” says it all. It is the way she fought her way to the Senate, and she continues to fight not just for the people of California but the people of the Nation. I knew 2 years ago—now a little over 2 years ago—when the Deepwater Horizon platform blew up in the gulf, one of the first people I could go to, to ask for help, for support, for ideas and advice. The one to go to that, unfortunately, is Senator BOXER. She is a strong environmentalist. She has a heart for our oceans, and she understood the challenge of Louisiana’s eroding coastline—more so than many Members in this body.

I will be forever grateful for the fact that she and her staff sat with me and other colleagues and crafted the RESTORE Act, which is a historic piece of legislation. It has no precedent in Congress. It will, for the first time, set aside such a significant amount of money from a penalty that has yet to be determined by a polluter that has been determined—BP—that under the law, after the oil spill, now has to pay to the Federal Government $1,000,000 for every barrel of oil that was spilled or gushed out of the explosion for months on end. They have to pay $1,000,000 for every barrel of oil that was spilled. The estimate is that, unfortunately for our coast, our people, our fishermen, shrimpers, charter boat captains, and the pelicans, fish, shrimp, and oyster, for us it was 5 million barrels of oil spilled between August and July, until the well was sealed. It is the largest pollution event in the history of the Nation. It will be the largest fine.

I have every confidence that the people of the gulf coast and the Nation will find justice in the courts. I hope this fine is as high as it can be, based on the damage that has been done from Texas to Florida and off the coast of Louisiana. When I brought this to Senator BOXER, she understood that we had to find a way for justice in the gulf. I crafted the RESTORE Act with my colleague DICK SHELBY. For months we negotiated about how to craft it, what to say, how to specifically direct the funds. I am fortunate of having the support of the White House, the support of every commission and every individual appointed by the President supportive of this idea.

So I first thank the VP’s Presidential commission that was one of the first to step up and support this concept of an 80-percent set-aside and redirect to the gulf. I particularly thank Secretary Ray Mabus, whom we will remember led the President’s first commission, former Governor of Mississippi, who knows the gulf coast well and understands Louisiana’s coast as a neighbor for so long. He stepped up and said: Yes, this is the flood money going to the people and, really, thousands—of individuals and hundreds of organizations that started to come forward.

Let me name a few: the Environment Defense Fund, Absolutely instrumental, National Audubon Society, National Wildlife Federation, Nature Conservancy, Ocean Conservancy, Oxfam America, and GNO, Inc.—Greater New Orleans, Inc. They were some of the first organizations to step up. The Greater Houston Partnership was invaluable in the early days to build support among the business community, as were the Mobile Chamber of Commerce, Ducks Unlimited, America’s WETLAND Foundation. Restore Louisiana—a vibrant dynamic organization in south Louisiana—Chamber of Southwest Louisiana, Baton Rouge Area Foundation, and Women of the Storm—representing thousands of women, not just through—through gulf coast States to be spent everywhere else. Women stepped up who said this kind of accident has to stop. This kind of explosion should never happen again.

Most important, they were the people who were hardest hit, the area damaged the worst should be compensated by this fine. This money should not come to the general fund of the United States to be spent everywhere else in the Nation for a variety of unrelated purposes. The RESTORE Act says: No, the right way for this money to be allocated is to the area where the accident occurred, where the injury occurred, and that is exactly what RESTORE does—no more and no less.

One is a former Senator who deserves particular thanks and a shout out, and that is the Senator from Rhode Island SHELDON WHITEHOUSE. When Senator SHELBY and I finished crafting this bill, which was introduced by a few colleagues—a similar bill—on the House side, Representative STEVE SCALISE, CEDRIC RICHMOND, and Representative BONNER from Alabama—we were having a great deal of difficulty moving a bill through a committee that very few had two gulf coast Members and Senator BOXER.

The other Members were sympathetic but not that enthusiastic, and I can most certainly understand why. As you know, this is going to be a tremendous amount of money. It is going to direct these funds to only five States. They were sympathetic, but what was in it for everyone else? SHELDON WHITEHOUSE and I put our heads together and came up—it was his idea—with the bill itself. And though Frankly, I couldn’t, as part of the RESTORE—an inter-state part of RESTORE—say perhaps the oceans deserved justice as well because water knows no boundaries. What happened
in the gulf could have impacts in the Atlantic, up the Atlantic, and out to the Pacific. Who knows. And that is the problem. We don’t have enough scientific research going on in this Nation about our oceans, which is 70 percent of our planet. In Louisiana, we derive great access to and impacting our oceans, and from our oil and gas exploration, which is usually safe, on any normal day. This was not a normal day in the gulf, not a normal operation when the Horizon rig blew up. We get our fish, our water, our seafood industry, our restaurant industry, our hotels, and our ecotourism—and I could go on and on—from the ocean. We make our living from the ocean. Senator WHITEHOUSE and I thought—and I think most knowledgeable people agree—the oceans deserve something out of this. So at no cost to the five States, we put in a provision that a small portion—a half percent of the interest earnings that would be generated—not the fund itself, not taking money away from anyone, as you all know, as anybody would—would create a trust fund for the oceans so that every State could use it for research along their coast.

But that was a bridge too far for the Republican leaders in the House who think we can learn nothing, who want no partnerships, no research whatsoever, I guess, to go on in the oceans. So as that amendment became a part of the conference report, I had that amendment connected to RESTORE at the committee level. It was part of RESTORE. It was moved to the floor and it enabled us to build a broader coalition, which is the way legislation is built. It is not one person’s work. It is not one person’s work. The best of the bills and legislation we pass are about teams, about generosity and sharing and understanding, a little give and a little take there.

It is a shame there are some people on the other side of this Capitol who don’t seem to know that is the basic operation of a democracy. I am not sure what books they read in school, but they weren’t the ones we read at Ursuline Academy, taught by the Ursuline nuns. But SHELDON WHITEHOUSE read those same books, and we put this bill together. I couldn’t have been happier. Not only could I go home and say with great pride that this is a great thing for the coast of Mexico and that everyone came together to help us in our time of need, but I could also look at our great friends from other parts of the country and say there is a portion in here for the coast. That is how the bill came to the floor. One of my proudest days, in my 16 years here in the Senate, was when this Senate voted, under the leadership of Senator BOXER and myself and Senator HAYLEY, for this bill—the RESTORE Act. We did not think the transportation bill itself got 76 votes, to indicate how difficult it is to get 76 votes. Other than just for material items, it is hard to get 76 votes for apple pie and Mother’s Day greetings. But we got 76 votes, and I was so proud. Not only was it the right thing to do—a great help to the region I help to represent—but also very fair, with the inclusion also of the land and water restoration, which was not part of RESTORE, but an amendment that was put on to help this effort with other parts of the country. So the good news is we was passed that bill and paid for it in full over here with a pay-for that was also agreed to by Republicans.

But when the bill went over to the House, one of the first and most serious detrimental things that happened was the oceans endowment trust fund was stripped out. I want those who stripped it out to know this: We will be back. We are going to lead a coalition of Democrats and Republicans in the Senate who are going to send a strong message to House Republicans that the oceans do deserve our time, our attention, our heart, and our money. We can’t do this on a wish and a prayer. We have wildlife and fish and migratory birds that depend on healthy oceans. The people of our country and the world depend on that.

This will not be the last time they see the national oceans endowment. I will be proud to have my name right next to SHELDON WHITEHOUSE’s and we will go into battle again.

But around here, you don’t win everything every day, and so they cut it out, and it would be bigger and stronger than it was when they took it out.

The other thing the House Republicans did, which I have no understanding of why, is to pay for this RESTORE Act, the student loans, the transportation bill, and the flood insurance bill, is they took $700 million away from Louisiana’s Medicaid budget. I will have more to say about the details of that later, because I want to stay focused, but I want to put in the record what our Commissioner of Administration said, who, of course, works for Republican Governor Bobby Jindal, and Republican Secretary of Health and Hospitals Bruce Greenstein:

...the loss of more than $400 million—And that was in fiscal year 2013, and it was another $250 million, so it was $650 in 2014.

—in so-called FMAP money, already built into the state’s Fiscal 2013 budget passed by the Legislature and signed into law by Gov. Bobby Jindal, would altogether lead to a loss in Medicaid dollars that would require $1.1 billion in cuts.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of this letter from Paul Rainwater and Bruce Greenstein.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Louisiana Commissioner of Administration Paul Rainwater and Secretary of Health and Hospitals Bruce Greenstein said the loss of more than $400 million in so-called FMAP money, already built into the state’s Fiscal 2013 budget passed by the Legislature and signed into law by Gov. Bobby Jindal, would altogether lead to a loss in Medicaid dollars that would require $1.1 billion in cuts.

Ms. LANDRIEU. The House Republicans who came up with this idea insisted on this offset when there were others that could have been offered that were much more fair, much less impactful, and much less hurtful. There were some Republican Members who absolutely insisted it could not be changed, and so the Republican Governor Bobby Jindal, with a Republican legislature and a Republican delegation in the House, will have to find a way forward. I am not sure what that way is going to be, but when the bill left the Senate that was not even discussed under any circumstance whatsoever.

But even this terrible action taken on the House side cannot diminish the extraordinary victory of the RESTORE Act. Bills such as this, that basically would take anything up to $20 billion for coastal restoration efforts, take years, even decades to pass. We did this in 2 years, working together, staying focused, and building a support structure nationwide from the business community to the environmental community. The Chamber of Commerce stepped up, the American Petroleum Institute did their part, and many of the oil and gas companies stepped up as well. With the coalition of environmentalists, business organizations, wildlife advocates, we were able to get this significant bill passed. It is going to be a tremendous down-payment for the challenge in the gulf coast.

Let me, for the record, say again that there were 86,985 square miles of water closed to fishing as a result of these great storms, that one day, if we are not successful in preserving these wetlands—and these are wetlands of all of America, that drain 40 percent of our Nation, that supply 40 percent of the fisheries to everybody, and 80 percent of the oil and gas to everyone—that New Orleans will be existing as a city with a 30-foot concrete levee around it and everything else washed away—our culture, our hope, our way of life.
I have said this a thousand times: We are not sunbathing here in south Louisiana. We are not vacationing in south Louisiana. We have fun, we have weekends where we fish and hunt, but we are not vacationing for weeks and weeks in south Louisiana, lying on the beach and getting a tan. There are no beaches to lie on. We only have two. Grand Isle is 7 miles long, and Holly Beach, which got washed away in Rita and still has not been rebuilt.

The Gulf of Mexico continues to tell me there is nothing they can do for the last inhabited island off the coast of Louisiana. Well, there is a lot they can do, and we will see to that in another bill. But we want these wetlands preserved for our children, for our grandchildren, and for the economic vitality of the Nation. This is the mouth of the greatest river system in North America and we intend to save what we can. We will never get everything back. We have lost 1,900 square miles since 1930. We lose 25 square miles of wetlands each year, and we lose a football field every 30 minutes.

Two million people live in coastal Louisiana, about 5¼ million in Mississippi, 1.5 million in Alabama, and probably about 4 million in Texas. We cannot get up and move. There is no place to go. We don’t want to live in Arkansas and Missouri. We want to live on the gulf coast, and we have been there for centuries. And we are not going, and we are not leaving. We are tired of retreating. We know this can be done. We have been to The Netherlands and places around the world where wetlands have been saved—levées eut that don’t break. It is cost effective in the long run. In the short run it costs investment. In the long run, it creates wealth for everyone.

Three trillion dollars is contributed to the national economy by the gulf coast. Seven percent of the national GDP comes from the gulf coast every year. 50 percent of all the oil and gas that fuels this Nation comes from the gulf coast, and 80 percent comes from offshore. Every year, despite how much we do, we get zero back from offshore oil and gas drilling off our shore. The interior States have received 50 percent since 1923, but not Louisiana, not Mississippi, and not Alabama. We drill, drill, drill, and send oil everywhere, keeping lights on in every city. But we are not getting a dime in return to our State. We are happy to have the industry, but we would like to have the revenues with the Federal Government. We send to the Federal Government about $6 billion a year, and have for decades. So when people say, don’t you ever get embarrassed by asking for so much money? No. I could not possibly ask for as much money from Washington as we have already sent here. So I am going to continue to ask for funding for our State because we support our coast, and we are happy to do it, but we believe in fair partnerships and mutual respect. And until we get that, I am not going to stop advocating for our State. So RE-STORE is a first step. It is the right step.

It is the fair step and justice for the goals for right now. This isn’t taxpayer money. No taxpayers are paying this. BP is going to pay this. But we are going to come back next year and talk about the sharing of the tax revenues that the oil companies—not individuals but the oil companies—pay to the Federal Government every year for every barrel of oil and every foot of gas that they take out of the Gulf. That sharing should be done not just here in America, it should be done off the coast of Africa, off the coast of South Africa, off the coast of Brazil, off the coast of the Caribbean Sea, off the coast of Mexico, and, of course, off the coast of Louisiana, not Mississippi, and not Alabama. The pipelines just run everywhere. The pipelines just run everywhere.

The Interior States have received 50 percent of all the oil and gas that fuels this Nation comes from the gulf coast, and 50 percent of all the oil and gas that fuels this Nation comes from the gulf coast every year, 50 percent of all the oil and gas that fuels this Nation comes from the gulf coast, and 50 percent of all the oil and gas that fuels this Nation comes from the gulf coast every year. The Corps of Engineers continues to do the work they were built for. The Corps of Engineers continues to do the work they were built for. It is not a grab bag for Governments. It is not a grab bag for Governments. It is not a grab bag for Governments.

It is going to be perfect? No. I am sure we are going to have some stumbling blocks, but this is unprecedented in its nature. This kind of public works effort has never been undertaken in this great way. So the scientists hopefully will lead us, the engineers and designers will design what we need, and we can continue giving our best effort in hopes of saving a great place on this Earth; that is, the great marshes of the gulf coast and the great delta that this mighty Mississippi River built thousands and thousands of years ago and leave it better than we found it.

It has been a wonderful part of my life’s work. It has been a worthy project to work on. There are others who have most certainly joined me in this leadership. But I am very proud of the work this Senate did and very disappointed in some things the House did on it. But as Senator BOXER said, it is legislation and we just can’t have a perfect bill. It is better than to leave it on the cutting-room floor, even though they did leave important pieces of it there.

I wish to thank Senator BOXER’s staff, in particular, Senator INHOFE’s staff for help, and Senator BOXER’s staff for being very tenacious—to Tina and Jason particularly—to help us negotiate one of the great environmental pieces of legislation in decades.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I rise today to discuss the transportation reauthorization bill that passed today. Having served on past transportation bill conference committees, I know the long hours and intense negotiations that were required to prepare this bill for consideration today, and I want to extend my congratulations, appreciation, and regards to Senators BOXER and INHOFE. I know from past experience that they are both principled, tough negotiators, and I am sure that is why the transportation bill returned from conference with so many key provisions intact.

In March, the Senate acted in a bipartisan manner to pass a transportation bill that contained significant achievements for our country, and would have greatly benefited my State of Connecticut. The bill would have reduced red tape for transportation projects while still protecting our environment and resources. It included a provision I worked on with my colleague from Delaware, Senator CARPER, which would have required cities and States to take air quality goals into account when drafting transportation plans. It also would have provided mass transit benefits the same tax beneficial treatment as parking benefits, and would have funded Connecticut’s transportation programs at a level that met our basic needs for the next few years.

The bill that came back from conference agreement contained many of these provisions, but I regret to see that it weakened others and discarded some of the rest. As I stated earlier, I am no stranger to working on a conference committee, and I fully realize that the best legislation is produced through a give and take on various issues. Clearly, that was the case here. Despite my disappointment on some of these compromises, I believe that it was essential that we acted to ensure that our national transportation programs did not lapse on July 1, so that they will be spent wisely, well, and efficiently in coordination with the Federal and State governments.

Is it going to be perfect? No. I am sure we are going to have some stumbling blocks, but this is unprecedented in its nature. This kind of public works effort has never been undertaken in this great way. So the scientists hopefully will lead us, the engineers and designers will design what we need, and we can continue giving our best effort in hopes of saving a great place on this Earth; that is, the great marshes of the gulf coast and the great delta that this mighty Mississippi River built thousands and thousands of years ago and leave it better than we found it.

It has been a wonderful part of my life’s work. It has been a worthy project to work on. There are others who have most certainly joined me in this leadership. But I am very proud of the work this Senate did and very disappointed in some things the House did on it. But as Senator BOXER said, it is legislation and we just can’t have a perfect bill. It is better than to leave it on the cutting-room floor, even though they did leave important pieces of it there.

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I yield the floor.
operational right-of-way, I can foresee wetlands being filled, sensitive habitat threatened, and resources spoiled, all without any environmental review. There is a right way and a wrong way to expedite projects, and I believe this is the wrong way. I understand this is a need for action in order to get a conference report agreed to, but I hope it will be addressed in the future.

The second concern I have is the impact of the bill on my State, Connecticut. The Federal Highway Trust Fund Program is just that: a Federal program that is intended to address the needs of the national transportation system. Nonetheless, our country’s different regions have particular needs. Connecticut, and the Northeast in general, have urgent needs when it comes to transportation. My State has one of our Nation’s oldest transportation systems, because Connecticut has been around a long time, one of the Nation’s highest traffic volumes, 10 miles of road, and is a frequent pass-through State for commuters throughout the Northeast. Federal transportation funding should go to areas with the greatest need, just as happens with other government programs such as farm disaster relief. Connecticut residents do not protest these agricultural support programs despite our paying a disproportionate share of taxes for them, but we deserve to receive adequate funds to address our unique transportation needs. Under this bill, Connecticut will receive inadequate funding. I would urge my colleagues to reconsider this problem, as well as the 95 percent minimum rate of return for all States, during deliberations on the next transportation bill just as we did during consideration of the 2005 transportation bill.

Finally, I want to take a moment to address a growing concern across the country: the future of our Highway Trust Fund. Since the establishment of the Federal highway system, we have utilized a user-fee system to fund our transportation programs. That system served us well for years, and relied on a gas tax to fill the Highway Trust Fund, which in turn distributed funds to our States. As is so often the case, with the good comes the bad: as we make cars that are more fuel efficient, thereby cleaning up our air and reducing emissions, we also purchase less gas per mile driven, and the amount of money flowing into the Trust Fund shrinks as a result. The gas tax has stayed static at 18.4 cents per gallon since 1993. Because it is not adjusted for inflation, the federal gas tax has experienced a cumulative loss in purchasing power of 33 percent since 1993. For 4 years now, the Trust Fund has been running a deficit and we have had to bail it out with transfers from the Treasury. This is not the way the system was meant to work, and it is not a way we can long continue.

The blame lies at all of our feet. Neither party has had the courage to face the reality that we are running out of money for our roads and bridges. Instead of dealing with the problem, we have continued to bail out the trust fund, hoping that some future Congress will take necessary steps to fix this problem. I applaud my colleague from Wyoming, Senator Enzi, who took a stand against the gas tax for inflation, basically a half-cent a gallon increase. This could have gone a long way to reducing the amount of money we need to use to bail out the trust fund. Unfortunately, we never had a chance to discuss the matter. I understand that colleagues do not want to talk about raising taxes. But in the end we have no choice but to talk about raising taxes if we want our transportation infrastructure to keep pace with our people’s needs.

We need leadership from Congress, and the President, to face the facts: our transportation system is both broken and broken. The system does not have funds for some basic repairs, let alone to make the new investments for infrastructure we urgently need. In 2002, the United States was ranked fifth, in terms of infrastructure quality, worldwide. Today, we have dropped to twenty-fourth. We have fallen 19 places since 2002. We need a system that makes sense.

Unfortunately, the large-scale investments we need will not be possible until we can fix the funding issue. The Simpson-Bowles Commission recommended a 5-cent per year increase to the gas tax for inflation and has recommended shifting to a system that charges users for vehicle-miles-traveled. Such a VMT would ensure that those driving fuel efficient, electric, or alternative fuel vehicles pay for the wear-and-tear to the roads they cause. Although I will not be a member of the Senate when the next transportation bill is debated, I would urge my colleagues to begin to address this issue before the trust fund goes broke once again. Washington must have the courage to keep the table, and then do what works to fix this problem.

In closing, I wish to again express my gratitude to Senators Boxer and Inhofe. This is a true jobs bill, and it will guarantee that millions of construction workers are still employed come Sunday, that student loan interest rates do not double this school year, and that our truly important flood insurance program will be reauthorized.

I thank Senator Boxer, Senator Inhofe, the staff of the EPW Committee, as well as the staffers at the Departments of Transportation both in Washington and Connecticut, for their efforts in bringing this bill to fruition.

Ms. LANDRIEU. Mr. President, I forgot to thank my own staff, which would be very important to do. Elizabeth Weiner, Elizabeth Craddock, Jane Campbell, my chief of staff, and my entire staff for their tremendous work; we are all going to get a good rest in the week to come—and other staff, Tanner Johnson in particular, no longer with my staff but who put the original bill together.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 51) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to the concurrent resolution.

Ms. LANDRIEU. Mr. President, I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with or without amendments.

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

The concurrent resolution (S. Con. Res. 51) was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 29, 2012, through Friday, June 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

The PRESIDING OFFICER. The clerk will call the roll.
The assistant legislative clerk proceeded to call the roll.

Mr. 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.

SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, we are on the motion to proceed to Calendar No. 341, S. 2237; is that true?

The PRESIDING OFFICER. The Senator is correct.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

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 motion to proceed to Calendar No. 341, S. 2237, the Small Business Jobs and Tax Relief Act.


Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived; that at 2:15 p.m., Tuesday, July 10, there be 10 minutes equally divided between the two leaders or their designees prior to a vote on the motion to invoke cloture on the motion to proceed to S. 2237.

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

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, July 10, 2012, at 11:30 a.m., the Senate proceed to executive session to consider the following nominations: Calendar No. 661; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote on that matter without intervening action or debate, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate’s action, and the Senate then resume legislative session.

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

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Foreign Relations Committee be discharged from further consideration of Presidential Nomination 1680 and the Senate proceed to its consideration; that the nomination be confirmed, the motion to reconsider be laid upon the table, there be no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate’s action.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF STATE

Derek J. Mitchell, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Burma.

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of PN 1442, 1461, 1671, 1377, and 1734; that the nominations be confirmed, the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate’s action.

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

The nominations considered and confirmed are as follows:

COAST GUARD

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C., section 271:

To be rear admiral upper half
Rear Admiral (dh) Daniel B. Abel
Rear Admiral (dh) Frederick J. Kenney Jr
Rear Admiral (dh) Marshall B. Lytle III
Rear Admiral (dh) Fred M. Midgette
Rear Admiral (dh) Karl L. Schultz
Rear Admiral (dh) Cari B. Thomas
Rear Admiral (dh) Fred M. Midgette
Rear Admiral (dh) Christopher J. Tomney

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under the 10 U.S.C., section 12235:

To be rear admiral upper half
Rear Adm. (h) John S. Welch

The following named officers for appointment to the grade indicated in the United States Coast Guard under title 14, U.S.C. section 211A(2):

To be lieutenant commander
Jason A. Boyer
Eric A. Cain
William E. Donohue
Roy Eidelm
Matthew A. Pickard

The following named officers as members of the Coast Guard permanent commissioned teaching staff for appointment in the grade indicated in the United States Coast Guard under title 14, U.S.C., section 188:

Russell E. Bowman
To be commander
Joseph D. Brown
To be lieutenant commander
Meghan K. Stratton
To be lieutenant

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the National Oceanic and Atmospheric Administration:

To be ensign
Lucas D. Johnson
Kevin G. Doremus
Michael N. Hirsch
Joshua D. Wittmer
Jared R. Halonen
Daniel P. Langis
Andrew B. Cloes
John R. Kidd
Ara J. Zygas
Refael W. Klein
David B. Keith
Whitley J. Gilbert
Kelsey E. Jeffers
Kasey M. Sims
June B. Cassone
Ricardo Rodriguez Perez
Aaron D. Colohan
Veronica J. Brieno Rankin
Ceesa D. Frater
Theresa A. Madsen

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the National Oceanic and Atmospheric Administration:

To be lieutenant (junior grade)
Kyle S. Salling
Daniel D. Smith
Anthony R. Klemm
Richard J. Park
David J. Rodziewicz
Andrea L. Proie
Joseph T. Phillips
Kelli-Ann E. Bliss
Larry V. Thomas, Jr.
Leslie Z. Flowers
Samone K. Heffernan

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to consider Calendar Nos. 726, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 778, 819, 820, 821, 822, 823, and 824; that the nominations be confirmed en bloc; that the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate’s action.

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

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS IN THE AIR FORCE

The following named officer for appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general
Lt. Gen. Herbert J. Carlisle

NATIONAL BOARD FOR EDUCATION SCIENCES

Larry V. Hedges, of Illinois, to be a Member of the Board of Directors of the National
Board for Education Sciences for a term expiring November 28, 2015.
Susanna Loeb, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring March 15, 2016.

NATIONAL COUNCIL ON DISABILITY
Kamilah Oni Martin-Proctor, of the District of Columbia, to be a Member of the National Council on Disability for a term expiring September 17, 2014.
Sara A. Gelser, of Oregon, to a Member of the National Council on Disability for a term expiring September 17, 2014.

DEPARTMENT OF STATE
Edward M. Alford, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.
Peter William Bodde, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.
Piper Anne Wind Campbell, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mogadishu.

Dorothea-Maria Rosen, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia.
Mark L. Asquino, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

Michele Jeanne Sison, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Douglas M. Griffiths, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.
Jay Nicholas Anania, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

Susan Marsh Elliott, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Tajikistan.
Richard L. Morningstar, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Azerbaijan.

DEPARTMENT OF JUSTICE
Patrick A. Miles, Jr., of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.

John S. Leonardo, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Jami A. Hainsworth, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

COMMUNITY RELATIONS SERVICE
Grande Lum, of California, to be Director, Community Relations Service, for a term of four years.

NUCLEAR REGULATORY COMMISSION
Kristine L. Svinicki, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2017.
Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2013.

Mr. REID. Mr. President, I ask unanimous consent that the Homeland Security and Government Affairs Committee be discharged from further consideration of PN 1121; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that there be no further motions in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate’s action; and that the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows: CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
Deborah J. Jeffrey, of the District of Columbia, to be Inspector General, Corporation for National and Community Service.

LEGISLATIVE SESSION
The PRESIDING OFFICER. The Senate will resume legislative session.

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 therein for 10 minutes each.

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

BUDGET REVISIONS
Mr. CONRAD. Mr. President, I previously filed committee allocations and budgetary aggregates pursuant to section 106 of the Budget Control Act of 2011. Today, I am adjusting some of these levels, subject to micro adjustment to the Committee on Appropriations for fiscal year 2013 and the budgetary aggregates for fiscal year 2013.

Section 101 of the Budget Control Act allows for various adjustments to the statutory limits on discretionary spending, while section 106(d) allows the chairman of the Budget Committee to make revisions to allocations, aggregates, and levels consistent with those adjustments. The Committee on Appropriations reported four bills that are eligible for adjustments under the Budget Control Act. Consequently, I am making adjustments to the 2013 allocation to the Committee on Appropriations and to the 2013 aggregates for spending by a total of $9.245 billion in budget authority and $2.385 billion in outlays. Those adjustments reflect the sum of $5.648 billion in budget authority and $403 million in outlays for funding designated for disaster relief, $2.547 billion in budget authority and $1.075 billion in outlays for funding designated as being for overseas contingency operations, and $1.050 billion in budget authority and $897 million in outlays for program integrity initiatives. The two program integrity initiatives for which adjustments are in order under the Budget Control Act are continuing disability reviews and re- determinations and health care fraud and abuse control.

I ask unanimous consent that the following tables detailing the changes to the allocation to the Committee on Appropriations and the budgetary aggregates be printed in the RECORD.

There being no objection the material was ordered to be printed in the RECORD, as follows:

BUDGETARY AGGREGATES
(Pursuant to section 106(b)(2)(C) of the Budget Control Act of 2011 and section 311 of the Congressional Budget Act of 1974)

<table>
<thead>
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<th>2012</th>
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<td>Current Spending Aggregates:</td>
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<tr>
<td>Budget Authority</td>
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<td>2,828,030</td>
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<tr>
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</tr>
<tr>
<td>Outlays</td>
<td>3,075,731</td>
<td>2,837,275</td>
</tr>
</tbody>
</table>
REQUEST FOR SEQUENTIAL REFERRAL

Mr. LEAHY. Mr. President, I ask unanimous consent to have printed in the Record a letter dated June 28, 2012, to the Majority leader from myself and Senator GRASSLEY.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC,

DEAR MAJORITY LEADER REID: Pursuant to Section 3(b) of Senate Resolution 400 of the 94th Congress, as amended by Senate Resolution 445, 108th Congress, we request that Section 3(b) of Senate Resolution 400 of the 94th Congress, as amended by Senate Resolution 445, 108th Congress, be sequentially referred to the Judiciary Committee. The bill contains matters within the jurisdiction of the Judiciary Committee.

Thank you for your assistance and cooperation.

Sincerely,

PATRICK LEAHY,
Chairman
CHARLES E. GRASSLEY,
Ranking Member.

CONTINUATION OF THE WIPA PROGRAM

Mr. BAUCUS. Mr. President, I rise today to express my disappointment and frustration that the Work Incentives Planning and Assistance program also known as WIPA run by the Social Security Administration is being shut down today. Congress has not acted to extend this important program and the Commissioner of Social Security does not believe he has the authority to continue the program. I disagree. I think he could continue this program under his broad authority to implement the Social Security Act. It is my belief that if he did that and that was contrary to congressional intent, Congress would express that disapproval through the appropriations process.

Let me explain what the WIPA program does. Both the Social Security disability insurance, SSDI, program and the supplemental security income,SSI, program have many provisions to assist beneficiaries in attempting to return to work, but the rules and features of the work incentives are complex and can be intimidating. Through the WIPA program, SSA makes grants to community-based organizations to provide SSDI and SSI disability beneficiaries with assistance in navigating and using the return-to-work features. The total budget for the WIPA grant program is $23 million a year. Because it is such a large State, Montana has two WIPA grantees. The Montana Center for Inclusive Education at Montana State University in Billings is the WIPA specialist for residents of eastern Montana. Over the last 30 months, the WIPA in MSU Billings has served over 100 Montana residents. On the western side of the State, the North Central Independent Living Services, Inc., near Great Falls runs an innovative program where the WIPA grant is dispersed among several Centers for Independent Living in order to provide more personal, one-on-one service for residents of Montana. That program has served over 220 Montana residents.

I think the WIPA program should continue. I know many Members of Congress agree. I hope the Commissioner will continue these important programs as soon as possible. Given the state of the economy today, we should not limit important services that can help our constituents who want to help themselves by attempting to work.

AUTHORIZED RURAL WATER PROJECTS COMPLETION ACT

Mr. BINGAMAN. Mr. President, I rise today as an original co-sponsor of the Authorized Rural Water Projects Completion Act, introduced by my colleague, Senator BAUCUS. I am pleased to support this important legislation which would address the serious backlog in the construction of Bureau of Reclamation water projects that are intended to serve rural and tribal communities.
All of these projects have already been studied and authorized by the Congress. However, the funding for constructing the projects has lagged, causing a delay in addressing the needs of rural and tribal communities to have potable water delivered for their use.

In 1902, the Reclamation Fund was established by Congress, intended to be used as a funding source to construct water projects in the West. It is funded through voluntary mining receipts, including Federal mineral leasing receipts. However, the use of monies from the Reclamation Fund has been subject to appropriation, and therefore, large balances have remained in the Fund. The average annual surplus in the Reclamation Fund from FY 2005 through FY 2011 was $960 million. While these monies were intended to be used for water project construction, they have not always been appropriated when needed.

The bill that is being introduced today would appropriate every year $80 million that would otherwise be deposited in the Reclamation Fund be made available without further appropriation for the construction of the authorized rural water projects—projects that Congress determined to be consistent with considerations set forth in the Reclamation Act. The Secretary may not expend amounts under the bill until the Secretary develops a formula for distributing funds consistent with considerations set forth in the Reclamation Act.

The legislation provides that the Secretary develop a formula for distributing funds consistent with considerations set forth in the Reclamation Act. The formula for distributing funds consistent with considerations set forth in the Reclamation Act may not expend amounts under the bill until the Secretary develops a formula for distributing funds consistent with considerations set forth in the Reclamation Act.

This bill is important to our citizens in rural and tribal communities in the West. Adequate water supplies are fundamental to 20 million lives, and far too many Americans still live without safe drinking water. Congress has already determined that the rural water projects it has authorized are needed to provide water supplies to our rural and tribal communities and are in the best interests of public.

Mr. President, I urge my colleagues to join me in supporting this important legislation, so that the promise of these important water projects can become an on-the-ground reality.

50TH ANNIVERSARY OF THE INTERNATIONAL BRIDGE

Mr. LEVIN. Mr. President, the International Bridge at Sault Ste. Marie stands as an enduring, visible reminder of the connection Michigan has with our neighbor to the north. This nearly 2-mile expanse, quite literally, brings communities in Michigan and Canada closer together, forging a mutually beneficial partnership in the process.

To commemorate the construction of the bridge, a new, patriotic lighting scheme will be introduced on the American side of the bridge this week.

Thousands of vehicles cross this bridge each day. In fact, in 2007 alone, nearly 2 million cars traversed this roadway. This bridge is a pathway for commerce and convenience for families separated by a short distance, but still a Nation apart to visit; and it supports recreation and tourism, which are central to the economies of many of Michigan’s communities. Designed by Dr. Carl Nordberg of the Bureau of Reclamation, the engineer who has buoyed a number of industries important to Michigan, including steel, paper and forestry.

Before the International Bridge opened to traffic on October 31, 1962, Michiganians crossed the St. Mary’s River either by car ferry or by railway. The need for a more efficient means to connect Sault Ste. Marie, MI and Sault Ste. Marie, Ontario was evident. In response, in 1940, Congress approved an international crossing in Sault Ste. Marie, and in 1955, the Canadian Parliament established the St. Mary’s Bridge Company to facilitate and oversee an international crossing. The $16 million construction project that ensured lasted nearly 2 years, and gave way to the structure we enjoy today.

Connecting Sault Ste. Marie with a city of 75,000 in Ontario that also serves as an important international trade crossing in Northwestern Ontario has been very beneficial. The theme of this celebration—Celebrating 50 years of International Friendship—speaks powerfully to this point. I also would like to recognize the work of the Sault Ste. Marie Bridge Authority and the International Bridge Administration for their tremendous work and dedication. The work that is done each day to ensure an efficient and steady flow of traffic across this bridge has positively impacted the lives of Michiganians and countless businesses for the last half century. As we look toward the future, it is important to preserve and maintain the International Bridge for future generations.

TRIBUTE TO GUNNERY SERGEANT THOMAS J. BOYD, USMC

Mr. LIEBERMAN. Mr. President, this Sunday, Marine Corps GySgt Thomas Boyd, who is currently serving as a legislative fellow in my office, will receive his promotion to master gunnery sergeant at his home in Uniontown, PA, surrounded by his wife Reagan and his family. I would like to take the opportunity to recognize Tom’s accomplishments, his selfless service to our Nation.

Tom enlisted in the Marine Corps in 1996, following in the footsteps of his father, older brother, and great uncle. He immediately took on the very demanding occupational specialty of signals intelligence, which involves the collection and analysis of enemy communications. It is a unique and critically important specialty that accepts only the highest quality and most trustworthy marines, which tells you a lot about Tom’s character.

From 2005 to 2009 Tom was stationed at Fort Meade and served at the National Security Agency. His skills were put to the test in three combat deployments—two to Iraq and one to Afghanistan, during which he supported numerous counterterrorism operations that helped make those countries and our own more secure. The Department of Defense recognized his contributions with the Defense Meritorious Service Medal, one of the highest awards the Department can bestow upon a service-member.

Last year the Marine Corps selected Tom for its Congressional Fellowship Program, which, as my colleagues know, is highly selective. Tom is one of only two enlisted Marines selected to serve on Capitol Hill this year. While working in a Senate office is considerably less action-packed than the jobs he has had in the recent past, Tom has tackled all the tasks we have assigned to him with the overwhelming enthusiasm and tenacity we expect from our marines.

I know some of our constituents who have met Tom are sometimes surprised to come to my office and find themselves across the table from “Big Country,” as Tom is affectionately known among his peers. Then they realize that not only is Tom as dedicated to serving them as any member of any Senator’s staff but also that it can be a big advantage to have a man who was clearly born to be a leatherneck on their side.

To my colleagues, should you see Tom walking the halls of the Senate, I ask that you take a moment to congratulate him on his promotion and thank him and his family for their sacrifices on behalf of our country. In his personality, professionalism, and selflessness, Tom Boyd reflects the best traditions of the U.S. Marine Corps.

REMEMBERING VICE ADMIRAL WILLIAM D. HOUSER, USN

Mr. MCCAIN. Mr. President, today I rise to honor a great naval officer and a true friend. Yesterday, VADM William “Bill” Douglas Houser, USN, Retired, was buried with full military
honors at Arlington National Cemetery. His was a life spent in service to our great country and its Navy and sailors.

An Atlanta native, Admiral Houser entered the Naval Academy in 1938 at the age of 16, as part of the class of 1942. He was commissioned early with his class in 1941, after the Japanese attacked Pearl Harbor. During World War II, he served for 3 years as a deck officer aboard the USS Constellation, which saw combat in the battle for Guadalcanal, raids on the Marcus and Wake Islands, and operations around Leyte and Luzon in the Philippines. In 1945, Admiral Houser entered flight training and was designated a naval aviator the following year. He saw combat in Korea as commanding officer of Fighter Squadron 44 and during the Vietnam War as commanding officer of the aircraft carrier USS Constellation. Cellat, commands-at-sea included Fighter Squadron 124, the USS Mauna Loa, and Carrier Division TWO as a flag officer.

Ashore, Admiral Houser served on the staff of the Joint Chiefs of Staff from 1960 to 1962 and again from 1967 to 1968 as Director, Strategic Plans Division. He was the Military Assistant to the Deputy Secretary of Defense from 1962 through 1963; a member of the staff of the National Security Council in 1965; and Director of Aviation Plans and Requirements for the U.S. Navy from 1968 through 1970. He was promoted to Vice Admiral in 1972 and served his last tour of duty from 1972 to 1976 as Deputy Chief of Naval Operations for Air Warfare, where he was responsible for all Naval aviation matters. Admiral Houser said that his most satisfying accomplishment as Deputy Chief was saving the F-14 fighter from cancellation.

Admiral Houser received numerous medals and decorations while on Active Duty. They include the Distinguished Service Medal, two awards; the Legion of Merit, four awards; the Bronze Star with the Oak Leaf Cluster, two awards. In retirement, he was also honored to receive the prestigious U.S. Naval Academy Alumni Association Distinguished Graduate Award in 2003.

After retirement from the Navy, Admiral Houser went on to a successful career in the telecommunications industry, working for the Corporation for Public Broadcasting, Communications Satellite Corporation, and Com21, among others. But he always remained dedicated to the Navy he so loved. He served as a trustee of the U.S. Naval Academy Foundation for 30 years. He served on the International Midway Memorial Foundation and helped establish the Navy Midway Museum. He spearheaded the creation of a Midway Memorial in the yard of the U.S. Naval Academy.

Beyond all his accomplishments, Bill was a great friend. When I returned home from prison in Vietnam, he was instrumental in helping me return to flying status. I remain forever indebted to him for his support and assistance.

Bill passed away on February 5, 2012, and is survived by his wife Jan; his 3 daughters, Cindy, Gayle, and Francie; his 2 stepdaughters, Karla and Louise; 11 grandchildren; and 1 great-granddaughter. President John F. Kennedy once said, “Any man who may be asked in this century who is the greatest American...one dedicated to do make his life worthwhile, I think I can respond with a good deal of pride and satisfaction, ‘I served in the United States Navy.’” By that standard, VADM William D. Houser, USN, Retired, lived a life of immeasurable worth. God bless and Godspeed, old friend.

TRIBUTE TO REVEREND FRED LUTER, JR.

Mr. LANDRIEU. Mr. President, I rise today to ask my colleagues to join me in congratulating Rev. Fred Luter, Jr., of New Orleans, LA on being elected to be president of the Southern Baptist Convention and acknowledging Reverend Luter’s role as the first African-American leader of the Southern Baptist Convention.

Rev. Fred Luter, Jr. preached his first church sermon in 1983 at the Law Street Baptist Church in New Orleans, LA. He then went on to lead the Franklin Avenue Baptist Church in 1986. Under the leadership of Reverend Luter, the Franklin Avenue Baptist Church community grew from 65 members in 1986 to over 7,000 members in 2005. Thanks to Reverend Luter, the Franklin Avenue Baptist Church grew to be the largest Southern Baptist Church in the State of Louisiana.

In 2005, Franklin Avenue Baptist Church was extensively damaged by Hurricane Katrina. Along with the church, Reverend Luter also lost his home to flooding. Displaced members of the church totaled approximately 2,000 people. Reverend Luter, in cooperation with Rev. David Crosby, found a temporary home for Franklin Avenue Baptist Church during the aftermath of Hurricane Katrina. As well as setting up a temporary church, Reverend Luter continued to minister to his congregation, even holding services in Baton Rouge, LA, and Houston, TX. After tremendous hard work and determination, Reverend Luter re-opened the door to Franklin Avenue Baptist Church in April of 2008.

In 2011, Reverend Luter became the first African-American to be elected as first vice president of the Southern Baptist Convention. The Southern Baptist Convention is a cooperative of over 45,000 churches they diligently seek to bring about greater racial and ethnic representation at every level of Southern Baptist institutional life.

Reverend Luter was then nominated by Rev. David Crosby to become president of the Southern Baptist Convention. On June 19, 2012, Reverend Luter was elected to be the first African-American president of the Southern Baptist Convention.

It is with a special measure of commendation and heartfelt congratulations on becoming the first African-American president of the Southern Baptist Convention and for his commitment to ministering to his congregation that I ask my colleagues to join me along with Reverend Luter’s family in honoring and celebrating the life of this most extraordinary person.

ADDITIONAL STATEMENTS

RECOGNIZING JEWISH FAMILY SERVICES

Mr. BLUMENTHAL. Mr. President, today I wish to recognize Jewish Family Services, a philanthropic treasure in Connecticut. This year marks a momentous 100th anniversary of community service.

Founded June 1912, Jewish Family Services was built to assist European immigrants coming to this country to seek the American dream and escape persecution. These new residents of Connecticut confronted the challenges of their new lives with hope and determination.

Jewish Family Services has touched all generations, giving unconditionally to all those in need. Following the values of Tikkun Olam—“healing the world”—their mission is truly boundless. Their courageous staff of experienced social workers has helped facilitate new lives for many citizens, empowering their first steps towards change.

Jewish Family Services has recently focused on programs to support new careers and combat long-term unemployment. Through the Jewish Employment Transition Services, JFS has helped ease the desperation of joblessness. These programs complement many others including a food pantry, mental health services, care for the aging, children, and Holocaust survivors, counseling for life transitions such as divorce, and financial tutoring.

To celebrate its 100th anniversary while preparing for the next decades, Jewish Family Services has created three new funds dedicated to our children, the Changing Children’s Lives Fund, another for those confronting emergency situations or personal crises, the First Responders Fund, and a third, aptly named the Future Fund.

By giving help and getting help, Jewish Family Services has formed a family for the Greater Hartford area. It embraces community assistance as a given and dispenses inspiration and hope. In one hundred years are a prelude to future accomplishment and contribution.

FOREST RIVER, NORTH DAKOTA

Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that will soon celebrate its 125th anniversary. On July 13, 2012, the residents of Forest River will recognize the community’s history and founding.

Named after the river that flows through the area, Forest River was established in 1878 as a stop for both the
Northern Pacific Railroad Company and the Soo Line Railroad. The river’s original name was the Big Salt River; however, it was later changed to reflect the thick growth of trees along the banks of the water.

Regan, district of Forest River will celebrate the town’s 125th anniversary with fun activities, including a parade, an ice cream social, a street fair, several street dances, and a museum exhibit chronicling the history and heritage of the town and its residents. These activities reflect the charm and character of Forest River and the town’s strong sense of community.

I ask the Senate to join me in congratulating Forest River, ND, and its residents on their 125th anniversary and in wishing them a bright future.

REGAN, NORTH DAKOTA

Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that will soon celebrate its 100th anniversary. From July 13 through the 15, the residents of Regan will recognize the community’s history and founding.

Regan, like many towns in North Dakota, began with the coming of the Northern Pacific Railroad Company. Regan was named after J. Austin Regan, a businessman from nearby Fessenden and an official of Dakota Land and Townsite, the company which originally mapped the town. The first building in Regan was a cream station named Tolchinsky’s, where early settlers sold their cream. In the following years, the town grew quickly with the additions of a post office, a church, many businesses, and a baseball diamond.

Dubbed “Rockin’ Regan” the residents have an extensive list of events for the centennial celebration, including a parade, a raffle, and the Centennial Tractor Trek that will travel along ND-Highway 36.

Today, Regan, although small, is still a prominent farming community. I am reminded of a saying from their 75th celebration: “We are not just a town, but a community, and a community we will remain.” This is the true essence of the people of North Dakota; no matter what the future brings, communities will remain. The town of Regan has demonstrated its independence as a strong community and has remained strong since 1912.

I ask the Senate to join me in congratulating Regan, ND, and its residents on their 100th anniversary and in wishing them a bright future.

BRIDAL VEIL POST OFFICE

Mr. MERKLEY. Mr. President, today I wish to commemorate the one hundred and twenty fifth anniversary of the Bridal Veil Post Office.

Since July 7th, 1887, the Bridal Veil Post Office has delivered letters and packages to the community in a timely and efficient manner. The post office, all 100 square feet of it, manages to keep up with the thousands of brides that flood to this town every year, seeking the coveted Bridal Veil postmark on their wedding invitations. While the town of Bridal Veil may have decreased in size since its days as a bustling mill-town, the dedication and service of this post office has certainly remained.

The Bridal Veil Post Office also serves as a testament to a time in Oregon’s past that is too often forgotten; a time when the Historical Preservation Society and its supporters have fought to preserve. Even in the face of post office closures and modernizations, this post office has endured. The efforts of those that have fought to maintain this structure, especially the Historical Preservation Society, serve as a testament to its importance not only to this community, but to the state of Oregon as well.

To President and Postmaster Geri Cuddeyer, the citizens of Bridal Veil, and all those that strive to preserve this historic site: thank you and congratulations on 125 years and counting.

NOTIFICATION OF THE PRESIDENT’S INTENT TO TERMINATE THE DESIGNATIONS OF GIBRALTAR AND THE TURKS AND CAICOS ISLANDS AS BENEFICIARY DEVELOPING COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM—PM 53

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designation of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a “high income” country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Gibraltar’s designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Gibraltar’s eligibility for trade benefits under the GSP program will end on January 1, 2014.

In addition, pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate Turks and Caicos Islands’ designation as a beneficiary developing country under the GSP program, because it has become a high income country as defined by the World Bank. Accordingly, Turks and Caicos Islands’ eligibility for trade benefits under the GSP program will end on January 1, 2014.

Barack Obama.

THE WHITE HOUSE, June 29, 2012.
MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1447. An act to amend title 49, United States Code, to direct the Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

H.R. 3727. An act to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the ‘‘Reverend Abe Brown Post Office Building’’.

H.R. 3412. An act to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, South Carolina, as the ‘‘Sergeant Richard Franklin Ashbee Post Office Building’’.

H.R. 3501. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ‘‘SPC Nicholas Scott Hartge Post Office’’.

H.R. 3772. An act to designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the ‘‘First Sergeant Landres Cheeks Post Office Building’’.

H.R. 4005. An act to direct the Secretary of Homeland Security to conduct a study and report to Congress on gaps in port security in the United States and a plan to address them.

H.R. 4251. An act to authorize, enhance, and reform certain port security programs through increased efficiency and risk-based coordination within the Department of Homeland Security, and for other purposes.

H.R. 5843. An act to amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility.

H.R. 6822. An act to amend title 12, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

At 1:38 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4348) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At 2:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6064. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded through the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 5, 2011, the Speaker appoints the following members on the part of the House of Representatives to the United States-China Economic and Security Review Commission for a term to expire December 31, 2014: Mr. Peter Brookes of Springfield, Virginia.

At 3:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5972. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1447. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3772. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4016. An act to improve the Public Safety Officers’ Benefits Program.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6749. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6751. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6752. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6753. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bombardier, Inc. Airplanes’’ (RIN2120–AA64) (Docket No. FAA–2012–0285) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6754. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6755. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6756. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6757. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6758. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ‘‘Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters’’ (RIN2120–AA64) (Docket No. FAA–2012–0084) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.
in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6754. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc. Airplanes” (RIN2120–AA66) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6755. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Fokker Services B.V. Airplanes” (RIN2120–AA64) received in the Office of the President of the Senate on June 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6756. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fishery Management Plan, Northeast Multispecies Fishery; Recreational Accountability Measures” (RIN0648–BB66) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6757. A communication from the Acting Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Recreational Accountability Measures” (RIN0648–BB66) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6758. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Coastal Fishery Cooperative Management Act Provisions; American Lobster Fishery” (RIN0648–BA56) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6759. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Coastal Fishery Cooperatives” (RIN0648–BC08) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6760. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Groupers Fishery Off the Southern Atlantic States; Amendment 24” (RIN0648–BA32) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6761. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Western Pacific Pollock Fisheries; Modification of Buffer Zone Around the Kanaga Bank EEZ Prohibited Area” (RIN0648–BB45) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6762. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Fishery Conservation and Management Act; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 47” (RIN0648–BB62) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6763. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Final 2012 Spiny Dogfish Fishery Specifications” (RIN0648–XJ73) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6764. A communication from the Acting Director, Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Accountability measures; Recreational Commercial Gray Triggerfish in the Gulf of Mexico for the 2012 Fishing Year” (RIN0648–XO36) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6765. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific walleye pollock” (RIN0648–XO32) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6766. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries Off West Coast and Gulf of Alaska; TAC Specifications and Management Measures; Inseason Adjustments” (RIN0648–BC11) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6767. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XO35) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6768. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XO35) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6769. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Western and Pacific Ocean; Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area” (RIN0648–XC94) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6770. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Systems for Telephonic Notification of Un-safe Conditions at Highway-Rail and Path-ways; Railroad Grade Crossings” (RIN2129–A156) received in the Office of the President of the Senate on June 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6771. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Flightcrew Member Duty and Rest Requirements; Correction” (RIN2129–A156) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6772. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of VOR Federal Airspace; Bellingham WA” (RIN2120–AA66) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6773. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Multiple Composite Reporting Points; Continental United States, Alaska and Hawaii” (RIN2120–AA66) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6774. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification, Revocation and Establishment of Airspace Routes; Windsor Locks Area, CT” (RIN2120–AA66) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6775. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class D and Class E Airspace and Revocation of Class E Airspace; Bellingham WA” (RIN2120–AA66) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6776. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Leesburg, FL” (RIN2120–AA66) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6777. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of VOR Federal Airspace; Tallahassee, FL” (RIN2120–AA66) received in the Office of the President of the Senate on June 12, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6778. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace; Tallahassee, FL” (RIN2120–AA66) (Docket No. FAA–2012–0240) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6779. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Bellingham WA” (RIN2120–AA66) (Docket No. FAA–2012–0445) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–6780. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Leesburg, FL” (RIN2120–AA66) (Docket No. FAA–2012–0445) received in the Office of the President of the Senate on June 20, 2012; to the Committee on Commerce, Science, and Transportation.
REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2297-A bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance:

* Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury.
* Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2017.
* Mark J. Mazur, of New Jersey, to be an Assistant Secretary of the Treasury.

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 and seconded, without written consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. BURKETT, Mr. WHITEHOUSE, and Mr. CRAPO):

S. 3362—A bill to reauthorize the National Dam Safety Program Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CHAMBLISS (for himself and Mr. REED):

S. 3363—A bill to provide for the use of National Infantry Museum and Soldier Center Commemorative Fund monies, and for other purposes; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself and Mr. BROWN of Ohio):

S. Res. 516—Resolution expressing the sense of the Senate on the restitution of or compensation for property seized during the Nazi and Communist eras; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself and Mr. KIRK):

S. Res. 517—A resolution congratulating the Northwestern Wildcats Women’s Lacrosse Team on winning the 2012 National Collegiate Athletic Association Division I Women’s Lacrosse Championship; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. Res. 518—A resolution congratulating the Southern Baptist Convention for election of Reverend Luter, Jr., as president of the Southern Baptist Convention, acknowledging Reverend Luter’s unique role as the first African-American leader of the Southern Baptist Convention, and honoring the commitment of the Southern Baptist Convention to an inclusive faith-based community of Christ’s Society; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 51—A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 344—At the request of Mr. REID, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either receive pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 362—At the request of Mr. WHITEHOUSE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 697—At the request of Mr. CASEY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 952—At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 952, a bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes.

S. 974—At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 974, a bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector.

S. 1260—At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 1260, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.
At the request of Mr. Durbin, the name of the Senator from Maryland (Mr. Cardin) was added as a cosponsor of S. 1283, a bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex partner, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

At the request of Mr. Leahy, the name of the Senator from Alaska (Mr. Begich) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

At the request of Mr. Thune, his name 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.

At the request of Ms. Boxer, the name of the Senator from Virginia (Mr. Warner), the Senator from Arkansas (Mr. Pryor), the Senator from Indiana (Mr. Coats), the Senator from Texas (Mrs. Hutchison), the Senator from Texas (Mr. Cornyn), the Senator from Mississippi (Mr. Wicker), the Senator from Idaho (Mr. Risch), the Senator from Wyoming (Mr. Barrasso), the Senator from North Carolina (Mr. Burr), the Senator from Florida (Mr. Rubio), the Senator from North Dakota (Mr. Hoeven), the Senator from Oklahoma (Mr. Inhoffe), the Senator from Pennsylvania (Mr. Casey) and the Senator from Vermont (Mr. Leahy) were added as cosponsors of S. 1929, a bill to require the Secretary of the Treasury to mint coins in commemoration of Mark Twain.

At the request of Mrs. Hagan, the name of the Senator from Montana (Mr. BAucus) 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.

At the request of Mr. Conrad, the name of the Senator from North Dakota (Mr. Hoeven) was added as a cosponsor of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

At the request of Mr. Johanns, his name was added as a cosponsor of S. 2000, to enhance measures to combat trafficking in persons, and for other purposes.

At the request of Mr. Harkin, the name of the Senator from Maryland (Ms. Mikulski) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antirestitution claims, and for other purposes.

At the request of Mr. Grassley, the name of the Senator from South Dakota (Mr. Johnson) was added as a cosponsor of S. 2201, a bill to amend the Internal Revenue Code of 1986 to extend the renewable energy credit.

At the request of Mr. Johanns, his name was added as a cosponsor of S. 2239, a bill to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

At the request of Mr. Nelson of Florida, the name of the Senator from West Virginia (Mr. Manchin) was added as a cosponsor of S. 2239, supra.

At the request of Mr. Portman, the name of the Senator from Arkansas (Mr. Boozman) was added as a cosponsor of S. 2244, a bill to direct the Secretary of Veterans Affairs to assist in the identification of unclaimed and abandoned human remains to determine if any such remains are eligible for burial in a national cemetery, and for other purposes.

At the request of Mrs. Ayotte, the name of the Senator from Hawaii (Mr. Inouye) was added as a cosponsor of S. 2290, 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.

At the request of Mr. Lautenberg, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 2369, a bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for curriculum development, and for other purposes.

At the request of Mr. Portman, the name of the Senator from Kansas (Mr. Moran) was added as a cosponsor of S. 2077, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

At the request of Mr. Schumer, the name of the Senator from Colorado (Mr. Udall) was added as a cosponsor of S. 3186, a bill to make it unlawful to alter or remove the identification number of a mobile device.

At the request of Mr. Paul, the name of the Senator from Oklahoma (Mr. Corny) was added as a cosponsor of S. 3287, a bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes.

At the request of Mr. Udall of New Mexico, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. J. Res. 29, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

At the request of Mrs. Hutchison, the name of the Senator from Alaska (Ms. Murkowski) was added as a cosponsor of S. J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

At the request of Mr. Johnson of Minnesota, the name of the Senator from North Dakota (Mr. Hoeven) was added as a cosponsor of S. J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

At the request of Mrs. Ayotte, the name of the Senator from Connecticut (Mr. Blumenthal) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of Congress that an appropriate site at the former Navy Dive School at the Washington Navy Yard should be provided for the Man in the Sea Memorial Monument to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

At the request of Mr. Leahy, the names of the Senator from Pennsylvania (Mr. Casey), the Senator from North Dakota (Mr. Hoeven) and the Senator from North Dakota (Mr. Conrad) were added as cosponsors of S. Con. Res. 46, a concurrent resolution recognizing the 75 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

At the request of Mr. Rubio, the names of the Senator from Delaware (Mr. Coons) and the Senator from Missouri (Mr. Blunt) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.
STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. BOOZMAN, Mr. WHITEHOUSE, and Mr. CRAPO):

S. 3362. A bill to reauthorize the National Dam Safety Program Act, and for other purposes; to the Committee on Environment and Public Works.

Mr. AKAKA. Mr. President, I rise today to introduce legislation to reauthorize the National Dam Safety Program managed by the Federal Emergency Management Agency, FEMA, and to thank Senators BOOZMAN, WHITEHOUSE, and CRAPO for joining me in sponsoring this bill that will help promote public safety and prevent the destruction caused by dam failures. This fiscally responsible legislation will help states do more to protect communities and avoid costly dam incidents without increasing funding above the most recent authorization levels.

With more than 81,000 dams listed in the National Inventory of Dams, dams are a critical and ubiquitous part of our nation’s infrastructure. In Hawaii, 142 State-regulated dams are located across our islands from Kekaha on Kauai to Paauilo on Hawaii Island. These dams are owned by non-profit organizations, private companies, individuals, and Federal, State, and local governments. While they go largely unseen, dams benefit our lives every day. They provide drinking water, hydroelectric power, irrigation water, control, and recreational opportunities. However, dams also pose a significant risk to public safety, local economies, and the environment. Our nation’s dams received a grade of “D” from the American Society of Civil Engineers 2009 Report Card for America’s Infrastructure, which cited more than 4,000 deficient dams, including more than 1,800 that would result in loss of life if they failed. Unfortunately, we know that this risk is not just hypothetical. In 2006, the Ka Loko Dam on Kauai collapsed killing seven people, and dozens of other dam failures have occurred across the nation since that time. While we cannot avoid all dam incidents, this legislation will help prevent dam disasters and better prepare Americans for when they do happen.

The National Dam Safety Program is the foundation of prevention efforts nationally. The program helps states to check for deteriorating conditions at dams. This is important so that repairs can be made in order to safeguard against incidents that result in loss of life and property. The program also helps ensure that states have the technical assistance, training, and procedures needed to prevent dams from reaching a condition that puts communities in danger.

I very much appreciate the involvement of experts in dam safety, including FEMA, the Army Corps of Engineers, Hawaii Department of Land and Natural Resources, the American Society of Civil Engineers, and the Association of State Dam Safety Officials, in developing this legislation. I urge my colleagues to support his measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3362

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 “Dam Safety Act of 2017”.

SEC. 2. PURPOSE.
The purpose of this Act and the amendments made by this Act is to reduce the risks to life and property from dam failure in the United States through the reauthorization of an effective national dam safety program that brings together the expertise and resources of the Federal and non-Federal communities in achieving national dam safety hazard reduction.

SEC. 3. ADMINISTRATOR.
(a) In General.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking “Director” each place it appears and inserting “Administrator”.

(b) CONFORMING CHANGES.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by striking paragraph (3);
(2) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and
(3) by inserting before paragraph (2) (as redesignated) the following:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.”.

SEC. 4. INSPECTION OF DAMS.
Section 3(b) of the National Dam Safety Program Act (33 U.S.C. 467a(b)(1)) is amended by striking “or maintenance” and inserting “maintenance, condition, or provisions for emergency operations”.

SEC. 5. NATIONAL DAM SAFETY PROGRAM.
(a) OBJECTIVES.—Section 8(c) of the National Dam Safety Program Act (33 U.S.C. 467(c)) is amended by striking paragraph (4) and inserting the following:

“(4) develop and implement a comprehensive dam safety education and public awareness program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.”;

(b) BOARD.—Section 8(d)(4) of the National Dam Safety Program Act (33 U.S.C. 467(c)(4)) is amended by inserting “representatives from nongovernmental organizations,” after “State agencies”.

SEC. 6. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.
The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 11, 12, and 13 as sections 12, 13, and 14, respectively; and
(2) by inserting after section 10 (33 U.S.C. 467g–1) the following:

“SEC. 11. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.
“(a) IN GENERAL.—The Administrator, in consultation with other Federal agencies, State and local governments, dam owners, the emergency management community, the private sector, nongovernmental organizations and associations, institutions of higher education, and any other appropriate entities shall carry out a nationwide public awareness and outreach program to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.”;

(sec. 11 of the Act redesignated) is amended by striking “$700,000” and all that follows through “2016” and inserting “$1,000,000 for each of fiscal years 2017 and 2016”.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.
(a) ANNUAL AMOUNTS.—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467a(a)(1)) (as so redesignated) is amended by striking “$6,500,000” and all that follows through “$9,200,000 for each of fiscal years 2012 through 2016”.

(b) MAXIMUM AMOUNT OF ALLOCATION.—Section 14(b) of the National Dam Safety Program Act (33 U.S.C. 467a(a)(2)(B)) (as so redesignated) is amended—

(1) by striking “The amount” and inserting the following:

“(i) IN GENERAL.—The amount”; and
(ii) by adding at the end the following:

“(ii) FISCAL YEAR 2017 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2017 and each subsequent fiscal year, the amount of funds allocated to a State under this paragraph may not exceed the amount of funds committed by the State to implement dam safety activities.”.

(c) PUBLIC AWARENESS.—Section 14 of the National Dam Safety Program Act (33 U.S.C. 467) (as so redesignated) is amended by striking “$550,000” and all that follows through “2012” and inserting “$500,000 for each of fiscal years 2012 through 2016”.

(d) RESEARCH.—Section 14(d) of the National Dam Safety Program Act (33 U.S.C. 467) (as so redesignated) is amended by striking “$1,600,000” and all that follows through “2011” and inserting “$1,450,000 for each of fiscal years 2012 through 2016”.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.
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after World War II perpetrated the wrongful and unjust confiscation of property, including immovable property, personal property, and financial assets, that belonged to victims of persecution and war.

Whereas the Nazi regime considered religious property an early target and denied religious communities the temporal facilities that they once enjoyed by expropriating churches, synagogues, religious seminaries, cemeteries, and other communal property;

Whereas, after World War II, Communist regimes pursued systematic expropriation of private, communal, and religious property in an effort to eliminate the influence of religion;

Whereas, in July 2001, the Paris Declaration of the Organization for Security and Cooperation in Europe (OSCE) Parliamentary Assembly noted that the process of restitution, compensation, and material reparation of victims of Nazi persecution has not been pursued with the same degree of comprehensiveness by all of the participating states of that Organization;

Whereas the Organization for Security and Cooperation in Europe (OSCE) Parliamentary Assembly has, unanimously and on numerous occasions, urged governments in Europe that have not yet done so to immediately enact fair, comprehensive legislative solutions to ensure that victims of Nazi persecution, including communal organizations and institutions, receive restitution of or compensation for lost property, without regard to the current citizenship or place of residence of the victims or their heirs or the relevant successors to communal property;

Whereas the United States Congress has, unanimously and on numerous occasions, urged countries in Europe that have not yet addressed the complex issue of private property; and

Whereas, since the fall of the Iron Curtain, the Western European Community has, unanimously and on numerous occasions, urged countries in Europe that have not yet addressed the complex issue of private property.

Whereas some Holocaust survivors, now in their twilight of lives, are impoverished and in urgent need of assistance, lacking the resources to support basic needs, including adequate shelter, food, or medical care;

Whereas the Washington and Prague conferences on Holocaust-Era Assets agreed that participating countries should adopt and implement appropriate legislation to provide compensation for private and communal property, respectively, as a potential model for other governments to follow;

Whereas in 2006, the representatives of 45 countries that participated in the 1998 Washington Conference on Holocaust-Era Assets agreed on principles concerning the need to guide just and equitable solutions to confiscation, art restitution, and communal property, but did not address the complex issue of private property;

Whereas, 11 years later, representatives of more than 50 countries participated in the Prague Holocaust-Era Assets Conference in June 2009, and agreed to the Terezin Declaration of June 30, 2009, which—

(1) recognized that Holocaust (Shoah) survivors and other victims of Nazi persecution have reached an advanced age and that respecting their personal dignity and addressing their social welfare needs is an issue of utmost urgency;

(2) recognized that wrongful property seizures, such as confiscation, forced sales, and sales under duress of property, were part of the persecution by the Nazis of innocent people, many of whom had no heirs;

(3) recognized the importance of restoring communal and individual property that belonged to victims of the Holocaust and other victims of Nazi persecution and urged that every effort be made to rectify the consequences of wrongful property acquisition and its consequences, which restitution has not yet been effectively achieved; and

(5) recognized that in some countries, helpless property could serve as a basis to address the material necessities of Holocaust (Shoah) survivors and to ensure ongoing education about the Holocaust (Shoah) and its causes and consequences;

Whereas nearly 3 years have passed since the adoption of the Terezin Declaration, and the governments of some countries have still not fulfilled or made progress toward fulfilling the moral obligations expressed in that document, including:

(1) the Government of Poland, which is virtually alone among post-Communist countries in not having adopted any legislation that would provide for restitution or compensation for private property that Nazi or Communist regimes confiscated despite numerous public promises from various administrations;

(2) the Government of Romania, which has halted implementation of legislation to return former communal property or pay compensation to claimants;

(3) the Government of Latvia, which has failed to adopt a law that would allow the return of Jewish communal and religious properties or provide financial compensation for the loss of those properties despite numerous promises to domestic and international claimants;

(4) the Government of Slovenia, which has refused to pay compensation for officially confiscated property; and

(5) the Government of Croatia, which has not adopted appropriate legislation to provide compensation to those who Nazi and their allies confiscated during the Holocaust;

Whereas the governments of Serbia and Lithuania have recently enacted restitution and compensation programs for private and Jewish communal property, respectively, serving as a potential model for other governments to follow;

Whereas, in 2007, the Wildcats joined the NCAA championship.

Resolved, That the Senate—

(1) recognizes the unmet needs of many Holocaust survivors and the urgency of addressing those needs;

(2) appreciates the efforts of the governments of Europe that have enacted meaningful legislation for the restitution of or compensation for private, communal, and religious property wrongly confiscated during the Nazi or Communist era;

(3) welcomes the efforts of the governments of many post-Communist countries to address complex and difficult questions relating to the status of wrongly confiscated property;

(4) urges each government that has not already moved so far to adopt and implement necessary and proper legislation to effect the in rem return of or the payment of compensation for wrongly confiscated property; and

(5) calls on each government to establish restitution and compensation schemes in a simple, transparent, and timely manner to provide a real benefit to those who suffered from the unjust confiscation of their property; and

(6) calls on the Secretary of State to issue an annual report on property restitution in Central and Eastern Europe that evaluates whether the governments of those countries have met the basic standards and best practices of the international community.

SENATE RESOLUTION 517—CONGRATULATING THE NORTHWESTERN WILDCATS WOMEN’S LACROSSE TEAM ON WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN’S LACROSSE CHAMPIONSHIP

Mr. DURBIN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 517

Whereas, on May 27, 2012, the Northwestern Wildcats Women’s Lacrosse Team (referred to in this preamble as the “Wildcats”) won the National Collegiate Athletic Association Division I Women’s Lacrosse Championship;

Whereas the Wildcats defeated Syracuse University by a score of 9-6 in the championship game, giving the Wildcats their 7th victory over the last 8 NCAA Division I Women’s Lacrosse Championships;

Whereas, in 2007, the Wildcats went undefeated and won their first NCAA title;

Whereas, in 2005, the Wildcats went undefeated and won their first NCAA title;

Whereas, in 2005, the Wildcats joined the University of Maryland as the only 2 teams to win 3 consecutive NCAA titles;

Whereas, during their 5-year championship run from 2005 to 2009, the Wildcats were undefeated at home and had a record of 106 wins and 3 losses;

Whereas, in 2005, the Wildcats won their 6th and 7th NCAA titles in 2011 and 2012;

Whereas, in her final game for the Wildcats, Shannon Smith was named Most Valuable Player at Championship Weekend for the second straight year;

Whereas, for seniors like Shannon Smith, the victory on May 27, 2012 was their third NCAA championship;

Whereas, as head coach of the Wildcats, Kelly Amonte Hiller has a record of 32 wins and only 2 losses in the NCAA tournament;

Whereas Kelly Amonte Hiller will be inducted into the United States Lacrosse Hall of Fame for her performance as a player at

...
the University of Maryland and is just one more title away from tying her former coach, Cindy Timchal, for the most NCAA championships; Whereas as a college athlete, Kelly Amonte Hiller earned All-American honors in both Women’s Lacrosse and Soccer; Whereas, as a lacrosse player at the University of Maryland, Kelly Amonte Hiller was a 4-time All-American and the school’s record holder for career goals (187), assists (132), and points (319, which is 70 more points than her second-place holder); Whereas, for nearly a decade, Kelly Amonte Hiller played for the United States Women’s National Team, leading the United States to the International Federation of Women’s Lacrosse Associations World Cup titles in 1997 and 2001; Whereas Kelly Amonte Hiller was named to the Atlantic Coast Conference 50th Anniversary Women’s Lacrosse Team in 2002 and to the NCAA Division I 25th Anniversary Women’s Lacrosse Team in 2006; and Whereas the State of Illinois celebrates the Wildcata’s seventh championship and commends the fans, players, and coaches of all the teams that competed in the 2012 NCAA Women’s Lacrosse Division I Championship; Now, therefore, be it Resolved That the Senate— (1) congratulates the Northwestern Wildcata’s Women’s Lacrosse Team (referred to in this resolution as the “Wildcats”) on winning the National Collegiate Athletic Association Division I Women’s Lacrosse Championship; and (2) commends the Wildcats players and their fans, as well as head coach Kelly Amonte Hiller, on winning their seventh title in the last 8 years.


Ms. LANDRIEU submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 518

Whereas the Southern Baptist Convention formed in 1845 in Augusta, Georgia, in opposition to the abolition of slavery; Whereas the Southern Baptist Convention supported racial segregation for much of the twentieth century; Whereas the Southern Baptist Convention issued a resolution denouncing racism as a deplorable sin in 1995; Whereas, in 2012, the Southern Baptist Convention is a cooperative of more than 45,000 local churches diligently to bring about greater racial and ethnic representation at every level of Southern Baptist institutional life; Whereas Reverend Fred Luter, Jr., was born on November 11, 1956, in New Orleans, Louisiana;

Whereas Reverend Luter preached his first church sermon in 1983 at the Law Street Baptist Church in New Orleans, Louisiana; Whereas Reverend Luter became the pastor of Franklin Avenue Baptist Church in 1996; Whereas, under the leadership of Reverend Luter, the Franklin Avenue Baptist Church community grew from 65 members in 1986 to more than 7,000 members in 2005; Whereas the Franklin Avenue Baptist Church was destroyed in 2005 by Hurricane Katrina and lost approximately 2,000 members; Whereas Reverend Luter, in cooperation with Reverend David Crosby, found a temporary home for Franklin Avenue Baptist Church during the aftermath of Hurricane Katrina; Whereas, continuing that spirit of cooperation, Reverend Crosby nominated Reverend Luter to become president of the Southern Baptist Convention; Whereas Reverend Luter was elected to be the first African-American president of the Southern Baptist Convention on June 19, 2012; and Whereas the election of Reverend Luter brings great pride and honor to the membership of the Southern Baptist Convention: Now, therefore, be it Resolved, That the Senate— (1) congratulates the Southern Baptist Convention for electing Reverend Fred Luter, Jr., as the president of the Southern Baptist Convention; (2) acknowledges Reverend Luter’s unique role as the first African-American leader of the Southern Baptist Convention; and (3) honors the commitment of the Southern Baptist Convention to an inclusive faith-based community and society.

SENATE CONCURRENT RESOLUTION 51—PROVIDING FOR CON- DITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID of Nevada (for himself and Mr. McCONNELL) submitted the following concurrent resolution, which was considered and agreed to:

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, June 29, 2012, through Monday, July 2, 2012, or on any other time on that day as may be specified by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, July 9, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Friday, June 29, 2012, through Friday, July 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, July 9, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House shall, upon receipt of their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, in the event of an adjournment of the Senate or House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2489. Mr. REID (for Mrs. HUTCHISON (for herself and Mr. INHOEFER)) proposed an amendment to the bill S. 1335, to amend title 49, United States Code, to provide rights for pilots, and for other purposes; as follows:

TEXT OF AMENDMENTS

SA 2489. Mr. REID (for Mrs. HUTCHISON (for herself and Mr. INHOEFER)) proposed an amendment to the bill S. 1335, to amend title 49, United States Code, to provide rights for pilots, and for other purposes; as follows: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “Pilot’s Bill of Rights”.

SEC. 2. FEDERAL AVIATION ADMINISTRATION ENFORCEMENT, MODIFICATION, AND ELIMINATION OF DEFEENSE.

(a) IN GENERAL.—Any proceeding conducted under subpart C, D, or F of part 801 of title 49, Code of Federal Regulations, relating to denial, amendment, modification, suspension, or revocation of an airman certificate, shall be conducted, to the extent practicable, in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

(b) ACCESS TO INFORMATION.—In general.—Except as provided under paragraph (3), the Administrator of the Federal Aviation Administration (referred to in this section as the “Administrator”) shall provide timely, written notification to an individual who is the subject of an investigation relating to the approval, denial, suspension, modification, or revocation of an airman certificate under chapter 497 of title 49, United States Code.

(2) INFORMATION REQUIRED.—The notification required under paragraph (1) shall include—

(A) the nature of the investigation;

(B) that an oral or written response to a Letter of Investigation from the Administrator is not required;

(C) that no action or adverse inference can be taken against the individual for declining to respond to a Letter of Investigation from the Administrator;

(D) that any response to a Letter of Investigation from the Administrator or to an inquiry made by a representative of the Administrator by the individual may be used as evidence against the individual;

(E) that the releasable portions of the Administrator’s investigative report will be available to the individual; and

(F) that the individual is entitled to access or otherwise obtain air traffic data described in paragraph (4).—

(3) EXCEPTION.—The Administrator may delay timely notification under paragraph (1) if the Administrator determines that such notification may threaten the integrity of the investigation.

(4) ACCESS TO AIR TRAFFIC DATA.—

(A) FAA AIR TRAFFIC DATA.—The Administrator shall provide an individual described in paragraph (1) with timely access to any air traffic data in the possession of the Federal Aviation Administration that would facilitate the individual’s ability to produce evidence in a proceeding relating to an investigation described in such paragraph.
(B) AIR TRAFFIC DATA Defined.—As used in subparagraph (A), the term ‘‘air traffic data’’ includes—

(i) relevant air traffic communication tapes;

(ii) radar information;

(iii) air traffic controller statements;

(iv) flight data;

(v) investigative reports; and

(vi) any other air traffic or flight data in the Federal Aviation Administration’s possession that would facilitate the individual’s ability to productively participate in the proceeding.

(C) GOVERNMENT CONTRACTOR AIR TRAFFIC DATA.—(i) IN GENERAL.—Any individual described in paragraph (1) is entitled to obtain any air traffic data that would facilitate the individual’s ability to productively participate in a proceeding relating to an investigation described in such paragraph from a government contractor that provides operational services to the Federal Aviation Administration, including control towers and flight service stations.

(ii) REQUIRED INFORMATION FROM INDIVIDUAL.—(I) The Administrator shall provide any individual that is the subject of an investigation under section 44709(c)(2) or 46105(c), the Administrator determines that an emergency exists unless the Board finds an interpretation is validly adopted interpretations of laws and regulations amended by striking ‘‘but is bound by all interpretations of laws and regulations.’’

Section 44703(d)(2) of title 49, United States Code, is amended by striking ‘‘but shall be bound by all validly adopted interpretations of laws and regulations,’’ and

Section 44710(d)(1) of such title is amended by striking ‘‘but is bound by all validly adopted interpretations of laws and regulations,’’ unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law’’.

(2) AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCA TIONS OF CERTIFICATES.—Section 44709(d)(2) of such title is amended by striking ‘‘but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law’’.

Section 44709(d)(3) of such title is amended by striking ‘‘but is bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law’’.

(3) REVOCATION OF AIRMAN CERTIFICATES FOR CONTROLLED SUBSTANCE VIOLATIONS.—Section 44710(d)(1) of such title is amended by striking ‘‘but shall be bound by all validly adopted interpretations of laws and regulations the Administrator carries out and of written agency policy guidance available to the public related to sanctions to be imposed under this section unless the Board finds an interpretation is arbitrary, capricious, or otherwise not according to law’’.

(d) APPEAL FROM CERTIFICATE ACTIONS.—(1) IN GENERAL.—Upon a decision by the National Transportation Safety Board holding an order or a final decision by the Administrator denying an airman certificate under section 4707(d) of title 49, United States Code, or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 4709 of such title, the individual substantially affected by an order of the Board may, at the individual’s election, file an appeal in the United States district court in which the individual resides or in which the action in question occurred, or in the United States District Court for the District of Columbia. If the individual substantially affected by an order of the Board elects not to file an appeal in a United States district court, the individual may file an appeal in an appropriate United States court of appeals.

(2) EMERGENCY HEARING AND JUDICIAL REVIEW.—Subsequent to a decision by the Board to uphold an Administrator’s emergency order under section 4707(e)(2) of title 49, United States Code, and absent a stay of the enforcement of that order by the Board, the emergency order of amendment, modification, suspension, or revocation of a certificate shall remain in effect, pending the exhaustion of an appeal to a Federal district court as provided in this Act.

(e) STANDARDS OF REVIEW.—(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court, the district court shall give full independent review of a denial, suspension, or revocation of an airman certificate, including substantive independent and expedited review of any decision by the Administrator to make such order effective immediately.

(2) EVIDENCE.—A United States district court’s review under paragraph (1) shall include in evidence any record of the proceeding before the National Transportation Safety Board, including hearing testimony, transcripts, exhibits, decisions, and documents submitted by the parties.

SEC. 3. NOTICES TO AIRMEN.

(a) IN GENERAL.—(1) DEFINITION.—In this section, the term ‘‘NOTAM’’ means Notices to Airmen.

(2) IMPROVEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall begin a Notice to Airmen Improvement Program (in this section referred to as the ‘‘NOTAM Improvement Program’’).

(A) to improve the system of providing airmen with pertinent and timely information regarding the national airspace system;

(B) to archive, in a public central location, systematic and comprehensive NOTAMs, including the original context and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment; and

(C) to apply filters so that pilots can prioritize critical flight safety information from other airspace system information.

(b) GOALS OF THE FEDERAL AVIATION ADMINISTRATION’S MEDICAL CERTIFICATION PROCESS.—(1) IN GENERAL.—The Administrator shall establish a NOTAM Improvement Panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, to advise the Administrator in carrying out the goals of the NOTAM Improvement Program under this section.

(d) PHASE-IN AND COMPLETION.—The improvements required by this section shall be phased in as quickly as practicable and shall be completed not later than the date that is 1 year after the date of the enactment of this Act.

SEC. 4. MEDICAL CERTIFICATION.

(a) ASSESSMENT.—(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate an assessment of the Federal Aviation Administration’s medical certification process and the associated medical standards and forms.

(b) REPORT.—The Comptroller General shall submit a report to Congress based on the assessment required under paragraph (1) that examines—

(A) revisions to the medical application form that would provide greater clarity and guidance to applicants;

(B) the alignment of medical qualification policies with present-day qualified medical judgment and practices, as applied to an individual’s medically relevant circumstances; and

(C) steps that could be taken to promote the public’s understanding of the medical requirements that determine an airman’s medical certificate eligibility.

(c) ADVICE FROM PRIVATE SECTOR REPRESENTATIVE GROUPS.—(1) IN GENERAL.—The Administrator shall establish a NOTAM Improvement Panel, which shall be comprised of representatives of relevant nonprofit and not-for-profit general aviation pilot groups, aviation medical examiners, and other qualified medical experts, to advise the Administrator in carrying out the goals of the assessment required under this section.

(d) FEDERAL AVIATION ADMINISTRATION RESPONSE.—Not later than 1 year after the issuance of the report by the Comptroller General pursuant to the requirements of this section, the Administrator shall take appropriate actions to respond to such report.
NOTICE OF HEARING
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 12, 2012, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to provide oversight on Remediation of Federal Legacy Wells in the National Petroleum Reserve–Alaska.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Jake_McCook@energy.senate.gov.

For further information, please contact Patricia Beneke (202) 224–5451 or Jake McCook (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET
COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Friday, June 29, 2012.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Friday, June 29, 2012.

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

TEMPORARY SURFACE TRANSPORTATION EXTENSION ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 6064, which has been received from the Senate on Thursday, July 12, 2012.

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

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

The bill clerk read as follows:

A bill (H.R. 6064) was ordered to a third reading, was read the third time, and passed.

UNITED STATES–ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 437, S. 2165.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2165) to enhance strategic cooperation between the United States and Israel, and for other purposes.

SEC. 1. SHORT TITLE.
This Act may be cited as the "United States–Israel Enhanced Security Cooperation Act of 2012."

SEC. 2. FINDINGS.
Congress makes the following findings:
(1) Since 1948, United States Presidents and both houses of Congress, on a bipartisan basis and supported by the American people, have repeatedly reaffirmed the special bond between the United States and Israel, based on shared values and shared interests.
(2) The Middle East is undergoing rapid change, bringing with it hope for an expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly to our most important ally in the region, Israel.
(3) The Government of the Islamic Republic of Iran is continuing its decades-long pattern of seeking to foment instability and promote extremism in the Middle East in this time of dramatic political transition.
(4) At the same time, the Government of the Islamic Republic of Iran continues to enrich uranium in defiance of multiple United Nations Security Council resolutions.
(5) A nuclear-weapons capable Iran would fundamentally threaten vital United States interests, encourage regional nuclear proliferation, further empower Iran, the world's leading state sponsor of terror, and pose a serious and destabilizing threat to Israel and the region.
(6) Over the past several years, with the assistance of the Governments of the Islamic Republic of Iran and Syria, Hizbollah and Hamas have increased their supply of rockets, with more than 60,000 now ready to be fired at Israel. The Government of the Islamic Republic of Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran's neighbors, Israel, and United States Armed Forces in the region.
(7) As a result, Israel is facing a fundamentally altered strategic environment.
(8) Pursuant to chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 595), the Secretary of State may make available loans to Iran's neighbors to Israel is currently set to expire on September 30, 2012.

SEC. 3. STATEMENT OF POLICY.
It is the policy of the United States:
(1) To reaffirm our unwavering commitment to the security of the State of Israel as a Jewish state. As President Barack Obama stated on December 16, 2011, "America's commitment and my commitment to Israel and Israel's security is unshakeable." And as President George W. Bush stated before the United Nations on May 15, 2008, on the 60th anniversary of the founding of the State of Israel, "The alliance between our governments is unbreakable, yet the source of our friendship runs deeper than any treaty."
(2) To help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation.
(3) To set in any one-sided anti-Israel resolutions at the United Nations Security Council.
(4) To support Israel's inherent right to self-defense.
(5) To pursue avenues to expand cooperation with the Government of Israel both in defense and across the spectrum of civilian sectors, including high technology, science, medicine, health, Pharmaceuticals, and energy.
(6) To assist the Government of Israel with its ongoing efforts to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side-by-side in peace and security, and to encourage Israel's neighbors to recognize Israel's right to exist as a Jewish state.
(7) To encourage further development of advanced technology programs between the United States and Israel given current trends and instability in the region.

SEC. 4. UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT UNITED STATES INTERESTS. It is the sense of Congress that the United States Government should take the following actions to assist in the defense of Israel:
(1) Seek to enhance the capabilities of the Governments of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.
(2) Provide the Government of Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend against the urgent threat posed to Israel and United States forces in the region.
(3) Provide the Government of Israel assistance specifically for the production and procurement of the Iron Dome defense system for purposes of intercepting short-range missiles, rockets, and projectiles launched against Israel.
(4) Provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.
(5) Provide the Government of Israel additional excess defense articles, as appropriate, in the wake of the withdrawal of United States forces from Iraq.
(6) Examine ways to strengthen existing and ongoing efforts, including the Gaza Counter Arms Smuggling Initiative, aimed at preventing weapons smuggling into Gaza pursuant to the 2009 agreement following the Israeli withdrawal from Gaza, as well as measures to protect against weapons smuggling and terrorist threats from the Sinai Peninsula.
(7) Offer the Air Force of Israel additional training and exercise opportunities in the United States to compensate for Israel's limited air space.
(8) Work to encourage an expanded role for Israel with the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and específico.
(9) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

SEC. 5. ADDITIONAL STEPS TO DEFEND ISRAEL AND PROTECT AMERICAN INTERESTS.
(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.
(1) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001.—Section 12001(d) of the Department of
The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2165), as amended, was passed and transmitted to the House of Representatives for concurrence.

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table, with no intervening action or debate and that any statements related to the measure be printed in the RECORD.

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

DAVID F. WHITE DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC

Mr. REID. Mr. President, I ask unanimous consent that the Veterans Affairs Committee be discharged from further consideration of S. 3238 and that the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The bill (S. 3238) to designate the Department of Veterans Affairs community based outpatient clinic in Mansfield, Ohio, as the David F. White Department of Veterans Affairs Community Based Outpatient Clinic, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time and passed, to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the measure be printed in the RECORD.

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

The bill (S. 3238) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) David F. Winder, was born on August 10, 1946, in Edemboro, Pennsylvania.

(2) David F. Winder served as a Private First Class in the United States Army, enlisting in Columbus, Ohio, in 1968. His service in the Army earned him the Silver Star in 1970 and the Purple Heart.

(3) David F. Winder was awarded the Medal of Honor, the highest honor in the United States awarded for valor to members of the Armed Forces, for his actions during the ambush of his company, on May 13, 1970, in the Republic of Vietnam for conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a senior medical aidman with Company A, 3rd Battalion, 1st Infantry Regiment, 11th Infantry Brigade, Americal Division.

(4) Unarmed, PFC Winder proceeded to crawl over 100 meters of open, bullet-swept terrain to treat the 2 different wounded soldiers while suffering 2 serious wounds himself in the process. He was mortally wounded for the third and final time when closing to within 30 feet of a third soldier.

(5) PFC Winder was laid to rest in Mansfield Memorial Park.

SEC. 2. DAVID F. WINDER DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC

(a) DESIGNATION.—The Department of Veterans Affairs community based outpatient clinic located in Mansfield, Ohio, shall after the date of the enactment of this Act be known and designated as the “David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs community based outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic.


Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate proceed to S. Res. 376.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 376) commemorating the 225th anniversary of the signing of the Constitution of the United States and recognizing the contributions of the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution, as agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 376) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 376

Whereas the American Revolution secured the independence of the United States of America and made possible the vibrant system of self-government of the United States; Whereas the supporters of the American Revolution, through their vision and determination, enhanced the lives of countless individuals and made possible the system of equal justice, limited government, and the rule of law that exists in the United States; Whereas the people who fought in the American Revolution made great sacrifices for their fledgling country; Whereas the 55 delegates who attended the Constitutional Convention in Philadelphia, Pennsylvania, 225 years ago, and the 39 delegates who signed the Constitution of the United States at the National Convention, irrevocably changed the course of history;
WHEREAS the Constitution of the United States, a revered and living document—
(1) provides important rights to every citizen of the United States;
(2) secures "the Blessings of Liberty to ourselves and our Posterity"; and
(3) sets the standard of democracy for the world;

WHEREAS the delegates to the Constitutional Convention in 1787 established the imperative precedent of compromise;

WHEREAS the Constitution and the subsequent 27 amendments to the Constitution outline the freedoms and the principles of representative government that are as strong today as they were on that momentous occasion in 1787;

WHEREAS September 17, 2012, marks the 225th anniversary of the signing of the Constitution of the United States, which is the supreme law of the land and the document by which the people of the United States govern their great country;

WHEREAS in veneration of the immeasurable importance of the Constitution and the day on which the Constitution was signed, it is essential to continually educate people about, and celebrate, the principles and legacy of the founding fathers; and

WHEREAS members of organizations such as the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution play an important role in promoting patriotism, preserving the history of the United States, and educating the public about the rights and responsibilities of citizenship; Now, therefore, be it

Resolved, That the Senate—

(1) commences the 225th anniversary of the signing of the Constitution of the United States on September 17, 2012, and remembers the sacrifices made by the people who made the sign possible; and

(2) applauds the continuing contributions made by the members, volunteers, and staff of historical, educational, and patriotic societies of the United States, such as the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, in promoting patriotism and the values embodied in the Constitution of the United States.

Providing for the use of National Infantry Museum and Soldier Center Commemorative Coin Surcharges

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3363.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 3363) to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges.

S. 3363

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 439, S. 2239.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2239) to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

"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 "Veteran Skills to Jobs Act".

[SEC. 2. TREATMENT OF RELEVANT MILITARY TRAINING AS SUFFICIENT TO SATISFY TRAINING OR CERTIFICATION REQUIREMENTS FOR FEDERAL LICENSES.

(1) the term "license" means a license, certificate, or other grant of permission to engage in a particular activity;

(2) the term "Federal licensing authority" means a department, agency, or other entity of the Government having authority to issue a license;

(3) the term "armed forces" has the meaning given such term by section 2102(2) of title 5, United States Code; and

(4) the term "Government" means the Government of the United States.

[SEC. 3. REGULATIONS.

The head of each Federal licensing authority shall—

(1) with respect to any license a licensing authority grants or is empowered to grant as of the date of enactment of this Act, prescribe any regulations necessary to carry out this Act not later than 180 days after such date; and

(2) with respect to any license a licensing authority not constituted or not empowered to grant the license as of the date of enactment of this Act, prescribe any regulations necessary to carry out this Act not later than 180 days after the date on which the agency is so constituted or empowered, as the case may be.

Mr. REID. I ask unanimous consent that the committee-recommended substitute amendment be agreed to, the bill, as amended, then be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2239), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

MEASURE READ THE FIRST TIME—H.R. 4018

Mr. REID. Mr. President, I understand that H.R. 4018 is at the desk and is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The bill clerk read as follows:

A bill (H.R. 4018) to improve the Public Safety Officers' Benefits Program.

Mr. REID. Mr. President, I would now ask for a second reading, and I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, June 29 through Monday, July 9, the majority leader and Senator CARDIN be authorized to sign duly enrolled bills or joint resolutions.

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

APPOINTMENTS AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.
ORDERS FOR MONDAY, JULY 2, THROUGH MONDAY, JULY 9, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, July 3, at 12 p.m.; Friday, July 6, at 12 p.m.; and that the Senate adjourn on Friday, July 6, until 2 p.m. on Monday, July 9, unless the Senate has received a message from the House that it has adopted S. Con. Res. 51, which is the adjournment resolution; that if the Senate has received such a message, the Senate adjourn until Monday, July 9, at 2 p.m., under the provisions of S. Con. Res. 51; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for use later in the day; that the majority leader be recognized and senators be permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. Mr. President, as previously announced, there will be no rollcall votes on Monday, July 9. The next rollcall vote will be at noon on Tuesday, July 10, on the confirmation of the Fowlkes nomination.

ADJOURNMENT UNTIL TUESDAY, JULY 3, 2012, AT 12 NOON

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order. The PRESIDING OFFICER. The Senate stands adjourned until Tuesday, July 3, 2012, at 12 p.m., unless the Senate has received a message that the House has agreed to S. Con. Res. 51, in which case the Senate stands adjourned until 2 p.m. on Monday, July 9, 2012.

Thereupon, the Senate, at 4:04 p.m., adjourned until Tuesday, July 3, 2012, at 12 noon.

DISCHARGED NOMINATIONS

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

TERRY D. MILLER, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF 2006, TO SERVE CONCURRENTLY AND AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF 2006, TO SERVE CONCURRENTLY AND AS NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION MINISTER-COUNSELOR, TO THE REPUBLIC OF NEPAL.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral upper half:

RICHARD L. MORNINGSTAR, OF MASSACHUSETTS, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

COAST GUARD NOMINATION OF REAR ADM. (LHJ) JOHN S. WELCH, TO BE REAR ADMIRAL UPPER HALF:


COAST GUARD NOMINATIONS BEGINNING WITH RUSSELL E. BOWMAN AND ENDING WITH JAMES L. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 15, 2012.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral upper half:

LT. GEN. HERBERT J. CARLISLE, TO BE INSPECTOR GENERAL, DEPARTMENT OF THE FOWLKES NOMINATION.

To be rear admiral upper half:

COAST GUARD NOMINATION OF REAR ADM. (LHJ) JOHN S. WELCH, TO BE REAR ADMIRAL UPPER HALF:


COAST GUARD NOMINATIONS BEGINNING WITH RUSSELL E. BOWMAN AND ENDING WITH JAMES L. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 15, 2012.

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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral upper half:

RICHARD L. MORNINGSTAR, OF MASSACHUSETTS, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.
EXTENSIONS OF REMARKS

GAUGING AMERICAN PORT SECURITY ACT

SPEECH OF
HON. YVETTE D. CLARKE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2012

Ms. CLARKE of New York. Mr. Speaker, I rise in support of H.R. 4005—"Gauging American Port Security Act" also known as the "GAPS Act." I would like to thank Congresswoman Janice Hahn from California for her diligent work on this bill. I would also like to thank the efforts of the Committee on Homeland Security. This bill requires the Homeland Security Department, within one year of enactment, to conduct a study of the remaining gaps in port security in the United States and submit a classified report to Congress prioritizing these gaps and a plan to address them.

As a New York City Member on the House Homeland Security Committee, I understand how important border security is and how threats to our national security need to be reduced. I will continue to work to ensure that our nation is better prepared to terrorist attacks at our ports.

Ports are important to American commerce and a way to connect us to the rest of the world. We have more than 11 million cargo containers arrive in U.S. ports every year and we need to ensure that our ports are secure for this part of commerce.

Congress needs to continue to focus on improving security on our borders, land and port. I fully believe that this is a step to improving our port security and H.R. 4005 will help the Homeland Security Department to come up with a plan that will help with these challenges at our ports. This plan will address threats we face at maritime borders by closing the gaps in our security at our Nation's ports. The benefit of this legislation will greatly outweigh the cost. It is a way for us to adequately invest in our response capacities and security to safeguard our citizens and economy.

So today, I urge my colleagues to support this bill.

HONORING BISHOP WILLIAM P. DEVEAUX

HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Bishop William P. DeVeaux is celebrating eight years (8) in leadership this year as the presiding prelate for all of the African Methodist Episcopal (AME) churches in Georgia and Dr. Patricia Ann Morris is celebrating eight years as the Episcopal Supervisor, they have both provided stellar leadership to their church on an international level; and

Whereas, Bishop and Dr. DeVeaux, under the guidance of God has pioneered and sustained the African Methodist Episcopal churches in Georgia, as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man and virtuous woman of God give hope to the hopeless, feed the hungry and are a beacon of light to those in need; and

Whereas, Bishop and Dr. DeVeaux are spiritual warriors, persons of compassion, fearless leaders and servants to all, but most of all visionaries who share not only with their Church, but with our District and the world their passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Bishop and Dr. DeVeaux on their excellent leadership in Georgia.

Now therefore, I, Henry C. "Hank" Johnson, Jr. do hereby proclaim June 1, 2012 as Bishop William P. DeVeaux and Dr. Patricia Ann Morris DeVeaux Day in the 4th Congressional District.

Proclaimed, this 1st day of June, 2012.

IN TRIBUTE TO SERGEANT JOHN "J.D." DAVID MEADOR II

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, June 20, 2012, Sgt. John "J.D." David Meador II, of Columbia, South Carolina, was killed in action while serving in the South Carolina Army National Guard in Afghanistan. Sergeant Meador began his career in service to our country when he enlisted in the United States Army in 1994. He is a graduate of Lexington High School and a member of the Lexington County Sherriff's Department. As a former high school wrestler, Sergeant Meador enjoyed coaching wrestling at his alma mater, White Knoll High School, and Irmo High School. He also enjoyed hunting, the outdoors and carpentry.

Every member of our Armed Forces sacrifices their lives to keep America and her freedoms safe. Without these sacrifices, America would not remain the most free and prosperous country in the world. Specialist Meador paid the ultimate sacrifice and died honorably protecting these freedoms that we all enjoy.

My thoughts and prayers are with his wife Christy, and their two daughters, Brianna and Elana, as well as his parents, John and Sharon Meador. His service to our nation will never be forgotten and we will always be eternally grateful. As a Guard veteran myself with four sons currently serving in the military, I particularly appreciate your extraordinary military family. Freedom is not free.

HONORING THE CARROLLTON BLACK CEMETERY

HON. KENNY MARCHANT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. MARCHANT. Mr. Speaker, it gives me great pride and pleasure to rise today to recognize and commemorate the heritage of the Carrollton Black Cemetery. Buried beneath its soil are the men and women who forged the pathway for the Carrollton community. Today we recognize those who have gone before us, the sacrifices they have made, and the impact they have had on the lives of today's Carrollton citizens.

In 1850, the first recorded burial in the cemetery was Mary Lamer, an immigrant from Illinois and the original owner of the property. In 1871, the Carrollton Black Cemetery was established on a forty-acre site owned by Mr. Scott Boswell, an early African American Carrollton farmer. By 1915, Mr. C.B. Baxley purchased the land with a deed exclusion to keep the cemetery intact. Up until the Civil War, it was customary to bury slaves on their owner's land. After Emancipation, freed slaves and their families wished to have their own burial locations. Unfortunately, the Carrollton Black Cemetery has undergone flooding from the Trinity River which has caused the loss of many of its gravestones. In 1981, to preserve the cemetery's history, a fence was erected around its perimeter. On Saturday, June 23, the cemetery was identified as a Texas historical site.

The Carrollton Black Cemetery is referred to by many names including the Carrollton Community Cemetery and the Carrollton Memorial Cemetery. The record of the Carrollton Black Cemetery reflects the rich history of the African American community in Carrollton. Many of the people buried in the Carrollton Black Cemetery were trailblazers of growth, development, and continued successes in the Carrollton community.

Mr. Speaker, it is an honor to recognize the Carrollton Black Cemetery for the heritage and history it brings to the 24th District of Texas. I ask all of my distinguished colleagues to join me in honoring the Carrollton Black Cemetery and in commending the current citizens who care for it.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

SPEECH OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2012

The House in Committee of the Whole House on the state of the Union had under
consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes:

Mr. DINGELL. Mr. Chair, I rise today in support of H.R. 5972. While this is not a perfect bill, it will fund important transportation and housing projects creating well-paying jobs across this country.

I am pleased that this bill provides a much-needed increase to Amtrak, which will greatly help Amtrak accommodate growing ridership and develop intercity passenger rail. It also continues to invest in the FAA’s NextGen air traffic control modernization effort, which will help to keep our public airspace safe and reduce flight times. The Community Development Block Grants program is also fully funded helping local governments to address housing and social service issues unique to their communities. It also fully funds the Veterans Affairs Supportive Housing program, providing the nearly 70,000 homeless veterans with long-term housing when they need it.

However, I want to express my deep disappointment that this bill does not provide any funding to high speed intercity passenger rail or the TIGER program. Both of these programs have proven to be successful and play an integral role in bringing our infrastructure in to the 21st Century. At a time when you have labor and business—the U.S. Chamber of Commerce and AFL-CIO—calling for stronger investment in our infrastructure, it is shortsighted that we not provide this necessary funding. We cannot continue to compete with our neighbors abroad if we are not improving and growing our infrastructure. My colleagues in the House, on the left and the right, have called for a jobs package and this funding could have been that first step.

I am disappointed at the lack of funding for critical housing programs. This bill drastically cuts funds to the Project-Based Section 8 voucher program that provides rental assistance to approximately 1.2 million low-income families. Furthermore, there is no funding for programs that would help rebuild blighted communities. Not only would eliminating blight and rebuilding neighborhoods create jobs, but they would also rejuvenate communities in areas like Southeast Michigan that were hit so hard by the collapse of the housing market and the economic recession.

Taken as a whole Mr. Chair, H.R. 5972 will make needed investments in our transportation and housing infrastructure, but more must be done. As our bridges, roads, sewers, buildings, and neighborhoods crumble, we cannot afford to underfund critical programs that rehabilitate and rebuild. We cannot move in to the 21st century with 20th century investments. I call on my colleagues to pass a strong surface transportation authorization that will fix this oversight of needed funding and put Americans across the country back to work bettering our neighborhoods and communities.

TRIBUTE TO JOHN JOHNSON

HON. WILLIAM L. OWENS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. OWENS. Mr. Speaker, I rise today to honor the career and service of one of my constituents, John Johnson, President and CEO of Alice Hyde Medical Center in Malone, New York. John’s time as a public servant in the North Country and hospital administrator reflects an enduring commitment to our community and to improving the access and quality of healthcare for the people of Northern New York.

After graduating with a Bachelor’s of Science degree from SUNY Plattsburgh in 1971, John went on to rise through the ranks of the Franklin County Probation Department to become its Director in 1977. He later worked as Franklin County Manager in 1984 until he joined Alice Hyde as an Associate Director in 1990. He soon became the Executive Vice President of the Acute Care Facility, the Outpatient Health Center, and the Adjacent Skilled Nursing Facility. John went on to become President and CEO of Alice Hyde in 1994 where he has served till recently.

Under John’s tenure as President and CEO, the AHMC has established five health centers and opened cancer, hemodialysis, ambulatory care, and extended care facilities. In 2009, AHMC was recognized as the Organization of the Year by the Malone Chamber of Commerce for its efforts to pursue innovative medicine, growth, and community programs.

I had the privilege to serve with John on the Plattsburgh State University College Council where he exemplified his community commitment. While I am saddened by the departure of John as President and CEO of AHMC, his work will continue to have an impact for years to come. I congratulate John on his retirement and wish him all the best in the many years ahead.

PERSONAL EXPLANATION

HON. VICKY HARTZLER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mrs. HARTZLER. Mr. Speaker, on Thursday, June 28, 2012, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 442, “yea.”

IN HONOR OF MIKE SEDELL

HON. ELTON GALLEGGY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. GALLEGGY. Mr. Speaker, I rise in honor of my close personal friend Mike Sedell, who is retiring next week as the City Manager of the City of Simi Valley, California.

Mike and I have worked together for 33 years. When I was first elected to the Simi Valley City Council, he was Simi Valley’s Deputy City Manager under then-City Manager Lin Koester. When I was elected to Congress in 1986, he came to Washington, DC, to serve as my first Chief of Staff. After three years in Washington, he returned to Simi Valley as Assistant City Manager, becoming City Manager in 1995.

Mike and I are not just professional associates. We are personal friends and have continued to be personal friends in the 17 years since he left my employ. Not a week goes by that we don’t connect to discuss a federal issue, or a local issue, or our respective families.

Mike began working for the people of Simi Valley in 1972 as a California State University, Northridge, intern and subsequently served the City in a variety of assignments. He first at Cal State, Simi Valley’s, then he served as Administrator and Community Services Coordinator, which included working on the Neighborhood Council Program, the Youth Council, and Youth Services. In 1975, he was asked to become part of the City Manager’s office.

Once in the City Manager’s Office, Mike effectively supervised several programs, including public affairs, media relations, Council/staff relations, governmental affairs, labor relations, transit system operations, and elections.

When Lin Koester left Simi Valley to become the Chief Administrative Officer for Ventura County in 1995, the City Council unanimously appointed Mike as City Manager, a position he has held since.

In addition to serving as Simi Valley’s City Manager, Mike periodically teaches an Intergovernmental Relations Seminar in the Master’s Degree program in Public Administration at Cal State, Simi Valley’s, and has served as past Chair of the Board of Directors of Inter-Face Children and Family Services of Ventura County.

With his contacts developed over the years in both Washington and Sacramento, Mike is often called upon by Simi Valley, and occasionally other cities, to assist whenever a legislative or intergovernmental crisis occurs. Mike also works with Sacramento and Washington legislators on budget issues affecting Simi Valley and other California cities, and he has been a key player in developing the final funding formula for local agencies, and crafting complex intergovernmental agreements.

His liaison work between the City and The Ronald Reagan Presidential Library has been instrumental in forming a strong operating bond between the Library and the City, and Mike was proud to be a member of the coordinating team that put together the local events for the funeral of President Reagan.

Mr. Speaker, Mike Sedell has spent a lifetime in public service at the local and federal level. He has steered the City of Simi Valley through many difficult times with great success and his expertise is recognized and sought after by many other government officials. I know my colleagues join my wife, Janice, and me in thanking Mike for his lifetime of public service and in wishing our good friends Mike and his wife, Judie, the best in retirement.
HONORING BRIAN A. MANN
HON. HENRY C. "HANK" JOHNSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012
Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Brian A. Mann has distinguished himself as an outstanding researcher in the area of Science from Rockdale Magnet School for Science and Technology; and

Whereas, Mann has competed throughout the state of Georgia, the Nation and internationally; and

Whereas, his research project the “Piezoelectric Nanogenerators” received the designation and prestigious ranking of #3 worldwide as a Bronze medalist this year in Istanbul, Turkey; and

Whereas, he has studied hard, sacrificed much and balanced his life as a teenager maintaining a high grade point average throughout the school year; and

Whereas, he is a model student leader with the heart to serve his community and a drive to one day be the best of the best for his school, his family and his country; and

Whereas, his boundless energy and enthusiasm has opened internationally recognized opportunities, helping Fourth District Congressional students understand that their futures are as limitless as the skies; and

Whereas, we are grateful for the accomplishments and work of this outstanding student of honor who define the power of education and imagination; and

Now therefore, I, Henry C. “Hank” Johnson, Jr. do hereby proclaim June 26, 2012 as Brian A. Mann Day in Georgia’s 4th Congressional District.

Proclaimed, this 26th day of June, 2012.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

SPREEK OF
HON. MARCIA L. FUDGE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 26, 2012

The House in Committee of the Whole House on Rules of the Union had under consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2013, and for other purposes:

Ms. FUDGE. Mr. Chair, I rise today to address the dire need to provide resources to repair our nation’s infrastructure and put Americans back to work.

One of the best ways to create jobs today is to invest in American transportation and infrastructure through the fiscal year 2013 Transportation–Housing and Urban Development Appropriations bill.

According to the Federal Highway Administration the approximately 35,000 jobs are created for every $1 billion spent on highway and bridge construction. If Congress can spend a billion dollars each month fighting wars in Iraq and Afghanistan, then we should be able to invest in America’s workforce and infrastructure.

The very foundation of America, our infrastructure, is crumbling beneath our feet. The current condition of the infrastructure in the U.S. earns a grade of “D”.

One-third of our roads are in poor, mediocre or fair condition and nearly 70,000 of our bridges are structurally deficient.

China and India have outpaced the U.S. with respect to infrastructure spending. Among developed countries, we rank 23rd in the world, behind South Korea, Taiwan and Bangladesh.

Now is not the time to short change our future; now is the time to repair our infrastructure.

In addition to repairing America’s infrastructure, it is imperative that I address the lack of funding for housing in the Transportation–Housing and Urban Development Appropriations bill. Allowing drastic cuts in the HUD budget squanders the opportunity to create jobs and address the nation’s affordable housing needs.

Simply stated, vulnerable Americans will lose their housing if Congress passes this bill in its current form. This bill will “short fund” project-based Section 8 contracts, which will force HUD to straddle fiscal years to shift costs from FY2013 to FY2014 and beyond. Because contracts are currently funded for 12 months, the proposed $1.1 billion in “savings” will have to be made up in the next fiscal year. If the funds are not replenished in fiscal year 2014 and beyond, the consequences will be dire:

1.3 million families, 53 percent of whom are elderly or disabled, face losing their housing; 100,000 jobs will be in jeopardy; $460 million in local tax receipts could be lost; and $13.6 billion in Federal Housing Authority insured debt will be at risk.

If funding for contract renewals under the Tenant Based Rental Assistance program is not increased, 58,000 low-income households will lose rental assistance in fiscal year 2013.

The reality is that millions of low-income families, who are already on straitened, are assisted by HUD to help them through difficult times. By eliminating this funding, we are pulling the safety net from underneath them allowing more Americans to fall into poverty and homelessness.

I urge my colleagues to oppose this Appropriations bill.

IN HONOR OF ANTHONY A. TORRE AND JOHN GALLACHER, PH.D.

HON. JOE COURTNEY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the careers of Dr. John Gallacher and Anthony A. Torre. As they prepare to retire as the Superintendent and Assistant Superintendent of Schools for the town of Enfield, respectively, they leave behind a legacy of excellence.

Dr. John Gallacher’s passion for education began in 1968, when he started his career as a sixth grade teacher for the Elmhurst U–205 School District in Elmhurst, Illinois. He moved to Iowa eight years later to become an Elementary School Principal: first for the Ponnora–Linden Community School District in Panora, Iowa, and then for Washington and Torrence Schools in Keokuk. Dr. Gallacher continued his work in Keokuk until 1992, serving as the Instructional Services Coordinator of the Superintendent of Schools for the district. Having held a variety of positions within the public school system, Dr. Gallacher brought an impressive knowledge and diverse set of skills to Enfield, Connecticut. He has worked as the Superintendent for thirty years, where he earned the reputation of an astute problem solver and tireless worker.

Like Dr. Gallacher, Anthony Torre served in different facets of education before becoming an administrator for the Enfield Public School System. In 1959, he started out a classroom teacher at A.D. Higgins Junior High School, working for six years before transitioning to the Chair of the Math Department at Enfield High. Mr. Torre went on to serve as the school’s Assistant Principal and Principal, as well as the Principal of Enrico Fermi High School in town. He has remained at his current position of the Assistant Superintendent of Schools for nearly forty years, playing a key role in overseeing the expansion of the town’s High Schools and ensuring that technological advances were integrated into classrooms.

These two men share nearly 100 years of experience between them that has been an invaluable asset to the children of Enfield. Both have been passionate advocates of education and have gone above and beyond the boundaries of their job description to transform the lives of thousands of youngsters. They will be missed greatly. I ask my colleagues to join with me to recognize the exemplary service that Dr. John Gallacher and Mr. Anthony Torre have provided to Connecticut’s children.

IMPORTANCE OF THE WEATHERIZATION ASSISTANCE PROGRAM

HON. PAUL TONKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. TONKO. Mr. Speaker, I would like to draw our colleagues’ attention to the OP–ED that appeared in Roll Call’s online issue on June 20 authored by Tim Warfield, the Executive Director of the National Association for State Community Services Programs. The OP–ED, which I have included below, addresses the Weatherization Assistance Program (WAP), our nation’s largest residential energy efficiency program. Energy efficiency represents one of our greatest opportunities to reduce energy expenditures for industry, government, and for individual citizens. Dollars we do not have to spend to heat or cool homes and buildings are dollars that can be invested elsewhere. Reducing energy use extends the years we can use non-renewable energy sources and brings us closer to achieving the goal of energy independence. Buildings represent a significant portion of our energy use and heating and cooling expenditures are a significant portion of household budgets. At a time when we want to create jobs and lower energy costs for our constituents, programs like WAP should receive our full support.

I am disappointed that the Energy and Water Appropriations bill that we passed earlier did not maintain funding for this important...
program. As Mr. Warfield’s editorial points out, the funding level in the House bill will not sustain this important program through 2013. I hope our colleagues in the other body will do better.

(Special to Roll Call; June 20, 2012)

WARFIELD: WEATHERIZATION IS EFFECTIVE LIVING INVESTMENT
(By Tim Warfield)

The Weatherization Assistance Program employs workers in every state and county in America and has weatherized more than 7.1 million homes over the past 35 years. Weatherization has proved its value and is a highly successful and effective investment in the American workforce—weatherization improved the 2009 stimulus law alone created 14,000 new jobs, according to the White House Recovery.gov website.

Weatherization reduces household energy use by almost 35 percent in the typical weatherized home, allowing families to use their limited funds for other necessities. The reduction in energy demand also reduces our nation’s reliance on foreign oil.

The success of a program that brings the threefold benefit of jobs, household savings and energy conservation is a powerful argument to sustain and fully fund the program, yet it still has its opponents on Capitol Hill, where two Republican House Members have introduced bills to abolish it.

Unfortunately, much of the information that has been presented as an argument to cut funding is a disingenuous misrepresentation of facts. Opponents have created the false impression that remaining stimulus funds will allow the program to serve just as many households in 2013 as it did before the program expansion under the 2009 law. This misrepresentation occurred again during floor debate recently on the House Energy and water development appropriations bill. The argument about “available funds” would seem to demonstrate that the Weatherization Assistance Program can absorb proposed cuts and still maintain services at a fiscal 2010 level. This characterization is entirely wrong.

Program opponents in the House are taking advantage of the confusion that arises because the “program year” is not the same as the fiscal year. The program year was set later in the year at the Weatherization Assistance Program’s inception so it would allow for disruptive and costly effects of funding gaps that might result from prolonged federal budget negotiations.

In most states, the new program year begins in April, and by that time almost all stimulus funding will be spent. Nominal amounts will remain in three states, but in the vast majority the “available funds” that program opponents propose to use for the 2013 program year will already be used up. Additionally, regular appropriations are similarly depleted, with the $88 million provided below a sustainable level. States have already begun slowing down operations and eliminating jobs.

The funding levels debated on the Hill threaten the network of vendors that provide services to more than 7,600 pages of documents to the Oversight and Government Reform Committee. Additionally, two dozen DOJ officials have testified before Congress nine times and the Department of Justice (DOJ) has produced a report that the home health care industry’s proposal is a responsible initiative and should be taken into consideration as Congress continues to address ways to reduce health care costs and improve patient care.

Home health care is a key source of clinical treatment for millions of Americans and is meeting complex needs in the most cost-effective, patient-preferred setting available—patients’ own homes. Unfortunately, some are now advocating the reintroduction of a copay, changes in benefits and eliminating advantage of the confusion that arises because the “program year” is not the same as the fiscal year. The program year was set later in the year at the Weatherization Assistance Program’s inception so it would allow for disruptive and costly effects of funding gaps that might result from prolonged federal budget negotiations.

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Mr. Speaker, let it be known that it is an honor and pleasure to pay tribute to Lieutenant Cal Formolo for his distinguished military career. Lieutenant Formolo, a native of Iron Mountain, Michigan, joined the Navy in November 1987, and graduated from basic training from the Electrician’s Mate “A” School and Naval Nuclear Power School. After graduation, he went on to the Nuclear Power Training Unit (S1W) where he completed prototype training. He remained in Idaho Falls for a staff instructor tour at the A1W prototype.

In August 1991, Lieutenant Formolo reported to his first ship, the Ohio Class submarine USS Florida in Bangor, Washington, where he was assigned to the Electrical Division. During his tour, the USS Florida completed nuclear deterrence patrols, and Lieutenant Formolo was awarded two Battle Efficiency “E” awards. He was also selected as the USS Florida Sailor of the Year in 1996. Leaving the USS Florida, Lieutenant Formolo served at the Nuclear Power Training Unit in Ballston Spa, New York. As a First Class Petty Officer, he quickly qualified as the engineering officer of the watch, and advanced to the rank of Chief Petty Officer. In December 2000, Lieutenant Formolo reported to the Los Angeles Class submarine USS Honolulu in Pearl Harbor, Hawaii, where he completed one Western Pacific Deployment and two Eastern Pacific Deployments. During his tour, the USS Honolulu was awarded the Battle Efficiency “E” Award. Lieutenant Formolo next reported to the USS John C. Stennis in San Diego, California. As the ship’s reactor control technician, he was responsible for the safe operation and maintenance of John C. Stennis’s two 500 mega-watt reactors. He stood watch as Officer of the Deck during a six-month Western Pacific Deployment. In 2004, Lieutenant Formolo reported aboard the Naval Submarine Support Center Performance Monitoring Team in Norfolk, Virginia, as Officer in Charge. He was responsible for monitoring submarine systems and creating work requests for system repairs, and was promoted to Lieutenant during this tour.

In January 2007, Lieutenant Formolo reported to Commander Submarine Squadron Six to perform the duties of the Material Officer and Depot Availability Coordinator. There he was responsible for the planning and execution of submarine dry-docking repair periods. After serving in the U.S. Navy for over 24 years, Lieutenant Formolo retired during this tour on April 1, 2012. Lieutenant Formolo was awarded the Navy and Marine Corps Commendation Medals, Navy and Marine Corps Achievement Medal, Master Control Operator, Breast Insignia and Enlisted Submarine Warfare Breast Insignia. Lieutenant Formolo is currently employed at WE Energies as an Electric Distribution Controller. He is married to the former Cheryl Simonson of Benicia, California. They reside in Kingsford, Michigan, with their son Jacob. On behalf of the citizens of Michigan’s First District, it is my privilege to recognize Cal Formolo for his service, sacrifice, and continued patriotism.

HON. DAN BENISHEK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. Speaker, let it be known that it is an honor and privilege to pay tribute to Lieutenant Cal Formolo for his distinguished military career. Lieutenant Formolo, a native of Iron Mountain, Michigan, joined the Navy in November 1987, and graduated from basic training from the Electrician’s Mate “A” School and Naval Nuclear Power School. After graduation, he went on to the Nuclear Power Training Unit (S1W) where he completed prototype training. He remained in Idaho Falls for a staff instructor tour at the A1W prototype.

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work and potentially reduce their need for Social Security Disability Insurance (SSIDI) and Supplemental Security Income (SSI) disability benefits. It does so by ensuring the continuation of two important community-based programs that assist individuals who wish to transition off of benefits by seeking and maintaining paid employment.

These programs have in the past been extended with overwhelming bipartisan support. Unfortunately, due to lack of action by the majority, the programs are today on the verge of expiring, and disability beneficiaries who want to try to work will be without the assistance they need to move ahead. We have worked extensively to find another solution, but we have reached an impasse.

I have received many letters, calls and emails of support for extending WIPA and PABSS. I’d like to submit three of these for inclusion in the CONGRESSIONAL RECORD—the endorsements of the bill by the Consortium for Citizens with Disabilities Task Force on Social Security, the National Disability Rights Network, and Easter Seals.

Helping individuals with disabilities who want to return to work should not be a partisan issue. I encourage all Members to join me in support of this legislation, and I hope we can move forward promptly, so Americans who are disabled are not denied the support they need to re-engage in the community.

More detailed information about WIPA and PABSS, and a description of the bill, follows.

WORK INCENTIVES PLANNING AND ASSISTANCE (WIPA)

When Congress passed the Ticket to Work Act in 1999, we recognized that beneficiaries needed help in navigating the work rules for DI and SSI recipients, which can seem like a complex maze. The Social Security Administration (SSA) lacked and still lacks the resources to be able to provide the kind of individualized assistance beneficiaries often need in order to use the work incentives. Moreover, Congress recognized that beneficiaries may be reluctant to discuss with SSA their interest in trying to work despite the obstacles, out of fear that they may lose their benefits even if their attempt to work fails. WIPA was created to fill this vacuum.

WIPA funds community-based programs through which trained benefit counselors help beneficiaries understand how to use the SSA work incentives. These counselors help people with disabilities in a number of ways:

They provide basic information on how disability benefits can be used to obtain and sustain employment, using work incentive provisions in DI, SSI and other programs to transition off of benefits.

They provide intensive, individualized guidance on the operation of these complex benefit rules and help beneficiaries report their earnings to SSA.

Their guidance helps reduce the likelihood of overpayments and increase beneficiaries’ confidence that their attempt to work will not result in a catastrophic loss of basic economic security. Recognizing the reality that SSA cannot always adjust benefit payments quickly in light of an individual’s earnings, WIPA staff also counsel clients to set aside any overpaid benefits so that they are prepared to repay the overpayment processes the case.

Since their inception in 2000, WIPA programs have served nearly half a million SSA beneficiaries. SSA currently funds 140 WIPA grantees, using $23 million included in its overall annual operating budget. However, funding for more than half of the WIPA programs will expire on June 30, 2012, unless Congress or SSA is able to extend them.

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY (PABSS)

During consideration of the Ticket to Work Act, Congress also recognized that Americans with disabilities who can work may need legal advocacy in order to be able to obtain a job or maintain employment, so that they eventually will not need disability benefits. The PABSS program was established to assist such Americans.

PABSS organizations provide a wide range of services in support of work by persons with disabilities:

An individual with an intellectual disability was told that the job-coach assistance that enabled her to work would be terminated. Her local PABSS program intervened and the client was able to maintain her employment.

A blind individual had accommodations in place at a job, but a software change at his company made it impossible to use them to perform his job. The PABSS office helped the employer upgrade the accommodations and worked with the Commission for the Blind to split the cost.

An individual with muscular dystrophy who lived in a rural area needed car repairs so he could get to his job. PABSS helped him resolve the issue with his warranty company so that his car could be repaired and he could keep his job.

A disabled individual was able to drive a taxi, but needed prompt payment of his past-due DI benefits in order to purchase a vehicle. PABSS helped the client obtain his past-due benefits, and he was able to purchase the car.

PABSS operates through the protection and advocacy agencies in each state and territory. Since its inception, PABSS has assisted more than 80,000 individuals. The $7 million annual cost is included in SSA’s annual operating budget. Funding for PABSS expires September 30, 2012.

STATUS OF WIPA AND PABSS

Both programs are permanently authorized, and SSA uses its annual appropriation for the agency’s overall operating expenses to fund the grantees. To reinforce and clarify the underlying law, Congress has several times adopted legislation, with overwhelming bipartisan support, to extend SSA’s specific authorization to use already-appropriated operating budget funds. However, in the 112th Congress, the majority has not been able to pass an extension and has not introduced any legislation on this issue.

We have been working to find an administrative solution, since the programs are permanently authorized in statute, but the issues are complicated. The simplest way to address the problem is to pass legislation.

The WIPA AND PABSS CONTINUATION OF SERVICES ACT

The legislation would clarify the existing law by removing any ambiguity about SSA’s authority to continue WIPA and PABSS grants. The bill removes a conflicting provision from the statute that authorized a particular amount and timeframe for funding of the WIPA and PABSS programs. It leaves in place the underlying provisions that permanently establish the two programs, including the standing authorization for SSA to use its annual operating budget to fund them.

I urge all Members to support this legislation. I hope that Congress will act promptly so that we can keep these programs in operation and continue to serve Americans with disabilities.

NATIONAL DISABILITY RIGHTS NETWORK, Washington, DC.

Hon. Xavier Becerra, Ranking Member, House Ways and Means Social Security Subcommittee.

On behalf of the National Disability Rights Network (NDRN), and the 57 Protection and Advocacy (P&A) agencies we represent in every state, the District of Columbia, and all U.S. territories, P&A Network is the largest provider of legally-based advocacy services for persons with disabilities in the United States. NDRN strives to promote a society where people with disabilities have equal opportunities and are able to participate fully in community life (including employment) by promoting informed choice and self-determination.

Every year, the PABSS program and the Work Incentives Planning and Assistance (WIPA) program help thousands of people with disabilities enter or stay in the workforce, and to progress towards independence and economic self-sufficiency. The programs continue to be critical to addressing the high unemployment and low labor participation rates for people with disabilities in this country, while simultaneously helping beneficiaries of Social Security disability benefits attain economic self-sufficiency.

The PABSS program was created in 1999 as part of the Ticket to Work and Work Incentives Act to protect the rights of beneficiaries as they attempt to go to work. PABSS provides a wide range of services to Social Security beneficiaries. This includes information and advice about obtaining vocational rehabilitation and employment services, information about services on work incentives, and advocacy or other legal services that a beneficiary needs to secure, maintain, or regain employment. Advocates funded by PABSS can investigate and advocate to remedy complaints of employment discrimination and other civil and legal rights violations. These advocates also address deficiencies in entities providing employment supports and services to beneficiaries.

In both the PABSS and WIPA programs, the duration and quality of the services are critical to the success of the programs. The National Disability Rights Network (NDRN), the 57 Protection and Advocacy (P&A) agencies we represent in every state, the District of Columbia, and all U.S. territories, urge all Members to support this legislation. I urge all Members to support this legislation.

I urge all Members to support this legislation. I hope that Congress will act promptly so that we can keep these programs in operation and continue to serve Americans with disabilities.
Congressional Record — Extensions of Remarks

June 29, 2012

repeats around the country every day, will no longer be able to occur: PABSS staff represented a 57-year-old female and SSDI beneficiary, diagnosed with bilateral blindness and orthopedic disabilities. She had not been employed since losing her eyesight several years ago. She sought to return to work and was approved for services by the Division of Vocational Rehabilitation (DVR). DVR took her application, disregarded her statutory presumptive eligibility for PABSS, and then stated that she was ineligible for DVR services because of “transferable job skills.” As a result of PABSS advocacy, DVR reopened this woman’s case, found her presumptively eligible, conducted an appropriate Comprehensive Assessment of Rehabilitation Needs, and negotiated with her former employer to allow her to return to work. As a result, this woman has returned to the workforce.

Examples, such as the above story, demonstrate that losing the PABSS program will hurt efforts to encourage people with disabilities to return to work, which in turn leads to further depletion of the Social Security Disability trust fund.

Again, thank you for introducing the “WIPA and PABSS Continuation of Services Act of 2012.” We look forward to working with our colleagues to enact this important legislation into law.

Sincerely,

CURT BECKER,
Executive Director.

CONSORTIUM FOR CITIZENS WITH DISABILITIES, June 28, 2012.

Hon. Xavier Becerra,
Ranking Member, Subcommittee on Social Security of the Committee on Ways and Means, Washington, DC.

Dear Ranking Member Becerra: The undersigned Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Employment and Training and Social Security Task Forces are writing to thank you and express our strong support for the bill you are introducing to ensure the continuation of services under the Work Incentives Planning and Assistance (WIPA) program and the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program. These two critically important programs help beneficiaries of the Social Security disability programs navigate the complex program rules and work policies and attendant economic self-sufficiency. The PABSS program was created in 1999 to protect the rights of beneficiaries as they attempt to go to work. The WIPA program funds Community Work Incentive Coordinators who help beneficiaries understand their options if they choose to return to work. Without congressional action, these programs will lose out of funding soon causing many Social Security disability beneficiaries to go without services to help them return to work.

As you know, both WIPA and PABSS are vital to help Social Security Disability Insurance and Supplemental Security Income beneficiaries who wish to return to the workforce. WIPA grants go to local non-profits and other agencies to support outreach, education, and benefits planning. WIPA grantees inform beneficiaries on the impact that employment will have on their disability income and medical coverage, and address many of the real fears that individuals have about going to work at the risk of losing health coverage.

PABSS provides a wide range of services to Social Security beneficiaries. This includes information and advice about obtaining vocational rehabilitation and employment services, information and referral services on work incentives, and advocacy or other legal services that a beneficiary needs to secure, maintain, or regain gainful employment. Advocates funded by PABSS can investigate and advocate to remove employment barriers such as those caused by employment discrimination and other civil and legal rights violations, and to address deficiencies in entities providing employment supports and services.

Thank you for your leadership in continuing the WIPA and PABSS programs. We wholeheartedly support the continuation of these vital programs for people with disabilities.

Sincerely,

Consortium for Citizens with Disabilities Employment & Training Task Force Co-Chairs:

ALICIA EPSTEIN,
NISHA

SUSAN GOODMAN,
National Down Syndrome Congress.

CHARLES HARLES,
Inter-National Association of Business Industry and Rehabilitation (I-NAIR).

SUSAN PROKOP,
Paralyzed Veterans of America.

Consortium for Citizens with Disabilities Social Security Task Force Co-Chairs:

JEANNE MORIN,
National Association of Disability Representatives.

TJ SUTCLIFFE,
The Arc of United States.

ETHEL ZELINKES,
National Association of Social Security Claimants’ Representatives.

Easter Seals,

Hon. Xavier Becerra,
Ranking Member, Social Security Subcommittee, Committee on Ways and Means, Washington, DC.

Dear Ranking Member Becerra: I am writing in support of your legislative efforts to continue the Work Incentives Planning and Assistance (WIPA) and Protection and Advocacy for Beneficiaries of Social Security (PABSS) programs at the Social Security Administration (SSA).

WIPA and PABSS provide Social Security beneficiaries with disabilities with access to reliable work incentive and benefits information that can help lead to increased employment and decreased disability on public benefits. Four Easter Seals affiliates provide work and benefits counseling through WIPA to veterans, transition-to-work aged youth, and other Social Security beneficiaries who are interested in entering or returning to the workforce. Through the WIPA program, Easter Seals affiliates have helped thousands of individuals across the country, including many who are now working, paying taxes and improving their futures.

SSA has taken steps to wind down these programs by informing current WIPA and PABSS grantees to stop taking new clients and to finish their work with existing clients. Service disruption will further discourage beneficiaries from working—the very problem these programs were designed to address. In addition, gaps in service will result in the loss of experienced work incentive staff members that are specially trained on the complexities of the current work incentive system and rules. Shutting down and reopening WIPA services will cost far more in terms of dollars and lost expertise than a simple continuation. While Easter Seals believes SSA has the authority and funding to continue WIPA and PABSS through the end of fiscal year 2012, we strongly support your legislative fix to make it absolutely clear and to avoid future shutdowns of these programs.

Easter Seals applauds your efforts to continue these important programs for people with disabilities. We look forward to working with you to move the bill through the legislative process.

Sincerely,

KATY BEH NIAS,
Senior Vice President, Government Relations.

IN TRIBUTE TO CAPTAIN RYAN RAWL

HON. JOE WILSON
OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, June 20, 2012, Captain Ryan Rawl, of Lexington, South Carolina, was killed in action while serving in the South Carolina Army National Guard in Afghanistan. Captain Rawl is a graduate of Lexington High School in 2000. After graduating from high school, Captain Rawl furthered his education and graduated from The Citadel in 2004 with a major in Criminal Justice before joining the South Carolina National Guard in 2006. While in college, Captain Rawl received an award for his outstanding service on the school’s Honor Court and enjoyed leading undergraduates in Bible study. Captain Rawl joined the National Guard in 2006. Since his active duty deployment, Captain Rawl has received numerous decorations and honors including The Bronze Star, The Purple Heart, The Combat Action Badge, The South Carolina Medal of Valor, and The South Carolina Meritorious Service Medal.

We are able to enjoy our freedoms due to the sacrifices of the brave men and women serving in our Armed Forces. Captain Rawl paid the ultimate sacrifice dedicating his life protecting American families and all of the freedoms we hold so dear.

My thoughts and prayers are with wife, Katherine, and their two young children, Callie and Caleb, as well as his parents Stanley and Diane Rawl. As a Guard veteran myself with four sons currently serving in the military, I particularly appreciate your extraordinary military family. Freedom is not free.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF
HON. DARRELL E. ISSA
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Mr. ISSA. Mr. Speaker, I submit the following letters to Ranking Member Elijah Cummings regarding H. Res. 711.
The Committee has obtained three additional wiretap applications from the Fast and Furious investigation, dated April 19, 2010, May 7, 2010, and May 18, 2010, respectively. These applications pertain to four target telephone lines. Each application includes an accompanying memorandum, dated April 15, 2010, May 6, 2010, and May 14, 2010, respectively. These memorandums, signed by Assistant Attorney General of the Criminal Division Lanny A. Breuer to Paul M. O’Brien, Director, Office of Enforcement Operations, authorizing the interception of wire communications, were responsible for reviewing the contents of the applications to determine if they were legally sufficient and conformed to Justice Department policy. The information is as vast as it is specific.

These wiretap applications, signed by the late Deputy Assistant Attorney General John C. Keen to the allowance of his supervisor, Assistant Attorney General Breuer, provide additional insight into who knew—or should have known—what and when.

To assist you in better understanding the facts, I appreciate the opportunity to provide relevant and necessary context for some of the intercepted wire communications. Due to the sensitivity of the documents, individual targets and suspects will be referred to with anonymous designations. Nonetheless, I want to make sure that the individuals referred to in the wiretap applications are well-known to our investigation.

FACTS LEARNED FROM THE FIRST WIRETAP APPLICATION

As I understand it, the wiretap application authorized on March 15, 2010 was the first in this controversial case. Like many federalwiretaps, the affidavit provided significant details about the controversial operational tactics used in the case, such as breaking off surveillance of a suspect who had crossed the border with firearms. We now know, as early as December 2009 agents from ATF and DEA knew that the main target of the case, Target 1, planned to acquire firearms for the purpose of transporting them to Mexico. In fact, the affidavit in the first wiretap application provides entirely new information that demonstrates that Target 1 was conspiring to purchase and transport firearms for the purpose of trafficking the firearms from the United States into Mexico.

At the time it was preparing the first wiretap affidavit, ATF was aware that from September 2009 to March 15, 2010, Target 1 acquired at least 852 firearms valued at approximately $500,000 through straw purchases. As of March 15, 2010, ATF had identified 122 firearms purchased by Target 1 between September 23, 2009 and January 27, 2010. 139 firearms purchased by these straw purchasers were recovered—81 of those in Mexico. These firearms were found in Mexico, 49 days after their purchase in Arizona. The document reflects that the Justice Department should have been fully aware that large sums of money were purchasing a large numbers of firearms, many of which were flowing across the border. In fact, ATF even knew the tactics the smugglers were using to bring the firearms or the straw purchasers would purchase the firearms in Arizona and then transport them either to Mexico or a location near the U.S.-Mexico border, which others would drive the guns into Mexico.

The first wiretap application in Fast and Furious contains rich detail about the transgressions obtained through a separate DEA wiretap application provides entire conversations showing that Target 1 and related straw purchasers were recovering—81 of those in Mexico. The document reflects that the Justice Department should have been fully aware that large sums of money were purchasing a large numbers of firearms, many of which were flowing across the border. In fact, ATF even knew the tactics the smugglers were using to bring the firearms or the straw purchasers would purchase the firearms in Arizona and then transport them either to Mexico or a location near the U.S.-Mexico border, which others would drive the guns into Mexico.

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United States via a port of entry in Lukeville, Arizona. The affidavits also state that Target 1 routinely travelled to El Paso, Texas. In fact, according to the affidavits, interference with these targets show that ATF investigators, in conversations relating to firearms trafficking with individuals in and around El Paso, Texas.

Moreover, affidavits state that ATF agents believed Straw Purchaser Y was also traveling to El Paso, Texas to receive U.S. currency to transport back to Mexico for future gun purchases in the Phoenix, Arizona area. For example, on March 23, 2010, the day after Straw Purchaser Y returned from El Paso, Texas, Straw Purchaser M, Straw Purchaser N, and Straw Purchaser Q purchased a total of 30 AK-47 type rifles and 7.62x39 caliber ammunition from Phoenix, Arizona FFLs. Straw Purchaser Y traveled to El Paso, Texas on two occasions after March 21, 2010. On both occasions, Straw Purchaser Y drove to El Paso, Texas, stayed at a hotel approximately one day, and then drove back to Phoenix, Arizona. On the second occasion, surveillance units observed Straw Purchaser Y meeting with an unknown individual before returning to Phoenix, Arizona a short time later.

CONCLUSION

These wiretap affidavits show that straw purchasers were buying massive numbers of guns in Arizona FFLs. From October 5, 2009 to March 29, 2010, the Department of Justice, including senior officials in the Criminal Division, were aware of this information for approximately four months after the Justice Department authorized the first wiretap application.

In response to your personal request, I am enclosing copies of these two wiretap applications. Please take every precaution to treat them carefully and responsibly. I am hopeful that they will assist you in understanding the extent of information brought to the attention of senior officials in the Criminal Division who were responsible for reviewing the wiretap applications to determine if they were legally sufficient and conformed to Justice Department policy. The information they contain is as vast as it is specific. The applications were signed by Jason M. Weinstein and Kenneth A. Blanco, respectively, under the authority of their supervisor, Assistant Attorney General Breuer.

To assist you in better understanding the facts, I appreciate the opportunity to provide relevant and necessary context for some of the information contained in these wiretap applications. Due to the sensitivity of the documents, individual targets and suspects will be referred to by anonymous designations. Nonetheless, the information referred to in the wiretap applications is well-known to our investigation.

FACTS LEARNED FROM THE PRIOR WIRETAP APPLICATIONS

The prior four wiretap applications provided a breathtaking amount of facts and details about the operational tactics used in Fast and Furious. The applications demonstrated that Target 1, planned for the purpose of transporting them to Mexico. In December 2009, the applications authorized a DEA wire intercept demonstrating Target 1’s specific plans. The applications acknowledge that while monitoring Target 1’s telephone numbers, law enforcement officers intercepted calls that demonstrated that Target 1 was conspiring to purchase and transport firearms for the purpose of trafficking the firearms from the United States to Mexico.

The applications include transcripts of phone conversations showing that Target 1 and related straw purchasers were heavily involved in illegal firearms trafficking. The applications describe ATF surveillance units observing straw purchasers buying guns illegally. The applications also describe Target 1’s border crossings, which often coincided with firearms purchases by the straw buyers. The affidavits even show that firearms were recovered in Mexico soon after straw purchasers bought them in Arizona, sometimes the next day. Though aware of all of these facts, ATF did not halt Operation Fast and Furious. ATF failed to sound the alarm, despite being presented with unmistakable evidence of the extent of the gun trafficking ring and the controversial tactics used in Fast and Furious. Given the danger involved, these officials should have intervened immediately. Throughout this investigation, one of my goals has been to hold these officials accountable for their management failures. In particular, I hope you will agree with this objective.

$1 MILLION WORTH OF FIREARMS

From September 2009 to July 2010, Target 1 acquired over 1,500 firearms through his straw purchasers at a cost of approximately $1,000,000. In other words, Target 1’s firearms trafficking ring acquired at least an additional 500 guns at a cost of approximately $500,000 in approximately four months after the Justice Department authorized the first wiretap application.

On December 17, 2009 to July 2, 2010, Target 1 crossed from Mexico into the United States a total of 15 times. Thirteen of these 15 crossings occurred at Texas port of entries. According to the applications, Target 1 orchestrated both narcotics and firearms transactions with the intent to sell narcotics, purchase firearms, and then transport them into Mexico for use against cartels in the United States. Although ATF and the Justice Department were aware of this information for many months, they took no steps to interrupt Target 1’s criminal strategies.

STRAW PURCHASERS BY THE NUMBERS

These additional wiretap applications again provide startling numbers regarding Target 1’s straw purchasers. For example, on July 2, 2010, Straw Purchaser Y had purchased at least 616 firearms from the Arizona Federal Firearms Licensees (FFLs). Y purchased at least 497 of these firearms between March 26, 2010 and June 5, 2010. By March 26, 2010, ATF had only recovered 81 firearms purchased by Straw Purchaser Y, including 28 in Mexico, which would have been lost after the firearms were purchased in Arizona.

Straw Purchaser Z had bought 281 firearms from Arizona FFLs by June 8, 2010. By July 2, 2010, at least 57 of these guns had been recovered in the possession of others or at crime scenes, either in the United States or Mexico. Surveillance units also observed a vehicle believed to be Straw Purchaser Z’s parked in front of Target 1’s residence from June 4, 2010 until June 7, 2010. On June 7, 2010, Customs and Border Protection officers observed Straw Purchaser Z crossing into the United States from Mexico in a vehicle registered to Straw Purchaser B.

Between January 26, 2010 and June 5, 2010, Straw Purchaser N sold 114 firearms from Arizona FFLs. From October 5, 2009 through June 8, 2010, Straw Purchaser B bought 83 firearms from Arizona FFLs. In that same period, Straw Purchaser Q purchased 141 firearms.

The applications painstakingly document several of the straw purchasers’ firearms acquisitions, including specific quantities, dates, and locations. The applications also specify to whom the firearms were transferred and at what specific crime scenes the guns were later recovered. Though fully aware that these firearms were being smuggled into the hands of the Mexican drug cartels, senior Department officials allowed the illegal purchases and transfers to continue. The continued acquisition of firearms by the gun trafficking network exacerbated the illegal activities of the Mexican drug cartels.

The continued acquisition of firearms by the gun trafficking network exacerbated the illegal activities of the Mexican drug cartels. When faced with these stark facts, senior Department officials failed to put an end to this operation.

ADDITIONAL WIRETAP APPLICATIONS

You now have a total of six applications for Fast and Furious. The Justice Department’s Criminal Division authorized these applications on the following dates:
Beloved pastor of Union Baptist Church in my honor to extend my personal congratulation accountable. 

Furious. 

Union Baptist Church has had an enduring history. After relocating many times since the church was founded in 1893, a church at the present site was built in 1963. Many improvements and additions have been made since then and groundbreaking for the new edifice was held on November 27, 1999, during Rev. Stanley’s tenure. Two years later, on April 1, 2001, the new sanctuary was unveiled and dedicated to the Lord.

Under Rev. Stanley’s leadership, Union Baptist Church has grown not only in size, but also in faith. Always pressing towards the mark for the prize of the high calling of God in Christ Jesus, in order to better improve the craft of Christian discipleship, Rev. Stanley’s philosophy emphasizes the importance of instructing his flock and others in becoming more knowledgeable about God’s Word. Putting his philosophy into action, he implemented the Union Baptist Non-Accredited Bible School to enhance regular Bible study among members of his congregation and the community.

As a servant of God, Rev. Stanley is also a servant of others. He has received a “Key to the City” for his community work. Always endeavoring to motivate others, he was chosen as one of Macon’s Most Inspirational Speakers. He is also involved in the Union Baptist Association, the Georgia Baptist Convention and the Baptist Minister’s Union.

Rev. Stanley is a great and inspirational leader, but none of this would have been possible without the love and support of his wife, Deborah, and his son, David, Jr.

Mr. Speaker, I ask that my colleagues join me today in congratulating Reverend David L. Stanley served as a Sunday School teacher, Assistant Superintendent and Superintendent. He received God’s call to the ministry in 1985 and accepted pastoral duties at Union Baptist Church two years later in 1987.

HON. SAMANTHA KERR
OF SOUTH CAROLINA

HON. TROY A. GRACEY, JR.
OF FLORIDA

HON. MIKE DIXON
OF MARYLAND

HON. CATHY MORRIS ROGERS
OF WASHINGTON

HON. EDMUND O. SCHWEITZER, III
OF WASHINGTON

HON. LYN C. WOOLSEY
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. WOOLSEY. Mr. Speaker, on June 28, 2012, I was unavoidably detained and was unable to record my vote for rollcall No. 438. Had I been present I would have voted: Rollcall No. 434: “yes”—Securing Maritime Activities through Risk-based Targeting (SMART) for Port Security Act.

PERSONAL EXPLANATION

HON. EDMUND O. SCHWEITZER, III

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to congratulate a very good friend and constituent, Dr. Edmund O. Schweitzer, III on receiving the 2012 Institute of Electrical and Electronics Engineers Medal in Power Engineering.

The one of the most inspirational individuals I have ever met, Dr. Schweitzer is an electrical engineer and President, CEO, and Founder of Schweitzer Engineering Laboratories in Pullman, Washington. After growing up in Chicago, he received his bachelor’s and master’s degrees in electrical engineering from Purdue University, West Lafayette, Indiana, and his doctorate from Washington State University, Pullman. After sharpening his craft at Ohio University and Washington State University, Dr. Schweitzer founded SEL, Inc. in 1982 in Pullman, Washington. An IEEE Fellow and member of the U.S. National Academy of Engineering, Dr. Schweitzer’s has more honors and accolades to fully list, but they include an Alumni Achievement Award from Washington State University and the Purdue University Outstanding Electrical and Computer Engineer Award.

Since its founding, SEL has grown into the world’s leading power protection company with over 3,000 employee-owners with facilities in 20 countries around the world. Dr. Schweitzer envisioned the concept of the “smart grid” long before the term was popularized. He recognized early in his career the importance of computer technology for power protection and how it could change the field. Dr. Schweitzer’s pioneering inventions and leadership in bringing computer-based methods to the marketplace starting in the 1980s have revolutionized safety, reliability and efficiency in generating, transmitting and distributing electric power and have transformed operation of the power grid.

Much like Benjamin Franklin and many of our nation’s greatest inventors, Dr. Schweitzer was not deterred by practical backs or conventional wisdom that ran contrary to his transformational vision. Dr. Schweitzer’s innovations have allowed engineers of all backgrounds to monitor, control and protect power systems in ways not previously imagined. As an engineer with keen business intellect, Dr. Schweitzer realized early that his innovations could revolutionize companies’ bottom line—allowing them to reduce expenses, expand, and create jobs. The application of Dr.
Schweitzer’s digital technology as replacement equipment or in new installations has led to reduced design work in protection and control systems, flexible operation options and increased reliability, resulting in reduced cost.

Recently, Speaker JOHN A. BOEHNER and I had the pleasure of touring and meeting the newest equipment owners at SEL’s headquarters in Pullman, Washington. The Speaker and I were touched by the sincerity and pride each of SEL’s employees have in their work—a direct reflection of the Dr. Schweitzer’s leadership.

Mr. Speaker, I urge all of my colleagues to join me in congratulating one of America’s great innovators and modern day pioneers, Dr. Edmund O. Schweitzer, III, on receiving the 2012 Institute of Electrical and Electronics Engineers Medal in Power Engineering.

HONORING MRS. CAROLYN B. PARKS

HON. HENRY C. “HANK” JOHNSON, JR. OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, the lives of many have been touched by the life of one—Mrs. Carolyn B. Parks; and

Whereas, Mrs. Carolyn B. Parks is the District 1 Vice President of the American Business Women’s Association (ABWA), she has been and continues to be involved in promoting business and community by informing, educating and giving support to our citizens in our District; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community through her tireless works, words of encouragement and empowerment; and

Whereas, Mrs. Carolyn B. Parks has given DeKalb County and the Metropolitan Atlanta area, tools that enhance lives, supports our youth, protect our seniors and promotes our community businesses; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Carolyn B. Parks for her outstanding leadership and service to our District;


Proclaimed, this 27th day of July, 2012.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. REED. Mr. Speaker, I was detained on June 20, 2012, and was unable to be on the House floor to vote. Had I been there, I would have voted as follows:

Rollcall 389: H. Res. 691, On Ordering the Previous Question: “yes.”

Rollcall 390: H. Res. 691, Rule providing for consideration of H.R. 4480: “yes.”

The death of Border Patrol Agent Brian Terry is tragic, and the criminals responsible for his death should be prosecuted to the full extent of the law. Sadly, the goal of today’s vote is not to bring justice for Agent Terry, secure our border, eliminate illegal guns, or even uphold the law. Today’s vote is an attempt to discredit the President of the United States and the Attorney General throughout whatever means necessary, with no regard to evidence, a fair process, or the truth.

The American people want Congress to focus on growing the economy. If Congress does not act by the end of the year, billions of dollars will rise on every American, and the government will face massive budget cuts that our economy cannot afford. The House should be focused on creating jobs for Americans, not ending the tenure of the Attorney General.

IN HONOR OF THE RETIREMENT OF GAIL MILLAR

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. VAN HOLLEN. Mr. Speaker, my colleague, Mr. Ryan of Wisconsin, and I would like to take a moment to recognize the career and the retirement of Gail Millar, the General Counsel for the House Budget Committee, and to thank her for the service she has provided to not just the Committee, but to the Congress and the United States of America in a wide variety of roles. Ms. Millar is retiring after more than three decades of dedicated service to our Nation as an employee of the Federal Government.

In 1981, she began her time on Capitol Hill by joining the Senate Budget Committee under Senator Pete Domenici and became Chief Counsel. She went from there to the Senate Parliamentarian’s Office and stayed there from 1984 through 1988. After the departure of the Senate Parliamentarian, Bob Dove, she took on the enormous responsibility in 1987 as First Assistant to the new Parliamentarian, Alan Frumin. He has characterized her as a “great colleague, smart, courageous, reliable, loyal, and tough as nails.” When she announced that she was leaving the office, Majority Leader Robert C. Byrd made a personal appeal for her to stay with the Office.

Even so, soon after, Ms. Millar began an assistant counsel for the Congressional Budget Office, rising to General Counsel during her stay there, which lasted from 1989 to 2000. Ms. Millar’s area of expertise was budget scorekeeping and working with budget analysts and program analysts on budget issues. She also served from 2000 to 2002 as clerk for the Subcommittee on Commerce, State, Justice, the Judiciary and Related Agencies at the House Committee on Appropriations. After that position, she worked from 2002 to 2005 as associate director for budget policy and management in the Office of Technical Assistance at the Department of the Treasury, a job in which she and her staff advised government around the world about how to put in place budget processes and procedures to advance their nations.

In 2005, she began serving as Chief Counsel to the Senate Budget Committee before
leaving to work for the House Budget Committee as General Counsel in 2007.

As Counsel to both the House and Senate Budget Committees, Ms. Millar has been dedicated to the proper interpretation of the law, the drafting of bills and amendments, and the development of important concepts related to those topics.

Throughout her public service, she has fearlessly advocated to preserve the integrity of the budget process and the principles of the House and Senate.

For all of the outstanding work she has done in her 32-year career, her greatest accomplishments and her proudest achievements are her two children, Joe and Jeanne.

We deeply appreciate Gail Millar’s long service to Congress and to the Executive Branch, which has been manifested in so many ways and in so many roles. We will truly miss the wisdom that she brings to her work.

We wish her the best in her retirement and in her new opportunity to spend more time with her family and friends.

TRIBUTE TO ERNESTINE CORNETT

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Ernestine Cornett, in honor of her retirement after dedicating nearly 30 years to WYMT–TV, a CBS-affiliate in Hazard, Kentucky, providing continuous news coverage and serving as a tireless ambassador for southern and eastern Kentucky.

With Ernestine Cornett at the helm of WYMT as General Manager, hundreds of thousands of families gained access to local, live-news coverage in southern and eastern Kentucky with the station’s first satellite truck. Over the years, WYMT–TV has also answered the call for more than news coverage. To promote higher attainment rates for college degrees, Ernestine led the way for thousands of students in the region to gain access to college scholarships through fund-raising efforts by the station. In the midst of flooding, tornadoes and other natural disasters, the station has provided staff and airtime for numerous telethons to raise money to give back to families and communities in dire need. During the holidays, WYMT also promotes food and donation drives to make sure the less fortunate have something to celebrate.

Ernestine Cornett is also a model for women in business in rural communities. Starting in the commercial traffic department at WYMT more than two decades ago, Ernestine Cornett worked her way up the ladder to general manager in 1990 through her loyalty to the region, integrity in decision-making, her astute leadership, and pure hard work. The station’s call letters, WYMT, stand for “We’re Your Mountain Television” and it’s Ernestine’s passion for connecting and improving the region that have served as hallmarks for the station’s mission.

Mr. Speaker, I ask my colleagues to join me in honoring a kind and dear friend of southern and eastern Kentucky, Ernestine Cornett, on her retirement. My wife, Cynthia and I wish Ernestine and her family all the best in the years to come.

PERSONAL EXPLANATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent for a vote on June 26th 2012. Had I been present, I would have voted in the following manner:


Vote by the Amendment (Connolly of Virginia Administration) “yes.”

CONGRATULATING THE MIAMI HEAT

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to congratulate the Miami Heat on winning the 2011–2012 National Basketball Association (NBA) Championship. The Miami Heat’s journey to its second championship is a testament to teamwork and selflessness. In honor of their remarkable season and leadership in my community, I’m sharing the following poem, written by Albert Carey Caswell.

THUNDER and HEAT!

When two forces of nature so meet! But only one can so hold that title so very sweet?

As World Champions, as out into a future which so speaks!

Feel . . . Feel The Heat!

“WADE” a minute, your over your head . . . so very deep!

Something so fast and so furious that no one can beat!

Like a Category 5 Hurricane coming at you, up from the beach!

You better get your children inside, because this title is so out of reach!

Feel! Feel The Heat!

It begins . . . with a little boy with a ball in hand!

As into the wee hours of the night he now so stands . . .

Shot after shot, rebound after rebound, as he takes command!

Dreaming that Dream, that once so began!

To walk upon that hardwood, and so see and so feel the crowd . . .

To play in the NBA, all of those sights and so sounds!

As it all so begins with that first basketball, “The Round!”

Pee wee leagues, elementary, pick up games, middle and high school ball!

And just maybe a college so comes to call . . .

And then The Pro’s, The Greatest of All!

Oh how I wonder, if all of this Dr. Naismith saw?

And for many, this dream but so gives them a role to play!

To leave a life of heartache and poverty, and to so advance!

To go to March Madness, and The Big Dance?

And to get an education, and have a life and make future plans!

And yet still for some, even greater dreams may so advance!

To play in The NBA!

And then the greatest of all of them, That One Golden Chance!

To be a World Champion, and wear that crown and ring and so dance!

And so reside at The Top of Round Ball, What a romantic!

That of a World Champion, to so take that most lofty stance!

For only a very few will ever be in such a circumstance!

For these are sheer men of might!

Who fly through the air almost at the speed of light!

Who jump high above those backboards all on game night!

With such catlike reflexes and speed, to the crowds to ignite!

Even Spider Man could learn lessons from them all about flight!

The ones who can shoot the eyes out of basket going left or right!

And who will wear this most hallowed crown, so very bright!

And earn that great title of World Champions, this night?

THUNDER AND HEAT!

When two forces of nature on the hardwood so meet!

Something’s got to give, THUNDER AND HEAT!

And after last year’s loss they had downgraded, The Heat!

But, this year’s version . . . according to The Book of King James, “hunt it . . . hunt it” was ready to compete!

As they took that loss and planted it all in their hearts so very deep!

As day in and day out they so strived for that title to seek!

As THE THREE AVENGERS AND THE TEAM.

ALL CAME TOGETHER AT WARP SPEED!

THE BIG THREE, WHAT HELL TRULY CAN BE!

Melding into a perfect storm, in the NBA to create such havoc, to reek!

Making grown men so weep!

AS IT WAS JUDGEMENT DAY!

AS THIS TIME THEY WERE PLAYING FOR KEEPS!

A New Kid in town, Durant and his Thunder at the OK Corral!

When, The James Gang came riding into town,

Two of the best ball slingers in the NBA to be found!

But they were ambushed in game one, as The Heat went down!

As Dwyane said, “WADE, A MINUTE WADE A MINUTE NOW!”

And King James said, “it’s not OK, we’re going to be wearing that crown!”

And he said, “you won’t get this title sooner, much later now!”

And BOSH, put it into high gear . . . high performance so now!

As The Heat evened the series, and cried take me to Miami . . . were heading South!

As it was Mano v Mano, LeBron and Durant who would so bow?

Even Spider Man wishes he could be like LeBron,

someway . . . or somehow!

Maybe if he goes to his basketball camp, King James will show him just how!

A question asked, “did LeBron, really turn that role of Spider Man down?”

As the next three games, were all so insane . . .

As THE HEAT said feel my pain!

With a wave of DEFENSE, that washed The Thunder out!

As this Hurricane’s intensity grew so, and how!
Even the weather channel was forecasting major damage, about!

As they gave The Thunder fair warning to evacuate this town!

As Dwayne was smooth as silk, as he comes from a different ilk!

Is he from another planet? WOW!

Shooting the eyes out of the basket, up and down the court! on a cloud!

As The Thunder said, “cape crusaders in the NBA should not be allowed!”

Like Batman and Robin. . . King James and Wade.

The Dynamic Duo said throw in the towel!

Now that’s what I’m talking about!

And to throw in THE HEAT, making The Big Three!

IT’S LIKE A BATTLE STAR, HOLY COW!

James, Wade and Bosh have more combined take offs and landings, than Miami’s airport does so now!

We need an air traffic controller on the court,

to regulate these take offs and landings somehow!

You know, “Sometimes you get a “REVEALING”

Like you never had before!

As they turned UP THE HEAT and LeBron triple doubled,

and went beyond a category 5 to victory in-

A category, is that what his number 6 on his jersey stands for?

Ruling, over his Kingdom from baseline to baseline.

Something so beautiful and pure!

He’ll slam you, he’ll jam you, like a vampire
making threes from the back line!

And Shane Battier would “Duke it out”,
making threes from the back line!

As they were all giving James, a very Harden
time!

For, the Big Three! Wade, Bosh and James have more combined

IT’S IN THE OCEAN, IT’S IN THE

The Dynamic Duo said throw in the towel!

And Westbrook, Miami’s D gave him the

And Serge couldn’t Iblocka each and every

As they were all giving James, a very Harden
time!

And Serge couldn’t Iblocka each and every

As they were all giving James, a very Harden
time!

He’ll slam you, he’ll jam you, like a vampire

As twice couldn’t Iblocka each and every

As they were all giving James, a very Harden
time!

As they were all giving James, a very Harden
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time!

As they were all giving James, a very Harden
time!
of one of my constituents, Eugene Shea of St. Petersburg, Florida. Now 100 years old, Mr. Shea has been blessed to have lived such a long life and he has not wasted any part of that gift. In his youth, he was a world champion speed skater from his native state of New York. Since moving to St. Petersburg, he has built a successful career as a real estate agent with Coldwell Banker Commercial. He continues to work there today. Each day, he sits down at his desk with his trusted typewriter and phone. He is known for his hard work and his willingness to negotiate matters worth more than a million dollars. We should all celebrate his century of setting such a fine example.

This illustration is important for today as our expectations of a long and fruitful life continue to grow. Mr. Shea, at age 100, demonstrates for us that it is possible to continue contributing to the community long after age 65. Working as a real estate agent, Mr. Shea is often in stressful negotiations. He handles these situations with the strength of his immense experience and hopes to continue to work at his typewriter for years to come. I hope that this might inspire others to believe that they too can continue to live healthy and productive lives.

For the last century, Mr. Shea has led a life of fine character, working hard and contributing to the community in my district. His success and continued work ethic truly represent the best ideals of his profession and are a source of inspiration for all who meet him. Mr. Shea is an exceptional example of Pinellas County, the state of Florida and the United States. I am proud to congratulate Mr. Shea for his quality and achievements which deserve to be recognized by this chamber and the country.

BETH CHAVERIM’S 30TH ANNIVERSARY
HON. E. SCOTT RIGELL
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012
Mr. RIGELL. Mr. Speaker, I rise today to enter a statement into the RECORD on behalf of my constituent, Dr. Israel Zoberman. Dr. Zoberman is a former mayor of the city of Virginia Beach, VA. He is also the president of the Hampton Roads Board of Rabbis and Cantors. Dr. Zoberman asked me to enter the following remarks into the RECORD regarding Chanaka. Dr. Zoberman’s statement follows:

At the Shabbat morning service, June 30, at 10:30 a.m., followed by a festive luncheon, the family of Beth Chaverim will joyfully celebrate its 30th anniversary which officially falls on July 2. What a milestone in the history of our young congregation that has endured and even flourished during these three eventful decades of accomplishments!

I, a grateful founding rabbi, shall always remember and cherish the transforming birth of what we fondly call “the baby.” Much love and tenderness has been bestowed upon the fast-growing “baby,” remaining the newest synagogue in the exceptional community of Hampton Roads and the only Reform Jewish temple in Virginia Beach. The congregation’s name, “Beth Chaverim,” was deliberately chosen to reflect the very essence of what we wanted our temple to be, an embracing “House of Friends,” whose birth would always be justified by trying harder than others to create a loving and accepting Jewish home for those seeking an entrance into the Jewish faith. Undoubtedly, we have also learned that we are only human and that the perfect vision of our “baby” is never to be realized, but to be challenged by a complex and, at times, trying reality.

It is through beyond doubt that our beloved Beth Chaverim has generated multiple blessings onto its immediate congregational family, the larger Jewish community and the country.

The history of our young congregation that specifically falls on July 2. What a milestone in the birth of what we affectionately called, “the only Reform Jewish temple in Virginia Beach. "Chaverim," was deliberately chosen to reflect the very essence of what we wanted our

United States Supreme Court ruling on June 28, 2012 that upheld the constitutionality of the Patient Protection and Affordable Care Act (PPACA).

The Court’s opinion is lengthy and complicated and will require careful evaluation and review. However, we know that the Court affirmed the view that President Obama’s law represents a significant tax on the American people, and that it is through the federal government’s power to levy taxes that the Court upheld the law as constitutional.

Mr. Speaker, the Court’s legal analysis is dubious and cause for concern given the dangerous precedent it sets. Can the government now require Americans to purchase government-approved goods and services or else face the threat of a tax? What we do know, however, is that the Court put restraint on the power of Congress to mandate the purchase of goods and services under the Commerce Clause of the United States Constitution.

The Court ruled on the legal issues, not the wisdom of the policy. The American people have already weighed in and overwhelmingly rejected this law. As a whole, the law, which the nonpartisan Congressional Budget Office predicts will cost $1.6 trillion and will result in as many as 20 million Americans losing their existing health care coverage, remains deeply unpopular with the public. This is a stark contrast to the President Obama’s repeated promise that, “if you like your health care plan, you can keep your health care plan.”

The President’s law has also proven to be ineffective at reducing the cost of health care, as it is suffocating small businesses with overbearing regulations and hampering job creation in a time of economic uncertainty. Recent estimates indicate that the law will actually cost 800,000 American jobs, not create 400,000 jobs as NANCY PELOSI claimed in 2010.

By law, beginning in 2014, employers with more than 50 employees will be required to offer health insurance coverage or face financial penalties. In addition, an employer plan must cover a specific set of services determined by the Department of Health and Human Services (HHS) and meet actuarial standards laid out in the law. As a result, employers will be forced to choose whether to meet the new insurance requirements, pay noncompliance penalties to the Internal Revenue Service (IRS), or reduce workers’ hours so they do not qualify as full-time. I have heard from several small business owners in my home state of Alabama, and across the United States, that will have financial struggles no matter which decision they chose. How can a business owner provide health insurance to his employees if his business is bankrupt?

We can all agree that the Court’s preservation of PPACA’s employer health insurance mandate is costly, to both employers and to their employees. Rising costs will force employers to consider dropping health coverage
TRIBUTE TO MRS. LINDA SCRITCHFIELD

HON. SHELLEY MOORE CAPITO
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the accomplishment of a constituent of mine, Mrs. Linda Scritchfield, and to praise her 25 years of service as Site Manager for the Ravenswood Senior Center.

Linda, whose first day as Site Manager was January 1, 1987, will work her final day on June 29, 2012. When Linda took over the Senior Center, it was located in an old locks building on the banks of the Ohio River and offered few activities. Under Linda’s guidance, the seniors started looking for land in order to build a new center. They held multiple fund-raisers, and with the help of Jackson County Commission on Aging, grants, and the city of Ravenswood, the new center opened in November 1997.

Linda was instrumental in raising funds for the services that the senior citizens of Ravenswood enjoy. The new center has a dining area, computer room, billiards room, library, pool area and offices. A therapeutic pool was opened a few years later. The center also provides services for veterans along with offering wigs for cancer patients, flu shot clinics, water aerobics, and open swim classes.

Although Linda has helped the Senior Center make great strides over the years, Linda says her biggest accomplishments in life are the personal relationships she formed with the seniors. They have made such an impact on her life, and she hopes that she has been able to do the same for them.

I thank Linda for her years of service and Ravenswood is fortunate to call Linda one of its own.

IN REMEMBRANCE OF JUDGE PATRICK F. GALLAGHER

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Grosse Pointe South girls’ track and field and tennis teams for being Michigan High School Athletic Association (MHSAA) Division 1 champions! I am proud of the Grosse Pointe South athletes’ discipline, motivation, and perseverance.

For the second year in a row, the Grosse Pointe South girls’ track and field team won the Division 1 state championship and demonstrated the power of friendship and teamwork. Track and field team members Erlsa Farrow, Haley Meier, Hannah Meier, and Kelsie Schwartz beat the state record in the 3200-meter relay by 17 seconds and set a National Federation high school field record with a time of 8 minutes and 48.29 seconds. Grosse Pointe South is the only Michigan team to break the 9-minute barrier in the 3200-meter relay.

The same day, the Grosse Pointe South girls’ tennis team won the Division 1 state championship and demonstrated the power of friendship and teamwork. The team won the Division 1 state championship title and finished with 26 points. Maggie Sweeney won the individual championship at No. 4 singles and Amelia Boccaccio and Carrie Lynch won at No. 2 doubles.

I am honored to recognize the Grosse Pointe South girls’ track and field and tennis teams, their standout athletes, and their dedicated coaches for their commitment and hard work.

HONORING L.L. BEAN

HON. MICHAEL H. MICHAUD
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize L.L. Bean on the occasion of its 100th anniversary.

It was one century ago that Leon Leonwood Bean sent out his first shipment of Maine hunting shoes. Defects in the shoe’s initial design caused individuals to return 90 pairs of those shoes. Undeterred, Bean provided the purchasers with full refunds, corrected the design flaws and set back to work marketing his products. This commitment to customer satisfaction has been the cornerstone of L.L. Bean’s success throughout the last 100 years. Not only does their customer satisfaction guarantee remain in effect, but L.L. Bean’s store in...
Freeport, Maine is still open to visitors 24 hours a day, 365 days a year.

L.L. Bean has since grown to become a global retail giant. The company achieved over $1.52 billion in sales last year while providing over 4,900 full-time jobs. Shoppers can visit any one of the retail or outlet stores located throughout the United States and Japan, or purchase quality products online. Despite its success in appealing to consumers from all over the world, L.L. Bean is beloved for retaining its uniquely Maine character.

From July 4th to 7th, L.L. Bean will be celebrating its 100th anniversary with music, parades, and a fireworks display. I am pleased to be one of the countless individuals throughout Maine who will be congratulating L.L. Bean, and all of its employees, on achieving this impressive milestone.

Mr. Speaker, please join me in congratulating L.L. Bean on its tremendous success over the last 100 years.

HON. ADAM SMITH
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Margarita Prentice as she retires from the Washington State Senate after 24 years of distinguished public service. Representing Washington’s 11th Legislative District, her constituents included residents of Seatte, Renton, and SeaTac.

Senator Prentice’s voice as a healthcare champion has been invaluable and has bettered our community. She previously worked as a registered nurse at Valley Medical Center and in recognition of her career in public service and leadership, the Emergency Services Tower at Valley Medical Center is named in her honor.

The Senator’s contributions have been recognized by many throughout the years. She has dedicated countless hours of hard work on behalf of her constituents in the 11th District and all of Washington State. She has been recognized as the 2008 Children’s Advocate by the Pediatric Interim Care Center and in 2007 was named by the Community Health Care Network of Washington as their Health Care Champion. She has also been named Legislator of the Year by the Washington State Nurses Association and Washington State Dental Hygienists Association.

Mr. Speaker, it is with respect and great pleasure that I recognize the work Senator Prentice has done for Washington State’s 11th Legislative District.

PERSONAL EXPLANATION
HON. LUIS V. GUTIERREZ
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for a vote in the House chamber on June 21, 2012. Had I been present, I would have voted “nay” on roll call vote 411.

I was also unavoidably absent in the House Chamber for one vote on June 26, 2012. Had I been present, I would have voted “yea” on roll call votes 414, 416 and 419 and “nay” on roll call votes 412, 413, 415, 417, 418, 420, 421, 422 and 423.

HONORING EZEKIEL DEMPSEY
HON. HENRY C. “HANK” JOHNSON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, the birth of Ezekiel Dempsey in the state of North Carolina in the 1800’s began the Dempsey family lineage which has blessed us with descendants that have helped to shape our nation; and

Whereas, the Dempsey Family has produced many well respected citizens and the patriarchs and matriarchs of the Dempsey Family are pillars of strength that have touched many throughout our nation, family members of the past and present such as Rev. Tom Dempsey, Stephen Dempsey, William Dempsey, James Dempsey and Sarah Dempsey; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have members of the Dempsey Family for they are some of our most beloved citizens in our District; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Dempsey family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year’s family reunion in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Dempsey family:

Now therefore, I, HENRY C. “HANK” JOHNSON, Jr. do hereby proclaim June 8, 2012 as Dempsey Family Reunion Day in the 4th Congressional District of Georgia.

Proclaimed, this 8th day of June, 2012.

THE INTRODUCTION OF THE RACHEL CARSON NATURE TRAIL DESIGNATION ACT OF 2012
HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Ms. NORTON. Mr. Speaker, today, I am introducing the Rachel Carson Nature Trail Designation Act of 2012 to recognize Rachel Carson, an environmental pioneer and inspiration for the development of environmental consciousness and the environmental movement. best known for her groundbreaking book Silent Spring. September marks the fiftieth anniversary of the publication of Silent Spring, which has been translated into more than a dozen foreign languages. My bill designates a National Park Service trail in the District of Columbia in honor of Rachel Carson.

Ms. Carson was born on May 27, 1907, on a farm in Springfield, Pennsylvania, graduated magna cum laude with a biology degree from the Pennsylvania College for Women (later Chatham College), and received a full scholarship that enabled her to obtain a master’s degree in marine zoology from the Hopkins University in Baltimore. A world-renowned environmental scientist, writer, and educator, Ms. Carson worked as a writer, editor, and ultimately Editor-in-Chief for the U.S. Department of Fish and Wildlife Service’s publications department.

Ms. Carson lived in a city, not in the wilderness or in rural America. She accomplished much of her seminal professional work as a federal employee at the U.S. Department of the Interior in the District. She often used the Glover Archbold Park in the District as a site from which she drew observations about nature and the environment. She performed research on dangers of pesticides, and her findings were sustained by the Science Advisory Committee, created during President John F. Kennedy’s administration. As a result, federal and state legislatures enacted pesticide legislation. Her work paved the way for groundbreaking environmental protection legislation throughout the world.

Ms. Carson was inducted into the American Academy of Arts and Letters and received many other honors. She died on April 14, 1964, in Silver Spring, Maryland, leaving a rich legacy that will continue to benefit present and future generations well beyond the fiftieth anniversary of Silent Spring.

I reserve to commemorate Rachel Carson for her tireless efforts to make the District of Columbia, the United States, and, indeed, the world a better and safer place for us all. The trail designated by the bill, located in the GPS’s Glover Archbold Park in the District of Columbia, will be known as the “Rachel Carson Nature Trail.” The bill ensures that Rachel Carson’s contributions, many of which resulted from observations in Glover Park, will be remembered and treasured for years to come.

I strongly urge my colleagues to support this legislation.

I CANNOT SUPPORT A TAINTED PROCESS
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today because I cannot support a tainted process. Congress generally, and the Oversight and Government Reform Committee specifically, has the duty and obligation to provide effective oversight. Congress should not be interrupted in that process, but neither should that process be sullied.

Under the Constitution, Congress has the authority to compel testimony and issue subpoenas. When the President of the United States exercises the right of Executive Privilege and there is a dispute over whether that exercise is a valid one, the matter should then be referred to the courts. I have stated this publicly and frequently. When Congress has the authority to compel the information being protected by the Presidential exercise of privilege, the process by which H.R. 706 has been referred to the courts. I have stated this publicly and frequently. When Congress has the authority to compel the information being protected by the Presidential exercise of privilege, the process by which H.R. 706 has been referred to the courts. I have stated this publicly and frequently.
HONORING THE LIFE AND SERVICE
OF NORMAN F. LENT

HON. JOHN L. MICA
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. MICA. Mr. Speaker, I rise today to honor the life and accomplishments of a statesman and a friend, former Member of Congress Norman “Norm” F. Lent, who passed away on June 11th.

Norm was born March 23, 1931 in Ocean-side, NY on Long Island. He graduated from Hofstra University in 1952 and in 1957 got his law degree from Cornell University. After serving in the Navy for two years and achieving the rank of Lieutenant, Norm worked as a lawyer in private practice in Lynbrook, New York beginning in 1957, and served as an Associate Police Justice in East Rockaway in 1959–60. He then worked as the Confidential Law Secretary (law clerk) to New York State Supreme Court Justice Thomas P. Farley from 1960–62.

After leaving the private sector in 1962, Lent was elected to the New York State Senate from Nassau County, and served from 1963 until 1970, when he was elected to the U.S. House of Representatives.

During his long tenure in the U.S. House of Representatives, Norm served on the House Committee on Energy and Commerce and the House Committee on Merchant Marine and Fisheries, ultimately becoming the ranking minority member of both committees often being cited as a “key player in environmental and energy legislation.”

To Norm’s wife Barbara and children, Barbara and Norman we extend our deepest sympathies. Norm truly made an indelible mark on our service and dedication to his community, state and our Nation.

HONORING JULIA ANN SNELL

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

WHEREAS, One hundred five years ago a virtuous woman of God was born in Buena Vista, Alabama on July 1, 1907; and

WHEREAS, Mrs. Julia Ann Snell was born Julia Ann Holt to Mr. Daniel and Mrs. Ireen Holt, she was educated in the local school system in Alabama, married Mr. Tim Wilson in Mobile, Alabama and was a homemaker and a store clerk at their grocery store until Mr. Wilson preceded her in death; She later married Mr. Nathaniel Snell and lived in California until Mr. Snell preceded her in death, after Mr. Snell’s passing, she moved backed to Mobile, Alabama and eventually to Decatur, Georgia; and

WHEREAS, this Phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Sister, Aunt and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

WHEREAS, Mrs. Snell has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

WHEREAS, Mrs. Snell along with her family and friends are celebrating this day a remarkable milestone, her 105th Birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia;

WHEREAS, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Snell on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;


Proclaimed, this 1st day of July, 2012,

TRIBUTE TO WHEELER COUNTY
JUDGE JEANNE BURCH

HON. GREG WALDEN
OF OREGON

IN THE HOUSE OF REPRESENTATIVES
Friday, June 29, 2012

Mr. WALDEN. Mr. Speaker I rise today to recognize the tremendous, long-time, and diverse public service of a leader who lives and works in the heart of Oregon’s Second District, Wheeler County Judge Jeanne Burch. Judge Burch has served as Wheeler County Judge since 1994 but began serving her County long before that. Mr. Speaker, I have enjoyed working with her and I will miss her service and so will Wheeler County.

Judge Burch lives in the town of Fossil, the county seat of Wheeler County which has a total population of around 1,400 people. Wheeler County is one of Oregon’s most geographically diverse counties—it’s a rugged place home to Oregon’s most unique John Day Fossil Beds, two national forests, and the iconic John Day River which runs right through the middle of it. Judge Burch has seen days when her county has thrived from the economic benefits generated by the adjacent forests. And she’s been there when things haven’t been so good as the forest sector was forced to a halt and the jobs and benefits disappeared. Regardless, good times or bad, Judge Burch has been there to lead her county when they needed her most.
Mr. KELLY. Mr. Speaker, as I mentioned, the Republic of Korea has been a partner with us since 1950 in every endeavor we’ve had—commercially, diplomatically, and militarily. The Korean people don’t wait for the call. They don’t wait for somebody saying, we need help. They don’t wait for a government to tell them what to do. They don’t wait for a court or a judge to order them to do something. They don’t wait for an agreement to be signed. They create good jobs for Americans in a key industry. The Korea—U.S. 123 Agreement will advance our national security interests in the area of nuclear energy cooperation.

Mr. Speaker, let me add that, after 40 years of a really close partnership in nuclear energy, it’s now time to renew our 123 Agreement with Korea to strengthen our cooperation in this area. The Korea—U.S. 123 Agreement will create good jobs for Americans in a key industry, nuclear energy.

Clean, safe nuclear energy creates red, white, and blue jobs. I’m talking about evening white, and blue jobs. I’m talking about evening
Mr. Speaker and colleagues, please join me in saluting our Korean allies on this 62nd anniversary of the beginning of the Korean War. More than six decades have passed but the sacrifices of our American soldiers, sailors, airmen and marines as well as the untold sacrifices of the Korean people have not and will not be been forgotten.

IN HONOR OF THE ITALIAN CULTURAL GARDEN

HON. DENNIS J. KUCINICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Italian Cultural Garden, a Cleveland landmark that will be dedicating a statue to Dante Alighieri and celebrating the 66th anniversary of the Republic of Italy on June 29, 2012. The 254 acre piece of land that constitutes Rockefeller Park was donated to the City of Cleveland by John D. Rockefeller in 1896. The Cleveland Cultural Gardens were founded in 1926 to create a memorial area for the diverse ethnic groups that shape the region, and to serve as a space for reflection on peace, cooperation and understanding. The Cultural Gardens are currently a collection of 26 gardens which include African-American, American Indian, British, Chinese, Czech, Estonian, and Slovenian gardens, among others. The Italian Cultural Garden was established in 1930 “as a symbol of the contribution of Italian culture to American democracy.” It lies in Rockefeller Park among 35 other cultural gardens representing the diverse ethnic populations of Cleveland. The Italian Garden is the most-visited of all the gardens and is the venue of various free concerts.

The Italian Cultural Garden has been in the process of a massive restoration since 2007. The garden was enhanced with new historic lampposts, new fountains and new statues. More renovations are planned for the future.

Currenty, the garden honors noteworthy figures in Italian history, including Giotto, Michelangelo, and Guglielmo Marconi. The addition of Dante Alighieri, the author of The Divine Comedy and a master of the Italian language, will pay tribute to this outstanding Italian and symbolize the contributions of Cleveland’s Italian community. The ceremony will be hosted by the Italian Cultural Garden Foundation.

Mr. Speaker and colleagues, please join me in honoring the Italian Cultural Garden, a historic landmark and tribute to Cleveland’s beloved Italian community.

IN HONOR OF MASTER SERGEANT JOSEPH J. DUFFY

HON. DOUG LAMBORN
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. LAMBORN. Mr. Speaker, I rise today in honor of Master Sergeant Joseph J. Duffy’s induction to the Air Force Communications and Information Hall of Fame. His service to this country spanned over 42 years from 1955 to 1997 as a Senior Airman and Operator and trained over 75 personnel in Crypto Operations.

While stationed at Tan Son Nhat in Vietnam, he was responsible for the second largest COMSEC account. During his second tour in Vietnam, he was tasked with terminating all communications activities within 90 days; this was completed in less than 80 days. Due to this exemplary performance, he was assigned to RAF Bruggen, Germany as Site Commander; he was the only Tech Sergeant to achieve this distinction.

His final Air Force assignment was at HQ SAC where he attained the rank of Master Sergeant and was the COMSEC Manager for 12 AF Special Security Offices. Thanks to his unique experience and skill set, MSgt. Duffy was appointed as the Foreign Service Communications Officer for the State Department.

His first three assignments were high value hardship postings to Moscow, Beijing and Berlin. He followed that up with a tour in Sydney, Australia.

His outstanding performance resulted in him being assigned to State Department HQ as the COMSEC Manager for over 70 overseas significant activities. MSgt. Duffy has earned numerous decorations including the Bronze Star, the Air Force Commendation Medal with 3 Oak Leaf Clusters, the Outstanding Unit Award with 2 Oak Leaf Clusters with the “V” device, the Vietnam Gallantry Cross with Palms, and State Department Superior and Meritorious Honor Awards.

MSGT Duffy’s service to the nation has continued into his retirement. He has spent his retirement volunteering with the Warrior Games. The Warrior Games was created in 2010 as an introduction to Paralympics for injured service members and veterans and has since developed into a premier military program under the United States Olympic Committee. I applaud MSgt. Duffy for his tireless service to our country and I offer my sincere congratulations for his induction to the Air Force Communications and Information Hall of Fame.

RECOMMENDING THAT ATTORNEY GENERAL ERIC HOLDER BE FOUND IN CONTEMPT OF CONGRESS

SPEECH OF

HON. YVETTE D. CLARKE
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2012

Ms. CLARKE of New York. Mr. Speaker, I am disheartened by the Republican majority’s decision to hold Attorney General Eric Holder in contempt and am deeply concerned with the partisan basis of this investigation.

For the first time in the history of the United States House of Representatives, a Cabinet official, in this case an Attorney General has been held in contempt of Congress—simply for doing his job. This act is a deliberate misuse of power which I hope will be challenged.

In the previous sessions of Congress, the Oversight Committee has been a watchdog, ensuring that our Government works as effectively and efficiently as possible. Whether it was investigating our government’s failed response to Hurricane Katrina, or investigating our government’s role in the financial crisis, the Oversight Committee has been at the forefront of issues that concern the American people.

However, during this 112th Congress, the Oversight Committee’s leadership has pressed for an investigation, requesting irrelevant documents, and narrowly focusing his inquiries on the current Attorney General’s continuation of a program established long before his tenure. Attorney General Holder has cooperated with the Oversight Committee’s investigation, providing thousands of documents on the operation. However, after finding no wrongdoing, the Oversight Committee’s leadership remains
unsatisfied with its investigation into the Department of Justice.

This political showboating has forced the President to get involved and invoke executive privilege, an implied Constitutional power given to the President, because the Framers deemed it important that the President and his Office be given the freedom to act candidly under certain circumstances, primarily with regard to foreign policy and national security.

Our system of government depends on a separation of powers that allows Congress to enact laws and the President to execute these laws, as mandated by Article 1 and Article 2 of the Constitution. The Republican majority in the House of Representatives has decided to interfere with the authority of the Attorney General, who was appointed by President Obama and confirmed by a bipartisan majority of the Senate, to implement policy.

In addition, the vote to hold Attorney General Holder in contempt indicates that many in Congress are more interested in preventing President Obama and the officials he has appointed from fulfilling their duties than in talking about the issues that matter to the American people.

We are not debating proposals to create jobs today. We are not debating immigration reform. Why? Republicans have decided to investigate the internal deliberations of the Department of Justice, a 15-month investigation that has not revealed any misconduct—an investigation by the Committee on Oversight and Government Reform with which Attorney General Holder has cooperated. This vote creates a dangerous precedent for the future.

This is not the time for politics or games. We have all taken an oath to serve the American people and today’s vote is a disservice to the women and men whose interests have been repeatedly ignored. I am certain that the millions of Americans, who want to restore our economic prosperity, share my disappointment.

With this in mind, I urge all of my colleagues, on both sides of the aisle, to walk out in opposition to or oppose the vote to hold Attorney General Eric Holder in contempt. Cooperation between Congress and the Executive Branch, as a matter of national security, should not be a partisan issue.

HONORING MARY THERESA JOHNSON

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Forty-two years ago a young woman accepted her calling to serve in the Health Care System as a Nurse; and

Whereas, Ms. Mary Theresa Johnson began her nursing career in Wilmington, Delaware and this year she retires from nursing at the Shepherd Spinal Center in Atlanta, Georgia, she has served the Health Care System well and our community has been blessed through her service;

Whereas, this phenomenal woman has shared her time and talents as a Nurse, Mother and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader, a devoted professional and a servant to all who want to advance the lives of others through medicine; and

Whereas, Ms. Johnson is formally retiring from her nursing career today, she will continue to provide care because she is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Mary Theresa Johnson on her retirement and to wish her well in her new endeavors;

Now therefore, I, HENRY C. “HANK” JOHNSON, JR., do hereby proclaim May 26, 2012 as Ms. Mary Theresa Johnson Day in the 4th Congressional District of Georgia.

Proclaimed, this 26th day of May, 2012.

RECOGNIZING BONNEVILLE POWER ADMINISTRATION ADMINISTRATOR AND CEO STEVE WRIGHT ON HIS RETIREMENT

HON. ADAM SMITH
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Bonneville Power Administration (BPA) Administrator and Chief Executive Officer, Steve Wright, on his upcoming retirement. He has served as Administrator of the BPA for over a decade and is the longest-serving serving administrator in the organization’s history.

Mr. Wright joined BPA in 1981 in the agency’s conservation office. From this entry-level position he became the permanent BPA Administrator in February of 2002 after serving as Acting Administrator since late 2000.

Mr. Wright began his tenure as head of the BPA at the beginning of the West Coast energy crisis in 2000 and 2001. He successfully avoided electrical blackouts in the Pacific Northwest by reducing spot market purchases, which helped to preserve reliability. He also worked to negotiate and preserve the hydropower system and bring more renewable resources to the region.

His leadership of BPA has been based on collaboration and transparency. Steve’s work to reach out to customers, and stakeholders resulted in the highest ever customer, constituent, and tribal satisfaction scores. By opening up the financial and decision-making process to the public he increased transparency and reduced internal inefficiencies, saving millions of dollars.

Mr. Speaker, it is with great pleasure that I recognize the career of Steve Wright. His leadership and dedication to Bonneville Power Administration has had an astounding impact on the lives of everyone living in the Pacific Northwest. I wish him the best in all of his future endeavors.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Ms. WOOLSEY. Mr. Speaker, on June 6, 2012, I was unavoidably detained and was unable to record my vote for rollcall Nos. 414–423. Had I been present I would have voted: Rollcall No. 414: “yes”—On Hoyer of Maryland Motion to Instruct Conferences; rollcall No. 415: “no”—On Black Tennessee Motion to Instruct Conferences; rollcall No. 416: “yes”—Connor of Virginia Amendment; rollcall No. 417: “no”—McClintock of California Amendment; rollcall No. 418: “no”—Garrett of New Jersey Amendment; rollcall No. 419: “yes”—Capps of California Amendment; rollcall No. 420: “no”—Gosar of Arizona Amendment; rollcall No. 421: “no”—First Broun of Georgia Amendment; rollcall No. 422: “no”—Broun of Georgia Amendment; rollcall No. 423: “no”—Fourth Broun of Georgia Amendment.

IN CELEBRATION OF THE 85TH BIRTHDAY OF MR. LAWRENCE WRIGHT JORDAN, SR.

HON. SANFORD D. BISHOP, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor to extend my personal congratulations and happy birthday wishes to Mr. Lawrence Wright Jordan, Sr., born 85 years of age on July 8, 2012. On this day, he will be honored by his family and friends at a celebration at Crawford County Board of Education Auditorium in Roberta, Georgia at 1:00 p.m.

Mr. Jordan, the second of nine children, was born on July 8, 1927, to Mattie Lee (Barnes) and Graham Jordan, Sr. in Roberta, Georgia. He started working at a young age and served as the “house boy” for the family whose land his own family lived on.

As he grew up, Mr. Jordan had a great desire to serve his country and wanted to enlist in the United States Army at age 18. However, he was required to wait as his older brother was in the Navy and his mother did not want two sons in the military at the same time. He was finally able to enter the Army at the age of 25.

In the 1950s, Mr. Jordan served two tours of duty in the Korean War before receiving honorable discharges from the Army. He is one of the very few Korean War Veterans still alive today.

On October 11, 1958, Mr. Jordan married Anola Preston, also of Roberta, Georgia. They would go on to have six beautiful and loving children: Barbara Ann (Jordan) Snowden, Lawrence Wright Jordan, Jr., Linda Joyce Jordan, Sam Edward Jordan, Tammy Renee (Jordan) Jones, and John Howard Jordan as well as Shirlene Tennyson, who sadly, passed away. Additionally, Mr. Jordan has 18 grandchildren and 10 great-grandchildren.

George Washington Carver once said, “How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these.” Mr. Jordan has advanced so far in life because he kept these lessons with him through-out his childhood, his service in the Army, and his adult life.

The race of life isn’t given to the swift or to the strong, but to those who endure until the end. Mr. Jordan has run the race of life with
Mr. Speaker, I ask my colleagues to join me today in paying tribute to Mr. Jordan, a distinguished veteran and beloved husband, father, grandfather, and great-grandfather.

IN TRIBUTE TO THE RONALD REAGAN PRESIDENTIAL FOUNDATION, WALT DISNEY COMPANY, AND THE ‘D23 PRESENTS TREASURES OF THE WALT DISNEY ARCHIVES’

HON. ELTON GALLEGLY
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to the Ronald Reagan Presidential Foundation and the Walt Disney Company’s D23, the Official Disney Fan Club, as they present an historic exhibit at the Ronald Reagan Presidential Library and Museum in Simi Valley, California, titled, “D23 Presents Treasures of the Walt Disney Archives.”

The exhibit, which opens on July 6, salutes Walt Disney, one of America’s most revered men of imagination. D23, the Official Disney Fan Club will showcase the largest-ever exhibition of iconic props, costumes, artwork, and artifacts at the Presidential Library of our 40th president, who believed there are no limits to growth and human progress when men and women are free to follow their dreams.

Ronald Reagan and Walt Disney were American originals and eternal optimists who shared a belief in the essential goodness of the American way of life. Both grew up in the heartland of America during the early 1900s with hardworking, patriotic parents who believed that everything was part of God’s plan.

Next to his photograph in his high school yearbook, Reagan’s outlook is captured in the expression: “Life is just one grand song, so start the music.”

Both men moved to California in their 20s to pursue careers in entertainment. With deeply shared values and abundant talent, the friendship of the two great American pioneers shaped the world. Walt Disney changed the landscape of entertainment, while Ronald Reagan ended the Cold War and restored our nation’s faith in our institutions.

It is a tribute to both men that this exhibition of Disney treasures will be open at the Ronald Reagan Presidential Library in honor of the bond between President Reagan and Walt Disney.

Mr. Speaker, Bob Iger, the chairman of The Walt Disney Company, which partnered with the Ronald Reagan Presidential Foundation and Library, continues Walt Disney’s legacy. As chairman of Capital Cities/ABC television, he was an architect of the merger with Disney—a combination that has shaped and transformed the global media landscape.

He has dedicated himself to fostering the creative vitality of the Disney organization and under his guidance The Walt Disney Company has become the world’s largest media company.

Ronald Reagan was the first president I served under as a Member of Congress and his Presidential Library is less than a half-mile from my home. On a plane ride back to California, I met actor Fess Parker, who was catapulted to fame by playing Disney’s Davy Crockett and was returning home after spending time with his friend Ronald Reagan at the White House. Fess Parker became a lifelong friend as well. Personally and as an American, I have a strong connection to this exhibit and the men it honors.

“D23 Presents Treasures of the Walt Disney Archives” celebrates the leadership, the accomplishments, the creative spirit and powerful legacies of two great American pioneers. Ronald Reagan ended the Cold War and reshaped the world. Walt Disney changed the face of family entertainment. And both men had a keen understanding of what it took to “shine on this hill”: harmony, decency, wholesomeness, and home spun values that never have, and never will, go out of style.

IN TRIBUTE TO SERGEANT FIRST CLASS MATTHEW BRADFORD “BRAD” THOMAS

HON. JOE WILSON
OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, June 20, 2012, Sergeant First Class Matthew Bradford “Brad” Thomas, of Easley, South Carolina, was killed in action while serving in the South Carolina Army National Guard in Afghanistan. SFC Thomas attended Greenville Technical College after graduating from Travelers Rest High School. He worked for the Department of Labor and served our country in the most honorable way. Without the dedication of our brave men and women serving in our Armed Forces, we would not be able to enjoy the freedoms we hold so dear. SFC Thomas served to the highest standards of military service.

My thoughts and prayers are with wife, Jana, and their son Cayden, as well as his parents Charles “Bud” and Marsha Thomas. As a Gold Star veteran myself with four sons currently serving in the military, I particularly appreciate your extraordinary military family. Freedom is not free.

RECOGNIZING THE HEROIC EFFORTS OF THOSE FIGHTING THE WALDO CANYON FIRE

HON. DOUG LAMBORN
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to thank the heroic men and women who are battling the Waldo Canyon Fire. 1,200 firefighters from all over Colorado’s 5th District and the nation have been fighting this fire around the clock since Saturday. They have been assisted by numerous law enforcement agencies who have marshaled an orderly and injury-free evacuation of 32,500 citizens.

The cooperation between all levels and branches of government has been seamless, coordinated, cooperative, and effective. One example is the use of military assets, such as C-130 MAFFS firefighting aircraft. These planes have dropped over 73,000 gallons of slurry on this fire in coordination with the highly skilled firefighting teams on the ground. Additionally, Fort Carson, Peterson Air Force Base, and Cheyenne Mountain Air Force Station have contributed firefighters, support personnel, and air and ground equipment to assist in fighting and containing the fire along Highway 24 and on the Air Force Academy grounds.

The community response has been equally impressive. Shelters, food banks, and other charitable organizations have been overwhelmed by the generous donations of food and manpower. The Care and Share Food Bank has received hundreds of thousands of pounds of food and the Red Cross is doing extraordinary work at the shelters. They are running throughout the District. Many homes have been lost and much work remains, but I know that we have the people and the resources we need to win this fight.

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. SMITH of New Jersey. Mr. Speaker, this morning, members managed an urgent hearing to examine current U.S. policy and U.S. policy options in response to the recent military coup in Mali and the larger revolts of the Tuareg people in northern Mali.

The Tuaregs have been in conflict with the central government in Bamako, Mali, for many years, but following the service of some Tuaregs as mercenaries for the late Muammar Qaddafi in Libya, the acquisition of more sophisticated weapons from the Libyan conflict
Al-Qaeda in the Islamic Maghreb and other Islamist groups believed to have links with whose name means “Defenders of Faith,” is comprise its membership. Ansar al-Dine, whose name means “Defenders of Faith,” is an Islamist group believed to have links with Al-Qaeda in the Islamic Maghreb and other Islamist groups. Ansar al-Dine is dedicated to establishing sharia law—not only in Azawad, but also in the rest of Mali as well. Disputes between the two groups already have resulted in gunfire involving the supposed allies.

As we held this hearing today, the Economic Community of West African States, the African Union and the United Nations were discussing the viability of a peacekeeping mission in Mali. Such a mission would look to secure and protect civilian institutions and help restructure the Mali military. However, it will also focus on the situation in the North, which will be a tremendously sensitive matter, especially if the mission of the peacekeeping force is to retake territory from the MNLA and Ansar al-Dine.

To add further to the problematic nature of a response to the Mali coup and the Tuareg revolt, there is the matter of providing humanitarian aid to the 210,000 Malian refugees in Niger, Mauritania, Burkina Faso and Algeria. Another 167,000 Malians are internally displaced. Many of them are in remote areas and are difficult to reach with food and medical supplies. There is the question of how effective our aid efforts will be in such a challenging situation.

But no matter how difficult this matter is to address, there are too many people affected for the United States to fail to provide leadership in the effort to solve this political-social crisis.

THE ACCOMPLISHMENTS OF ARIZONA’S TGEN ON ITS 10TH ANNIVERSARY

HON. JEFF FLAKE
OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. FLAKE. Mr. Speaker, I rise today to acknowledge the achievements in the field of biomedical research of the Translational Genomics Research Institute, known as TGen, over the last decade.

Located in Phoenix, TGen applies the science of genomics, or the study of the human genetics, to finding cures for neurological disorders and diseases such as cancer and diabetes.

When TGen was founded in 2002, Arizona’s state and local leaders were excited by the promise of the many novel scientific discoveries that could be made through TGen.

But what was most exciting was that these discoveries made possible through further research into the human genome would translate into immediate and effective benefits for doctors and especially patients.

By partnering with entities at the forefront of medical discoveries like the Mayo Clinic and Scottsdale Healthcare, TGen for 10 years has focused on utilizing genomics analyses to improve patient treatments. Whether it’s sequencing anthrax or the plague; finding new clues to Alzheimer’s disease; or leading new research partnerships addressing pediatric and canine cancers, TGen’s research has changed patients’ lives.

In addition to making critical contributions to the scientific and medical fields, over the past 10 years, TGen has made many contributions to Arizona’s economy in the forms of investment and private-sector job creation. Investment into TGen and the biosciences spurred growth across the state, and spurred the launch of the Critical Path Institute and Bio5 in southern Arizona; Arizona State University’s Biodesign Institute and a northern Phoenix bio campus; TGen North; and expansion of W.L. Gore in northern Arizona.

On its 10th anniversary, I applaud TGen’s president, Dr. Jeffrey Trent, and the scientists at TGen for their commitment to make a difference for medical patients and their contributions to creating innovative research for Arizona.

HONORING MARIE ROBINSON

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 29, 2012

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Ninety years ago a virtuous woman of God was born in Henry County, Georgia on July 21, 1922; and

Whereas, Mrs. Marie Robinson was born Marie Morris to Mr. Wil and Mrs. Mary Gay Morris, she was educated in the local school system in Georgia, married Mr. Moses E. Robinson and through their union was blessed with nine children, thirty-five grandchildren, sixty-six great-grandchildren and nine great-great grandchildren; and

Whereas, this Phenomenal Proverbs 31 woman has shared her time and talents as a Wife, Mother and Motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

Whereas, Mrs. Robinson has been blessed with a long, happy life devoted to God and credits it all to the Will of God; and

Whereas, Mrs. Robinson along with her family and friends are celebrating this day a remarkable milestone, her 90th Birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Robinson on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now therefore, I, HENRY C. “HANK” JOHN-SON, Jr. do hereby proclaim July 21st, 2012 as Mrs. Marie Robinson Day in the 4th Congressional District of Georgia.

Proclaimed, this 21st day of July, 2012.
Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 4348, Moving Ahead for Progress in the 21st Century Act.

Senate agreed to S. Con. Res. 51, Adjournment Resolution.


House agreed to the Conference Report to accompany H.R. 4348, Surface Transportation Extension Act of 2012, Part II.

House agreed to S. Con. Res. 51, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4731–S4782

Measures Introduced: Two bills and four resolutions were introduced, as follows: S. 3362–3363, S. Res. 516–518, and S. Con. Res. 51.

Measures Reported:

S. 2239, to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses, with an amendment in the nature of a substitute.

Measures Passed:

Pilot’s Bill of Rights: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 1335, to amend title 49, United States Code, to provide rights for pilots, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Reid (for Hutchison/Inhofe) Amendment No. 2489, in the nature of a substitute.

Adjournment Resolution: Senate agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

Highway Trust Fund: Senate passed H.R. 6064, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law authorizing such programs.

United States-Israel Enhanced Security Cooperation Act: Senate passed S. 2165, to enhance strategic cooperation between the United States and Israel, after agreeing to the committee amendment in the nature of a substitute.

David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic: Committee on Veterans’ Affairs was discharged from further consideration of S. 3238, to designate the Department of Veterans Affairs community based outpatient clinic in Mansfield, Ohio, as the David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic, and the bill was then passed.

225th Anniversary of the Signing of the Constitution of the United States: Committee on the Judiciary was discharged from further consideration of S. Res. 376, commemorating the 225th anniversary of the signing of the Constitution of the United States and recognizing the contributions of the National Society of the Sons of the American Revolution and the National Society Daughters of the American Revolution, and the resolution was then agreed to.

National Infantry Museum and Soldier Center Commemorative Coin Surcharges: Senate passed S. 3363, to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges.

Veteran Skills to Jobs Act: Senate passed S. 2239, to direct the head of each agency to treat relevant military training as sufficient to satisfy training or
Measures Considered:

Small Business Jobs and Tax Relief Act—Closure: Senate began consideration of the motion to proceed to consideration of S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year.

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXIII of the standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, June 29, 2012, a vote on cloture will occur at approximately 2:25 p.m., on Tuesday, July 10, 2012.

A unanimous-consent agreement was reached providing that at 2:15 p.m., on Tuesday, July 10, 2012, there be 10 minutes equally divided between the two Leaders, or their designees, prior to a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill.

Conference Reports:

Moving Ahead for Progress in the 21st Century Act—Conference Report: By 74 yeas to 19 nays, 1 responding present (Vote No. 172), Senate agreed to the conference report to accompany H.R. 4348, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, by the order of the Senate of Friday, June 29, 2012, 60 Senators having voted in the affirmative, after agreeing to the title amendment.

During consideration of this measure today, Senate also took the following action:

By 72 yeas to 22 nays (Vote No. 169), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive paragraph 9, rule XXVIII of the Standing Rules of the Senate. Subsequently, the point of order that the conference report has not been publicly available for 48 hours and violates paragraph 9, rule XXVIII of the Standing Rules of the Senate fell.

By 66 yeas to 28 nays (Vote No. 170), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive paragraph 3, rule XXVIII of the Standing Rules of the Senate. Subsequently, the point of order that section 1538 of the conference report is a matter not committed by either House and violates rule XXVIII of the Standing Rules of the Senate fell.

By 63 yeas to 30 nays, 1 responding present (Vote No. 171), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolution, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, all applicable sections of those Acts and applicable budget resolutions with respect to the conference report. Subsequently, the point of order that the bill was in violation of section 311(a)(2) of the Congressional Budget Act of 1974 fell.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Friday, June 29, 2012 through Monday, July 9, 2012, the Majority Leader and Senator Cardin be authorized to sign duly enrolled bills or joint resolutions.

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that when the Senate completes its business on Friday, June 29, 2012, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Tuesday, July 2, 2012, at 12 p.m.; Friday, July 6, 2012, at 12 p.m., and that the Senate adjourn on Friday, July 6, 2012, until 2 p.m., on Monday, July 9, 2012, unless the Senate has received a message from the House that it has adopted S. Con. Res. 51, which is the adjournment resolution, and if the Senate has received such a message, the Senate adjourn until Monday, July 9, 2012 at 2 p.m., under the provisions of S. Con. Res. 51.

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the notification of the President’s intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as
beneficiary developing countries under the Generalized System of Preferences (GSP) program; which was referred to the Committee on Finance. (PM–53)  

Transmitting, pursuant to law, the notification of the President’s intent to add the Republic of Senegal to the list of least-developed beneficiary developing countries under the Generalized System of Preferences (GSP) program; which was referred to the Committee on Finance. (PM–54)  

**Fowlkes Nomination—Agreement:** A unanimous-consent-time agreement was reached providing that at 11:30 a.m., on Tuesday, July 10, 2012, Senate begin consideration of the nomination of John Thomas Fowlkes, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order.  

**Nominations Confirmed:** Senate confirmed the following nominations:  
Kamilah Oni Martin-Proctor, of the District of Columbia, to be a Member of the National Council on Disability for a term expiring September 17, 2014.  
Grande Lum, of California, to be Director, Community Relations Service, for a term of four years.  
Larry V. Hedges, of Illinois, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.  
Deborah J. Jeffrey, of the District of Columbia, to be Inspector General, Corporation for National and Community Service. (Prior to this action, Committee on Homeland Security and Governmental Affairs was discharged from further consideration.)  
Sara A. Gelser, of Oregon, to be a Member of the National Council on Disability for a term expiring September 17, 2014.  
Jamie A. Hainsworth, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.  
Edward M. Alford, of Virginia, to be Ambassador to the Republic of The Gambia.  
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.  
Dorothea-Maria Rosen, of California, to be Ambassador to the Federated States of Micronesia.  
Mark L. Asquino, of the District of Columbia, to be Ambassador to the Republic of Equatorial Guinea.  
Susanna Loeb, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring March 15, 2016.  
John S. Leonardo, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.  
Michele Jeanne Sison, of Maryland, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.  
Patrick A. Miles, Jr., of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.  
Douglas M. Griffiths, of Texas, to be Ambassador to the Republic of Mozambique.  
Jay Nicholas Anania, of Maryland, to be Ambassador to the Republic of Suriname.  
Susan Marsh Elliott, of Florida, to be Ambassador to the Republic of Tajikistan.  
Richard L. Morningstar, of Massachusetts, to be Ambassador to the Republic of Azerbaijan.  
Kristine L. Svinicki, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2017.  
Derek J. Mitchell, of Connecticut, to be Ambassador to the Union of Burma. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)  
Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2013.  
1 Air Force nomination in the rank of general.  
8 Coast Guard nominations in the rank of admiral. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)  
Routine lists in the Coast Guard, and National Oceanic and Atmospheric Administration. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)  

**Messages from the House:**  
**Measures Referred:**  
**Measures Placed on the Calendar:**  
**Measures Read the First Time:**  
**Executive Communications:**  
**Executive Reports of Committees:**  
**Additional Cosponsors:**
Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Mark J. Mazur, of New Jersey, and Matthew S. Rutherford, of Illinois, both to be an Assistant Secretary of the Treasury, and Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

- S. 2178, to require the Federal Government to expedite the sale of underutilized Federal real property, with an amendment in the nature of a substitute;
- S. 2170, to amend the provisions of title 5, United States Code, which are commonly referred to as the “Hatch Act” to eliminate the provision preventing certain State and local employees from seeking elective office, clarify the application of certain provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title, with an amendment in the nature of a substitute;
- S. 2234, to prevent human trafficking in government contracting, with an amendment;
- S. 2239, to direct the head of each agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses, with an amendment in the nature of a substitute;
- H.R. 915, to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, with an amendment in the nature of a substitute; and
- S. 3315, to repeal or modify certain mandates of the Government Accountability Office, with an amendment.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 6059–6078; and 8 resolutions, H.J. Res. 114; H. Con. Res. 130; and H. Res. 718–723 were introduced.

Additional Cosponsors:

Reports Filed:

- Third Semiannual Report on the Activity of the Committee on Financial Services for the 112th Congress (H. Rept. 112–559);
- Semi-Annual Report of the Activity of the House Permanent Select Committee on Intelligence for the 112th Congress (H. Rept. 112–560);
- Activity Report of the Committee on Energy and Commerce (H. Rept. 112–561);
- Third Semi-annual Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 5, 2011 through May 31, 2012 (H. Rept. 112–562);
- H.R. 5892, to improve hydropower, and for other purposes (H. Rept. 112–563);
- H. Con. Res. 127, expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived (H. Rept. 112–564);
- H.R. 1588, to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes, with an amendment (H. Rept. 112–565);
- H.R. 3128, to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to adjust the date on which consolidated assets are determined for purposes of exempting certain instruments of smaller institutions from capital deductions (H. Rept. 112–566);
- Survey of Activities for the House Committee on Rules For The Third Quarter of the 112th Congress (H. Rept. 112–567);
- Third Semiannual Activities of the Committee on Oversight and Government Reform for the 112th Congress (H. Rept. 112–568);
- Report on the Activities of the Committee on Education and the Workforce (H. Rept. 112–569);
- Committee on Appropriations House of Representatives Semiannual Report of Committee Activities 112th Congress (H. Rept. 112–570);
- Third Semiannual Report on the Activities of the Committee on House Administration During the 112th Congress (H. Rept. 112–571);
- Report on Legislative and Oversight Activities of the Committee on Natural Resources During the 112th Congress (H. Rept. 112–572);
- Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (H. Rept. 112–573);
- Third Semiannual Report on Activities During the 112th Congress (H. Rept. 112–574);
- Third Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress (H. Rept. 112–575);
- H.R. 4367, to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an automatic teller machine to the screen of that machine (H. Rept. 112–576).

Privileged Resolution:

- Representative Jackson Lee (TX) rose to a question of the privileges of the House and submitted a privileged resolution. Upon examination of the resolution, the Chair determined that the resolution qualified. Subsequently, the House agreed to the Webster motion to table H. Res. 718, raising a question of the privileges of the House, by a yea-and-nay vote of 259 yeas to 161 nays, Roll No. 443.

Surface Transportation Extension Act of 2012, Part II—Conference Report:

- The House agreed to the conference report to accompany H.R. 4348, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, by a yea-and-nay vote of 373 yeas to 52 nays, Roll No. 451.
Rejected the Barber motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 188 ayes to 233 noes, Roll No. 449.

Agreed to:

Landry amendment that was debated on June 27th that prohibits funds from being used to promulgate or implement any regulations that would mandate global positioning system tracking, electronic on-board recording devices, or event data recorders in passenger or commercial motor vehicles (agreed by unanimous consent that the earlier request for a recorded vote be vacated to the end that the Chair put the question de novo); Page H4630

McClintock amendment (No. 13 printed in the Congressional Record of June 26, 2012) that was debated on June 27th that prohibits funds from being used for the Third Street Light Rail Phase 2 Central Subway project in San Francisco, California (by a recorded vote of 235 ayes to 186 noes, Roll No. 446); Page H4631

Lankford amendment that was debated on June 27th that prohibits funds from being used to pay the salary of any officer or employee of the Federal Highway Administration to implement, administer, or enforce the Migratory Bird Treaty Act with respect to the cliff swallow or barn swallow (by a recorded vote of 234 ayes to 191 noes, Roll No. 447); and Page H4632–33

Denham amendment (No. 9 printed in the Congressional Record of June 26, 2012) that was debated on June 27th that prohibits funds from being used for high-speed rail in the State of California or for the California High-Speed Rail Authority (by a recorded vote of 239 ayes to 185 noes, Roll No. 448).

Rejected:

Blackburn amendment that was debated on June 27th that sought to reduce each amount made available by this Act by 1% (by a recorded vote of 166 ayes to 254 noes, Roll No. 445).

H. Res. 697, the rule providing for consideration of the bill, was agreed to on June 26th.

Temporary Surface Transportation Extension Act of 2012: The House agreed by unanimous consent to discharge the committees of referral and pass H.R. 6064, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

Announcement from the Chair: The Chair announced to the House that, pursuant to H. Res. 711, the Speaker has certified to the United States Attorney for the District of Columbia the refusal of Eric H. Holder, Jr., to produce certain papers before the Committee on Oversight and Government Reform.

Pages H4652

Recess: The House recessed at 3:34 p.m. and reconvened at 4:05 p.m.

Pages H4652

Adjournment Resolution: The House agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

Pages H4652

Presidential Messages: Read a message from the President wherein he notified the Congress of his intent to add the Republic of Senegal to the list of least-developed beneficiary developing countries under the Generalized System of Preferences program—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112–120).

Pages H4652

Read a message from the President wherein he notified the Congress of his intent to terminate the designations of Gibraltar and the Turks and Caicos Islands as beneficiary developing countries under the Generalized System of Preferences program—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112–121).

Pages H4652–53

Senate Messages: Messages received from the Senate today appear on page H4652.

Senate Referral: S. 1335 was referred to the Committee on Transportation and Infrastructure.

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Quorum Calls—Votes: Four yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H4615, H4615–16, H4630–31, H4631, H4632, H4633, H4634–35, H4635 and H4636. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 4:12 p.m., pursuant to S. Con. Res. 51, the House stands adjourned until 2 p.m. on Monday, July 9, 2012.

Committee Meetings

NATIONAL SECURITY FORCES: RESOURCES, STRATEGY, AND TIMETABLE FOR SECURITY LEAD TRANSITION EXPERT ASSESSMENTS

Committee on Armed Services: Subcommittee on Oversight and Investigation held a hearing on National Security Forces: Resources, Strategy, and Timetable for Security Lead Transition Expert Assessments. Testimony was heard from public witnesses.
AMERICAN ENERGY INITIATIVE: A FOCUS ON EPA’S GREENHOUSE GAS REGULATIONS


THE FUTURE OF MONEY: WHERE DO MOBILE PAYMENTS FIT IN THE CURRENT REGULATORY STRUCTURE

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “The Future of Money: Where Do Mobile Payments Fit in the Current Regulatory Structure?”. Testimony was heard from Stephanie Martin, Associate General Counsel, Board of Governors, Federal Reserve System; and a public witness.

TUAREG REVOLT AND THE MALI COUP

Committee of Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled “The Tuareg Revolt and the Mali Coup”. Testimony was heard from Johnnie Carson, Assistant Secretary of State, Bureau of African Affairs, Department of State; Earl Gast, Assistant Administrator, Bureau for Africa, U.S. Agency for International Development; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans’ Affairs: Subcommittee on Health held a markup of H.R. 3337, the “Open Burn Pit Registry Act of 2011”; and H.R. 4079, the “Safe Housing for Homeless Veterans Act”. H.R. 3337 and H.R. 4079 were forwarded, as amended.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY, JULY 9, 2012

(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
No hearings are scheduled.
Next Meeting of the SENATE
2 p.m., Monday, July 9

Senate Chamber
Program for Monday: The Majority Leader will be recognized.

Next meeting of the HOUSE OF REPRESENTATIVES
2 p.m., Monday, July 9

House Chamber
Program for Monday: To be announced.

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